

THE CONSTITUTIONAL RIGHTS AND MINORITIES IN THE BALKANS: A COMPARATIVE ANALYSIS

PASKAL MILO

His Excellency Prof. Dr. Paskal Milo is the Minister of Foreign Affairs of Albania

New constitutions have been drafted in all the post communist countries of the Balkans. They reflect the qualitative changes taking place in the political, economic and social life of these countries, the transition from communist dictatorship to pluralist democracy, from centralised economy to free market economy. The constitutions of the Balkan countries have the same general principles, which have been taken from international experience and constitutional rights. But they have also special concepts and features resulting from a different economic level of these countries, from the degree of the society's political emancipation and from the nations democratic traditions. It cannot be pretended that by this modest study we could make a comparative analysis, which would indicate the common and distinguishing features of the Balkan constitutions in all aspects. Therefore, it was considered more reasonable that this method be used for studying one of the most sensible and important aspects of the Balkan constitutions, that of minorities. The treatment at a comparative aspect of the constitutional rights of minorities is not merely a theoretical question. It assumes great practical value for gaining new experiences in facing and solving a problem, which has not been, is not and will not be easy for any Balkan countries. The confrontation of various constitutional alternatives reflects the degree of knowledge as well as the differences between constitutional rights in theory and in application.

The universal principles of the international rights on minorities have been inserted in all the constitutions of the Balkan countries, excluding Greece. But these principles have not been underlined equally in all the constitutions. There are constitutions, like that of Bulgaria, which omit these principles, but there are also many others which acknowledge them totally. According to the first item of Article 54 of the Bulgarian constitution "Everyone has the right to profit from the national and international cultural values, as well as to develop his own culture in conformity with his ethnic origin, which is acknowledged and guaranteed by law".¹ To make a comparison, let us refer to the constitutional laws of other countries. Unlike the Bulgarian constitution, they lay the stress on the preservation and development of the ethnic, religious and linguistic identity, including their cultural identity. Thus, according to Article 6 of the Romanian Constitution "The state acknowledges of the people belonging to national minorities, the right to preserve, to develop and to express their ethnic, cultural, linguistic and religious identity"². Likewise, Article 48 of the Constitution of Macedonia and Article 26 of the Albanian law on human freedoms and rights, underline that "Persons belonging to national minorities have the right to exercise without discrimination and equally under the law, the fundamental human rights and freedoms. They have the right to freely express, preserve and develop their ethnic, cultural, religious and linguistic identity..."³

The above juridical formulations constitute a compromise between international rights and the state politics of certain countries. Generally, the actual debates on minority rights have been concentrated on the question whether they are and should be the rights of a group or of an individual.

A comparative analysis of the degree of recognition and respecting of the minority rights in the Balkan constitutions requires an examination of such questions as the statutes and the degree of organisation in the country's political, economic and social life, their right of representation in the state legislative and executive organs, the right for their education in their mother tongue, for the preservation of traditions and national culture, the right for the use of national symbols and of their own language in juridical processes, etc. To analyse all the above mentioned problems in a modest study is impossible, therefore our attention will be concentrated on those we think are more important.

The recognition of the minority rights on the preservation and development of just their identity as a constitutional principle is only the starting point from which we can judge the state engagement in the fulfilment of its obligations to the minorities. This constitutional principle is confronted with

a certain reality, with a challenge, which according to Jürgen Habermas “becomes all the greater, the more profound are the religious, racial or ethnic differences or the historical - cultural disjunction’s to be bridged.” 4

Ethnic diversity in the Balkan countries has always caused problems in their relations. In many cases the figures representing the presence of the same minority in a certain country are different. In general, authorities and official sources tend to reduce figures, while the data given by the respective minority sources tend to do the opposite. There are countries like Greece, which deny the existence of ethnic minorities on their territory. This is not a realistic stand. It is guided by nationalist, emotional motives, and by the glorification of history. The Greeks as well as the Albanians, are the oldest peoples of the Balkans, but this does not give them the right to pretend ethnic purity on the state territory where they live. Likewise, Greece is no exception from the early Balkan general phenomenon of ethnic mass movements from one country to another for various motives and factors. The Balkan ethnic groups, either original residents or immigrants, were more common on Greek territory during the Middle Ages, but later they decreased in number or were assimilated and became a part of the Greek culture and the Orthodox religion. The absolute denial of ethnic minorities in Greece does not correspond either to historical or contemporary reality. According to Adamanta Pollis, “in Greece there has been a discrepancy between the official attitude towards the existence of ethnic minorities and the self identity of the people involved.” 5 Another Greek author Mavrokordatos writes that in Greece almost all the minorities, in one way or another, have been subject to discrimination, either by the Greek Orthodox majority, or by the Greek state, which has limited their rights and is exercising severe persecutions against them. 6

