Albania in Transition: Manipulation or Appropriation of International Norms?

AROLDA ELBASANI
European University Institute, Florence

ABSTRACT

This article seeks to uncover the impact of the EU in the Albanian political transformations. Approaching the EU impact on Albanian political reforms as a process of country’s socialization to the norms institutionalised in the European environment, this study dwells on both the external and domestic factors that determine the mechanisms of norm assertion in the domestic area. The first part specifies the set of external conditions and the intervening domestic variables that induce a logic of consequentiality or appropriateness in domestic change. The article proceeds to discuss the phenomena of European nannies to European neo-democracies. Finally, the study of the process of democratization in Albania illustrates the extreme case of a wider post-communist phenomenon: the Impact of EU is translated into a consequential logic of using the democratic rhetoric and adopting democratic institutions, which are used and abused by political actors loaded with the legacies bequeathed to them by the ancient regime. This article suggests that Albanian democratisation could have a different trajectory without the presence of the EU pushing for and directing reforms. Messages in the form of the EU reports, evaluations and critiques, which determine the progress in the contractual relations between EU and Albania, have became the signposts of change to the extent that they are the epicentre around which achievements and future challenges are debated and decided upon.

Introduction

A substantial literature has recently developed around the external dimension of regime change, challenging the previous conclusion that the external actors tended to play a marginal role in transitions from the authoritarian rule. The EU is assigned a leading role among the international actors interested in democratisation. In addition to developing an extensive portfolio of support mechanisms for the new democracies to the East, EU membership is dangled as a carrot to encourage political reforms, empowering EU conditionality. Thus, prospective EU membership has arguably re-enforced domestic political and economic reforms.
The problem with this literature is that the EU’s role has been more assumed than proven. It is debatable to what extent one can treat the EU as independent factor given that the precise role of external factors cannot be studied in isolation from home-grown phenomena. Thus, the discussion of the EU’s role is inevitably interspersed with a discussion of domestic politics, an arena that is made complex by a host of country-specific variables. This article seeks to uncover the impact of the EU on the Albanian political transformation, which illustrates the extreme case of a post-communist country in transition. Being among the least likely cases to democratise because of the lack of domestic ‘preconditions’ conducive to democratisation, Albania serves as a crucial case study for theories on the external factors of democratisation and specifically the EU.

The first part of the article specifies the external and the intervening domestic variables that determine mechanisms of domestic change according to the logic of consequentiality encompassing the political discourse and/or the institutional templates; or the logic of appropriateness which wraps both discursive, formal and behavioural parameters of international norms.

<table>
<thead>
<tr>
<th>Western Europe (EU)</th>
<th>Domestic conditions</th>
<th>Domestication</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capacity to set normative standards</td>
<td>1. Norm salience</td>
<td>1. Rhetoric action</td>
</tr>
<tr>
<td>Degree of Institutionalisation</td>
<td>2. State -society gap</td>
<td>2. Formal</td>
</tr>
<tr>
<td>Bargaining asymmetry</td>
<td>3. Behavioural</td>
<td></td>
</tr>
<tr>
<td>Social influence</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The article proceeds to uncover the phenomena of European nannies to neo-democracies of the East. The high normative power of democracy in the institutionalised European environment, coupled with the capacity to distribute material benefits and the social consent it holds creates an environment conducive to democracy. EU political conditionality, based on specific criteria and operating through a system of monitoring related to the highly appreciated award of membership has a distinguished leverage compared to other European protagonists. The degree to which democracy is internalised, however, depends on the domestic factors within a country that shape, circumscribe and/or instrumentalise democratic norms.

The third part analyses the utilisation of democratic rhetoric and adoption of democratic institutions in the process of democratisation in Albania. The impact of EU in advancing democratic change, however, is put forward comparing the period of transition when the democratic deficit mounted to “the impossibility of escape” with the post-EU conditionality when the EU appears as an agent controlling reform and setting the priorities.

This article suggests that Albanian democratisation could have a very different trajectory without the presence of the EU pushing for and directing reforms. Messages in the form of the EU reports, evaluations and critiques, which determine the progress in the contractual relations between EU and Albania, have became the signposts of change to the extent that they are the
epicentre around which achievements and future challenges are debated and decided upon.

The Influence of the International Context Upon Neo-democracies

Categorising the International Factors that May Impinge Upon Democratisation

The identification of waves of democratisation, especially the factual development of the third wave (Huntington 1991), points to an external, common element, which pushes regime change in individual countries. The development of global communications transmitting news from one country to the others accounts for the trans-national influences spreading between proximate countries. The term contagion is used to suggest a process of snowballing of the democratic inclinations across neighbouring countries. It refers to unintentional forms of international influences, whose only mechanism is proximity (Whitehead 1996: 5). Contagion as an analytical category of international factors lacks an account of foreign actors’ intentions, their channels of transmission and their interaction with the domestic factors. It departs from the wave’s syndrome, however, because it is analysed as one of the alternative modes of international influence.

Control and conditionality are alternative forms that involve intentional action. They both take into account external actors’ motivations and instruments of action on the assumption that it is not merely contiguity, but the policy of external actors that explains the spread of democracy from one country to another (Whitehead 1996: 9). Control and conditionality, however, differ in other respects. While control is closely associated with the pressure and power realities of external actors, consisting in a one-way effect, the hallmark of conditionality is “attaching specific conditions to the distribution of benefits to recipient countries on the part of multilateral institutions” (Schmitter 1996: 30). Conditionality, thus, trades more on persuasion and temptation rather than coercion (Pridham 2000: 298). Moreover, conditionality refers mainly to multilaterally organised action, whether control is mainly exerted on the basis of unilateral dealings running the risk of developing patron-client relations that may distort the dynamics of regime change (Schmitter 1996: 29).

