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THE NECESSITY OF ALBANIAN KINGDOM AND ITS LEGALITY

90 years ago, exactly on September 1, 1928, (Saturday), the Constitutional Assembly in its fourth meeting, unanimously adopted the Statute changes (i.e. the Constitution). Two of the most important ones were: “Albania is a democratic, parliamentary and hereditary Kingdom” and “The King of the Albanians is His Majesty – Zogu the First.”¹

The transition of Albania in the form of governance of the monarchical system was in fact a transition to a more traditional and more acceptable system for Albanians than the Republican system. The kingdom was installed by the same person, who three or four years ago installed the Republic and was proclaimed President of this Republic.

The proclamation of monarchy has been evaluated with numerous contradictions in the public opinion, which can be grouped into three positions. The most radical stance is that the monarchy installed by Ahmet Zogu was not legal and was simply an expression of Zogu’s personal ambitions.

Another stance is that the installation of the kingdom, even though it was not lawful, has been a necessary political act for the stability and national security of the country. A third one is that installing of a monarchy has been a national necessity and has been completely legitimate.

From a legal point of view, all three attitudes deserve attention, since the constitutional monarchy as a political system has its roots in the “reign of law” as a legal system. Then, let us analyze some aspects of the legality of the kingdom’s installation in Albania.

As it has been mentioned above, the same personality who led the country for about four years in the capacity of the President and Prime Minister, he was also declared King of Albanians. If this would be a matter of political will or ambition, then what or who could stop Ahmet Zogu from installing the Kingdom since the year 1924 when he returned to power? He had the authority. He had

¹ Founding Statute of Albanian Kingdom, Mbrothësia, Kristo P. Luarasi, 1928, pg.3, 9.

embodied the leading values earlier, even in a rather delicate post as the Minister of Interior. He also had been recognized and supported even internationally, a status that his political opponents led by Fan Noli missed, because they came into power illegally. Moreover, they left Albania after six months (December 24, 1924). Albania did not have a tradition of political stability. Under these conditions Zogu had a great “freedom” of action. The question is why did not Ahmet Zogu do this act of Kingdom proclamation from the very beginning? Was that hypocrisy?

The truth is quite different. Ahmet Zogu was very careful in his steps to change the regime’s form in Albania from the Republic to the Monarchy. He worked in several directions in order to be in harmony with the whole political process, the Albanian public opinion, the conviction and the support by the international factor, in particular by the Great Powers, and above all with the initiatives and respect of constitutional and legal procedures.

Ahmet Zogu could not make a political step that would be in violation of inheritance rights. As it is well known, at the Article 1 of the Ambassador’s Conference on July 29, 1913, among other things, it was stated that: “Albania is constituted as an autonomous, sovereign and hereditary principality according to the descent of ancestors of the same blood, under the warranties of six Great Powers. The prince will be appointed by the six Great Powers.”² Likewise, it is very well known that immediately after the Ambassador’s Conference, the heir who would exercise this function has been appointed: the prince of German descent Vilhelm Wied, who could not stay longer than about 6 months (7 March-3 September 1914) to exercise his princely power.

Prince Wilhelm Wied, though absent, never proclaimed abdication to free the way, whether for a king or successor prince, or to pave the way for the change of government’s form. Under these conditions, in 1924, Ahmet Zogu could not declare the continuation of the royal / princal descent, because it belonged only to Prince Vilhelm Wied. Then, Ahmet Zogu chose the second way: the proclamation of Albania’s Republic and his proclamation as President and Prime Minister.

But what has not been well explained in the historiography of Albania so far, is why Ahmet Zogu did not express exclusively and in parallel that he “does not know the kingdom” when he declared Albania a Republic and himself President and Prime Minister? I think that here lies the key explanation and not as a category of historians explain that with the proclamation of Albania and Ahmet Zogu as its President, the monarchical form of government in Albania

² The Conference of London”, 29 July 1913, Article 1. <https://www.webcitation.org>.

was completely abrogated.

