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content

Welcome note

Henri Çili
DIRECTOR GENERAL, EUROPEAN UNIVERSITY OF TIRANA

Dear readers,

Welcome to Polis!

For the past ten years the European University of Tirana and Polis journal have grown together. Now, as they enter their second decade of life, both the University and Polis, are ready to cross the borders of Albania to integrate in the European academic area. Therefore, we have fully redesigned Polis to transform it into our main vehicle for producing and transmitting knowledge about Albania and the Western Balkans. Our goal is to establish Polis as a prestigious open access academic outlet for up-and-coming researchers in the social sciences and humanities.

Starting from this issue Polis will only publish articles in English that have gone through a rigorous double blind peer review process. Both these steps are necessary to ensure that we communicate with international academics and fellow researchers and that we uphold the highest academic standards.

As sources of information and access to data have increased exponentially, sources of 'knowledge' have been crowded out causing dangerous levels of misinformation, misperception and plain untruths to sip into mainstream public discourse. To counter it, scholars need to step up and publishers need to provide them platforms to make their research more accessible to a wider audience. Although small, and with limited resources, we at the European University of Tirana through UET Press take this responsibility seriously. Through the redesigned Polis, and by

devoting more time, resources, and finances to research we aim to publish high-quality articles with impact in both the academic and policy-making world.

We are very proud of what we have achieved with Polis so far and look forward to steadily transforming it into the journal of record for Albanian academics and emerging international scholars studying the Western Balkans.

I hope you enjoy Polis' diverse collection of scholarship and strongly encourage you to contribute your articles and reviews.

Polis – A brief history

The first issue of *Polis* was published by the Department of Political Science and International Relations of the European University of Tirana in 2006. Since then *Polis* has published 152 original articles and sold hundreds of copies across the Albanian-speaking area in the Western Balkans.

The founding team - led by Henri Çili and Blendi Kajsiu - established a new standard for academic publications in Albania by following the example of reputable Anglo-Saxon journals. *Polis's* Western-based model, focus on academic rigour, and openness to differing methodological and theoretical strands transformed it into an attractive academic outlet for the dissemination of knowledge and advancement of academic debate in Albania.

As the articles became ever-more diverse, both in breadth and scope, in 2007 *Polis* became the journal of the Faculty of Social Sciences and Education. In 2010 Odeta Barbullushi became *Polis'* second Editor-in-Chief and furthered the journal's growth and transformation into the journal of record for Albanian social scientists. In 2015, with the arrival of Belina Budini as Editor-in-Chief, *Polis* continued to expand towards the field of humanities to complete its establishment as an academic outlet publishing cutting-edge research in the social sciences and humanities.

In 2017 Elvin Gjevori became *Polis'* fourth Editor-in-Chief leading its greatest transformation. *Polis* merged with two other journals: *Educatio* and *Justicia*, publishing articles in the field of education and law respectively and changed its working language by publishing articles in English only. To further its internationalisation, besides publishing in English and encouraging internationals scholars to submit articles for publication, *Polis* established an international advisory board with some of the most renowned scholars of the Western Balkans. Lastly, thanks to a generous grant by the European University of Tirana, since 2017 *Polis* articles are publicly available online through a free access platform at www.polis.uet.edu.al.

Over the years, *Polis* has gone from a small journal of a small department of a small university, into an established academic outlet that is now crossing the confines of Albania to join the European academic debate and exchange of ideas about the world we live in and the one we would like to live in the future.

Editorial – Letter from the Editor

Elvin Gjevori
Editor-in-Chief

It is challenging to find a common thread among articles examining various contemporary issues from different fields such as philosophy, political science, international relations, and conflict studies. However, for this issue of *Polis*, the theme becomes immediately clear upon reading the assembled articles, namely: *freedom*. The articles of *Polis* volume 16 approach freedom from diverse academic perspectives, theoretical strands and empirical case studies in an attempt to ascertain what does freedom meant to us today, how it is affected by political culture, ideology, communication, rule of law, political regimes, and electoral politics. While some of the articles do not tackle the issue of freedom directly, they are all united by an ideational thread in which they examine the worthiness, possibility, and institutional configurations conducive to freedom.

Firstly, Eno Trimçev's 'Is freedom worth the risk? – Liberalism and the challenge of Dostoyevsky' sets up the challenge scholars writing in a post-modern world face with the concept of freedom. Trimçev's article is a call to step back and refocus our understanding of freedom away from the analysis of the institutional framework of how to live our lives, towards a metaphysical understanding of freedom and overall liberal order as based on the transcendent dignity of human beings. In a sense, Trimçev simultaneously sets the challenge and potential criticism for all succeeding articles that focus on specific representations of freedom and institutional arrangements to guarantee it. The tension between the need to

metaphysically think of freedom in the widest possible sense and the necessity to study the institutional configurations that affect its empirical representation is palpable in this issue. That in turn is also one of this issue's biggest contributions as it highlights how we must further our examination, both metaphysical and empirical, of freedom in a time when it is being continually challenged and reshaped by forces and in ways that we have yet to understand properly.

Secondly, beginning the empirical examination of freedom and the ideational and institutional mechanisms that affect its manifestations is Florian *Çullhaj's* article 'Political culture and democratic consolidation in post-communist Albania: Reassessment of authentic domestic values.' *Çullhaj follows Trimçev's call to think of freedom in more metaphysical terms and provides an anthropological and psychological* account of the domestic values that have affected Albania's democratic consolidation. *Çullhaj identi*fies the inability to internalise democratic values and the 'unnaturalness' of the imported institutional infrastructure as the main factors that have prolonged the transition period and inhibited democratic consolidation. Therefore, Çullhaj concludes that Albanian elites need a renewed and holistic effort to establish democracy not as a technocratic endeavour, but as a way of living. From *Çullhaj's perspective a metaphysical understanding of d*emocracy, as an ongoing process rather than end goal, will enable the consolidation of democracy in post-communist Albania.

Thirdly, Blerjana Bino's 'The constitution of a 'new politics beyond left and right': From ideological ambiguity to populist political communication', examines the embeddedness of ideology and political communication analysing the political discourse of Albania's Prime Minister Edi Rama when he was opposition leader from 2005 to 2009. Besides the insightful analysis, from the perspective of freedom, the article points out that Rama's discourse aimed to show the irrelevance of ideology to Albanian politics and democratisation. In an era when populist leaders are gaining an increasing foothold in Western politics and challenging traditional notions of democracy and freedom, Bino's examination offers a thoughtful examination of the declining power of programmes, ideas and ideological standpoints in modern politics. Such decline has furthered the personalisation of politics and blurred the understanding of freedom. The 'fall of ideology' in the Albanian political landscape poses a direct threat to its freedom as it has removed any referential framework. Bino's article is a clear demonstration that Albania's increasing self-referential debate is an impediment to democratic consolidation and protection of freedom there.

Fourthly, Gentian Elezi's 'Establishing the rule of law after communism: a comparative approach' focuses on Albania's (failed) attempts to institutionalise the judiciary. For any democratic regime, even more so for emerging democracies with fragile institutions, the judiciary is crucial for guaranteeing freedom and fighting

back against state abuses. According to Elezi, Albania has been unsuccessful regarding judicial reform because of the communist ideational legacies and strategic choices of its post-communist elite. Specifically, the severe politicisation of the judiciary under communism and the communist-tinted post-communist elite made it almost impossible to institutionalise the judiciary. Post-communist Albania, both institutionally and ideationally, did not change its perspective on freedom, but simply the power relations amidst its power-hungry elites. Therefore, until there is a profound reassessment of the notion of freedom – at an individual and social level – judicial reform will be trapped in technicalities that will obfuscate the real problem, delay judicial institutionalisation, and impede democratic consolidation.

Fifthly, Igor Stipic focuses on a different case study - post-Dayton Bosnia and Herzegovina - that is still relevant for the examination of freedom and the political regimes most suitable to enable it. His article 'Ethno Bureaucratic Patrimonialism: The Political Regime of Bosnia-Herzegovina' examines how Bosnia's post-Dayton political regime has given life to ethno bureaucratic patrimonialism that engenders arbitrary state power and diminishes society's spheres of freedom. Specifically, and worryingly, Stipic concludes that Bosnia's 'ethnic question' has been superimposed to all other pressing social issues, has dominated the social imagination, and inserted a nationalist lens on the social construction of all other spheres of social activity. As a result, in Bosnia, the debate on the concept of freedom, as such, is tainted by the nationalist lens. The hegemony of ethno-nationalist discourse in Bosnia has transformed Bosnian citizens in political units often uninterested in and hostile to their own freedom. Overall, as populism and nationalism spread throughout Europe with anti-emigrant and anti-EU forces becoming mainstream, Stipic's article provides an insightful analysis, and stark reminder, of the power of ethno nationalist imagination over the understanding of freedom.

Sixthly, Adela Danaj and Roland Lami's article 'Economic determinants of voter turnout: A quantitative approach' examines the factors that affect voter turnout in established European democracies. This is an important investigation since progressively we are noticing an increase of voter apathy and strengthening of fringe parties. Based on quantitative data analysis Danaj and Lami find that there is a strong correlation between a weak economy with high unemployment and low voter turnout. These occurrences in turn increase the effect that fringe parties, with a limited but loyal following, have on electoral outcomes and subsequent government formation and policy. Both these phenomena are dangerous for democratic regimes and put pressure on the social understanding of freedom from a liberal order perspective. Danaj and Lami's article provides a warning that while there needs to be a strong and clear understanding and defence of freedom, it needs to be backed up by sufficient economic growth to stifle economic nationalists and

demagogues who prey on people's insecurities. This balancing act is important and contingent for both emerging and established democracies.

Lastly, Erika Melonashi's review article 'The influence of tobacco control legislation on smoking rates: A review of empirical research' provides a synopsis of the successful and unsuccessful attempts, internationally and in Albania, to curb tobacco consumption. Government legislation to affect consumer behaviour has long been debated among its liberal proponents from a public health and its libertarian critics from a freedom to choose perspective. Therefore, Melonashi's contribution complements preceding articles by examining a case study that while seemingly more mundane can have powerful repercussions for the boundaries of permissive state intervention and spheres of individual freedom. Interestingly, the article concludes that enforcement mechanisms are successful in those countries where the citizenry accepts the government's initial premise of tobacco control as a public health initiative. For the overall issue of freedom, this article reminds us that freedom from government is a constantly negotiated balance in which an array of ideational, institutional, and cultural aspects interplay with often unpredicted and unanticipated consequences.

Clearly, although not by design, this issue of *Polis* provides an in-depth theoretical and empirical examination of freedom. Focusing on its different manifestations, evolving challenges, constant (re)negotiation in emerging, established and multi-ethnic democratic regimes, the articles indicate that we might be living in a time when the fundamental meaning of freedom in a liberal order is being renegotiated. Whether it regards the rule of law, institutional consolidation, ethno-patronage, political participation, or public health policies it seems that it is time to go back to a metaphysical understanding of freedom as the most appropriate venue for facing and addressing today's challenges. In a world where freedom is professed to be under constant attack from ever-shifting, shadowy enemies that are countered by state entities that seem to demand that we sacrifice some freedom to defend it, writing about freedom is increasingly important.

