

Presidential Elections in Different States (comparisons)

Review

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Abstract

One of the main constitutional institutions is the President of the state, whose election are defined with the highest judicial act, the Constitution of the state, along with the other judicial acts. There are different ways and procedures for electing the president in different states, and these differences are seen in the organ and the procedure through which the president is elected, the majority threshold, the mandate and its competences. It is of crucial importance that this be examined in the different states with presidential, semi-presidential and parliamentary system. In the same time, the legitimacy of the presidential institution depends on the majority that is needed for the election of and the institution (the parliament, a particular organ or directly from the citizens) that elects the president.

This study shall analyse the overall process of presidential elections in different states and shall draw conclusions which way could be more appropriate and more efficient for the election of the president and the process of exercising its mandate, having in mind that this is a crucial constitutional institution, that has an emphasized role in the functioning of the judicial system of the different states.

Keywords: President, election code, comparison, responsibility and legitimacy.

1. Introduction

The elaboration of the election process in the Republic of North Macedonia and in particular the presidential election is linked to several factors: the inauguration of political pluralism, the importance of elections in democracy, the genesis and chronology of the electoral system, the constitutional and judicial basis of the electoral system, the current electoral system in the Republic of North Macedonia defined in the Electoral Code, political parties and their role in parliamentary democracy and prospects of the electoral system in North Macedonia. The position of the head of state is defined by several key elements: the powers of the head of state, his position in the power sharing system, the manner of his election and the character of the responsibility of the holder of this function.¹ In the framework of the fundamental freedoms and rights of the citizens, the right of election, as an active and passive right, namely the right to elect their representatives and the right to run and to be elected as representatives in the organs of the legal system. Through this process reached the legitimacy of state power, out of most citizens through free, direct elections. This right represents the set of rules, constitutional, legal, sub-legal acts, which regulate the manner

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of election of representatives in the basic institutions of the legal system, of MPs in the Republican Assembly, the Head of State, members of municipal councils and mayors. Of particular importance is the set of legal norms, which determine the electoral model, electoral units, candidate proposals, voting process and publication of results. In the basic attributes of democracy, apart from the principle of the separation of state power in the three pillars, popular sovereignty, respect for the freedoms and rights of citizens, the efficiency of the administration, its political responsibility, the independence of the judiciary, is also part of political pluralism. Political pluralism expressed through existence, functioning and organization of political parties, civic associations, various interest groups and political movements. This process is realized through the action of political parties.

2. Presidential Elections in Macedonia, Democracy and Political Pluralism

The genesis of the electoral system in the Republic of North Macedonia is encountered since 1946, where elections in the Republic of Macedonia are characterized by different features, which were initially without competitive character, since the elections were competing candidates of the Communist Party were rival's elections political, just to see that they are realized. In 90 years in the Republic of Macedonia born political pluralism, as a result of changes that occur in the Constitution of the former SFRY and SRM. We are continuously organizing parliamentary, local and presidential elections in harmony with the freedom of political action. The first free elections will be the 1990 parliamentary elections, conducted according to the majority (majority) model organized in 120 electoral units, in two rounds of elections.

The constitutional-legal basis of the electoral system in RM is defined by the constitution of the country and the Electoral Code. The Constitution of the Republic of North Macedonia in 1991 defined parliamentary democracy as a form of government, i.e. the exercise of state power through elected representatives. Elections, political pluralism, rule of law, and special emphasis are also laid on the fundamental values of North Macedonia's constitutional regulation.