When Ahmet Zogu became President of the Republic at 1925, he declared a form of government to be as acceptable as possible and to the benefit of the people of the Albanian state. Such a government would set out, based on institutional way, the functioning of the entire Albanian society and politics, which for 13 years since the declaration of independence had been in complete chaos. Meanwhile, with this act, Ahmet Zogu did not announce the non-recognition of the kingdom. Rather, he left open the possibility of royal continuity.

As soon as Zogu strengthened the state to the extent necessary to be able to assume and administer his powers, then he went back to the political origin known or declared by the Great Powers as “hereditary kingdom”. It was only one obstacle to surpass this “political threshold”: Prince William Wied was still alive and he had not yet been expressed whether he continued to claim the royal throne or abdicate from this throne, so letting someone else to inherit the throne. In this context, many historiographers have distorted or did not properly read the reference to Prince Wied’s statement dated on August 24, 1928, which is being cited fairly as it has been brought by unbiased author Owen Pearson: “Former King Wilhelm, Prince Wied, who had never abdicated, issued a statement declaring that he claimed for himself and for his heirs all the rights to the throne of Albania, despite Ahmet Zog’s aspirations to be King. His opinion and belief was that most Albanians still supported him, but he felt that his immediate return could not be discussed, as it was not possible to hold a free and untouched referendum at that time. He stated that he was free from his personal ambitions and that he never intended to provoke disagreements among Albanians, since the unification, progress and prosperity of which had been and was still his only goal. Thus, he would avoid internal and external political difficulties, waiting for the right moment to return to Albania, which would necessarily foretell a unanimous desire of the people.”³

As it has been stated above, the Statement was issued on August 24, 1928. Meanwhile, it is known that the Constitutional Assembly declared Albania as Kingdom on September 1, 1928. What then could be meaning to be considered as the foundation of a legal process?

Albania was announced Kingdom immediately after the statement of its legitimate Prince Vilhelm Wied. But the former Prince, in his statement, said that he had never abdicated, which means that, in a way, he admitted the possibility of abdication. Furthermore, the former Prince also acknowledged that his abdication could be justified after the support of the Albanian people,

³ Pearson, Owen, “Albania and King Zog”, published by The Centre for Albanian Studies in association with I.B. Tauris & Co/ Ltd., 2004, pg. 292-293.

which he thought he enjoyed. Meanwhile, he felt that support had to be “read” through a referendum where the people would express its will. These labyrinths of reasoning show that, for many reasons, Prince Wied had lost faith and possibly the right to pursue reigning of Albania. It shouldn’t be forgotten that he had left Albania 14 years ago, so not exercising his attributes for a relatively long time.

Now let’s come to the decisive element that determines the type and the representative of a legitimate regime: popular support. What was the will of the people that Wied was looking for? Did not the Constitutional Assembly represent the will of the people? Did those troubled times promise to organize and hold a classical referendum as the “lost” Prince claimed?

Thus, in essence, the whole of the former Prince’s statement can be interpreted, more or less, as following: “The Kingdom must continue. I (former Prince) am one of those who can claim this throne, but the people should be asked about it. “As it is well known, the people, through the power of the Constitutional Assembly, did affirm that the Kingdom should continue. On behalf and the will of Albanian people, the Assembly stated as well that it designated even the King, Ahmet Zogu - a Great Albanian, who had demonstrated himself that he knew how to realize the will and noble purpose of the former King Wilhelm Wied: the unification, progress and prosperity of Albanians.

Regardless of Prince Wied’s statement of August 24, 1928, Zog devoted a special care related to this issue, because he doubted that Great Powers could find any other legal space for the return of Wied to the throne of Albania. Consequently, his movements to win the royal Albanian crown during the first period of political activity as the head of the Albanian nation were mostly slow and very mature. Zog and his aides thought it was imperative to initially make the utmost efforts to convince the Great Powers and to provide their support in achieving this major goal for the future of Albania and his own as well. For this very reason, Albanian historian Valentina Duka, writes: “Finally, British and European diplomacy in general, convinced by Italian diplomacy, very active in this region, highly eager to see a stable Balkans, agreed to open the green light to change the form of government in Albania.”⁴

Even though Zog had managed to convince the international factor, he realized that such a constitutional change necessarily required extensive preparations in the internal plan as well. Being always cautious about maintaining the legal form, he tried to make this change within a regular constitutional framework.