I hope you enjoy this issue of Polis and join our conversation by contributing your articles and reviews.

Is freedom worth the risk? – Liberalism and the challenge of Dostoyevsky

**Eno Trimçev¹**

Abstract

Most contemporary liberal thought is concerned with the institutional framework within which we may live our lives. It is, therefore, a mundane or earthly thought, i.e. it renounces what it derisively calls metaphysical speculation on the good life. I want to argue here that the mundanity of liberal thought hinders its understanding of the liberal order. The kernel of truth of that order I take to be (still): the transcendent dignity of human beings. Since the old philosophical vocabularies that established this dignity are now regarded as obsolete, I indicate with this term merely that an individual person is more than what she presents herself to be; that the person is more than the sum of experiences, achievements, comportments, and choices she has taken so far. Contemporary liberal thought must do more than merely acknowledge this – which it often does. It must think it. That is, liberal thought must become metaphysical.

**Key words**: freedom, liberalism, metaphysics, Dostoyevsky, ideology

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Introduction

Most contemporary liberal thought is concerned with the institutional framework within which we may live our lives. It is, therefore, a mundane or earthly thought, *i.e.* it renounces what it derisively calls metaphysical speculation on the good life. I want to argue here that the mundanity of liberal thought hinders its understanding of the liberal order.[2] The kernel of truth of that order I take to be (still): the transcendent dignity of human beings. Since the old philosophical vocabularies that established this dignity are now regarded as obsolete, I indicate with this term merely that an individual person is more than what she presents herself to be; that the person is more than the sum of experiences, achievements, comportments, and choices she has taken so far. Contemporary liberal thought must do more than merely acknowledge this – which it often does. It must think it. That is, liberal thought must become metaphysical. If not, then liberalism may become unable to answer affirmatively the question from which it sprang: is freedom worth the risk? In this time of radical political transformations West and East, I take this to be (still) *the* question facing liberals.

I illustrate the meaning of this challenge by way of Dostoyevsky's Legend of the Grand Inquisitor from *The Brothers Karamazov* (Riemer 1957; Sandoz 1978; 2000; Avramenko et. al. 2013). I read the encounter between the Inquisitor and resurrected Christ as a parable of the critical mismatch between the bounded, mundane quality of liberal reason and the boundless, non-mundane experiential resources that constitute liberal order. In a second step, I point to two indications that liberalism can bring the two in harmony. First, liberalism has shown itself to be in practice, if not always in theory, an open-ended symbolism that continuously reaches beyond itself to resources that are not within really-existing, mundane liberalism.[3] Second, the untheorized traces of this movement are already

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[2] The term "liberal order" refers to the variety of modern efforts - philosophical, political or otherwise – that have understood themselves to be liberal and contributing to liberal causes. It therefore refers to a befuddlyingly broad plurality of discourses, political movements, symbolic articulations and ideological encrustations whose lines of transmissions often lead to historical dead ends, crisscross, combat or merge into each other. The term order indicates that these, experiences, symbols, movements and actors are not wholly devoid of intelligibility. By the term "contemporary liberal theory" I designate those philosophical efforts - political, egalitarian, deliberative, pragmatic etc. - that have attempted to rationally illumine the conditions, nature and ends of liberalism in our time.

[3] It is this openness that – beyond guns and butter – may have helped it beat its communist and fascist challengers, which proved to be symbolically closed or, as is often said, 'ideological.' The term "symbol" here refers to a quality of linguistic terms to continuously refer to the experiences that have engendered them. Liberal language then has exhibited symbolic openness in the sense that particular concepts (i.e., freedom, rights etc.) have refused to be "closed", into completely mundane definitions. The alternatives to liberalism proved to be "symbolically-closed" in the sense that they broke the connection between

experientially present in many of the most representative thinkers of liberal thought. The mismatch between language and experience however, means that the necessarily non-mundane movement of thought-experience that sustains liberal theorizing is covered up by the language, and loses its reality. In the third and final part I point to the possibilities correcting this mismatch. The recovery of older strands of philosophy with their rich non-mundane symbolisms may provide help in loosening the mundane hinges of contemporary liberal thought. But that may only help get us going by allowing us to recognize our own experiences; the task remains ours, and not of long dead philosophers.

The crisis of contemporary liberal theory

I begin with the diagnosis: contemporary liberal theory is in disharmony with the liberal order it seeks to understand. Thinking about liberalism, liberal theory tells us, means thinking about the overarching framework in which competing articulations, life-plans and goods may struggle. In other words, liberalism is the one practice that does not need to be practically actualized as practices usually are; by pursuing the ends appropriate to them. Accordingly, much of liberal theory is constituted by arguments on the kinds of arrangements that provide the best framework – arguments that move along the surface of liberal order. Perhaps it is appropriate to compare this movement of liberal thought along the surface of order in complex conceptual arguments on rights and protections and away from the living, practical nature of that order, to the move away from justice towards litigation witnessed by us all in the contemporary world.

Liberal theory has bet on articulating an agreement about that neutral framework and, upon failure to reach that agreement, has tended to retreat ever more from the very effort of articulation.[4] Its famous prioritization of the right over the good has dissolved in face of the recognition that there is no right that is compatible with every conception of the good and, more importantly,

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language, experience, and reality, and closed themselves behind the walls of their own language. For a philosophical example of language closing itself off reality, see Voegelin (1990) analysis of Heidegger. And for a warning against mistaking even the most profound philosophical symbolization for the reality to which it refers, see Plato's *Seventh Letter* (Bluck 2012).

[4] By way of example, cf. the great arc of liberal theorizing that begins with Rawls' confident justification of liberal principles in Rawls (1971), flattens out into the elegant constructions of Gewirth (1979) and Nozick (1974) that serve as rationalizations of (their kinds of) liberalism by liberals for liberals, elegantly declines into Dworkin's (1977; 1986) retreat into principles internal to the tradition, sputters into a halt with the recognition that the tradition itself has reached its end in Gray (1989), and fractures into the abandonment of efforts at justification altogether in favor of historical contingency in Richard Rorty (1989). There are, of course, other kinds of liberal theory such as Aristotelian (Joseph Raz) or critical (Jürgen Habermas). Although both escape the problematic flattening out of the more Anglo-American tradition, the focus on framework remains.

that right cannot be thought of without a conception of the good. The answer has been that the good, when admitted, is merely stated rather than pursued. No one exemplifies the liberal retreat from the search for order into history better than the late Richard Rorty who, convinced that the search has been a cruel mistake, undermines truth itself as a project. Instead of truth, we are to accept a feeling (of sympathy with the suffering of others). But why should we be ruled by this feeling in the absence of good reasons? *Why* indeed should we submit to what is merely a historically-inherited convention (liberal order)? *How* do we even begin to submit to what does not claim to be true or just? And finally, if John Gray (1989) is right, to *what* do we submit when "the cultural tradition which gave [...] birth [to liberalism] and sustained it to maturity" is no longer there? Philosophy collapses into history, history collapses into itself, and the liberal tradition of neutrality culminates in becoming neutral about itself.[5]

But insofar as it is a practice, liberalism is not a framework where diverging worldviews co-exist but a continuous, positive movement toward the recovery and actualization of a just political order. The liberal experience exists logically and actually prior to its theoretical constructs. And the fact that it is practiced, points to the possibility that the reality of liberalism is not contained in the arguments liberal theory has produced to make it transparent. Therefore, the fate of liberalism is not co-eval with that of liberal theory.[6] The site of liberalism may not be in arguments but in the almost pre-discursive faith that mobilizes intellectual reasons; in the experience that seeks and articulates itself. The inward collapse of liberal theory is mismatched with the enduring moral and experiential appeal of the liberal order. Isn't the task of good theory – just like the task of good practice – to magnify and expand this pre-analytic sense of right order which gives its reflection a reason and a direction? Isn't it than possible that not the *search* to articulate the order, but the *direction* of that search along the surface of order, is miss-directed?

To reflect on the stakes of this, I turn to Dostoyevsky's Legend of the Grand Inquisitor.[7] In the Legend, two symbolic-figures - the Cardinal Grand

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[5] Recall Rorty's touching inability to imagine what to say when the secret police come knocking for the innocent. It is, he says "a hard saying … that there is nothing deep down inside us except what we have put there ourselves." It is simply the case that fascism will have become the truth as Sartre put it. Compare Rorty with a poorer theoretician, Albert Camus: "What is a rebel? A man who says no, but whose refusal does not imply a renunciation [...] When he rebels, a man identifies himself with other men and so surpasses himself, and from this point of view human solidarity is metaphysical." (Rorty, 1982; Camus 1956).

[6] Witness the historical period between the late nineteenth century and John Rawls *A Theory of Justice*. Liberal theory had fallen almost completely silent, and to be a thoughtful person meant to be almost anything but a liberal. Nevertheless, this was also the time when the liberal order practically marshalled the resources necessary to defeat its most dangerous challengers.

[7] Not only Dostoyevsky's writing, but also his own experiential movement, described in his autobiography,

Inquisitor and Christ - are struggling with one another. The Inquisitor is a serious man that has applied his reason mundanely[8] to build an order that has rescued people from the "useless suffering" of God's freedom in order to better enjoy the fruits of His creation. Christ, on the other hand, represents a double-symbolism; the symbol of "freedom" that haunts even the best order, refusing its permanent stabilization. And the symbol of "limitless," "boundless" or unconditional love.[9] But the two are perhaps one; after all, as Terry Eagleton (2009) nicely put it, God is able to let us be (free), precisely *because* he is boundless and does not need us. At any rate, the confrontation occurs in XVI century Seville where the Church has taken matters in its own hands and is burning the recalcitrant at the stake. In this setting returns the silent Christ. The Inquisitor recognizes and arrests Him determined to burn Him at the stake. The night before the execution, for no self-evident reason, he descends in the dungeon to confront the silent prisoner. The Grand Inquisitor proceeds to justify the reasons for the order established by the church; an order that has robbed the poor and destitute of their hollow freedom, in order to grant them safety, security and contentment. He is cognizant that this is contrary to the free order of God, but his reasoning is impeccable from his own mundane perspective. Like God, he too acted out of love of mankind.[10] Nevertheless, in the end, kissed by the silent Christ, he opens the door and lets Him go. For the moment, what interests me is the relationship between the *silent love* of Christ and the political eloquence, the *verbose love*, of the Inquisitor. The Inquisitor engages in mundane argumentative speech - we can all follow his reasoning along and be moved by it. In this he follows *the* stratagem of liberal thought. But note that the Inquisitor himself is *not* moved by his own speech. As his argument reaches its culmination, his speech falters although iron logic is on his side. At the very end, it is the speechless Christ that *moves* him. We know this because instead of burning the Messiah the next day in the central square, he opens the door of the cell and lets Him go free thus putting the mundane order of the Church in radical danger. But it does not move him wholly; "the kiss burns his heart, but the old man remains firm in his own ideas and unbelief." What happened?

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from a kind of liberalism, downwards to nihilism and then back up, indicates the problem and the way out (Dostoyevsky 1994).