Conditionality, thus, works through the attraction of benefits for the democratising polity dwelling on the interaction between the external and domestic factors. It also highlights the need to focus on the regional context, which is now recognised as the most effective context in which external impact and influences may be identified and measured (Schmitter 1996). Conditionality may lead to some kind of convergence or a “gradual movement in system conformity” if a grouping of democratic states has enough power and institutional mechanisms to attract transiting regimes (Pridham 2000: 296). Convergence postulates a process of achieving democratic standards set by an external actor, who gives it a direction and purpose. It has its gradual pressures, slightly different from conditionality, which works in a more immediate way and adds sharpness to prospects of convergence.
Consent is an alternative mode of influence accounting for the international support towards a wide range of social and political groupings, thus generating democratic norms and expectations from below (Schmitter 1996: 30; Whitehead 1996: 15). It works on the assumption that democracy is a complex social process, which requires supporting the transformation of governing institutions as well as social and cultural changes.

**Domestic Responses to the International Context**

The international factors are only the supply side, which will get translated into a complex process of domestication: the internal accommodation of the international norms and models of democracy (Schmitz and Sell 1999: 36). Socialisation as the process of a country’s adaptation to the norms institutionalised in its international environment (Schimmelfennig 2002: 1), is the inward process that captures the domestication of the international environment along the kind of effect and the degree of internalisation.

The kind of effects can be categorised as formal, behavioural and discursive as each covers an important aspect of norms assertion in the domestic area (Hasenclever, Mayer and Rittberger 1997: 14-21). Thus, regarding the communication conceptions, externally derived norms may change the domestic actors’ discourse. According to the formal conception, socialisation effects consist in the transfer of the international models to national laws and institutions that correspond to international norms. The behavioural effect covers the extent to which social and political actors’ behaviour change to correspond to the behaviour stipulated in the international norms. The kind of effects can be categorised as formal, behavioural and discursive as each covers an important aspect of norms assertion in the domestic area (Hasenclever, Mayer and Rittberger 1997: 14-21). Thus, regarding the communication conceptions, externally derived norms may change the domestic actors’ discourse. According to the formal conception, socialisation effects consist in the transfer of the international models to national laws and institutions that correspond to international norms. The behavioural effect covers the extent to which social and political actors’ behaviour change to correspond to the behaviour stipulated in the international norms.

The kind of effects can be categorised as formal, behavioural and discursive as each covers an important aspect of norms assertion in the domestic area (Hasenclever, Mayer and Rittberger 1997: 14-21). Thus, regarding the communication conceptions, externally derived norms may change the domestic actors’ discourse. According to the formal conception, socialisation effects consist in the transfer of the international models to national laws and institutions that correspond to international norms. The behavioural effect covers the extent to which social and political actors’ behaviour change to correspond to the behaviour stipulated in the international norms.

The degree of the internalisation of norms, depending to the kind of effect, ranges from low to high (Radaelli 2000: 16). Inertia to the international norms stands for cosmetic changes, if any. The intermediate level of internalisation involves the transplantation of formal institutions that activate the norm but don’t necessarily imply that norms are followed out of conviction. Transformation implies a high degree of change that replaces the previous institutions as well as the fundamental logic of political behaviour: norms are followed because other ways of doing things are deemed inconceivable. While medium level change induces acquiescence to the normative discourse and the institutional structures, a deeper transformation comprises habituation to the norms that originate in the international environment (Schimmelfennig 2002: 10).

**Mechanisms of Norms Assertion in the Domestic Arena**

The mechanisms of norm assertion differ according to the logic of action they follow: the logic of appropriateness or consequentiality (March and Olsen 1998). The logic of appropriateness assumes that actors follow international norms because they believe that it is the appropriate thing to do. On the international part it involves teaching and convincing, while the corresponding domestic activity is learning and socialising. The logic of appropriateness results in a high degree of internalisation because of the convergence between the discursive, institutional and behavioural normative
effects. The international as well as the intra-personal sanctioning system is activated (Schimmelfennig 2002:11). This perspective suggests that the international factors lead to collective learning process resulting in a redefinition of interests and identities (Borzel and Risse 2000: 2).

The logic of consequentiality, on the other hand, assumes that actors try to maximise their individual utility. They follow international norms motivated by cost-benefit calculations of alternative actions and resort to a bargaining and/or rhetorical activity. In a bargaining mode, domestic actors evaluate the material threats and promises of international community and respond mainly with institutional adaptation. In the absence of bargaining chips actors may rely in rhetorical action—the strategic use of norm-based arguments, whose benefit is social influence. Acting according to the logic of consequentiality produces divergent effects to the extent domestic actors may adopt the normative discourse and/or create new institutions in order to gain the international and/or social rewards, but they will refrain from suffering the costs of changing their behaviour.