Non-official Greek sources confirm the existence of ethnic minorities in Greece, such as Turks, Albanians, Slavs, Vlachs, etc. Let us take for example the Albanians. In Greece today, there are four Albanian groups, or individuals of Albanian origin. The first group are the Albanians of Thesprotia, who are also known as the Albanians of Cameria, bearing real Albanian features. The second group are the Albanians living in the region of Thrace. They have moved from Turkey and established there at the time of population exchanges between Greece and Turkey in the years 1923-1926. The third group are the Albanians, who have gone to Greece six-seven centuries ago and are known as Arvanitas. They are spread in various regions especially in Attica-Peloponese and in some islands. The last group consists of the Albanian emigrants who have move to Greece in the last five years and according to approximate figures their number is about 300,000.

Of the four Albanian groups, both in the past and today, official Tirana has claimed the right of ethnic minority status for the Çams of Thesprotia. Throughout the century, Athens has not only categorically refused such a demand, but it has made intensive efforts to abolish the presence of this ethnic reality in Greece by various means, especially by violence. A consequence of systematic pressure, denial of rights to preserve and cultivate their identity has been also the process of Hellenisation of the Albanian Çams, though some of them still consider themselves as Albanians. According to the latest registration of the population in Greece, in March 1991 the Albanian Çams existed in there small communities: 13 persons were living in Arjirotopos, 7 in Sivota and 36 in Mazaraqia. According to the registration 10 out of the last the last group are living in Germany and 9 in Rhodes.7 Forty years ago, according to the 1951 official registration the number of declared Çams was 123.8

There is no doubt that these figures have been manipulated. The Greek author Panayote Elie Dhimitras says that according to the scholars who do not belong to the group of intolerant Greek nationalists, the registrations of the population in Greece purposely underestimate the minorities such as Slavo-Macedonians, Vlachs and Çams. 9 This is evident as soon as you are confronted with the registration figures of 1928, 1951 and 1991. In the 1928 registration, the number of the Albanians was 18.773, while in 1951 they numbered 22.736.10 In the first registration they figured as Muslims, while in the second one they figured as Orthodox Christians. These figures are considerably less actually, if we take into account that about 20,000 Albanian Çams were forced out of their land in the spring of 1944-1945. The same phenomenon is happening with the Slavo-Macedonians, of whom Mavrokordatos says that the 1928 registration does not reflect their real number, which, according to him was about 200,000.11 Likewise, the number of Vlachs is estimated to be considerably reduced. According to the 1951 official figures, they numbered 22.736, while according to the well known Greek politician of Vlach origin E. Averof, they were estimated to be

200,000 in 1956.¹² The systematic efforts to conceal the presence of ethnic minorities in Greece have exposed Greece to strong criticism. Dhimitras, one of the best experts and critics of Greek reality concludes that "If Greece accepts the idea of transforming into a multicultural society, there is no reason why it should be frightened to recognise all its minorities and to grant them all the rights for which they are aspiring, rights which have been defined in various documents of the Conference on Security and Cooperation in Europe, and of the Council of Europe."¹³

In spite of the efforts that have been made to find a definition acceptable to all, the concept of minority still continues to be fluid. Generally, three minority categories are known by international law: national or ethnic, linguistic and religious. In the Balkans the ethnic minority category is more well known, while as far as the other categories are concerned there is a certain confusion.

All this happens because there are not clearly defined criteria. Four main criteria for the existence of a linguistic minority have been accepted by some scholars: self-identification, common origin, historical and cultural linguistic features linked with the language and social organisation of cooperation between linguistic groups, which put these groups in a minority position.¹⁴ On the basis of these criteria about 50 linguistic minorities have been defined in Western Europe. However, it is not said that a linguistic minority group should have all the above characteristics to be defined as such. In the meantime, it is not said that all these criteria can have an equivalent universal value for all the countries. The experience of France, Switzerland or Sweden for example not always is valid for the Balkan countries.