[8] Testimony is sprinkled throughout the Inquisitor's speech but is, more evident, in the very movement of his reason. Examples: "Everything was given over by Thee to the Pope, and everything now rests with him alone"; "the terrestrial spirit", "the kingdom of the world and Caesar's purple". Feodor Dostoyevsky, "The Grand Inquisitor," trans. H. B. Blavatsky, *http://envs.ucsc.edu/internships/available-internships/new-internships/reading-legend-of-grand-inquistor.pdf*

[9] "Thou who lovest him more than Thyself!"

[10] "Did not we show our great love for humanity, by realizing in such a humble spirit its helplessness, by so mercifully lightening its burden…".

Mismatch

In *The Legend*, argumentative reason pleads with speechlessness and loses. There are two reasons for this that are important here. The first is that the real movement in the Dialogue is not *in* the arguments of the Inquisitor, but the movement *of the Inquisitor* – he acknowledges it by opening the door of the cell after having first given every conceivable reason why Christ should burn at the stake. The movement is personal, factual and real, but remains unable to mobilize intellectual reasoning (hence the old man doesn't change his mind). The second is the indication that a serious commitment to freedom cannot be sustained without a deep faith that all that is lost in freedom will somehow be redeemed. The site of that faith is what non-philosophical people still call a "soul" or a "heart" ("the kiss burns his heart"). The task then is to bring the source of liberal freedom out of obscurity and back to reality; to make sense of it theoretically, rather than (merely) in song, literature or conversations among friends. In other words, the task is the same as the oldest concern of very old philosophical books: making sense of the human soul and its movements.

This task is not as impossible as it first sounds. As *The Legend* indicates, the remarkable endurance of liberal practice suggests that the liberal core lies outside of the quality of arguments liberalism has produced to buttress it. The site of liberalism is *not* in the arguments. A well-known illustration: witness Isaiah Berlin's (1958) call to stand by one's principles "unflinchingly" even though one knows "the relative validity of one's convictions." The issue for Berlin is not so much the "relative validity" - which liberals love repeating again and again and have turned into a center-piece of their thinking - but their relativity vis-à-vis a felt absolute - the liberal core of Isaiah Berlin. It is because Berlin is witness to the absolute truth of his liberalism that he plays the bad philosopher and calls for unflinchingly supporting relative truths that he himself is not unflinchingly convinced of. What is this experiential movement that plunges beyond the ken of Berlin's language? This is metaphysics. It is precisely the same movement that occurs in the *Republic* of Plato or in the *Confessions* of St. Augustine. To understand the endurance of liberalism and therefore to defend liberalism we must bear witness to this movement and speak metaphysically.

Liberal writings are actually replete with remarks of this nature. In page 3 of his *A Theory of Justice*, Rawls expresses the conviction that animates his theoretical effort: "Each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override." The unfolding of the Rawlsian philosophy occurs from the conviction of the transcendent value of each individual.

When he finally does ask why we should be just in the final page of *A Theory of Justice* – a question Plato dedicated a book, not a page to - his answer is that it realizes our spiritual nature. We accept the conditions of fairness in the original position because they speak to the depth of our nature: "Thus to see our place in society from the perspective of this position is to see it *sub specie aeternitatis*: it is to regard the human situation not only from all social but also from all temporal points of view." We have thus come to the "unseen measure" of the metaphysicians. Again, Rawls: "Purity of heart, if one could attain it, would be to see clearly and to act with grace and self-command from this point of view." Not only the language but the very concern underlying the argument speaks of the same realization. *A Theory of Justice* proclaims that the incommensurable uniqueness of every person is so beyond measure that it cannot be left up to the contingency of politics. In another example, Rorty (2011) does the same when he states, "[wh]en the two come into conflict, democracy takes precedence over philosophy." That simply means that the order is prior to the reasons adduced for it.[11] This movement that breaks through the hard surface shell is experiential. Theory can faithfully follow it to make it transparent and enlarge it, but an anti-metaphysical theory does not mean that our lives are shorn of metaphysical depth.

Challenge

The problem for contemporary liberalism is that its defense necessarily requires an acknowledgement of this non-mundane movement from surface to depth. The liberal feeling of the transcendent dignity of the person is almost unconveyable in our mundane language except as a label we put on the source of our intimations. That is why it is often imputed by inadequate concepts such as "pluralism" or "life-plan" rather than theoretically illumined. We ought to embark on this thinking adventure. To indicate what such an adventure means, let us return one more time to Dostoyevsky's Inquisitor.

Recall that Christ is arrested by the Inquisitor who descends in the dungeon to confront him. Why bother? We do not know for sure (mundanely-speaking there seems to be no good reason), but perhaps the Inquisitor is pulled towards a conversation with Christ in order to test the strength and goodness of his own

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[11] This move away from the surface occurs often with the same thinker as he matures. It is evident in Nozick's turn away from the brilliant surface construction of *Anarchy, State and Utopia* (1974) to the existential nature of the problem in *The Examined Life* (1989): "How would we view ethics if we *did* trust our inclinations? We then might see it as an amplification of our good inclinations, as enlarging, regularizing, and channeling them, as telling how to become light's vessel and transmitter. If the theoretical building of foundations for ethics is born of distrust of light's allure – that is, distrust of our configuration of desires – then the task is not to buttress that light by argument, but to turn ourselves into beings who then can trust our inclinations."

resolve. The Inquisitor is a serious man determined to put himself to the test. The challenge for Dostoyevsky, however, may be tougher than for Plato or St. Augustine, for he presents us with a 'painting' where the two symbols – the mundane and its beyond – are given separate forms. But of course, the two are not separate like two objects – the beyond certainly does not exist without the mundane to which, after all, belong the 'mind's eye' that perceive it, or the heart that extends to it - but exist in tension with each other.[12] The challenge for Dostoyevsky is to find a means to depict the undepictable; to make seen the 'unseen measure' of old theologians and metaphysicians. His solution is to make the unseen visible in the impact that it has on the seen – on its effect on the Inquisitor (Christ Himself remains a ghostly albeit unmistakable presence throughout; recognizable only through His effects on others). His discourse begins from reasons that justify the mundane order and culminates in their collapse. The mundane collapses by way of the resonance of trans-mundane faith that the seriousness and honesty of the Inquisitor smuggles in. Christ's reality is established beyond question by means of the depth and intensity of responses he evokes in the old Cardinal. As the dialogue between the prisoner and the interrogator continues, we see that it is the Cardinal, and not Christ, that is under interrogation from the start.

It is important to note that the Inquisitor is up to the challenge of a fierce interrogation. His performance is powerful and honest – he has consciously sacrificed his own soul[13] in order to save the wretched millions; the "half-finished samples of humanity created in mockery" to a freedom they would never be able to use. He has "corrected and improved [Christ's] teaching" which consisted of nothing but "pride."[14] And, mundanely speaking, the facts do not refute him: "the people feel fully sure and satisfied", "thousands of millions of happy infants free from any sin." It would be nonsensical, from the Cardinal's perspective, to even compare his construct to Christ's for "even supposing that thousands and tens of thousands follow Thee in the name of, and for the sake of Thy heavenly bread, what will become of the millions and hundreds of millions of human beings too weak to scorn the earthly for the sake of Thy heavenly bread?". But as he speaks the *momentum* of his answer undermines the answer. Is there not something despicable about human beings that have given up their freedom – have they not lost all that made them worth serving in the first place? The Inquisitor cannot conceal the contempt he harbors for

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[12] The religious prohibition of its iconic depiction is therefore as understandable as the well-founded indignation of contemporary thought against the old, "two-world" metaphysical theories.

[13] "We take all these sins upon ourselves, for we so love the world, that we are even willing to sacrifice our souls for its satisfaction."

[14] This brings to mind liberalism's beginnings as the philosophy dedicated to subduing the proud. Recall that Hobbes (2008) Leviathan is the "king of the proud."

the very beings for whom he has sacrificed his soul.[15] What began in loving service has ended in contemptuous domination.

The collapse of the Old Man does not occur because of an inner crack in his reasoning, but because his reasoning movement glides strictly along the surface of order alone. From the surface, all looks well and the millions are content. But from that same surface, he is unable to grasp the *telos* of his order towards injustice. We, however, who witness the confrontation with the trans-mundane symbol, can uncover the inner contradiction of the Cardinal's achievement: out of love for them, he has deprived human beings of all that makes them lovable. But I for one have never heard of a love whose *telos* is contempt, a love whose experience lowers the lovers. One cannot but wonder whether the beginning of the Inquisitor's quest was not love at all but some sort of learned abstraction of it. In the dialogue, love of human beings, that immense love that could mobilize one in the service of multitudes one does not know, is possible either through abstractions or through Christ. The former has fallen. The latter still remains.

The liberal claim is a claim that can be intuited but not fully validated because it reaches into regions beyond the mundanely appearing. Herein lies the inability of contemporary liberal thinkers to give an account of their own convictions – a failure that is a failure only because of the mundane standards that they themselves have set up.[16] At its core liberal thought (and practice) is a searching movement for a truth that is already present. But that truth – something like the unconditional worth of a person, let us say - cannot be sustained by itself. It depends on the recognition in thought and language that the person is always more, infinitely more, than what we see in front of us. The challenge then is to allow that which is *not present* to govern that which *is*.

That is, liberals can answer the question: "Is liberty worth the risk?" in the positive only if they believe in redemption – the assurance that somehow, somewhere all that is lost in freedom is restored to us manifold; that freedom presupposes an order beyond itself. They must have a faith that the Inquisitor "who killed all his young life in asceticism in the desert, and yet could not cure himself of his love towards his fellowmen" lost by miss-direction. But this is another way of saying that their belief is the experiential equivalent of the faith in the resurrection of Christ or the theory of knowledge of Socrates (Plato 1976)**.** There we are, within yet beyond liberalism. We note the assurance of redemption in liberals, Christians and Platonists and we begin to wonder whether it is part of the human condition, not of the human consolation. This faith points to a radical movement beyond all finite conditions. The liberal language of revering rights is perhaps its refraction in a secular political universe.

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[15] "for they are weak, vicious, miserable, nonentities born wicked and rebellious."
[16] Taylor (1989) has pointed to this inability of liberal thinkers to "[come] clean about the deeper sources of their own thinking".

Recovery?

The problem then is recovering a language that is appropriate to the experience. All we have is evidence of a lack but we remain unclear on what it means to respond. Here I limit myself to one testimony of its recovery and to one speculation of what may help. First, the bearing witness: the twentieth century prison-camp literature bears testimony to the capacity to recover. In the most nihilistic of environments of a nihilistic age, these individuals witnessed the imposition of moral reality almost without the availability of linguistic formulations. One may say that they were *compelled* to symbolize – to reinvent – a language of expression to illumine their own experiences of order (Solzhenitsyn 1974-78; Frankl 1983; Hillesum 1983, Valladares 1986; Cheng 1987; Havel 1988; 1992). And they did it. But theirs is perhaps a particular symbolism that reaches easier fellow sufferers or the like-minded; it lacks the transparency of philosophical symbolization that moves it beyond its validity for a time and place.

Second, the speculation: it may help to go through those theoretical traditions which did develop appropriate symbolizations in order to recognize one's own experiences of order. This requires taking seriously classical philosophy. And it is perhaps no mere coincidence that in the twentieth century we have witnessed a remarkable appropriation of classical and medieval thinkers in ways that centuries prior had forgotten.