<table>
<thead>
<tr>
<th>Mechanisms</th>
<th>Logic of appropriateness</th>
<th>Logic of consequentiality</th>
</tr>
</thead>
<tbody>
<tr>
<td>International</td>
<td>Teach/ convince</td>
<td>Social influence/material benefits</td>
</tr>
<tr>
<td>organisations</td>
<td></td>
<td>Rhetorical /Bargaining mode</td>
</tr>
<tr>
<td>Domestic actors</td>
<td>Learn</td>
<td>Acquiescence, adaptation</td>
</tr>
<tr>
<td>Kind and degree of</td>
<td>Discursive, formal and</td>
<td>Discursive and formal</td>
</tr>
<tr>
<td>Impact</td>
<td>behavioural</td>
<td></td>
</tr>
<tr>
<td>Sanctioning</td>
<td>Intrapersonal</td>
<td>Intrasocietal and/or International</td>
</tr>
<tr>
<td>mechanisms</td>
<td></td>
<td></td>
</tr>
<tr>
<td>External and domestic</td>
<td>Normative power,</td>
<td>Normative power, Asymmetry</td>
</tr>
<tr>
<td>Conditions</td>
<td>Asymmetry</td>
<td>Weak domestic salience</td>
</tr>
<tr>
<td></td>
<td>Norm salience</td>
<td>Gap state-society</td>
</tr>
<tr>
<td></td>
<td>Elite responsiveness</td>
<td></td>
</tr>
</tbody>
</table>

The high discursive and formal effects can be attributed to manipulation of norms because of the perceived need to create the impression of obedience in order to retain the social or material benefits obedience is associated with. Some of the manipulative strategies of state actors are to depict themselves as good students of the community’s teaching programme; promise to fulfil the political conditions soon after been granted the awards; claim that their societies share the collective identity of the community; and appeal to community norms when they favour their interest. The inward response would thus, be acquiescence to the language of international norms and adaptation to institutional models offered in the international environment. The adoption to the democratic discourse and institutional models, although instrumental to the benefits they are awarded with, may assist the domestic processes of consensus and institution building.
Conditions that Influence Normative Impact

The conditions that assist international factors’ influence are both international and domestic. At the international level, the basic condition is the normative power stemming from the international community: its capacity to set the normative standards for participation in the international system, thus legitimating certain norms and de-legitimating others. The pull a norm has for the socialising states depends from the textual clarity of the norm, its symbolic validation, coherence in applying and adhering to the norm in practice (Frank 1990: 142). Thus, the conditions to impact democratisation depend from the extent to which democracy is established as a constitutive norm, it is embedded in the community’s rules and it is backed by a network of organisations.

A second condition that facilitates the external impact on domestic politics is the asymmetry between the international environment and the democratising state in terms of international actors’ superior material bargaining power and their control of resources. Weakness of the socialising state makes it vulnerable to the sanctions and rewards of the international community, thus, prone to its teaching (Schimmelfennig 2000: 111).

The International conditions alone cannot explain the socialising process of states to the international norm. Domestic conditions must be introduced as interdependent variables of impact. Whether and when international norms become practice, according to Linden, depends on the openness of society, the presence or absence of ‘blocking factors’ especially among elites, and the cultural match (20002: 375). The less international norm matches with the pre-existing domestic values, norms and practices the less easily it is diffused to the domestic sphere because the less likely it is accepted as a cognitive script, less convincing arguments based on this norm will be, less likely external actors are able to shame noncompliant states into compliance and less likely it is to find allies in favour of compliance.

Second, domestic structures and historical legacies that set the terms for elite manipulations instead of responsiveness to society doesn’t fare well, even when the normative or bargaining power of the international organisation is high vis-à-vis the state.

European Nannies and European Novices to Democracy

Normative Power of Democracy in the European Context

Liberal principles are among the constitutive norms of Western Europe post-nationalist collective identity at least in two respects. First, in the domestic realm liberal principles of social and political order, societal pluralism, the rule of law, democracy and market economy have historically paralleled and fostered the development of Western Europe commonness versus the other, establishing the main criteria of a community insider. Moreover, these liberal principles are awarded legitimate statehood and rightful state action (Reus-Smit 1997: 558).

Second, over time the European system has become increasingly institutionalised in a network of international organisations that embody its
shared liberal political culture. The three major organisations – CoE, NATO, EU, have developed specific norms reflecting their area of specialisation, but they have all committed themselves first and foremost to the constitutive norms of the community. All three define the promotion of liberal democracy as their basic purpose. According to the preamble of North Atlantic Treaty Organisation, the members of NATO are distinguished by “the determination to safeguard the freedom, common heritage and civilisation of their peoples founded on the principles of democracy, individual liberty and the rule of law”. In the statute of CoE, member states similarly reaffirm their commitment to “the moral values, which are the common heritage of their peoples and the true source of their individual freedom, political liberty and the rule of law”. Article 6 of the EU also stresses its foundation on “liberty, democracy, respect for human rights and fundamental freedoms and the rule of law, principles which are common to all the member states”.

The European organisations represent the community to the extent the community membership has increasingly come to be defined as membership in these organisations. They lay down specific conditions the aspiring states must fulfil before the accession, and have established different grades of association, ranging from simple consultation procedures to full membership. In this sense, international organisations also serve as community building agencies by running activities like supporting, monitoring and sanctioning or rewarding the domestic assertion of democratic principles (Finnemore 1996). Before a country passes a grade the organisations assess its achievements and sets new targets before it grants full membership.

The European community can also be attributed a powerful social attraction, related to its holding of the criteria for community inclusion and a series of material resources that may determine people’s life fortunes. In a wider sense, the European community, animated in European organisations distributes “Europeanness” perceived as economically, politically and normatively superior across social forces. Consequently, governments and elites are voted in and out, and are given credit for according to their contribution in approaching the European community.

Domestic Conditions and Political Change in Eastern Europe

Given the normative power of democracy as one of the constitutive values it is associated with, the high degree of institutionalisation, the superior material bargaining power it possess representing a wealthy group of countries and its social attractiveness the European community has favourable credentials to impact the outsiders. The post-communist countries, on the other hand, need the material aid, the knowledge about functioning democracy and market economy, the security and the legitimacy of “being European” that the community holds. Thus, they have the incentives to become good students that demonstrate to at least acquiesce to community norms.