"The fundamental values of the constitutional order of the Republic of North Macedonia are:

- the basic freedoms and human rights of citizens recognized by international law and determined by the Constitution;*
 - free expression of national belonging, adequate and equitable representation of citizens belonging to all communities in the state authorities and other public institutions at all levels;*
 - the rule of law;*
 - the division of state power into legislative, executive and judicial powers;*
 - political pluralism and free, direct and democratic elections;*
 - legal property protection;*
 - freedom of market and entrepreneurship;*
 - humanism, social justice and solidarity;*
 - local self-government;*
 - regulation and humanization of space and protection and advancement of the environment and nature and*
 - respecting generally accepted norms of international law.*
- In the Republic of North Macedonia, everything that is not prohibited by the Constitution and by law is free."*²

² Constitution of the Republic of Macedonia, 1991, Article 8

The right of choice is allowed by every citizen who has reached the age of 18, it is carried out in free elections by secret ballot, is equal, direct and general. This right is allowed by all citizens regardless of their national affiliation, religion, social status or status in society, regardless of gender and regardless of educational level.³

"Every citizen has the right to participate in the exercise of public functions".⁴

Regarding the election of the President of the state, the Constitution of the Republic of North Macedonia stipulates:

"The President of the Republic shall be elected in general and direct elections, by secret ballot, for a period of five years.

For the President of the Republic the same person may be elected at most twice.

The President of the Republic must be a citizen of the Republic of North Macedonia.

For the President of the Republic cannot be elected a person who until the Election Day has not been a resident of the Republic of North Macedonia for at least ten years in the last 15 years."⁵

It is important to emphasize the fact that the first President of the state was elected by the Assembly and from the second presidential elections of 1994 and onwards, directly elected by the citizens. The first President of the Republic of North Macedonia in the Transition System is elected by the Assembly in 1991.⁶

At the same time, the constitution also determines the procedure for its election, which is defined in its entirety by the Electoral Code.

"A candidate for President of the Republic may nominate at least 10,000 voters, or at least 30 deputies.

For the President of the Republic is elected the candidate who has won the majority of votes from the total number of voters.

If in the first round no candidate for President has won, the majority necessary to vote, in the second-round voting for the two candidates who in the first round have won the most votes.

The second round of voting is held within 14 days of the end of the first round of voting.

The candidate who has won the majority of the votes of the voters who voted has voted for President, if more than 40% of the voters voted.

If even in the second round of voting none of the candidates has won the necessary majority of votes, the entire electoral procedure is repeated.

If a candidate is proposed for the President of the Republic, while in the first round of voting he has not won the required majority of votes, the entire electoral procedure is repeated.

The election of the President of the Republic takes place in the last 60 days of the mandate of the previous President. In case of termination of the mandate of the President of the Republic for any reason, the election of the President shall be made within 40 days from the day of termination of the mandate.

Before taking the office, the President of the Republic issues a solemn statement before the Assembly, which is obliged to respect the Constitution and laws."⁷

³ Osman Kadriu, *Rregullimi Kushtetues i Maqedonisë*, Skopje 2006, page 115

⁴ Constitution of the Republic of Macedonia, 1991, Article 23

⁵ Ibid, Article 80

⁶ Osman Kadriu, *Rregullimi Kushtetues i Maqedonisë*, Skopje 2006, page 271

⁷ Constitution of the Republic of Macedonia, 1991, Article 81

These are the constitutional definitions regarding the criteria for the election of the Head of State and the census of the votes needed to be elected, but the constitutional changes in the second round fall to 40%, a matter which undermines its legitimacy.

Also, the Electoral Code of the Republic of North Macedonia regulates the manner, conditions and procedure for the election of the President of the Republic of North Macedonia. The same code defines the issues related to the evidencing of the right of election, the realization of the electoral list, the definition of the boundaries of the electoral districts, the definition, change, the publication of the polling stations, as well as the conditions for the functioning of the polling stations, the composition of the State Election Commission an institution which has an obligation to carry out the electoral process. Members of the State Election Commission exercise their function in a professional manner, they are elected by the Republican Assembly. The committee has the chairman, vice chairman and five members, has the quality of a legal person and also has the secretary-general. The budget of the commission is provided by the budget of the Republic of North Macedonia.

"(1) The right to submit a candidate list for president of the Republic shall have at least 10,000 voters or 30 deputies.