The experiential movement that begs articulation is not some pie-in-the-sky piece of metaphysics. So far, I have referred to paradigmatic examples only: Dostoyevsky, but also Solzhenitsyn and Václav Havel. But one does not need to be an exceptional person for the originary experiences are available to everyone. One does not need a "silent Christ" or an awareness of death, or a "limit situation" (*Grenzsituation*). Human beings always and everywhere live as if their life were eternal. They ask questions about what is not present. They are never wholly absorbed in the particular mundane projects that seem to occupy them. They are never fully satisfied with the mundane results. They are always already beyond what *seems* to be.

The turn to experience that has occurred in areas of theory – but never fully seeped in liberal thought – is a definite advance in the right direction. But I believe it will remain a mere gesture, if it fails to grasp the movement we evoked here as the structure of *all* human experience. Consider the everyday. I say I am having an experience whenever I am taken out of myself – whenever "I lose myself" as the saying goes. It is in these moments that I most "find myself." So, I am most truly myself when I am most "beyond myself". The structure of experience insofar as

it is meaningful, is the movement beyond the evident – a reaching out, an open extension of oneself. It is a recovery of reality that is more than the sum of its parts, evident whether in playing music or in the enjoyment of friendship. There is nothing exalted or unique about this – we have these experiences all the time and it is these that form us and we give accounts of to each other.

And, what is more, the ancients did not know any better than us; although they did have the advantage of not having to remove any anti-metaphysical scales from their eyes. Ours is the same condition faced by the interlocutors in Plato's *Republic* whose meeting in Piraeus is motivated by nothing other than a desire to move beyond the mundane understandings of (in)justice in order to live well. In each case, there is no reliable principle, model or custom to provide any guidance. The individual souls are thrown back on their own resources and discover the lack. There they recognize how easily they are misled by the really-existing and the space for a helper – Socrates – opens up (Voegelin 2000). You may recall that in Book 2, Glaucon and Adeimantus recount the contradictory pressures of practicing injustice while paying lip service to justice. But they also sense the depth of viciousness of that sort of mundane existence although they can find no good arguments to marshal against it. What the *Republic* reveals when read in this way is the meditative opening of the soul to what is already in it. Socrates faces the whole gamut of what we have called surface arguments – Thrasymuchus the anti-moralist; Glaucon the social contract theorist; Adeimantus the theo-dogmatist, Cephalus the traditionalist, Polemarchus the "tit for tat" conventionalist – and decisively pushes beyond them. In the end, it seems that hardly anything has changed (Socrates definition rather recalls Polemarchus' and Cephalus' definitions of giving each his due). But in the push beyond what is, they have achieved what they sat out to do; to discard their own arguments that hindered their own movements towards justice. Once the disharmonious will to power that all elaborate so eloquently at the beginning is broken, reality is not lost but restored.

The relentless pressure of reality has already brought us to the gates of *The Republic*. We look backward at an age that began in the glorious expectations of the Renaissance and the Enlightenment and the energies of scientific, industrial and political revolutions and culminated in the perverse mediocrities of the twentieth century. And the moment of relief, that liberal *end* of history, is also behind us. From inside, as our political constructions, bulking under the contradictory pressures of our own irreal dreams, threaten to drop us back "in history." And, from the outside, as the barbarism of some time ago in Paris calls us to become "mired in history" (Fukuyama 1992). And we are not resourceless. Support for the ideological mass movements – whether in academia or outside – has evaporated as if they were not even there. What understanding and persuasion could not accomplish has now come about through the actual movement of experience. But that kindness

has its own Janus-face. The dominant forces that propelled the modern world – and that compel our submission to what we thought were our tools – are the same in nature and far more intense in practice. They can neither be surrendered, nor be surrendered to; and liberal thought has neither wholly rejected nor wholly embraced them. But *their* rationality is bounded by the "iron cage" (*tahlhartes Gehäuse)* (Weber 1992) within which they seek to trap us. *Ours* is boundless. The pervasive homogeneity and domination of our world is continuously undermined by the awareness of its own source in the freedom that makes it possible. We *already* know, from the achievements of twentieth century philosophy - rather than liberal theory - that we cannot live in a world that is exposed as our own construct. It remains for us to think about how we *ought* to live in.

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Political culture and democratic consolidation in post–communist Albania: Reassessment of authentic domestic values

Florian Çullhaj[1]

Abstract

Political culture and its effects on democratic consolidation in post–communist Albania will be the explanatory axis of this essay. Ontologically, I move beyond the classical political culture conceptualization developed by Gabriel Almond and Sidney Verba in the 1960s who argued that civic culture is characterised by congruence between the participatory culture of a democratic citizenry and state political structures and understood political culture in terms of attitude and behaviour of citizens interacting in a stable political environment. This article goes beyond political science epistemic perspectives and adopts an anthropological and psychological perspective developed by Archie Brown, Grigore Pop-Echeles, and Joshua A. Tucker. These authors argue that there are important variations between the conception of culture, politics and attitudes of post–communist citizens and citizens in established liberal democratic countries.

Keywords*: political culture, democratic consolidation, authenticity, Albania, post-communism*

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Introduction

This analysis starts from a diachronic threefold perspective trying to infer the core nature of Albania's political culture. Specifically, the article will focus on the effect that the cultural legacies of the past political system and the imported Western-style institutions have had on Albania's ability to consolidate democracy from within. (Çullhaj 2017). From an epistemological perspective, this paper draws on qualitative methods employing an interpretative investigation of historical and cultural phenomena to elucidate the correlation between political culture and democratic consolidation. Integrating the cultural conceptualizations of political scientists, anthropologists as well as sociologists leads to the use of an eclectic methodological approach where the key quest is to explain the above-mentioned correlation.

Conceptual clarification

It was Gabriel Almond in the mid-1950s who introduced the term political culture in political science to explain the particular patterns of orientations to political action embedded in all political systems. In collaboration with Sidney Verba, Almond developed a typology of political cultures, specifically, employing the term *civic culture* to identify the political culture characteristics that explain the stability of the democratic political structure of different countries.

Criticism against Almond and Verba's model comes from different authors, mostly those who attempted to explain the concept of political culture from a transition society perspective. In his book *Political Culture in Post-Communist Russia*, James Alexander, based also on Stephen Welch ideas, argues that:

> The Civic Culture employed inappropriate methods for explaining factors underlying liberal democratic stability. First, Almond and Verba attempted to identify comparable variables in *uniquely evolved societies*, (my italics), which makes the cross-comparison of particular societal political cultures problematic. As political cultures emerge from distinctive or specific configurations of historical influences, geographical peculiarities and varied leadership patterns – the 'web' off actors comprising a political culture that separate it from such a web in another society – makes comparison unwieldy. Often, the problem is less that societies are unique; it is rather that researchers searching for summary statistics either do

not recognise the complexities of the society or ignore them in order to make a 'clean' comparison. Second, in trying to identify political factors supportive of stable democracy, Almond and Verba confused cause for effect: Does a stable liberal democratic political system lead to a civic culture? Or, is it a civic culture that explains a stable liberal democratic system? Such circularity seriously undermines the explanatory power of Almond and Verba's claim that a stable liberal democratic system is explained by the congruence of a political culture with its political system (Alexander 2002:19-22).

Alexander (2002), in his articulated criticism, uses the anthropological approach of Anthony Cohen to the concept of culture; Cohen criticises those who assume that people are somehow passive in relation to culture; they receive it, transmit it, express it, but do not create it. Instead, Cohen argues that Western institutional forms adopted by societies with varying political cultures often bear only a formal resemblance to the institutions of the West. According to Cohen, 'communities might import structural forms across their boundaries but, having done so they often infuse them with their own meanings and use them to serve their own symbolic purposes' (Ferrara 2014: 4-5). These new institutions conform to the native political culture, rather than acting to reform traditional forms of political behaviour. For example, the submissive attitudes of Albanians toward authority free political elites from political accountability, this late value is the cornerstone value of elite political style in liberal democratic countries. In a few words, considering the political challenger as a 'personal enemy' is more acceptable in some cultures than others, or the behaviour of irresponsible political elite is more tolerable for some cultures than others.

Consequently, to understand and explain the concept of political culture, one first needs to define its core components, which have generally been defined as people's beliefs, values, and attitudes. Through beliefs, people describe what reality is, starting from a personal standpoint, which should not be confused with 'cultural belief'. 'What distinguishes the latter from the former is that the ultimate authority of the validity of cultural beliefs lies outside of individuals and those cultural beliefs are shared by other members of the society' (Gonenc 2002: 27) While values deal with other ends such as 'ought' and 'ought not', and they do not relate to descriptive statements, but to prescriptive ones. Finally, yet important, attitudes are mainly focused on emotions. Attitudes derive from beliefs and values and involve positive or negative evaluations of objects, people or situations that govern people's behaviour. Their emotional dimension distinguishes attitudes from beliefs and values. From this point of view, we may define political culture as people's beliefs, values and attitudes toward political objects. Thus, in Western

democracies, the majority of people believe that democracy is the best regime to ever exist and not only when referring to democracy in the abstract sense, but also to the democratic system in their country[2].

It can also be argued that they value democracy by holding that they ought to be governed by democratic institutions. As a result, they support democracy at both abstract and national level. By contrast, people in post-communist Albania believe that democracy is the best regime but only in the abstract sense, because the democratic system as it is implemented in their country has been a disappointment for them in the last decades. Furthermore, Albanians consider democracy as an 'ontic' norm and think that people ought to be governed by democratic institutions but without giving any concrete contribution in crafting democratic institutions. Over these years, their behaviour has been incongruent with democratic institutions, pushing the system almost to the limit. As a result, they support democracy only in the abstract sense but not at a national level (Whitefield 2005: 3-4). So the question arises naturally, why do Albanians exhibit this dichotomy: why do they support democracy in the abstract, but do very little to implement it in reality?

To answer this question this article relies on Albania's communist legacies as an explanatory variable and adopts Grigore Pop-Echeles and Joshua A. Tucker's perspective in documenting that there is important variation between the attitudes of post-communist citizens and citizens of established liberal democracies towards democracy. This variation is the result of predictable contextual factors, including socio-demographic profiles of the population, contemporary economic conditions, and political institutions and outcomes. (Eleches and Tucker 2012: 379-408); see also Osterberg-Kaufmann 2010). According to these authors, differences in attitudes in post-communist countries are due to the nature of the society in which these citizens live. Therefore, if Albania has a disproportionately high number of well-educated and underemployed citizens, new and not particularly well-functioning political institutions, and substantial economic turmoil, then these 'contextual' factors could explain why its post-communist citizens hold systematically different attitudes towards democracy and the market than citizens elsewhere.