Eastern and Central European countries, however, differ with regard to the extent their political culture resonates with the European liberal norms and the extent to which state elites are responsive to their societies. Low
internalisation prospects exist in countries where liberal values are not rooted in political culture. In the structural level, post-communist countries exhibit weak societies and strong states. Parties are organised top down, are little rooted in society and tend to capture government institutions. It reduces socialisation into an elitist program, involving state agents and intergovernmental channels of influence (Schimmelfennig 2002: 17). Thus elite dynamics are central and much depends on how elites see the country in its relation to the international organisations, how they identify themselves and which policies must be implemented to please the Western community. As Linden puts it in a question mark, “if elites and their relationship to society are critical and a country’s legacy sets the terms of elites manipulation do the norms and international organisations matter at all?” (2002: 377) Even in this case, the domestic actors will have to use some kind of rhetorical commitment to democracy and/or formal adaptation in order to please the European nannies distributing benefits and controlling legitimacy and social attraction.

Domestic factors, thus, are important to determine the logic of action and the depth of change international socialisation stimulates: learning and/or rhetorical acquiescence and institutional adaptation. The internalisation to these influences will follow a sequence starting with discursive and then formal to be followed by behavioural effects. Thus, rhetoric like returning to Europe, belonging to west, and following its models and norms, drove the early policy strategies of most post-communist transitions. The intensification of ties with Western institutions led to a transfer of their models to domestic institutions (Malova and Haughton 2001). However, depending to domestic conditions the discursive and formal adaptation may subsist with norm violating factual behaviours, which undermines the formal transpositions.

**EU Leverage on Democratic Reforms**

EU is only one of the forms Europeans have historically invented to manage their interconnection and handling neighbour-to-neighbour relationships. EU-isation is a particular form of cross-border management with specific institutional methodologies and policy content. But, the intensity of the economic and political integration of the EU overshadows other forms of interconnections becoming by far the predominant channel of impact, almost appropriating ‘Europe’ (Wallace 2000: 5).

Its degree of institutionalisation and the prospects for inclusion empowers the EU to apply effective, conditionality in different areas of domestic politics. Geo-politically interested in the transitions in its backyard and empowered with the capacity of integration as systemic convergence, EU has become an important agency effecting democratisation (Pridham 1999: 62). EU leverage can be categorised into passive, i.e. the attraction of the EU models, and active, i.e. deliberate conditionality exercised during EU pre-accession process (Vachudova 2001: 4).

The EU passive leverage is closely related to contagion. It becomes attractive through ‘innocent’ information channels operating across borders. It works through the models of stability and prosperity the EU is associated with. The symbolic dimension of approaching the West is as important as
benefits that poor from EU to the new democracies in the form of aid flows, expertise, favourable terms of trade, and gradual involvement of elites (Vachudova 2001: 6-11; Pridham 2000: 299).

The Active Leverage i.e. conditionality is what mainly distinguishes the EU from other European organisations. The prize of membership and integration into its much-desired amalgam of institutions, norms, regulations and economic redistribution build up the political will to satisfy intrusive requirements (Pridham 1999). The simple maxim is that states are entitled to the promised benefits if they meet the conditions set by the EU. In addition to persuasion via the many benefits it is associated with, the EU utilises an element of pressure functioning through a monitoring system related to specific sanctions and rewards.

The criteria that animate the EU contractual relations to outsiders reflect a broad consensus on market capitalism and liberal democracy. These have been gradually established since the adoption of the 1962 Birkelbach report, which asserted that “only states which guarantee to their territory truly democratic practices and respect for fundamental rights and freedoms can become members of our community” (in Ethier 2003: 101). The vague criteria of democracy became more concrete as the EU prepared to face its enlargement towards the East. At the Copenhagen summit of 1993 the EU moved beyond formal criteria to conditions of substantive democracy, while adding that it is necessary “not only to subscribe to the principles of democracy and the rule of law, but to put them into practice in daily life… – the effective respect of human rights, the acceptance of EU prescriptions, the adoption of the *acquis* and the administrative capacity to apply it” (Presidency Conclusions 1993). These still general conditions are supplemented by required reforms prescribed in the framework of pre-accession status.

According to the Luxembourg summit of 1997, a report is elaborated for each applicant at the beginning of each year and specifies the reforms that applicants must deal with in the form of a revised priority list (Grabbe 2001: 7). The annual reports prepared by the European Commission operationalise the consolidation of rule of law and democracy into six objectives: improved effectiveness in the parliamentary decision making process; improvement of government stability, responsibility and efficiency; decentralisation of powers and democratisation of local and regional government elections; greater transparency, efficiency and professionalism in the civil service; attention to the judicial system’s independence, professionalism and accessibility; eradication of corruption from all political institutions (Ethier 2003: 103) The evaluation of these objectives takes into account both the adoption of legislation, implementation of the later and the concrete effects of the objectives.

Along with political monitoring, the EU owns a deliberate system of sanctions or rewards. The sanctioning instruments can be synthesised into gate keeping, aid and advice (Grabbe 2001: 14). Access to different stages of the accession process ranging from trade and cooperation agreements to association, from association to offering candidate status, and from a candidate to a member rank are powerful tools for enforcing compliance. Each stage draws on a system of assistance including both aid and technical
advise based on the secondment of officials from member states, assistance to public authorities and non-governmental organisations provided mainly through PHARE like aid programs. It increases in proportion to the progress in the country’s pre-accession status. In addition to the intergovernmental channels of impact it is directly involved in, EU sanctions can activate the social will that allows it to embarrass, shame or reward a government and determine elite’s political fortunes (Grabbe 2001:7).