(2) When a list of candidates for the President of the Republic is a group of voters, at least 10,000

*(3) When submitters of the candidate list for the President of the Republic are deputies, at least 30 signatures shall be collected by the deputies."*⁸ According to the provisions of the Electoral Code, in both cases when the President is proposed by a group of voters or deputies, the respective signatures from the constituency or deputies should be collected, depending on who is the proposer. The difference in the electoral process of the Head of State in relation to other states lies in the fact that his election is realized in the territory of the country and in the consular diplomatic representations of the Republic of North Macedonia in Europe and Africa, in North and South America and in Australia and Asia, as an electoral unit according to the majority model.

Very important issues are the political responsibility of the President. The political responsibility of the president differs in its forms depending on the role of a president in the relevant constitutional system.⁹ In the Republic of North Macedonia, the procedure of accountability of the Head of State is initiated by the Assembly and the Constitutional Court is established. The procedure for verifying the responsibility of the President of the Republic is initiated by the Assembly of the Republic of Macedonia by a two-thirds majority vote of the total number of deputies.¹⁰

"(1) When the Constitutional Court of the Republic of North Macedonia issues an act that will verify the creation of conditions for the termination of the office of President of the Republic of North Macedonia in accordance with Article 81, paragraph 8 of the Constitution of the Republic North of Macedonia within 24 hours to the President of the Assembly and announce it to the "Official Gazette of the Republic of North Macedonia". (2) The President of the Assembly shall

⁸The Electoral Code, Consolidated Text (unofficial version prepared by the Professional Service of the State Election Commission), (Official Gazette of the Republic of Macedonia, No. 40/06, 136/08, 148/08, 155/08, 163 / 08, 44/11, 51/11, 54 / 11-142 / 12, 31/13, 34/13, 14/14, 30/14, 196/15, 35/16, 97/16, 99/16, 136/16, 142/16, 67/17, 125/17, 35/18, 99/18 and 138/18, Article 59.

⁹Murat Jashari, Constitutio, Study Magazine on Legal-Constitutional and Parliamentary Matters, Thematic Issue "Competencies and the Role of the President in Defining the Model of Government in the Republic, Lessons and Regional Experiences, p. 164.

¹⁰Светомир Шкарик, Гордана Силјановска-Давкова, *Уставно Право*, „Ss. Cyril and Methodius University in Skopje“, Faculty of Law „Justinianus Primus“ Skopje, 2007, page 699.

within 48 hours from the announcement of the act referred to in paragraph (1) of this Article, shall issue an act for the announcement of elections for election to the President of the Republic ".¹¹

The proposal for the initiation of the accountability procedure can be submitted by at least 30 MPs, including the reasoning that constitution or any relevant law has been violated.

One of the key issues related to the prospect of the electoral system in the Republic of North Macedonia remains the fact of clearing the electoral lists, although it is a technical issue, it is considered a key process for the country's democracy, i.e. a transparent electoral system. The need for affirmation of the fundamental values of the rule of law, the implementation of the principle of the separation of state power, because the history of freedom is the history of resistance, is the history of limiting state power, respecting the rights of citizens, because freedom is not only one right, it is a permanent duty, a permanent process, the depoliticization of public administration, an independent judiciary system, the efficiency of the administration bodies, namely an administration: professionally prepared, ethically moral, technically equipped, politically accountable; Practical implementation of the constitutional provisions and the Electoral Code which will enable the realization of the respective premises by affirming and accelerating the path of membership process in Euro-Atlantic structures; The emergence of the administration as a service and not as a power - This premise is realized only through free, democratic, liberal elections, affirming the rule of law, the fundamental rights of citizens; Political power, powers, respectively the rights and obligations enjoyed by political subjects, in the exercise of state power, should be put to the service of the citizen; In relation to the elections in the US, the Republic of North Macedonia should be more careful about the process of electing candidates for all kinds of elections, such as the implementation of the pre-trial procedure in the United States, in order to achieve more qualitative representation in representative bodies. The principle of control and balance must be respected, which greatly influences the efficiency of the activity of the basic political institutions in the country and affirms diversity and political culture as affirmed by the United States, respecting all the differences, both religious and racial, national, age, gender and this is taken as an asset, as the prosperity of the legal system.