These authors use the idea of 'context' to cover the socio-demographic framework of a society, the economic conditions in that society, and the political institutions and outcomes of that society. If this is the case, then Albanian's 'contextual effects' – be they demographic, economic, or political – could be posited to explain the divergence in its post-communist attitudes

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[2] However, this topic should not be generalized throughout all Western societies. As Alessandro Ferrara rightly suggested 'only the ideologues a la Fukuyama and the right-wingers do that. The rest (of us) are bitterly aware that the distance between democratic ideals and the reality of neo-liberal democracy is about the same that existed between Marx's ideas and 'really existing socialism' of the Brezhnev era'

toward democratisation. The work of these authors is grounded in comparative analysis displaying divergence in attitude involving citizens not only within post-communist states but with citizens who live throughout the world. While, on the other hand, the intention of my analysis is simply to understand the attitudes held by Albanian citizens and to explain the way in which these 'contextual' factors - that are related to the experience of communist rule - can account for attitudes held by Albanian citizens in the post-communist era and the effects of these factors on the process of democratisation.

To do so I move beyond political science perspectives and adopt an anthropological and psychological perspective of Archie Brown's conception of culture in politics. Archie Brown was a pioneer in the use of this concept in the political analysis of communist states. He defined political culture as 'the subjective perception of history and politics, the fundamental beliefs and values, the *foci* of identification and loyalty, and the political knowledge and expectations which are the product of the specific historical experience of nations and groups' (Brown 2005: 182). The utility of this definition lies in its potential to reveal dissonance between political culture and prevailing political institutions and behaviour, a state in which definitions that incorporated patterns of behaviour into the political culture itself would obscure (see also Whitefield 2005; Ekiert 1991; Di Palma, 1992).

Brown uses social psychology to support his conceptualization of political culture. For example, he derived from the substantial literature on 'cognitive dissonance' the findings that 'attitude change is more likely to be brought about among active Communist proselytizers but also from the literature on 'reactance' that highly visible coercion tends to produce the reinforcement of the repressed attitude' (Welch 2005:105-124). During the course of this essay, Brown's conceptualization of political culture will be an implicit explanatory approach. Relying on Pop Eleches, Tucker and Brown's conceptualization of political culture, I will analyse the effect of political culture on democratisation. As a result, a few central questions arise about the possibility of a democratic consolidation in post-communist Albania, i.e. do past socio-cultural traditions influence the current political attitudes of the population? Moreover, is it possible only with the proper wording of the constitution and institutional engineering to establish prerequisites of democratic behaviour among Albanians? Can transition countries like Albania consolidate the democratic system based solely on the Western-style institutional system, or should democracy emerge from domestic authentic values? The answer to these questions is a huge challenge and an endeavour that goes beyond the scope of this essay. In addition, my analysis will begin with addressing the first question that focuses on the possibility of consolidating democracy under an institutional top-down perspective.

Long lasting legacies

Communism in Albania was not a mere consequence of Soviet presence. Following the end of World War II the Soviet Union played an important role in the reconstruction of the Albanian state, and the Albanian people never considered the Soviet Union to be a hostile power. (Rothschild and Wingfield 2000:174) This relationship brought urbanisation, industrialisation and in more general terms, the so-called 'modernization' that took place in the early years of 'real socialism.' This development resulted in a substantial and tangible growth in the standard of living and culture compared with the pre-communist era. However, despite this period of progress, terror against anyone who threatened Hoxha's power persists[3] (Rothschild and Wingfield 2000; Rees, Apor, and Apor 2008; Pipa 2007)

This situation lasted until Albania broke up with the Soviet Union after the new policy embraced by Khrushchev who rejected Stalin's political style. Afterwards, China was the succeeding political and economical supporter until 1978. The imposition of pro-Maoist policy exhausted the commitment of even the most loyal party members. After the onset of this relationship, the Communist Party (CP) became paranoid, especially after the death of Enver Hoxha in 1985. Open political debate of any kind was virtually impossible until the tenuous liberalisation of the late 1980s under Enver Hoxha's successor, Ramiz Alia. However, Alia was mostly concerned for the security of the ruling families when the popular uprising began in 1990 rather than with the creation of a plural political environment. The first organised oppositional political movement was not founded until December 1990, much later than in most East European states (De Waal 2005; Bazzocchi and Lubonja 2004).

Throughout this period, Marxism exercised a strong influence over the Albanian Communists and the fanatic embrace of this ideology legitimated vicious kinds of behaviour against those who attempted to hinder their final goals. Pretending to possess a scientific and rational way of understanding historical processes, as well as human's development through economic relationships, the Communists' promises stated that a scientifically supported and technologically advanced industry will create economic benefits and social justice in a later phase of development. Eventually, it was important for the people to take control over economic and political processes to fulfil the imposed ideology.

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[3] During these years, Enver Hoxha espoused the basic political, socioeconomic, and cultural ideological institutions and programs of Stalinism. Unlike most of the other peoples of East Central Europe, the Albanians perceived this Soviet embrace as protective (vis-à-vis Yugoslavia and Greece) rather than as smothering, as enhancing their modernization rather than being exploitative. (Rothschild and Wingfield, 2000:121-122; see also Pipa 2007).

Another important issue was the limited development of the national intelligentsia, which retarded the development of dissident anti-communist groups compared to the other Eastern European Communist countries. Universities, for example, did not play a significant role in the rise of urban political opposition. The so-called civil society, such as popular organisations, associations and private bodies, were totally under the control of CP. As an alternative, the regime included into the Albanian society different kinds of organisations, such as youth organisation or women organisation, but they were little more than auxiliary tools for CP. They served as 'transmission belts' for mobilising people and creating a top-down communication model; likewise, they were not allowed to function in their environment or to express opposition to the regime. 'Another crucial role that prevented the emergence of any normal civil society was played by the large network of informers controlled by the secret police, the 'Sigurimi' which did not lose its power until the regime collapsed' (Kalsounis 2010:16). With the installation of the communist regime, Albania hoped for a change and the first generation believed in the Communists' promises with a selfless commitment to the exaggerated demands of the leadership (Dilo 1961). Despite some changes achieved in different realms in the first years, it was clear that based on the way Hoxha treated his opponents, Albania eventually lost the opportunity to become a free and democratic country. The authoritarian political style was established through means of pure violence for all kinds of resistance which tried to 'think' differently from the ruling class. This kind of political style continued and consolidated over the years until the system changed in 1992.

However, the crucial question that arises here is whether the criteria employed by Communism and later on by Hoxha's regime represented a separation from Albania's past. Was the system installed by Hoxha - which proved to be one of the worst examples of totalitarianism - only a late form of authoritarianism or just something new? It was certain that changes existed and Marxism-Leninism was the most prominent of them, but it has been argued that some kind of similarity and continuity with the past still exists. Since the time of independence, absolutism and violence were a predominant model of political activity. In any political system experienced by Albania, all kinds of change came from above, through ruler's decree and not through evolutionary processes. The state or the community had priority over the individual and thus the debate over the use of the power was focused mainly on the person who had to exercise the power instead of limiting his/her power. During the forty-two years of Hoxha's government, there was no cycle of communist party reformation. Based mainly on the Stalinist model Hoxha and his successor Ramiz Alia created in Albania an atypical political environment, hostile to democratic values. (Pipa 1990: 184-185), see also (Gleason

1995; Hoffmann 2003). The internalisation of the 'new' values for Albanians, that the Communist system provided, came through severe obligations and a perpetual control over the masses. When such control ceased to exercise its power, none of those values withstood because along the years of coercion the masses opted for the other side, resistance. They behaved perfunctorily with regard to those values, without reflecting critically upon their substance which was to be refused and which was to be later discarded.

If we want to classify the Albanians' political culture in relation to the attitudes towards authority, it can only be a 'submissive one' (Mayer 2003: 12-20), which means a largely unquestioned and unlimited subjection to those who are in authority. This kind of attitude was due to Hoxha's regime, because of uprisings against authority – be it foreign or domestic – existed in Albania throughout history. Institutions that profess infallibility and ruling by divine right, which may have contributed in this respect, were absent before and after the independence. It was the Communist Party, though, that pretended to be all-knowing, and that deserved the right to lead the activities of the society in an authoritarian manner. From an ontological perspective, the legacy of the communist period has not helped in the construction of any precondition for democracy in the abstract sense, let alone as a political system. For the communist elite, the most important issue was maintaining its power with ideology as an instrumental tool to control the masses, and any kind of reform was considered valid as long as it did not threaten their political power. Probably it sounds like deterministic and somehow like a paternalistic idea that the fault lies only to the governing elite. However, the fact is that the Communist elite had all the opportunities to build a system where the central focus was the individual or even the society - since the small number of the population allowed this opportunity - and had all the opportunities to work and interact for and with them, beyond the formal aspects that were imposed by ideology. One of the main aspects that the elite not only did not develop but also worsened over the years was the perception of ordinary citizens as playing a role in politics with the big P. This was a pure oxymoron because in that period every aspect of people's life, every facet of it was politicized and the elite encouraged individuals to participate in open debates. But there was a limit; citizens could not engage in political debates outside the official ideology of the regime. For example, they could not complain for a wrong implementation of a domestic policy or for the government's foreign policy. Those who did engage in (P)olitics ended up in prison or in gulags, and such actions of the governing elite served as an example for the rest of the population of what could happen if one got involved in (P)olitical activities. These ideas were deeply rooted in people's everyday life, and even a popular expression illustrated that idea: *'with water, fire, and state (politics) do not play'!*

These kinds of attitudes that the regime cultivated over the years enabled people to view politics as something bad, something not open and transparent, and for survival reasons, they chose self-isolation instead of active participation in politics with a big P. Therefore, at the moment the communist system collapsed, the new system demanded by society precisely the opposite behaviour toward (P) olitics. People in a democracy need to be fully engaged and participate in (P) olitics to 'control' the new elite and to increase pressure for change and reforms, so the new system cannot turn into an oppressive one. Under such conditions, Albanians entered the democratic path with a significant uncertainty in different realms, except one, that their (P)olitical role in the new system would exert a much greater impact.

To sum up, the holistic and capillary control, coupled with irrationality and terror, left Albanians unable to encounter democratic political concepts. The ensuing backwardness toward their political world for the majority of Albanians is mainly a consequence of the long totalitarian domination and the strong isolation that Hoxha's regime implemented along decades. Therefore, it is obvious that from a sociological standpoint the past socio-cultural traditions of Albanian population had strongly influenced their current political attitudes and behaviours, and from a political standpoint the institutional structuring of the past autocratic regime continued to suppress the transformation power of the current democratic culture

In the following section, I will address the second of this article assessing whether it is possible to establish the prerequisites of democratic behaviour among Albanians only through constitutional and institutional engineering.

Democratisation through institutionalization

Following regime change, Albania as a former communist country entered the democratisation process, which Huntington classified as the 'third wave' (Huntington 1991: 16-21[4]; Whitehead 1996: 5). The nonviolent revolution of Albania reinforced the belief in the West that democracy is an exportable good if Western democracies implement a right combination of pressure and aid in collaboration with internal political actors (Fukuyama 2005). Western pressure coupled with technical and economic assistance was domestically understood as a *conditio sine qua non* for the successful implementation of the early days' democratic reforms. However, efforts to establish democracy in Albania raised the question:

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[4] It was Samuel Huntington who coined the term 'Third Wave'; he included the countries of Eastern Europe in the same 'wave' as Iberian and Latin American democratization. Latin American specialists like Linz and Stepan *et.al* have tended to follow his example. Laurence Whitehead has been an exception among those scholars. In contrast with Huntington and others, he refers to the process of democratization in Eastern Europe as a 'fourth wave', although without elaborating the point.

will the framing of the appropriate constitution and economic system - building democratic institutions and developing positive attitudes towards them - take place among Albanians through ongoing familiarisation? Accordingly, the failure of the 1994 referendum on the new constitution, the overnight changes to the constitution in 2008 and the permanent stagnant economy strengthened the belief that a Western-style democratic constitution and a functioning market economy cannot flourish if it is not rooted in an environment pervaded by authentic democratic culture (Çullhaj 2017). As a result, determining the trajectory of democratic consolidation without taking into consideration the variable of political culture presents an incomplete analysis in terms of understanding and explaining the current stagnation of the political system. More specifically, since the beginning, democracy was not built on a solid authentic foundation but on political institutions and cultural patterns that were at best an import from the West and at worst a legacy of the past regime.