The Balkan countries have a troubled historical heritage. Certain extremist nationalist circles take advantage of this, and it should not be denied that they have always had their considerable influence on the official policies of the Balkan countries.

They are partial in interpreting historical facts and phenomena and they try to deny the various minority categories or to minimise their presence in certain Balkan countries. Referring to this reality, Dhimitras concludes that "Though Greece, like other countries of Central and Eastern Europe declares that it enjoys a democratic regime it does not at all fulfil the criteria which allow the free affirmation of these minorities. " ¹⁵

Actually, in the Balkans there is an ambiguity, in most cases purposely provoked in relation to the classification of the minorities, as to which is ethnic, which is linguistic and which is religious. That which in one country is defined as ethnic, in another country is classified as linguistic or vice versa.

Perhaps there is less confusion in identifying religious minorities because of their clear identity and because of the constitutional legislation, which stresses the universal principles of the freedom of religion. It is interesting to have a brief comparative look in this field. All Balkan constitutions proclaim the freedom of conscience and religion, the right to practice them in conformity with the law. But they have some distinctions, which are a consequence of the historical development of the dominant religious belief, of its position in the relations with the state and other religious beliefs. The Constitution of Yugoslavia and the Main Constitutional Dispositions of Albania respectively, have one article with basic formulations on the freedom of conscience and religious beliefs.¹⁶ This is unlike the Constitutions of Bulgaria, Greece, Romania, Macedonia, etc., in which freedoms and rights of religious communities have been widely treated.

Another distinction of the Balkan constitutions is that some of them underline the special role of the dominant religion in relation to other religions. This is evident in the Constitutions of Greece and Macedonia, which clearly reveal the privileged positions of the Orthodox church. Another feature in this field is that not all the constitutions have clearly expressed the relations of the church with the state. In the main constitutional dispositions of Albania, in the constitutions of Macedonia, Croatia, Romania and Yugoslavia, it is plainly said that the religious communities and the church are separated from the state.

The proclamation of the constitutional principles on the freedoms of conscience and religious beliefs is one side of the problem. The other side and the most important is how and to what degree these principles are put into practice. This confrontation in some countries reveals a somewhat

different and not very pleasant reality. Almost in all the countries the biggest religious community is seeking to impose itself and to hinder the new religious sects. Besides this, these communities try to exercise powerful influence on their state policy.

First, let us refer to Yugoslavia. According to religious composition, the population of former Yugoslavia was divided into 6.5 million Orthodox, 5.6 million Catholics, 3.7 million Muslims, 200,000 Protestants, etc. In today's Yugoslavia, the Orthodox element is prevailing and the clergy of this religion, that is the Serb Orthodox church is the vanguard of the aggressive Serb nationalism, especially against the Albanians of Kosovo, whose majority are Muslims. The reason why the 1992-1995 war in Bosnia was so fierce and with so many consequences was also because of religious intolerance, which has been cultivated in the relations between the Orthodox Serbs and the Bosnian Muslims.

A typical phenomenon in the Balkan post-communist countries is the reactivation of the religious traditional communities on the one hand, and overflow of Christian sects from Western Europe and the United States of America on the other. In Romania the ruling community are Orthodox, but there are also 1.1 Million Catholics, over 800,000 reformists (Calvinists), over 21,000 evangelists, about 76,000 members of the Unitarian Church 56,000 Muslims, etc.¹⁷

In Bulgaria the religious minorities are: Muslims, who number from 700,000 to 1 million, 70,000 Roman Catholics and 15,000 Greek Catholics, about 13,000 Protestants, 20,000 Armenians, 5,000 Jews, etc. In this country the introduction of new religious sects has never been welcomed and restrictive measures have been taken against them in direct opposition to the country's constitution.

From the point of view of religious diversity, Albania is a special case in the Balkans. According to the latest registration of the population about 35 years ago, there were about 70 per cent Muslims, 20 per cent Orthodox and 10 per cent Catholics.¹⁸ In general, these three communities have coexisted in harmony with one another. Religious beliefs suffered a heavy blow in 1967, when the communist regime banned their practising by force. This situation lasted until 1990. After the fall of the dictatorship, the traditional religious institutions began to recover, at a time when new Christian sects began to enter. At the beginning of 1993, their number was 20, while now according to the data of the Secretariat for Relations with Religious Communities, this number has gone up to 100.