3. Presidential Election Features in the United States

The US Constitution establishes the presidential system of government, which is also presented as the first written constitution in the world adopted in 1787 (7 articles and 26 amendments), which is largely based on the principle of separation of powers, popular sovereignty, federalism, human rights, the control system and the balance. In the context of the US election process, the Presidential, Congressional and Local elections are organized. For the realization of the same activities, there is a corresponding activity and at the same time the preliminary elections are held. Apart from the elections, in some cases there is also a referendum, civic initiative and individual revocation. Very important issues are the preliminary elections, which represent the internal race, with the aim of appointing candidates who will compete for public office holders. Preliminary elections take place in all spheres of government. The essence of the presidential elections lies in the fact that they are all overstated. The party convention presents the process of ending the nomination of presidential candidates and we are constantly organizing general elections. On Election Day, citizens elect electors (College of electors - group of electors appointed by party members within the state) who are determined to support one or the other presidential candidate.

¹¹The Electoral Code, ob. cit., Article 137

Electoral College is a group of representatives elected by voters of any state, with the task of electing the president and vice president.¹² After the voting process, electors gather in the capitals of their states and vote for president and vice president. One of the candidates to be elected president must secure 270 electoral votes. If none of the candidates fail to provide this support, then the House of Representatives elects the President and the Senate elects the Vice President. The procedure for the election of the President begins in January and ends on the occasion of his inauguration on 20 January of the next calendar year. But in the United States of America it may happen that a candidate who has won more votes from the people will not be elected president of the country because, according to the constitution, to be elected president, a majority of votes in the Electoral College, at least 270 votes.¹³ The president enjoys the suspensive veto and the veto right that is called the veto pocket. A specific case is the executive power of the president in the US, where the position of the head of state coincides with the function of the head of the executive power.¹⁴ The powers of the president are based on constitutional protection, law enforcement, conducting congressional messages, appointing federal judges, ambassadors, recommending congressional legislative acts, giving apology, appointing commander-in-chief of the armed forces. Also congressional choices are important. Although congress rooms have nearly the same powers, yet their choice differs. In the House of Representatives, all federal units are guaranteed at least one seat and representation is continuously carried out according to the number of their population. Regarding representation, in the Senate, all states are equal, as they are represented by two senators. They are elected according to the majority system (majority). At the same time, we have elections that take place between the mandate of the House of Representatives and the Senate. In these elections, members of the House of Representatives and a part of the Senate are elected. It is worth mentioning the fact that in the United States, voting by mail is done for members of the armed forces and for persons living abroad. For the sake of the effective implementation of the electoral process, a total national census is carried out every ten years, which is related to the distribution of seats in the House of Representatives.

4. President of the Republic of Albania

Under the Constitution, the Republic of Albania implements the parliamentary system of government. Its essence consists in the realization of the will of the majority of citizens, through the institutions and representative bodies directly elected by the people.¹⁵ The President of the Republic represents the unity of the nation which should be stripped of political colors. The President of Albania chooses the qualified majority Parliament for a five-year term.

"1. The President of the Republic is the Head of State and represents the unity of the people. 2. President can only be elected Albanian citizen from birth, staying in Albania for not less than 10 years and having reached the age of 40 years".¹⁶

The candidate for president is nominated by a group of not less than 20 MPs and one MP is not allowed to nominate at the same time more than one candidate. It is elected by secret ballot, without debate by the Assembly and the election takes up to five votes. If, even after the fifth vote, no candidate fails to provide the required majority, or when no new candidacy is submitted after the

¹²Zenun Halili, *Politika dhe Qeverisja e Shteteve të Bashkuara të Amerikës*, ADEA, Prishtina 2006, pp. 87-88