During the transition period, the Albanian society – under a barren background of democratic ideas and empirical experiences – underwent a profound transformation in manifold areas. Albania began to adopt a multiparty political system and the entire spectrum of positive freedoms was legitimated. In legal terms, the establishment of the Constitutional Court and several other reforms in the judiciary marked another step towards a democratic system. In economic terms, the first process of market economy transformation based on a set of radical reforms was set in motion. Among the most fundamental ones, I can mention the massive privatisation of state enterprises and assets, the gradual removal of state controls on most commodities, decentralisation, gradual privatisation of a large part of the economy, tax reform etc. These and many other reforms in various areas of life spread the idea that the past system was over and done, and individuals will embrace democratic behaviour because of institutional reforms. Nevertheless, this was not Albania's state of affairs.

In addition, the abiding failures of constitutional and institutional reforms to establish democratic attitudes and behaviours certified the predictable idea that it is impossible only with the proper wording of the constitution and institutional engineering to craft democratic behaviour among Albanians. This view turns to be a political maxim considering the steady political crises that characterised the transition period that persists hitherto. Moreover, this view reinforces the belief that imported formal institutions cannot flourish unless they operate in a democratic culture that is already internalised by domestic citizens. This idea seems to be accurate considering the fact that, after the new constitution of 1998 entered into force, its ability to democratise formal and informal institutions of the Albanian society from a top-down outlook appeared to be lukewarm. Furthermore, it is sufficient to recall the elites' simplicity and the

lackadaisical attention of citizens dedicated to constitutional changes in 2008, to show that democratisation through institutionalisation seems to be impossible in the Albanian political reality. Moreover, on this point, theories teach us - in a tautological justification - that the legitimacy of a regime/constitution seems to be displayed through its ability to be long lasting, but, on the other hand, its long-lastingness remains the main prerequisite for a previously established legitimacy. Therefore, as Mayer argues 'political culture sets democratic institutions rather than vice-versa' (Mayer 2003: 40).

In the following, I will continue to address the third and last issue regarding the question of whether transition countries like Albania can consolidate democracy solely through Western-style model or democracy should emerge from domestic authentic values.

Democratic consolidation: Reevaluating domestic values

Democratic consolidation in Albania has often been a contested concept because the transition problems related to its functionality persist up to the present days. Following regime change, Albanians experienced a moral and cultural crisis, which was reflected in the loss of confidence, the decline in civic values, and disinterest for public issues (Vickers 1995: 241). They perceived democracy as something that would gain functionality by its own properties and always looked for its implementation independently of their personal efforts. They continuously excluded and excused themselves from their non-democratic way of behaviour even though they knew quite well democratic core values and the way they must fulfil them. In their firsthand perception, if democracy had to be functional and consolidated there was someone else that had to behave accordingly, not 'him/her'. With some improvements, this situation persists even nowadays.

However, from a theoretical standpoint, the current state of democracy in Albania registered several accomplishments. In particular, it fits the formal minimalist model of Schumpeter as 'electoral struggle between competing elites', albeit, it still has problems with complete system functionality. Moreover, during the last decade, Albania reached an important familiarity with democratic consolidation when political actors accepted that the broad parameters of the system had been already established. According to Offe, there are no longer major debates about the basic rules, but only within them, or in Linz and Stepan terms, the new system has become the 'only game in town' (Offe 199: 865–92). Although countries in the post-communist world pass the Schumpeter's minimalist test, O'Donnell (1992) describes and criticises them as 'delegative democracy'. Under delegative democracy 'whoever wins election is thereby entitled to govern as he or she sees fit, constrained only by the hard facts of existing power relations and by a

constitutionally limited term of office' (O'Donnell 1992: 57). To O'Donnell, this situation is not a representative democracy because there is no accountability and no need to fulfil election promises.

Consequently, Albanians should not focus only on perfecting the new institutions through trial and error, considering the democratic functionality as an *a-priori* process. As I previously analysed, it seems that democracy is not a mere fact of just introducing new institutions like a constitution, parliament, elections, a party system, or a legal system. To understand, if or how democracy works, we must attend to what people make of it and what they think they are doing as they engage in *Politics*, or when *Politics* engages them.

The principle of democracy and democratic values are neither novel nor alien but have reliable roots in Albania's culture. Before the advent of communism, the country's tradition counts several experiences with values such as trust, tolerance, pluralism, and participation. Accordingly, several phenomena demonstrate the existence of such experience such as, the Republican self-governing values incorporated in the articles of the *Kanun of Lekë Dukagjini,* the idiosyncratic phenomenon of religious tolerance, and the cultural-ideological deliberation that took place between 1920 and 1930. Despite their heuristic importance, the investigation of all these three phenomena will far exceed the limits of this article, therefore, the analysis will be limited only to the investigation of the third one; the cultural-ideological deliberation that took place between 1920 and 1930. This reevaluation could be a solid milieu for supporting today's efforts toward democratic consolidation exposing the deliberate elision of the Albanian conceptions and practices that took place in the country before the Communist regime came to power.

The interwar Albanian intellectual discourses: Preconditions for a democratic future

The interwar period was essential for Albania's domestic developments because it was a period when the new political and cultural elites were oriented towards the West as a model for their country. The public and political debate on the Albanian future was reported in the newspapers between the years 1920-1930. In that period, as long as King Zog banned political parties, intellectuals and political elites decided to shift the debate in the Albanian press of that time, thus featuring a prerequisite of some kind of 'deliberative democracy'. It is understandable that this debate was intentionally overlooked during the communist period because of the regime's ideological fanaticism, thus the literature concerning this regard is limited. Nevertheless, my analysis is not intended to exhaustively investigate the

phenomenon at hand but simply to show its presence through one of the most important elements of today's Western democracy: public debate.

Considering the situation of Albania at that period, one of the most important problems faced by the intellectuals was the creation of an environment for constructive public debates, but more importantly, to turn the people into more active participants by involving them in the decision-making process. The public debates reported in the press emerged as a significant emancipating tool in this process. Public debate is classically understood as a series of forums where issues are addressed that concern people's opinions, interests, and expectations. Nevertheless, it would be superfluous to pretend that within that harsh political period forums could have incited active participation among Albanians. But nowadays, if we look back at that period, we will be able to view that such undertaking serves as an authentic precondition for establishing a solid ground on which to build an understanding of efficient citizenship and a functioning democracy. Such forums bear the traces of how people wish to be governed in the context of preferences and expectations that have been voiced.

In that regard, Ndriçim Kulla in his introduction to *An Anthology of Albanian Thought 1870-1945*, writes about the Western aspiration that the elite of the 1920 *tout cour* provided to the political orientation of Albania. Their most important endeavour was framing the foundation for a real and constructive public space where critical debates over culture and politics would become a normal activity among elites and lay people. (Kulla 2003: 13-16; see also Sulstarova 2009; Austin 2012; Ypi 2012). While Robert Elsie in his article *A Short Elite Brightness: The Zenith of Albanian Literary in the 30s* writes that:

> 'of the multitude of weekly and monthly newspapers ephemeral nationalist who came in different cities of the Balkans, was crafted a journalistic quality that served dissemination of information, whether political, cultural or literary. Despite primitive structures still operative at the time when Ahmet Zogu become Zog I, King of Albanians, the press enjoyed a certain freedom. Publishers, if they had been careful not to criticise the royal family and the foreign policy of the king could publish what they wished. Censorship existed, as in any authoritarian system, and occasionally newspapers were closed, but the situation was never as dire as in the period after 'liberation' (Elsie 1997: 478-479).

According to Elsie, the culture of this period began to show traces of a polarisation between East and West. Albania initially was affected marginally by the ideals of the October Revolution in Russia, despite a few intellectual figures who had visited the Soviet Union. The polarisation of ideologies became more pronounced with the onset of the Spanish Civil War in 1936. Writers Petro Marko

and Skender Luarasi and a contingent of Albanians went to Catalonia to take part in the International Brigades. Socialist ideas penetrated in Albania, but at the same time fascist ones also.

The right-left debate taking place in Europe in the 1930s was reflected in the debates of Albanian intellectuals. Opinions about the path that Albania should choose toward emancipation and civilisation were different. On the one hand, some thought that the Albanian people had to evolve with energy and courage, by adopting methods of civilization, thus not remaining on the sidelines of developing nations; on the other hand, others, whose number was greater, thought that the accelerated development would be harmful to the country and for the people. A very interesting intellectual of Albanian culture of the 1930s was Branko Merxhani, the publisher of the magazine *Albanian Effort* since October 1936. Throughout his writings, Merxhani expressed the ideas that his country was not developed in any aspect, even intellectually, and called for a spiritual renaissance, which he named *Neoshqiptarizmi* (Neo-Albanianism). This intellectual movement entered Albanian society in 1928, even if its roots date back to the national revival of the nineteenth century. According to Merxhani, Albania should create an independent national identity, an Albanian consciousness to bring people out of darkness and ignorance. In his eyes Albania was an internationally limited country but internally an infinite one. Merxhani, who for a while had even supported King Zog I, advised for a gradual and disciplined path of monarchy towards 'disciplined democracy'. Initially, by establishing a reliable press, which would form sound public opinion, afterward allowing the direct election of candidates by ballot only in the major cities, and only when time was ripe the rural population, which constituted the majority, could be enfranchised (Sulstarova 2009: 691; Kulla 2002; Austin 2012)

Even if *Neoshqiptarizmi* was based on ideological nationalism, it was inspired by the positivist ideas of Emil Durkheim and Ogyst Comt. Positivism was close to the Albanian intellectuals because of its affirming ideas for the dissemination of science and culture. These ideas, which were against feudalism, were included in the political program of *Neoshqiptarizmi*. At that period in Albania, there was a low level of social development, culture and education, therefore, in its true form *Neoshqiptarizmi* was a cultural and not a political movement, or in Merxhani's words: 'There is no Politics! Just Culture' (Elsie 1997: 479; Kulla 2002).

In his intellectual activity, Merxhani's attempt was to divide the concept of culture from the concept of civilisation to discharge the domestic culture from the fear arising in the embracement of European civilisation, which was an important process for the development of Albania. Through this division, he aimed at protecting national culture, which otherwise would merge into the assimilating waves of European civilisation since state institutions had failed to

protect it. In his view, the strengthening of national culture would be a protection from the loss of identity. He thought that only by strongly relying on these two directions - of existing among countries that previously had gained independence or who had never lost it - Albania would join European civilisation. (Kulla 2003: 361-5). However, inside the right wing, there were other factions that opposed Merxhani's vision by opting for another alternative toward modernization. Another prominent intellectual of the time was Krist Maloki who was in favour of an autocratic regime, while on the other hand, Ismet Toto was in favour of an 'enlightened dictatorship'.