Article 18 of the law on "The Fundamental Human Rights and Freedoms" approved by the People's Assembly on March 31, 1993, is in conformity with the most advanced standards of freedom of religious beliefs. It says: "Anyone is free to convert his own religious beliefs as well as to manifest them individually or collectively in public, or in private life through cult, education, practices, or rites. Freedom to manifest religious beliefs cannot be an object of other restrictions...." ¹⁹ This law has encouraged the arrival of various religious sects in Albania, which due to specific conditions of imposed communist atheism met with a "virgin" land for the proliferation of their rites. Such a situation has resulted in a general gradual decline in the size of the Muslim community. It has aroused strong reaction among the leaders of this community, which has publicly demanded that restrictive measures be taken against the Christian sects in Albania.

The Greek Orthodox Church is closely linked with the ideology of Greek nationalism. According to Article 3 of the Greek constitution, the Orthodox religion is a state religion and it has become synonymous to Greek ethnos. According to the Greek historian Antonis Liakos, the Greek Orthodox Church is using this position "as a privileged area for intervention in questions of state and national problems, in which it adopts the role of a protagonist, like any other political group, in contrast to the theological assumption concerning its activity." ²⁰ The ruling position of the Orthodox Church and its dominant role in the life of Greek society has contributed to the creation of an isolating and negative spirit and practice for every religious minority in Greece, to a drastic restriction of the rights in this field. The Greek Orthodox Church and its official circles motivate such politics, guided by sheer nationalistic positions. According to them religious minority freedom endangers the integrity and purity of the Greek nation and state. ²¹

In fact religious minorities in Greece are small in number and do not pose any serious threat to the hegemony of the Greek Orthodox Church. According to Greek official statistics of 1983 98 per cent of Greeks belong to the Orthodox religion. Non-official sources confirm that in Greece there are 500,000 Paleoimeroljites, who make up 5 per cent of the population, 132,000 people of Muslim religion (Turkish speaking and Pomak), 52,000 Catholics, 5-6,000 Jews, about 20,000 Protestants and over 24,000 Jehovah's Witnesses. Not pretending absolute accuracy, these sources confirm that about 10 per cent of the Greek population belong to religious beliefs other than that of the Greek Orthodox Church.²² Only the Muslim religious minority is officially known in Greece. Greece has signed the European Convention on the Defence of the Fundamental Human Rights and Freedoms, which contains several clear-cut clauses on the freedom of religious beliefs. In the Greek Constitution there are some restrictions, which are in opposition to the content of this Convention regarding religious freedom.

Certain Greek scholars, including Pollis, affirmed that "Religious freedom is one sphere in which the Convention is flagrantly violated by the Greek Constitution, the Civil and Criminal Codes, the courts and administrative edicts" and that .. restrictions on exercising religious rights in Greece emanate from the ideology of Greek national identity. This ideology leads inexorably to Greece's failure to confirm European standards, and hence to acute tensions in its integrating process. ²³

Which Articles of the Greek Constitution actually restrict the freedom of religious beliefs? Article 13 of this Constitution proclaims the universal principle of the freedom of religion. But in the 2nd and 3rd items of this Article there are two formulations, which constitute the juridical basis for restrictions in the field of freedom of religion. The first formulation has to do with the expression "Every recognised religion is free"...²⁴ The term "recognised" is the essence from which restrictions emerge. In order for a religion to be recognised, it should first be recognised by the administrative organs and courts of law, that is, it should submit to a bureaucratic procedure. A religious minority must ask permission from the Ministry of Education and Religion to set up their House of Worship. The Ministry has to consult the local Orthodox bishops, who in most cases do not issue such permission. Naturally, the court does the same.

We see the lack of freedom of religion in another aspect. People of non-Orthodox belief are discriminated at work in public sectors, in the army, police, courts of law, education, etc. Discrimination is more evident in the case of the Protestants and Evangelists, the Jehovah's witnesses and Paleoimeroljites in particular, whose rituals are more traditional than those of the Greek Church and who adhere to the Julian Calendar (like the Russian Orthodox).