Since the Assembly was not legally entitled to change the Constitution, the General Review of the Statute (Constitution) was decided, and for this reason, it was necessary for the parliamentarians to vote on a constitutional law. At that

⁴ Duka, Valentina, “Albanian Monarchy 1928-1939”, Botimet TOENA, 2011, pg.125

time, in Albania there were two Chambers: one of the Deputies and the other of the Senate. On June 7, 1928, the two Chambers convened in a joint meeting. In order to comply with the article and spirit of the Statute, they added Article 141 with the following content: “The General Review of the Statute belongs only to the Constituent Assembly.”⁵ When it needed a general review of the Statute, the two Chambers would naturally dissolve and elections for the Constituent Assembly would be decreed.

Following these constitutional changes, on August 17, 1928, the elections for the Constitutional Assembly were held and the Assembly members voted from the people started their meetings on 25 August. On 1 September 1928, at 09:12, the Constitutional Assembly, in its fourth meeting, unanimously adopted the Statute amendments. Two of the most important ones were: “Albania is a democratic, parliamentary and hereditary Kingdom” and “The King of the Albanians is His Majesty – Zogu the First”.

In a very meaningful way, in a country plenty of different religions, Zogu swore on the Bible and the Qur’an: “I, Zogu, king of the Albanians, on the occasion of taking over the royal power, swear to the almighty God that I will preserve national unity and territorial integrity of the state. I will adhere faithfully to the Constitution and will act on the basis of its acts and laws in force, taking into the consideration the will of the people.”⁶ Under the new Kingdom Statute, the Constitutional Assembly⁷ was transformed into Parliament and began its first meeting with this new capacity on December 10, 1928.

The preparation of the Albanian public opinion for the transition from republic to monarchy and the election of Ahmet Zogu as King of Albanians was very necessary before this action was executed. Closed staff of Zog paid great importance to public awareness of this national historical event, which was achieved with all the necessary tools, but mainly through Albanian and foreign media. Events and rallies were organized, where the people uttered his will to change the form of government and the proclamation of Zog as King of Albania. The first telegram that arrived in Tirana was that of the Skrapar voters, sent on August 17, asking for Ahmet Zogu’s election as King. Other prefectures and other sub-prefectures did the same as Skrapar one. These organized events and festive atmosphere culminated in a major rally in Tirana on 30th of August.

On the other hand, the international factor was well informed and offered to Zog full support for this process. The official recognition of the Kingdom was

⁵ Founding Statute of Albanian Kingdom, Mbrothësia, Kristo P. Luarasi, 1928, sim.

⁶ Selmani, Hysen, “Nga notimet e Zogut I, Mbretit të Shqiptarëve” (From the notes of Zogu First, King of Albanians), KRISTALINA KH, 2008, pg.207

⁷ 10 Vjet Mbretni (Ten years Kingdom), 1928-1938, f.59.

first issued by Italy and then by Hungary, USA, Greece, Yugoslavia, Uruguay, Austria, Bulgaria, France, Holland, Belgium, Switzerland, Spain, Poland, Lithuania, Latvia, Sweden, Finland, Marino, Ecuador, Egypt, etc.

These were the conditions and the circumstances, but also the stages of transition at the process to which the monarchy was established and legitimized in Albania. The issue of legitimacy is a major issue directly related to political stability and national security. This form of government has been asked for from a general assessment of the real situations that the country had passed and was passing, but also as a necessity to overcome the various political forces and local leaders, because the risk of political parties and individual disputes to come to power by any means was seen as a major national problem.

The period from 1912 to the installation of the Monarchy has been the most destabilized period of the country and, consequently, the most vulnerable to Albania's national security. Under these conditions, for Albania and Albanians wherever they lived, there was no other option of salvation, survival and national security, except of moving to an even greater concentration of energies, efforts and strengths of the whole nation, which was embodied in the political solution of installing the Monarchy.

With the proclamation of the Kingdom of Albania, favorable conditions were created for the full exercise of power and governance throughout the territory of the country and putting an end to intrigues and "behind the scene" actions to the detriment of the country's interests. However, this can also be seen as an opportunity to personally influence in solving national problems, under the conditions of fragmentation of Albanian domestic politics.