Albania in Transition – Domestication of ‘Europe’?

Transition from Authoritarianism: Stuck Between the Past and Present

On the eve of the transition from communism, Albania was in many ways unique in Europe. After being a part of the Ottoman Empire until early 20th century, it became an authoritarian monarchy until it came under the influence of Mussolini’s Italy in the late 1920s. Consequently, Albania, unlike most post-communist countries, knew little of liberal democracy when communists took over power at the end of World War II.

The Communist Party (CP) adopted a dictatorship that resembled a rigid Stalinist version of communist regimes. First, the communist leadership insisted in society’s total obedience to its rule and extended control over all aspects of social political and economic life (Goldman 2000: 53). Any form of organisation out of the party-state control was violently condemned as reactionary and it was destined to at least political prisons. Second, the international isolation and self-reliance reached paranoiac levels after the deterioration of relations with Soviet Union following Khrushchev’s de-Stalinization policies in the late 1950s and the break with China after it rejected loyalty to its own model of totalitarianism following Mao’s death in 1975 (Wallden 1993: 78). Third, although Enver Hoxha, the communist leader that ruled until his death in 1985, undertook some modernisation reforms in education and social policy, strengthened the state against lawlessness and blood feuds found in many parts of the country (Brown 2001: 135), Albania remained the least economically developed country in Europe. The low GDP per capita put it firmly in the African category of low-income countries (Fowkes 1999: 72).

When the wind of change was blowing all across Eastern Europe, Albania embarked on nothing less than a metamorphosis away from communist dictatorship. There was little dissent within the country and no inclination on the part of communist rulers to follow Gorbachev’s reforms in the Soviet union. The communists under the leadership of Ramiz Alia, who had succeeded Hoxha, resisted change and continued to punish dissidence. The Communist Party maintained its strong grip over the country at least until the revolution in Romania made it aware of the popular ferment that was toppling communist regimes elsewhere. On the other hand, the youth had already started to behave in ‘aberrant’ ways showing disinterest in the study of Marxism, displaying anger towards the regime, engaging in wilful destruction of common property and demonstrating special interest to news broadcasted by foreign radio and television (Goldman 2000: 58).
To avoid the fate of communism in other Eastern European countries, in February 1990, Alia pushed for some degree of economic liberalisation, while refusing to compromise the party’s monopoly of power. To conciliate the frustrated public at home and seeking to secure some Western economic assistance he only conceded to allow primary party organisations have a greater role in the selection of the officials. The softening of the restricting policies extended to formally allow people to travel abroad, abolition of death penalty for illegal emigration and lift of the restrictions on religion practice (in Goldman 2000).

These tangents to reforms opened the door to change they had tried to avoid. The image of 4,000 young people climbing the sides of overcrowded vessels headed for Italy was the first clear evidence of social protest and disintegration in summer 1990. Alia responded with promises for free parliamentary elections and the separation of the party from the state (Biberaj 1999). These concessions were not sufficient to prevent the escalation of popular demonstrations asking for more political change. The mass protests reached a climax with the formation of the first opposition party, the Democratic Party (DP) around a small group of intellectuals and students. The opposition’s program consisted in Albania’s “return to Europe”. It committed itself to a multiparty system, human rights and the introduction of a free market (Biberaj 1999: 85). Alia conceded to protesters’ demands for a multiparty system and early elections to be held in March 1991. Despite the poor organisation and the short period of four months to prepare for elections, DP won a respectable 38% of votes confirming the steady movement away from communism (Goldman 2000: 66). The Communist Party, however, had enough votes to hold on power.

What followed was an attempt to correct the verdict of the ballot box by street protests. Three governments were changed until the continuous strikes and demonstrations that brought Albania to the verge of anarchy forced the communist leaders to give up to demands for new elections within one year. In the new elections, the DP won an overwhelming majority of the votes and its leader Sali Berisha became the first non-communist president in 45 years. The success of the DP occurred amidst a wave of popular democracy, which seemed to sweep way the memories of communist repression and command economy (Duffy 2000: 74). Although analysts expected that after the first excitement of democratic transition the post-election country would have to face a series of problems and overcome a difficult legacy (Agh 1998: 180), few could foresee the trajectory of its adventure in realising democracy.

State of Albanisation –the Virtual Collapse of the Formal Institutions of Government

Approaching the end of the 20th century Albania drifted back to a premodern status - tribalism and gangsterism took over the literal vacuum of the economy, social services, law and order that had all broken down (Brown 2001: 135). The state power disintegrated and the local armed mobs ruled the cities and streets in complete anarchy. A multinational effort proposed by Italy was necessary to restore some degree of law and order to hold the early
elections Berisha had to concede to the angry and violent mob little more than one year after his party’s doubtful victory of 122 out of 140 seats in the third pluralist elections of May 1996.

By the mid 1990s it was already obvious that Berisha had failed to make the decisive break with authoritarian rule. He initiated economic reforms, moved the country from isolationist politics by developing links with Western countries especially the USA, and committed itself to democratic change. But, as an analyst points out, “while he wanted democracy for Albania, it looked like he didn’t understand the meaning of it or how it worked” (Goldman 2000: 70). Berisha may have been clean of past communist association, but his evolution as a leader and the DP governance was closely related to that political tradition (Vickers and Pettifer 2000: 266).