Toto's assumption was that the struggle of young Albanian intellectuals was part of the world youth movement rebelling against the 'ancient regime' and his conception had many similarities with the cult of youth, which developed in the fascist milieu in Italy. Therefore, the main concern for him was how to organise the young Albanians in the same way that the Nazis assimilated all the German youth groups into one well-disciplined entity. The organisation of the youth should be part of the creation of an organic and disciplined society because 'a strong nationalist climate, a social reorganisation, a discipline and arrangement of all the classes and their interests, a strong activity towards Occidentalism, this is the ideal Albania. All this can be accomplished only by a dictatorship with an Occidental outlook. (Sulstarova 2009: 697; Kulla 2003) In Toto's view, because Albanians have never experienced democratic ideas and practices, dictatorship should be their logical starting point. It was opted for the Right type of dictatorship, as long as Albania did not fulfil any precondition for a Left one. As Toto put it; 'unless the whole Europe became communist, even if we became one million Lenins, we cannot make Bolshevik Albania' (Sulstarova 2009: 697).

Over time, *Neoshqiptarizmi* became a counterweight to most politicised socialist ideology and Left internationalism. Even if it was an Albanian creation, *Neoshqiptarizmi* must be seen in the context of other European nationalist ideologies of the 20s and 30s such as: Greek-hellênikótêta, mainly under the dictatorship of General Ioannis Metaxas during 1936-1940, the idea of *italianità* at the time of the Italian Duce Benito Mussolini and the Hispanidad in fascist Spain of General Francisco Franco. Slowly they came together to create European fascism, which brought a brutal and inhumane dictatorship in Europe. (Kulla 2002)

On the other side of the ideological spectrum stood the intellectuals who did sympathise with the Soviet communist system, already in power. Social injustices in Albania increased even more under the rule of an autocratic regime and the invasion of fascist Italy, thus leading many intellectuals of the thirties to inquire about Soviet communism; or at least any kind of socialism that could fight against poverty and exploitation of the peasant masses.

As in the case of the right-wing current, even within this one, there are divergent ideas over the model that Albania should follow. However, the two prominent intellectuals of the left were Millosh Gjergj Nikolla (aka Migjeni) and Nonda Bulka. Through their writings in newspapers, they highlighted the desperate situation of the workers and peasants in Albania. According to them, not everything *ought to* be borrowed from the Occident: the European bourgeois society was in a deep crisis itself, materialised in the Great Depression and the rise of fascism. They suggested that intellectuals should go beyond the latest achievements in science and culture coming from the West, but should search for other alternatives, which might serve all the people and not only intellectuals. Furthermore, domestic intellectuals should pay attention to the reality of people and popular culture and should not deal with constructing abstract systems of thought. In other words, they rejected the bourgeois aspects of European civilisation as well as the capitalist system and devoted their energies to an alternative social system, which would be modern and beneficial to the people (Sulstarova 2009; Kulla 2002).

To understand what was the right path to follow, Albanians, first, had to understand who they really were themselves. Albania was on the edge of a deep abyss of backwardness and state construction had to start from scratch. Albanian writers of the thirties were attracted and amazed by the West and tried to discover and establish the role of Albania in Europe. A large number of intellectuals had been abroad and had been in contact with the Western society. Nevertheless, the *West* for Albanians had a somewhat vague meaning given that the Western country closest to Albania was Mussolini's fascist Italy. On 7 April 1939, intellectual discussions on the role of Albania in Europe became redundant after the Italian troops landed in Durres, Vlora, and Shengjin to invade Albania.

The polarisation of ideas in the New East and the New West, namely in communism and fascism, brought the final confrontation in Albania and elsewhere in Europe, during which the country was subject to the ruthless will of political and military extremists, and writers and intellectuals of all political wings were forced to kneel.

According to Elsie, it is not an exaggeration to say that the Albanian intellectual and cultural life had reached its zenith by mid-thirties until the first half of the forties. For the first time in Albania, there was a modern-contemporary literature of quality. This period was a kind of golden age which brought some developments, but only for a short time because soon after Albania found itself under the threat of an impending disaster that was going to cut off all literary and cultural production for many decades to come. (Elsie 1997)

In Albania, the selection of the ideologies that flourished in the Europe of the 30s had to be based on sound reasons. There was a long political vacuum due to the lack of an Albanian independent state, thus leaving room for errors when

dealing with various political situations. These errors were a reasonable concern to the intellectuals of that era calling attention to the role of the press in the interwar period, which, with all its complexity, vicissitudes provide to be a great tool of socio-political emancipation.

This historical period was characterised by the flow of European philosophical thought through which domestic intellectuals claimed to raise awareness among Albanians. The press gave voice to this period's ideas as well as to advanced philosophical reflections that intellectuals brought up in daily debates. Major socio-historical problems were highlighted and simultaneously offered for Albania's political orientation. The period between the two world wars - in the political, social and cultural realm - was the most important, because it established the foundations of Albanian citizenship and its European identity.

Ultimately, this article argues that the period between the two world wars, as in many other spheres, was a zenith in terms of critical thinking when compared to previous as well as following periods. Besides pluralism of views and critical thinking in many areas of life, it can be affirmed that the greatest achievement in this context is the high level of expression of diverse views concerning the modernization paths that Albania should follow. Undoubtedly, this period marks one of the brightest stages of Albanian cultural development.

Conclusions

During these last twenty-five years of experimenting with democracy, a plurality of models has been presented to Albania and each one of them has successfully failed. This failure occurs for not taking into account the developmental paths that preserve the mark of Albanian civilisation distinctiveness. The cultural legacy of dictatorship, the inability of individuals to internalise democratic values through a top-down model of democratisation and the limits of the imported democratic models to produce real political culture are some of the variables that affected the process of democratic consolidation in post-communist Albania. Nevertheless, as emerged from the above analysis, it is clear that Albania based on its internal values holds the prerequisites to produce a consolidated democracy. What is needed is to wash away the dust of forgetfulness, to free our reasoning from the ideological bias rooted in communist regime propaganda as well as from today's Western wise partisanship, thereby, granting to these values the possibility to unfold their impact on the process of democratisation.

Consequently, a holistic effort is considered necessary to establish these preconditions in which Albanians could realise democracy as a way of living, contributing to its improvement day after day in their micro world. In my opinion,

this major change should be realised mostly by politics or in Moynihan's words '... politics can change a culture and save it from itself'[5] (Lawrence E. Harrison, Samuel P. Huntington, 2000, pp. xiv-xv). It is politics that should make Albanians understand democracy as an ongoing interactive process, rather than some clearly defined end goals. In this sense, it is impossible to be entirely satisfied with the very concept of democracy prevailing in Albanian politics, which implies completion as a form of closure in the similitude of the Western model. As Alessandro Ferrara argues 'Democracy has a chance of becoming a truly universal political form only if democratization will not forever remain synonymous – as it has been for a long time – of Westernization and will truly open up to diversity, rather than consisting in the exportation of the Western institution and traditional forms' (Ferrara 2014: 3).

In conclusion, attempts to simplify Albanian history and to sharply distinguish the country's development from other European states where democracy has been consolidated are highly problematic due to the formlessness of historical legacy. Contemporary political unaccountability as well as social apathy, whether rooted in political culture or institutional interests, is not easily explained by the weight of Albanian history. However, this does not mean that contemporary institutions operate unconstrained by historical cultural legacies but only that these legacies need to be explained and clearly linked to the choices made by present-day actors.

About the author

Florian Çullhaj, Ph.D., is a political scientist educated in Albania and Italy. He is currently a lecturer on theories of democracy at the University of Tirana and the European University of Tirana. Florian's research focuses on political culture and democratization and he is the author of the book *Democratization from Within: Political Culture and the Consolidation of Democracy in Post-Communist Albania*, (Editore: Nuova Cultura, Collana: Crossroads No. 81, Roma, 2017), as well as of several articles published in local journals.

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[5] Perhaps the wisest words on the place of culture in human affairs are those of Daniel Patrick Moynihan: 'The central conservative truth is that it is culture, not politics, which determines the success of a society. The central liberal truth is that politics can change a culture and save it from itself'.

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The constitution of a 'new politics beyond left and right': From ideological ambiguity to populist political communication

_____ **Blerjana Bino¹**_____

Abstract

This article examines the political discourse of the Albanian Socialist Party from 2005 to 2009 during which it establishment a new profile under the leadership of Edi Rama. The article is intentionally constrained in scope and time as it seeks to zoom into the interrelation between the chairman's political discourse and the political profile of his party. More concretely, this article investigates to what extent does Rama's core theme of a 'new politics beyond left and right' frame the profile of the Socialist Party of Albania (SPA) in terms of: (i) political identity; (ii) political program; and (iii) relationship to constituents. Through discourse analysis of the SPA manifesto and Rama's speeches, the article argues that the ideological ambiguity of Rama's political discourse for a 'new politics beyond left and right' gives way to a political party, which moves sometimes on the right and other times on the left, without constituting a clear political identity and thus conducting a politics of avoidance. The article concludes that the SPA suffers from the absence of a coherent political program and is losing its representative function, by pretending to be the 'party of all citizens'. The politics of avoidance and the ideological ambiguity have led to an increase in the use of populist political communication.

Key words: *political discourse, ideological ambiguity, politics of avoidance, populist political communication, Socialist Party*

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Introduction

> 'It is time for a new synergy among all Albanians, above the divisions and prejudices of the old politics. It is time to give an end to the old politics of hatred and cynicism. It is the time to give life to a new union beyond the left and right wing'.
>
> *Edi Rama, Chairman of the Socialist Party of Albania*

This article analyses the political discourse of the socialist leader, Edi Rama, since he was elected Chairman of the Socialist Party of Albania (SPA) in October 2005 till the parliamentary elections of June 2009. The main aim is to identify and investigate the central themes of the political discourse of the socialist leader in regard to his project for a 'new politics beyond left and right'. In this light, the article is interested in exploring the implications that the discourse for a 'new politics beyond left and right' has on the profile of the Socialist Party of Albania in terms of: (i) its political identity; (ii) its political program; and (iii) the relationship to its constituents. Second, the article is concerned with the relations between such a political discourse and ideological struggles. Third, the article looks into the implications that a political discourse beyond left and right may have on the democratic processes in Albania. To do so, discourse analysis is applied on a data set consisting of party manifesto and leader's key speeches and interviews. The article proceeds as follows: the first section sets the background of the political party system in Albania; the second section provides an overview of the conceptual framework in terms of ideological struggles and third way politics as well as populist political communication; the third section provides an overview of methodology approach and methods applied to collect the data and the following sections present the findings, conclusions and a critical assessments of the research itself.