The 2nd item of Article 13 of the Greek Constitution says: "Proselytising is banned".²⁵ This is a drastic restriction in the practising of religious beliefs. This item is in contradiction to Article 9 of the European Convention on Human Rights, which says that "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom... to manifest his religion or belief in worship, teaching, practice and observance".²⁶ On the basis of this Article of the Constitution, in September 1983 the Greek Orthodox Church through Bishop Serafin proclaimed the encyclical entitled: "The Campaign against Heresy". It was directed against the proselytising movements of the Protestant and multi-national organisations and also against Eastern religions." ²⁷ The Catholics, Jews and Muslims were not classified as heretical. The denial of the right to convert, has brought about the violation of other human rights in Greece, such as the freedom of communication and of expression, which are important for the practising of religious freedom. Greece is the only member of the European Community which has signed the Human Rights Convention, but which restricts religious freedom. In conclusion, Pollis says that it will not be in conformity with the European norms on religious freedom if courts of law will not give up their strict interpretation of "recognised" religions, if the Ministry of Education and Religion does not renounce the right for giving permission to set up houses of worship and for the engagement of this Ministry in religious problems, if the controlling role and power of the Greek Orthodox Church on all religious problems is not abrogated, and finally, if restrictive legislation is not banned.²⁸

The pace of the Balkan States' official policy of granting rights to the minorities is closely linked with the level of organisation and representation of minorities in the political, legislative and juridical institutions of these countries. In the Balkan constitutions there are considerable differences in this respect. In the constitutions of Greece, Romania, Yugoslavia and Macedonia

nothing is said about the rights of a minority to create parties and political organisations on ethnic bases.²⁹ In some other countries as in Bulgaria and Albania, according to their constitutional law formulations, the creation of parties on ethnic bases is banned. Item 4 of Article 11 of the Bulgarian Constitution underlines that “no political parties can be formed on ethnic, racial or religious bases”. Indirectly, we see this also in Article 26 of the Albanian Human Rights and Freedoms Legislation, which says that persons who belong to national minorities have the right “to unite in organisations and associations for the defence of their own interest and identity”.³⁰ In the 1994 November Draft Constitution, this aim is expressed clearly in the 3rd paragraph of Article 6 saying that: “In Albania, no political parties are allowed on religious and ethnic bases.”³¹ In Croatia and Slovenia, we find formulations which appear to favour the creating of parties on ethnic bases. Diversity and the lack of transparency in the Balkan countries’ constitutions show that this is a very acute problem which clearly reflects an atmosphere of mutual distrust and fear in the relations between the ruling state and the national minorities.

However, in one way or another, there exist parties on ethnic bases even in those countries where they are banned or where an apparently neutral stand is adopted. In Bulgaria, there is the Movement for Rights and Freedoms, which is known as the Turkish minority party, with 16 deputies represented in the Bulgarian Parliament. In Albania, the “Human Rights Union” Party was represented at the People’s Assembly with three deputies from the Greek minority, at a time when the “Omonia” organisation, which is the main support of this party, directly expresses the interests of this minority. In Romania, there is the Hungarian Democratic Union Party created on ethnic basis. In Croatia, there are such parties as the Serb Democratic Party, the Hungarian People’s Party, the Roms Party, the Albanian Democratic Union, the Democratic Muslim Action Party, and the Serb National Party.

In some Balkan countries as in Romania, Croatia and Slovenia there is a particular solution regarding the minority representation to the legislative organs of these countries.

The 2nd item of Article 59 of the Romanian Constitution says that “The national minority citizens’ organisations, which do not get the necessary number of votes in the elections to be presented in Parliament, have each one of them the right of a deputy seat, as it is envisaged by the elections legislation”.³² According to this Article, 13 deputies in the previous Romanian Parliament represented the interests of the German, Slovak, Czech, Italian, Serb, Armenian, Ukrainian, Russian, Roman and other minorities, who, together with 27 deputies and 12 senators of the “Hungarian Democratic Union” in Romania, amount to 52 deputies and senators, and comprised a considerable percentage in Parliament.