The form and the oath referred to the Qur'an and Bible was considered an important factor of stability, security and well-being of state affairs. It materialized the idea of cooperation with all religious institutions, making factual steps to provide significant supporting and inclusive factors on national security issues, among which the coexistence of different religions was considered fundamental.

The announcement of Ahmet Zogu as King of Albanians marked the beginning of the most important phase of realizing his vision for consolidating the state and all the instruments that render meaning to his modern government.

In conclusion, it must be confirmed that the security situation of Albania before the establishment of the monarchy, could be sorted in two periods: 1912-1925 and 1925-1928. The two periods are separated by the fact that, in the first, Albania, even though it did "surpass the rainbow"⁸, i.e. passed from the state of the 500-year occupation to the state of living as a separate nation, it still failed to establish a true governmental regime, a serious political regime which would

⁸ Albanian folk saying referring to drastic changes.

be strengthen within the country and would have a voice abroad. The political system was dim and very unstable.

In the conditions of the provincial and tribal divisions as well as the influences of various internal and external interests, in a period of only 7 years after the end of World War I, a total of 14 governments would come into and resigned from the power. Their Prime Ministers were: Myfid Bey Libohova, Fejzi Bej Alizoti, Turhan Pasha Përmet, Esat Pasha Toptani, Sulejman Delvina, Ilja Bej Vrioni, Pandeli Evangjeli, Qazim Koculi, Hasan Prishtina, Omer Pasha Vrioni, Xhaferr Ypi, Ahmet Zogu, Shefqet Vërlaci and Fan Noli. It pays to be evidenced that in December 1921, due to personal ambitions and constant conflicts between political groups, in only 18 days, three prime ministers alternated their powers. Their governance time was measured only by days: Qazim Koculi one day, Hasan Prishtina 5 days and Idhomeno Kosturi 12 days!

As it clearly seems, in those years Albania found itself in power vacuum, so lacking the stability and, consequently, affecting its national security. This political instability in the country was also reflected in the main official European meetings where the luck of our country was discussed. The official Albanian elements, in most cases, were not present. But even when they were present, they were divided, as it was the case at Paris Peace Conference in 1919 - the most meaningful example.

Under these conditions, Albania was not simply divided and isolated, but almost neglected by the world and extremely endangered to lose national security as well. The country was plunged into poverty. The only solution was immigration, which in those years, not only began, but also massed as never before and after.

On the contrary, in the second period (1925-1928), which is not incidentally related to Ahmet Zogu's name, Albania entered within a short time in the course of the individuality of the governance, its strength and its word. Albania began to be considered in the international arena, even to hear its word as was the case for Chameria. The government was almost completed in its own political infrastructure. However, what unite the two periods are the country's extreme poverty, weak infrastructure, inefficient education system, dysfunctional legal system, and incomplete diplomatic representation in the world.

Taking into account the abovementioned facts, and the very important one that, in those same years, the security situation in the Balkans and Europe was going to be deteriorated, then for Albania and Albanians wherever they lived, there was no other way of life to survive and to guarantee the national security, except of moving to an even greater consolidation of energies, efforts and strengths of the whole nation, which was embodied in the political solution of

the installation of the Monarchy.

Such experience of consolidation of political power in times of great danger to national security has been experienced by many nations, no matter what form this consolidation has been selected. Germany once upon a time operated under the “Monarch” Bismarck.⁹ Our closest neighbors, Serbia and Greece operated with the same way. Albania was no exception to this rule. Otherwise, Albania would become target of wild greed. The transition from the Republic regime to Kingdom regime not only was indispensable, but also legitimate. This is very important, because legitimate governance is the cornerstone of the foundation of national political stability and security. This legitimacy, Ahmet Zogu, did win with legitimate means and with the distinguished contributions of the accepted and supported leader at the national and international level.

What Albanians and Albania achieved under King Zog’s rule during eleven years of the Kingdom is a topic that deserves special treatment.

⁹ Otto Eduard Leopold Fürst von Bismarck, Prussian Prime Minister who managed to join with Germany and appoint himself Chancellor of Germany 1871–90.

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