Once in power, the DP engaged in filling state organs and replacing specialists with party partisans, which opened the way to the politicisation of the administration and the identification of state organs with the political party. Moreover, the DP’s governance fall hostage to the oppressive rule of Berisha, who become the linchpin of Albanian politics. His personalistic style affected the prerogatives of separation of powers and the progress of debate, tolerance and dialogue within his party organisation and in the wider political context (Biberaj 1999: 168). The judiciary became one of the first victims of political interference. Berisha not only replaced former officials with his cronies but also continuously intervened to assure judiciary’s cooperation with his own policies. The head of the Supreme court, Zef Brozi was purged by a presidential decree soon after he criticised the way in which judges were dismissed for political reasons (Vickers and Pettifer 2000: 271). The DP also became a de facto legislature and its initial proposals were regarded as the actual legislation. Consequently, at the end of the office term Berisha had built a network of support, which had the characteristics of a clan, except that it was based on political and suspected mafia connections (Fowkes 1999: 74).

The increasingly autocratic style of Berisha created splits within the party itself. Gramoz Pashko, one of the co-founders of the DP formally resigned when Berisha arbitrarily chose Eduard Selami to replace him in the party after he took the duties of the president (Goldman 2000: 69). Pashko was excluded from the new cabinet after he moved on to create a new party. It was not much later when Berisha broke all links with his chosen successor in the DP and accused him for personal betrayal (Vickers and Pettifer 2000: 270).

The intolerant mentality of many DP politicians was even more obvious in their anticommunist campaign against the former communist leaders charged of fraud, for which little evidence was produced in courts: Alia was arrested in September 1992; Fatos Nano, the leader of the CP, now the Socialist Party (SP) was imprisoned in July 1993; the prime minister of 1991-1992 government, Vilson Ahmeti was convicted to two years for “wasting money” (Fowkes 1999: 183). The oppression against the opposition mounted to exclude them from participation: the law against genocide under the communist rule adopted in fall 1995 excluded anyone who held a position of power before March 1991 from taking part in elections until 2002. By the mid-1990s it became apparent that the polarisation between the DP and the SP could not be bridged.
The failure to adopt the draft constitution in a popular referendum held in 1994 was a sign of president’s decreasing popularity. His response to approaching elections was quite authoritarian: the use of all means to retain power, showing contempt for the rule of law and fundamental democratic principles (Agh 1998: 58). Among other measures, a new electoral law designed to favour the DP was passed. The high threshold of 7% worked against small parties and Socialist’ possible coalition partners. Several allegations of armed guards intimidating voters and staffing boxes with fraudulent votes spread in the day of elections (Vickers and Pettifer 2000: 277). The OSCE reported substantial irregularities during the electoral process: 32 out of 79 articles of the electoral law had been violated. Too much was at stake for the two main parties given the winner takes all atmosphere of political struggle.

Following the elections, a mob was out in the streets again, but this time against the DP. Bad economic performance and poor management of the economic transition, which mattered most to unemployed masses, had achieved its climax with the collapse of fraudulent pyramid dealings, that wiped the lifelong savings of thousands people in December 1996 and early 1997. It added to popular discontent. In late February 1997 a kind of civil war broke out with people storming police and army stations and taking up arms. It was hardly surprising that the Socialist opposition took the occasion to put their agenda on the table and steering the protests that swept the south. During the proceeding electoral campaign the SP leaders frequently appeared surrounded and protected by criminal groups (Albania 8 June 1997:5).

The June 1997 elections revealed the DP’s hopelessness. The Socialists took 101 seats, while the Democratic Party only gained 29 seats. Although some observers backed the claims of Berisha that the riots were a counterrevolution aimed at restoring communism, they actually simplified a more complex situation—a rough-edged level of political culture combined to a facade democracy, which had metamorphosed into an authoritarian system and a failed first transition. The country had to start anew. What is this phase of transformation going to produce? Will the country find the energy to move beyond authoritarian politics?

The Socialists took their revenge. The Nano government established after the elections, made sure to institutionalise its position by undertaking a campaign of political dismissals following on the track of “behaving as they own the state” (Kajsiu, Bumci, Rakipi 2002: 18). Moreover, Nano displayed the same inclination to concentrate and personalise power against both the formal separation of powers, the opposition they refused to see as anything more that corrupted and criminalized, and internal fractions organised around new party members like Ilir Meta and Pandeli Majko. The wider political context and the relations with the opposition continued in a very polarised atmosphere of fierce bickering and blaming from both sides. Both the opposition and Meta fraction within his own party have blamed Nano for having an aggressive and uncooperative style of leadership, nepotism nominations in public posts and failure to respond to criticisms of international organisations (EUI 2003: 8).
Conditions for Approaching Europe

Europe and the liberal and democratic principles it symbolises had attractive connotations for the Albanians at both mass and elite level. Given the devastating consequences of their communist isolation, Albanians quickly embraced Europe as both a partner and a desirable model of life, economics and politics. According to the Central and Eastern Eurobarometer Albanians had the most favourable image of EU among all countries surveyed: 58 percent retain that their country benefits from ties with the EU and 44 percent consider their future to be primarily linked with the EU as compared to 27 percent in Bulgaria (1996: 9-16). Holding the consent of a wide array of population, the EU can pressure for reforms using the pool of social support: those governments and politicians that succeed to getting near to Europe will be rewarded by the electorate.