In Croatia, too there is a similar minority representation in Parliament. According to Article 18 of the Constitution the members of the ethnic and national communities and minorities, who in the registrations of 1981 exceeded 8 per cent of the total number of the population in Croatia, have the right of a parliamentary representation in proportion to their number. Those minorities that have a lower percentage than 8 per cent, have the right of electing five representatives to the House of Representatives of the Croatian Parliament, on the condition that they represent the interests of all the other minorities.³³ The Hungarian, Italian, Czech, Slovak, Ruthene, Ukrainian, German and Austrian minorities, have the right to vote according to the Law on Legislation. However, the scholar Antoljak from the Zagreb University, considers this Law as discriminating, because it does not say anything about the other minorities such as Muslims, Slovenes, Macedonians, Albanians as well as Romans.³⁴

In Slovenia, only the ethnic Italian and Hungarian communities have the right of direct representation to the local organs and to the National Assembly. Article 64 of the Slovenian Constitution and Article 2 of the Law on Elections at the National Assembly guarantee this right.³⁵

An important index of the position of minorities in the Balkan countries is the degree of education in their mother tongue. The schooling of young generations in their mother tongue is fundamental for the preservation and development of the minority’s ethnic, cultural and linguistic identity. This question has been widely treated in international documents and particularly in the July 1990 Copenhagen Document of the Conference on Security and Co-operation in Europe. Likewise, the schooling of minorities is treated in all the Balkan constitutions, which more or less reflect the spirit

of the international documents. These constitutions define the minorities' universal principles on schooling, which are analysed by other laws and special administrative decisions. If we look at the main laws on minorities schooling in the Balkans, we can classify the Balkan countries into four groups: In the first group are Croatia and Slovenia, and to some extent, Romania. Their legislation is the most liberal. In the second group are Macedonia, Bulgaria, and Albania, whose legislation has centralised the minority schooling policy. In the third group is Yugoslavia, which in principle accepts the minorities' right to their education in their mother tongue, but in fact does not put this into practice. In the last group is Greece, whose constitution has no Article referring to the minorities' education.

In order to have a better classification, which I don't pretend to be absolutely accurate, we have to consider the main indications of the Balkan legislation on the minority education issue.

1. The extent of Minority Education

This problem consists of its horizontal and vertical extension. In all the Balkan countries in general, the minorities live in concentrated areas, which facilitates the organisation of various levels of university education. However, there is not always a proper understanding between the majority administration and the demands of the minority, who seek to fulfil their rights. In Slovenia, Article 64 of the Constitution says that "The state, by statute determines the geographical zones, where two-language schooling will be obligatory".³⁶ In Croatia, the Constitutional Law on Human Rights and Freedoms and on the National or Ethnic Minorities or Communities Rights defines districts of a special status as those regions where the minorities make up the relative majority of the population. In this case, their schooling rights are wider than the persons who belong to minorities, but who live in towns and in regions outside territories with a special status. According to this law, the foreign language to be taught in the above mentioned regions will be the language of the respective minorities, irrespective of the minority percentage within the total population frame work.³⁷ In Albania the geography of the minority schooling is limited in the South and South East of Albania, where there exist two minorities: Greek and Macedonian. Data of the Ministry of Education of Albania confirm that in the districts of Gjirokastra, Saranda and Delvina there are 73 elementary and eight year schools and seven secondary schools, where Greek minority pupils are studying. In the last four years, a continuous dialogue, often accompanied by tension, has been held between the representatives of this minority and the Albanian government for the opening of schools and school classes in the Greek language in the towns of Saranda, Gjirokastra, Delvina, and in other two or three villages of that area. Recently, the Albanian government has opened these schools.

The second aspect of minority schooling is its vertical movement. Not all the other constitutions and special laws are clear on this question. Only in two cases are the minorities' schooling level clearly defined. Article 48 of the Constitution of Macedonia says that "In the elementary and eight year education, the nationality members have the right to be taught in their own mother tongue as it is defined by the law."³⁸ As far as the organisation and functioning of the educational system in Romania is concerned, Article 4 of the Resolution of the Romanian Government says that "national minorities have the right to learn and be taught in their own mother tongue in all forms of education".³⁹ However, in general, in all the Balkan countries minority schooling is organised and supported up to the level of secondary schools.