¹³Ibid, page 88

¹⁴ Osman Ismaili: *Fillet e së drejtës*, University of Prishtina, Faculty of Law, Prishtina, 2004, page 69

¹⁵ Ylli Buqi, *Tempulli i Demokracisë*, Tirana 2010, page 89

¹⁶ Constitution of the Republic of Albania 1998, Article 86

fourth unsuccessful vote, the Assembly is dissolved. The new elections are held within 45 days of its distribution and the successor Assembly elects the President of the Republic with the majority of all members. The President of the Republic is the Head of State and represents the unity of the people, he cannot hold any other public office, cannot be a party member. The president can be dismissed for serious violations of the Constitution and for committing a serious crime. The proposal to dismiss the President in these cases may be made by not less than a quarter of the members of the Assembly and must be supported by not less than two-thirds of all its members and the Assembly's decision is sent to the Constitutional Court and if it establishes the guilt of the President of the Republic, declares his dismissal. The President of the Republic cannot exercise any other powers other than those expressly recognized by the Constitution and provided by laws issued in accordance with it. The political force with which the President of the Republic seems wearing should be exercised in such a way that he does not become a biased man.¹⁷ This is related to the fact of being independent in the exercise of its function, respecting the country's constitution. The election of the President in the Republic of Albania is almost always accompanied by deep parliamentary and political crises because of the difficulty of obtaining the necessary majority, which usually requires a broad consensus of the political spectrum in the country.

5. President of the Republic of Kosovo

The Assembly of the Republic of Kosovo, on February 17, 2008, adopted the Declaration on Kosovo's Independence. This Declaration has the introductory part and the constitutive part. The introductory part includes the aspiration for Euro-Atlantic integrations, is considered a period of war, expresses gratitude to the international community and evaluated the negotiations for resolving the political status. The constitutive part proclaims the elements and the main values of the state of Kosovo. On 9 April 2008, the Kosovo Assembly adopted the Constitution of the Republic of Kosovo, which entered into force on 15 June 2008. In its fundamental values, this constitution, among other things, defines the division of state power, the rule of law, democracy, and pluralism. Governance rules determine the parliamentary democracy.

Depending on the organization of the governing system, we find the president's institution organized as chief of state with exclusive executive powers, partial executive powers, and ceremonial powers.¹⁸ The President of the Republic represents the unity of the people, represents the country inside and outside and is the guarantor of the democratic functioning of institutions within the constitution. The President of the Republic of Kosovo shall be elected by the Assembly by two thirds (2/3) of the votes of all deputies for a term of five years. President of the Republic of Kosovo may be elected any citizen of the Republic of Kosovo, who is over 35 years of age, for two terms. The powers of the President of the Republic of Kosovo are defined in the Constitution: Article 84 of the Constitution, President of the Republic of Kosovo:

- (1) represents the Republic of Kosovo inside and outside;*
- (2) guarantees the constitutional functioning of the institutions established by this Constitution;*
- (3) announces the elections for the Assembly of Kosovo and calls its first meeting;*
- (4) issues decrees in accordance with this Constitution;*
- (5) proclaims the laws adopted by the Assembly of the Republic of Kosovo;*

¹⁷ Aurela Anastasi, *E drejta Kushtetuese*, Tirana 2003, page 183

¹⁸ Arsim Bajrami, *Sistemi Kushtetues i Republikës së Kosovës*, Prishtina 2011, page 275