In addition to the wide social consensus, the European orientation mirrors a shared goal among the Albanian elites to frame regime change within the European models. Since the first democratic government in March 1992 a fundamental reorientation has occurred towards the world community, mainly towards the 'common European home'. It is the EU that has become “the only game in town” to the extent that it is the primary locus for external relations, its strategy of managing transition and integration in global and regional structures, a point of reference and last but not least its main financial supporter (Johnson 2001: 175). The EU membership has become a priority in the political platforms of all the main actors. This is among the few issues where the Albanian politics transcends its legacy of divisiveness and returns to the real issue at hand: progress of reforms closely related to the Europeanisation project.

Furthermore, the international community is often given the role of mediator in a situation of perpetual instability because the political actors are not able to find a common language (Kajsiu, Bumci, Rakipi 2002:7). As democratic institutions are loaded with little consensus, often violated by the political class and carry limited credibility, legitimacy rests with the international community rather than with democratic processes and rules. In the Albanian polarised politics, the verdict of the international community tends to be considered as final. In other words, the unreliability of institutions has extenuated the importance of the international factor, which is trying to fulfil the role of the broker and facilitator institutions aren’t able to perform.

EU as an Agent Conditioning Reform and Setting Priorities

In the aftermath of the Kosovo crisis, the EU emerged as an agency assessing evaluating and directing political reforms in the framework of a Balkan wide regional project. First came the Stability Pact (SP), created to promote regional cooperation bringing together major international actors and the Balkan countries. Parallel to the SP, the Union designed the Stabilisation and Association Process (SAP), intended to upgrade EU relations with individual countries. The 2000 Fiera Summit is believed to have ushered in a whole new era in the EU ties with the region, reaffirming “the European perspective of the countries participating in the SAP and their status as
potential candidates for membership” (Fiera European Council 2000). The heart of this strategy was to “anchor the countries of South East Europe firmly in the values and institutional structures of the Euro-Atlantic community” (Agence Europe 99/7439: 4)

The strategy to integrate the Balkans borrows from the toolkit the Union had developed to integrate other post-communist countries. The idea of opening up the possibility of membership and enforcing conditionality as a stabilising tool for the region was taken from the EU enlargement process with Central and Eastern Europe (Fris and Murphy 2000: 778). The SAP adopts a similar scheme of assessment and monitoring through annual reports, which determine the stage of negotiations and the finalisation for the Stability and Association Agreements (SAA) modelled after Europe Agreements. SAP’s main instruments are its assistance programme (CARDS), technical advice, trade preferences, co-operation in fields such as justice and home affairs, and political dialogue.

Some studies have emphasised that the vague accession promise to the Balkans may run counter to the objectives of EU conditionality (ESI 2002: 4). Moreover, regionalism promoted through the SP should be more closely linked with the EU enlargement project in order to ensure that the pact is not a substitute for membership, as it may be perceived through phrases like ‘potential members’ and ‘perspectives on full integration’ (Johnson 2001: 192). The new Thesaloniki Summit held in 2003, however, enforced the uncompromising message that the negotiations will take as long as needed for individual countries to progress with reforms and be able to fulfil and implement the EU obligations.

Albania has advanced its contractual relations with the Union from trade cooperation and being a PHARE client to conditional bilateral relations within the framework of the SAP. In January 2003, The Union officially opened negotiations for a Stabilisation and Association Agreement (SAA) with Albania and the president of the commission, Romano Prodi, stressed in front of the Albanian parliamentarians that the progress in negotiations rested on their will to move forward with political and economic reforms (Albania 23 January 2003: 2).

The EU gate-keeping role has become a motor of reform. The prospect of a SAA acts as a catalyst for concrete changes, which are identified from the EU/Albania High Level Steering Group, are reported by the commission and checked upon from the EU/Albania Consultative Task Force. The leap forward in the SAP is thus attached a symbolic recognition and positive evaluation of reforms from the international community and the social forces whose consent they control. EU integration commands strong support among Albania’s main political forces also because of the material benefits -financial aid and different EU programs they scarcely need to manage transition reforms.

<table>
<thead>
<tr>
<th>Principal milestones in the relations between the EU and Albania</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1992</strong></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
Eu develops regional approach to South-East Europe including Albania
Conditionality was introduced for development of bilateral relations Albania-EU
EC and World Bank elaborate ‘directions for recovery and growth’ for Albania
EU produced a PHARE Concept Paper

1999
Joint Action Plan with the CoE
EU proposed a new SAP and SAA for SEE including Albania – Cologne 1999
EU Commissioned a negative Report on the feasibility of a SAA, with Albania
Albania was offered Autonomous Trade Preferences with EU
It was followed by duty-free access to EU markets for its products
Introduces CARDS ‘assistance for reconstruction, development, stability’

2000
Feira Summit stated that all countries of SAP are potential candidates for membership

2001
First meeting on the working group of the SAP
The Commission concludes that it is appropriate to proceed with negotiations on a SAA
The Council invites the commission to present draft negotiating directives

2002
A Stabilisation and Association Report prepares the negotiating directives

2003
EU formally opened negotiations for a SAA with Albania
No accession date is given

The funding objectives and the consequent programs the Union is involved in point to the reform priorities and the main areas of conditionality, the political class should reconsider. According to the Commission, the main objectives of EU assistance are:

1. To bring Albania closer to EU standards and principles and to prepare the country for gradual integration into EU structures in the framework of the SAP.
2. To help the Albanian authorities in consolidating democracy and implementing the rule of law
3. To assist the government in its efforts to achieve a comprehensive administrative and institutional reform with the priority to strengthening public administration and judiciary (European Commission 2001).