1 *Republic of Bulgaria Constitution, Albin, Tirane, 1995, p.20.*

2 *The Constitution of Romania. Edited by the "Monitorial Official", Self Managed Public Company, Bucharest, 1991, p.64-65.*

3 *Fletorja Zyrtare-1993, (1-7), Albal Tirana 1995, p.167.*

4 *Habermas, Jürgen (1994), Struggles for Recognition in the Democratic Constitutional State Multiculturalism Examining the politics of Recognition. Edited and Introduced by Amy Gutmann Princeton University Press, , p.118.*

5 Pollis, Adamantia, "Greek National Identity: Religious, Minorities Rights and European Norms.", *Journal of Modern Greek Studies*. Volume 10. No: 2 October 1992, p. 188.

6 Dhimitras, Panayote Elie, "Minorities linguistiques en Greece." *Les Minorities en Europe. Droit linguistiques et droits de l'homme sous la Henri Giordan*. Paris 1992, p. 313.

7 Kentrotis, Kyriakos, *Myths and Realities about minorities in Greece: The case of the Moslem Cams of Epirus. Comparative Balkan Parlamentarism*. Edited by Lyubor Grigorova-Mincheva International Centre for Minority Studies and Intercultural Relations, Sofia 1995, p. 150.

8 *Ibid*, p. 50.

9 Panayote Elie Dhimitras: *vep e pèrm. faqe 302*.

10 *Ibid*, p. 303.

11 *Ibid*, p. 302.

12 Winnifrith, T.J (1987), *The Vlachs: The History of a Balkan People*. Duck Worth, London, p. 3.

13 Panayote Elie Dhimitras, p. 317.

14 Allard, Erik, "Oiu est-ce Qu une minorite linguistique?" *Les Minorites en Europe*, p. 51.

15 Panayote Elie Dhimitras, p. 308.

16 *Constitution of the Federal Republic of Jugosllavia, Article 43. Belgrad 1992, p. 15; Fletoret Zyrtare të vitit 1991, Ligj për Dispozitat Kryesore Kushtetuese, Neni 7, faqe 147.*

17 *Semi Annual Report for the Balkans. No. 3 December 1994 Analysis of political, economic, legal and business development.*

18 *Ibid*, p. 114.

19 *Fletoret Zyrtare të vitit 1993 (1-7) Shtëpia Botuese "Albal" SHPK Tiranë 1995, faqe 165-166.*

20 Liakos, Antonis (March 1993), *The Balkan Crisis and Nationalism. Balkan Forum Vol. 1, No. 2, p. 83.*

21 Adamantia Pollis, p. 179.

22 *Ibid* p. 180-181.

23 *_bid* p. 178; 172.

24 *Kushtetuta e Greqies Albin 1995, faqe 86.*

25 *Ibid*

26 Adamantia Pollis: *vep. e pèrm. p. 183.*

27 *Ibid*, p. 179-180.

28 *Ibid*, p. 184-185.

29 *Kushtetuta e republikës së Bullgarisë. Kushtetuta Albin 1995, p. 8.*

30 *Fletoret Zyrtare të vitit 1993 (1-7) Shtëpia Botuese "Alba" SHPK Tiranë 1995, faqe 167.*

31 *Projekti i Kushtetutës së Republikës së Shqipërisë, Tiranë 1994, p. 2.*

32 *The Constitution of Romania, Edited by the "Monitorial Oficial" - Self-Managed Public Company. Bucharest, 1991, p. 84.*

33 *The principal state acts, Zagreb, April 1993, p. 47, 71-72.*

34 *Antoljak, Stefica Deren, Constitutional and Legal Aspects of the Rights of Ethnic and National Communities or Minorities in Republic of Croatia, Comparative Balkan Parliamentarism p. 132.*

35 *Constitution of the Republic of Slovenia. Casopisni Zavod Uradni list Republike Slovenije. Ljubljana 1992, p. 34-35; Ethnic Minorities in Slovenia. Published by Institute for Ethnic Studies, Ljubljana 1993, p. 41.*

36 *Constitution of the Republic of Slovenia Ljubljana 1992, p. 34.*

37 *The principal state acts. Zagreb, April 1993 p. 47.*

38 *Constitution of the Republic of Macedonia Skopje, 1991, p. 17.*

39 *The Education System in Romania. Tuition in the languages of ethnic minorities. The government of Romania. The Council for National Minorities, 1993, p. 24.*

40 *Law no: 7952, dt. 21.6.1995 Per sistemin arsimor parauniversitar. Fletorja Zyrtare e Republikës së Shqipërisë. Botim i Kuvendit Popullor. No.: 15. Korrik, 1995, p. 621.*