- (6) has the right of return for reconsideration of adopted laws if it considers that they are detrimental to the legitimate interests of the Republic of Kosovo or one or more of its communities. The right to return a law can only be used once;*
- (7) sign international agreements in accordance with this Constitution;*
- (8) propose amendments to this Constitution;*
- (9) may refer constitutional issues to the Constitutional Court;*
- (10) leads the foreign policy of the country;*
- (11) accept the credentials of the heads of diplomatic missions accredited to the Republic of Kosovo;*
- (12) is Supreme Commander of the Kosovo Security Force;*
- (13) leads the Consultative Council for Communities;*
- (14) appoints a mandate for the formation of the Government after the proposal of a political party or coalition constituting the majority of the Assembly;*
- (15) appoints and dismisses the President of the Supreme Court of Kosovo on the proposal of the Kosovo Judicial Council;*
- (16) appoints and dismisses judges of the Republic of Kosovo on the proposal of the Kosovo Judicial Council;*
- (17) appoints and dismisses the Chief State Prosecutor of the Republic of Kosovo, upon the proposal of the Kosovo Prosecutorial Council;*
- (18) appoints and dismisses prosecutors of the Republic of Kosovo, upon the proposal of the Kosovo Prosecutorial Council;*
- (19) appoints judges for the Constitutional Court, on the proposal of the Assembly;*
- (20) appoints the Commander of the Kosovo Security Force, upon the recommendation of the Prime Minister;*
- (21) together with the Prime Minister, appoints the Director, Deputy Director and Inspector General of the Kosovo Intelligence Agency;*
- (22) decides on the announcement of the Extraordinary State, in consultation with the Prime Minister;*
- (23) may request meetings of the Kosovo Security Council and shall chair them at the time of the State of Emergency;*
- (24) decides on the formation of diplomatic and consular missions of the Republic of Kosovo, on the basis of consultation with the Prime Minister;*
- (25) appoints and dismisses the heads of diplomatic missions of the Republic of Kosovo, upon the proposal of the Government;*
- (26) appoints the Chairman of the Central Election Commission;*
- (27) appoints the Governor of the Central Bank of the Republic of Kosovo who also serves as the Managing Director and appoints the other members of the Board of the Bank;*
- (28) gives medals, awards and awards, in accordance with the law;*
- (29) declares individual pardon, in accordance with the law;*
- (30) At least once a year addresses the Assembly of Kosovo with regard to its scope of work.¹⁹*

Regarding the age aspect, the Constitution stipulates that the President of the Republic of Kosovo may be elected any citizen of the Republic of Kosovo, who has reached the age of thirty-five 35 years. Article 86 of the Constitution, the election of the President:

¹⁹ President of the Republic of Kosovo: <https://www.president-ksgov.net/sq/zyra-dhe-functions>

- "1. The President of the Republic of Kosovo shall be elected by the Assembly by secret ballot.*
- 2. The election of the President of the Republic of Kosovo shall take place no later than thirty (30) days before the end of the current President's term.*
- 3. Every citizen of the Republic of Kosovo may be nominated as a candidate for President of the Republic of Kosovo if he/she provides the signatures of at least thirty (30) deputies of the Assembly of Kosovo. Members of the Assembly can only sign for one candidate for President of the Republic of Kosovo.*
- 4. The election of the President shall be made by two thirds (2/3) of the votes of all members of the Assembly.*
- 5. If no candidate receives a two-thirds majority (2/3) in the first two ballots, the third ballot shall be held between the two candidates who have received the highest number of votes in the second ballot and the candidate the majority of the votes of all deputies is elected President of the Republic of Kosovo.*
- 6. If, in the third ballot, no candidate is elected President of the Republic of Kosovo, the Assembly is dissolved and new elections are announced, which shall be held within forty-five (45) days.*

Article 87 of the Constitution, mandate and oath:

- 1. The President of the Republic of Kosovo begins his mandate after having sworn in before the Assembly of Kosovo. The oath text is governed by the law.*
- 2. The mandate of the President shall be five (5) years.*
- 3. After the end of the first term, the President may only be re-elected once more".²⁰*

The president may be removed from office if the constitutional court finds violation of the constitution. It is also broken if convicted of serious offenses and failure to fulfill obligations from a serious illness. The procedure of his dismissal is defined by the country's terms and regulations of the assembly.