The conditions set by Brussels have targeted the areas needing attention as: preventing organised crime from undermining the structures of the state and the rule of law implementation; enhanced efforts to fight corruption; improved functioning of law enforcement agencies; preservation of dialogue among political forces; implementation of OSCE
recommendations regarding the electoral process; full implementation of civil Service Law; efforts to support civil society development (European Commission 2003). These areas also constitute the range of EU intervention and support: the EU has committed itself to a 3-year assistance program worth 144 million Euro to support reform of the judiciary and public administration, it leads and monitors the Stability Pact anticorruption initiative, it is present in the strengthening of law enforcement agencies mainly judiciary and the professionalisation of public administration through different programs, to mention only some.

**The Logic of Consequentially in Political Change**

The attraction of Europe has given a new direction to the rhetoric of political actors seeking electorate’s support and the benefits the European community distributes. The Albanian politicians started preaching ‘return to Europe’ as an effective tool against the shaking communist regime since early 1990s. The opposition emerged and campaigned around the promise of European integration and it started talking the language of democratisation and market economy their regime had deprived them from. First, Berisha called himself a liberal and pledged to “further Albanian democracy”, although critics insisted that he acted differently and was no longer the democrat he proclaimed himself to be (Goldman 2000: 70). At the aftermath of seriously marred elections of 1996, Berisha continued to loud pluralism and during the opening of new parliament he called for “co-operation with all who want the country to become part of the West, a truly democratic Albania (Nazi 1996: 41). Even when the country was about to collapse he ironically praised the Albanian people, and of course himself, for “walking the path to freedom and democracy”.

On the other hand, the former communists quickly acquiesced to the language of liberties, democracy, rule of law and European integration although these have hardly been values that defined their political status until the popular upheaval of 1990s. Both new and old members among the SP knew they had no way but to fight the political struggle in the name of democracy and Europe. They soon accused Berisha for betraying the democratic ideals the people, and of course them, had fought for. The much debated seventh Nano cabinet that was voted by the parliament in the midst of opposition accusations for its members corruption and connections with organised crime, also identified by the EU reports as the main obstacle to the country’s SAP (European Commission 2003) was again demonstratively named ‘the government of integration’.

The Albanian elite has similarly being relatively fast in adopting formal democratic institution. The new law on the main constitutional provisions approved in 1992 and 1993, created a new system with checks and balances, safeguards for fundamental rights and freedoms and judicial review, which compared favourably with the constitutional changes adopted in other former communist countries and advocated a parliamentary system (Biberaj 1999). After rejecting the draft constitution that intended to increase presidential powers in 1994, Albanians adopted a new constitution in 1998 by referendum. The new constitution was broadly praised for being in
conformity with international democratic standards (European Commission 2003). It guarantees fundamental rights and freedoms, reinforces the separation of powers, opting for a parliamentary system and embraces a mixed electoral law (Freedom House Report 2003: 68). For the time being there is no opposition to the minimal democratic procedures and their institutional counterparts.

The problem, however, is that the democratic institutions have often become instruments of political struggle, and forced to take sides with the party in power. At the end of Berisha self-proclaimed democratic leadership, students of democratisation almost agreed that the political changes in Albania had produced “the reincarnation of the totalitarian mind in a new form” (Agh 1998: 186). The following SP governments were similarly attacked for personalising power, using and abusing the democratic institutions and enforcing the gap with the opposition. The political dynamics, by and large show that there is a huge gap between the ratification of a muddle of democratic codes and their implementation in practice. The question still remains whether the political class will find the will to more than decorative changes (ICG 2003: 1). One can hardly argue that the consequential logic of internalising democratic norms has gone beyond a rhetoric commitment of elites to democratic rules.

The EU reports, evaluations and critiques, which determine the progress in the contractual relations between the EU and Albania, have became the epicentre around which achievements and future challenges are debated and decided upon. EU has, thus, become an agent of differentiating, reform and agenda setting (Anastasakis and Bechev 2003: 9). It deserves credit for fostering a momentum for reform by inducing an intense public debate on behaviours that counter democratic practices, corruption, the abuse of public office for personal interest and inefficiency in the public administration, as well as the conflictual political struggle that prevents elites to look into the future.

One striking example was when the EU succeeded to end the long feud among Nano and Berisha by brokering—in effect ordering—an agreement among the two party leaders to elect a consensual president that could bring calm to the confrontational Albanian political scene (ICG 2003:2). The EU made the election of a consensual president one of its requirements before opening negotiations that would lead to a SAA in early 2003. As a result, for the first time the country entered to a period of dialogue between the two main political forces. The more constructive atmosphere between the two main parties in spring 2002 allowed for the establishment of a number of cross-party parliamentary commissions to deal with sensitive issues requiring a wide political support (European Commission 2003). Few months later, however, the political tensions heightened as the local elections approached and one year later the opposition started blaming the consensual president for taking parts with the Socialist Party. The EU, consequently, has still to prove the case that it can push political elites look beyond the legacy of previous authoritarian regime and poor management of transition.

One of the strategic assets for the EU may be the emergence of moderate groups of new politicians that broke up from both DP and SP. Both the group around Meta in the SP and “the democratic alternative” that split
from the DP in 1999 seem to be less likely to capitalise on extremist positions, hopefully giving way to more compromise oriented and pragmatic political choices that may rid Albanian politics of its legacy of divisiveness (Galer 2001: 59). The genuine positive attitude towards Europe of the new generation of the political class has been coupled with a commitment to law enforcement, fight against corruption and the push for stability plagued by internal discord. One of the main differences between them and their older colleagues is they are unencumbered by the hatreds and injustices they think to have suffered in the past, the perceived need to use their new power not for the good of the country, but for their own revenge and proprietorial attitude to state organs.

References

Agence Europe. 1999. 99/7439, p. 4-5.