6. Conclusion

The governance framework is certainly the main factor under which the position of the Head of State in a country is assigned, but this is also related to the practices of functioning of the juridical order and in particular the relationship between the basic institutions of the judicial system. In the parliamentary systems the executive power is shared between the President and the government, in the combined system we have the bicephalic executive power and in the presidential system the president is also the head of the executive power and the state representative. Another issue is the way of electing a president, by parliament or by direct elections from citizens. Usually in the presidential and the combined system it is solved directly by the citizens, while in the parliamentary system mostly by parliament. Certainly, the directly elected citizen enjoys stronger legitimacy than that of the parliament and at the same time it is thought to represent a more efficient element of the functioning of the political system, in which case it can be concluded that his election is not accompanied by political crisis or parliamentary, as is often the case with parliamentary systems where the president is elected by parliament.

What distinguishes its position is the application of the principle of the separation of state power from the constitutional fundamental institutions or the political system of a country, because there are noted cases where the cause of the differences that are encountered in the political orientations

²⁰ Status and Constitutional Powers of the President of the Republic of Kosovo: <https://www.president-ks.gov.net/sq/zyra-dhe-funksioni>

according to which the mandate has reached, are caused by stagnation in their activity and inefficiency in the framework of cooperation between these institutions. Therefore, a more efficient division and practical implementation of their responsibilities are required in the exercise of the competences they enjoy within the legal system. Certainly, the fact remains that the election of the head of state by direct elections by the citizens and overcoming the election by parliament, the cause of legitimacy and parliamentary or political crises that can be caused in a state.

References

1. Arsim Bajrami, *Parlamentarizmi (Aspekte krahasuese)*, Kolegji FAMA, Prishtina 2010;
2. Arsim Bajrami, *Sistemi Kushtetues i Republikës së Kosovës*, Prishtina 2011;
3. Aurela Anastasi, *E drejta Kushtetuese*, Tirana 2003;
4. Ali Musliu, *Sistemi i të Drejtave të Njeriut*, Vatra, Skopje 2012;
5. Fatmire Lumani, *E Drejta Kushtetuese*, Tetova 2014;
6. Osman Ismaili: *Fillet e së drejtës*, University of Prishtina, Faculty of Law, Prishtina 2004;
7. Osman Kadriu, *Rregullimi Kushtetues i Maqedonisë*, Skopje, 2006;
8. Savo Klimovski, Vladimir Mitkov, Renata Treneska, Tawa Karakamışeva, *Ustavno Ureduvanje na RepublikaMakedonija*, Skopje2003;
9. Светомир Шкарик, Гордана Силјановска-Давкова, *Уставно Право*, „Ss. Cyril and Methodius University in Skopje“, Faculty of Law „Justinianus Primus“Skopje, 2007;
10. Снежана Гушева, *Законодавната Дејност на Собранието на Република Македонија1991-2009*, Винсент Графика, Skopje 2009;
11. Subhi Jakupi, *Rregullativa dhe Parregullsitë Zgjedhore në Republikën e Maqedonisë*, Instituti për Studime Politike dhe Ndërkombëtare, Skopje 2017;
12. Ylli Bufi, *Tempulli i Demokracisë*, Tirana 2010;
13. Цовани Сартори, *Компаративен Уставен Инженеринг, Истражување на Структурите, Иницијативите и Исходите*, Второ Издание, Табернакул, Skopje 2008;
14. Zenun Halili, *Politika dhe Qeverisja e Shteteve të Bashkuara të Amerikës*, ADEA, Prishtina 2006;
15. Constitution of the Republic of Macedonia of 1991;
16. Constitution of the Republic of Albania 1998;
17. The Electoral Code, Consolidated Text (unofficial version prepared by the Professional Service of the State Election Commission), (Official Gazette of the Republic of Macedonia, No. 40/06, 136/08, 148/08, 155/08, 163 / 08, 44/11, 51/11, 54 / 11-142 / 12, 31/13, 34/13, 14/14, 30/14, 196/15, 35/16, 97/16, 99/16, 136/16, 142/16, 67/17, 125/17, 35/18, 99/18 and 138/18.