The paper argues that the ideological ambiguity of Rama's political discourse for a 'new politics beyond left and right' gives way to a political party and to a model of future government, which moves sometimes on the right and other times on the left, without constituting a clear political identity and without leading a predictable course on political, economic and social issues. In addition, the ideological ambiguity of Rama's political discourse for a 'new politics beyond left and right' creates a vacuum in the constitution of the SPA identity. Rama's project for a 'new politics beyond left and right' suffers from the absence of a coherent political program, which opens the way to a politics of avoidance. This political discourse for a 'new politics beyond left and right' significantly alters the SPA relations to its constituents by appealing to all citizens, rather than mobilising its loyalties, members and historical allegiances or even new members around

a common vision of the world. Following the not-successful electoral results in 2009, the SPA Chairman in the recent campaign for the parliamentary elections in June 2013 abandoned his political discourse for a 'new politics beyond left and right' and focused on a 'rebirth of the left' and 'rebirth of Albania' and increasingly employs populist political communication strategies. However this would be the scope of another research.

Political parties in Albania:
Polarized and conflictual political patterns

The fall of the communist regime in 1991 opened up the road to pluralism and democratic process in Albania along with all-encompassing socio-cultural, political and economic transformations. The multiparty system that emerged with pluralism in the early 1990s was challenged in the starting point by the lack of political parties legacies in Albania prior to the communist regime similar to other post-communist countries and by the frustrations with the democratization of the country (Lewis 2000: 6). The formation of party system in post-communist Albania can be understood in line with Kitschelt (1995) explanatory framework of the following determinants: (i) pre-communist legacies, which in the case of Albania account for little, if not none, tradition of democratization in pre-war; (ii) the type of communist regime, which in Albania under the Enver Hoxha rule was fiercely totalitarian and inward-isolated; (iii) the pathways of transition from communism to democracy characterized by conflictual, antagonist and polarized politics; and last, institutional differences such as the electoral system, which till 2008 was a mixed first-past the post majoritarian with proportional and was then changed into full regional proportional system.

In the first fifteen years after the collapse of the communist regime, two main political parties have dominated the political landscape in Albania, thus shaping a bipolar party system with a minor influence of small parties. The prevailing players of this bipolar or dual party system were, and to a large extent still are: the Democratic Party of Albania (DPA), the first opposition party after the fall of communism, and the Socialist Party of Albania (SPA), a reformed version of the former communist party, Albanian Party of Labour. In the first phase the bipolar post-communist party system was crystallised around three main programmatic cleavages: anti-communism, market liberalisation and Euro-Atlantic integration (Barbullushi 2014). This configuration was interlinked with an increasing role of charismatic party leaders.[2] The political parties in the first period seem

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[2] For instance, the historic leader of the DPA, Sali Bersha or the former party leader and Prime Minister Fatos Nano of the SPA. Currently, DPA is run by Lulzim Basha and SPA by Edi Rama, at the same time the Prime Minster of Albania since 2013.

to be characterized by internal fragmentation due to almost non exist internal democracy rules, authoritarian organization and the personal conflicts of major political figures within the party with the ambition to be leader on their own right and thus forming their own political parties. A direct result of fragmentation was the creation of new political parties as offshoots or separation of subsistent groups from the two major parties.

The SPA in this sense has been less vulnerable to fragmentation than the DPA. The latter has been subject to several subdivisions and creation of new parties, but which nevertheless have not effected much its position as the major party in right spectrum. Three parties in particular have challenged the primacy of the DPA in the right spectrum, the Democratic Alliance (DA) in 1992, the New Democratic Party (NDP) in 2001 and the New Democratic Spirit (NDS) in 2012. The political struggles between DPA and the offshoots parties resulted from the internal conflicts regarding the general management of the party by the leader of the DPA, Sali Berisha. These parties though, despite an initial partial success of DA and NDP in 1997 and 2001[3], have not managed to achieve electoral success. The first two offshoots, DA and NDP did not maintain their political profile and electoral support and thus declared a reunion and fusion with their birth political party, DPA. While the fusion with the DPA makes political and ideological sense considering their inability to succeed alone, the recently emerged offshoot from DPA, the NDS, after the failure in 2013 general elections has joined forces with the SPA on the opposite political spectrum. None of these parties had any substantive effect on the electoral and political position of DPA.

While DPA has suffered from several smaller fragmentations, the SPA underwent in 2005 a major party fragmentation, which lead to the formation of the Socialist Movement for Integration (SMI). Inheriting to a certain degree the structures and organisations from the Party of Labour of the communist regime, the SPA has maintained party unity through its party structure and local units. In addition, the SPA has also retained a degree of continuity in electoral support and success.[4] In the first phase of the party system, the SPA demonstrated a higher degree of internal party democracy, for instance changing its leader and three prime ministers from 1997 to 2005. The SMI was the product of the failing of the continuity of internal democracy pattern within the SPA after a bitter conflict between the party leader, Fatos Nano, and one of the most successful former prime ministers of the left, Ilir Meta. SMI was one of the key players arguing for a simple proportional system in Albania and abolition of the first-past the post majoritarian electoral system, which was disadvantageous to small parties. With the electoral reform in 2008, currently Albania has a regional proportional electoral system.

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[3] The NDP has been the only party within the right wing spectrum to have gained a considerable success, gaining 6 seats out of 140 in the parliament in 2001.

[4] See Table 2 for electoral results.

The change in the electoral system marks the second period of party system in Albania, i.e. the shift towards a quasi-bipolar system with an expanding role of third parties. Although, studies (Stojarova & Emerson 2010) on party politics in Western Balkans show that the assessment of the impact of electoral system on party systems is difficult considering the frequent electoral reforms, election alleged frauds, boycotts of elections and conflictual politics, in the case of Albania the recently introduced regional proportional system, coupled with internal party conflicts and new political parties as offshoots of the established ones, account for the shift towards a quasi-bipolar party system. With the introduction of the regional proportional system and the new political configuration in Albania after 2009, Albania has now a quasi-bipolar party system with an increasing role of the SMI, which has proven to be the kingmaker in government coalition formation both in the general parliamentary elections in 2009 and 2013.[5] The new electoral system has benefited other smaller parties such as the Party for Unity for Human Rights (PUHR), representing the Greek minority in southern Albania and more recently the Party for Justice, Integration and Dignity (PJID), representing the cam community.

In this second period of party system consolidation in Albania, the party system is centred on clientelistic or charismatic parties rather than programmatic cleavages (Kitschelt 1995: 447). Initially, the DPA main political programmatic narratives were: anti-communism, market liberalisation and the nationalistic aim of uniting all Albanians in the Balkans, eclipsing the so called historical right parties as the National Front or the monarchist, The Legalist (Biberaj 1999). While the SPA main programmatic narratives were: commitment to regional and pan-Balkan peace and democracy; a commitment to parts of the communist legacy such as National Liberation War and modernisation/industrialisation of the country during the communist regime; European integration and regional cooperation (Biberaj 1999; Ilirjani 2005). In the second phase, the programmatic position of the two main political parties started to converge more. SMI presented itself as a non-ideological party and emphasised the importance of EU integration for Albania as a technical, economic and social process.

Scholars (Kajsiu et.al. 2002; Ilirjani 2005; Kajsiu 2008; Kajsiu 2010) agree that ideology has not been the foundations of Albanian political parties' programmes in the past two decades. Political parties, in spite of being part of the right or left spectrum, cannot be easily distinguished from one another based on their stance on essential topics as EU integration, free market and privatisation, public services, education and health, agriculture and tourism. This has lead to what Kajsiu refers as "*democracy where political pluralism has lost its meaning due to ideological*

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[5] In 2009, SMI aligned with DPA and was part of the government led by Prime Minister Sali Berisha. In 2013, SMI aligned in a pre-election coalition with the SPA and is currently part of the government led by Prime Minister Edi Rama and the leader of SMI, Ilir Meta, is the Speaker of Parliament.

monism" (Kajsiu 2010: 233). The reasons for this lack of political identity are interrelated to the political process as such in Albania in post-communism towards democratization and EU integration such as the transforming of parties into catch-all to gain wider electoral support, the EU conditionality on reformation of the country, the personalized conflictual and polarized political processes, leader-centric parties, a de-alienation and disengagement of the electorate. Although this is not exclusively a sui generis Albanian phenomenon, in Albania ideology has been instrumentalised by political actors and used simple as a tool to serve to power only when conveniently so (Kajsiu 2010: 234). The SMI is a clear example of a political party with no defined political ideology, which also does not represent or constitute any particular social group in Albania.

TABLE 1: Election results in parliamentary elections in Albania 1991-2013

Albania	Vote share %						
Parliamentary Elections	SPA	DPA	SMI	PHUR	PJIU	RBA (AKZ)	NDS
2013	41.36	30.63	10.46	0.85	2.61	0.59	1.7
2009	40.85	40.18	4.85	1.19	x	x	x
2005	48.2	51.8	8.4	4.13	x	x	x
2001	41.44	36.89	x	2.6	x	x	x
1997	52.75	25.7	x	0.29	x	x	x
1996	20.37	55.53	x	x	x	x	x
1992	25.73	62.09	x	x	x	x	x
1991	67.6*	38.71	x	x	x	x	x

*In 1991 the Socialist Party of Albania had still its former name: the Labour Party of Albania (PPSH)
* Source: The Central Election Commission

A positive development in this regard was the electoral campaign for the parliamentary election in 2013, whereby political parties conducted a more ideological debate and articulated their standpoints, which were also picked up and covered by the media. Therefore, as during the first period, the programmatic competition remains low in Albanian party system and the content of the programmatic cleavages is determined by the aim to attract the support of the electorate.

In terms of inner party politics, political authoritarianism is the norm despite the fact that each party has approved democratic statute in paper. '*A strong identification with the leader of the party remains a hallmark of post-communist Albanian parties, and, in general, of Albanian politics*' (Barbullushi 2014: 87). Phenomena such as

party members exclusions, no-challenging policy to the party leader, attempts to silence opposing voices within the party, efforts to control political rivals, contested internal party elections, internal party struggles and personalised conflicts are a few examples of the clientelistic and charismatic leader centred party system in Albania. In term of the inter-party relations, Albanian political landscape has been characterised by generalised distrust and zero-sum logic, which means that Albanian political parties have '*blatantly shown a tendency to put individual or party interest(s) ahead of any other considerations related to the EU accession process*' (Barbulushi 2014: 86) and democratization. Consequently, the political discourse has been characterized by antagonist, diametrically opposed positions as embodied by the main parties (Jano 2008). It is within this political context, that the populist party, the RBA, emerged in 2012.

Ideological struggles in contemporary politics

Ideology is probably one of the most controversial concepts in social sciences. The discussion on ideology ranges from the possible definitions of the concept to its functions and its impact in political systems and public opinion. From an etymologically perspective ideology means 'the science of ideas' (Brock 2005: 38). Ideology is conceived as a coherent system of ideas or as Adams puts it: 'ideology means simply a set of political beliefs about how society ought to be and how to improve it, irrespective of whether those ideas are true or false, or good or bad' (Adams 1993:3). Another way of defying ideology is that of 'political ideologies as providing central organizing frameworks for political debate and action, which contain three elements: critique, ideal, agency' (Schwarzmantel 1998:2). In this sense, political ideologies offer a criticism of existing society and its problems, which is contrasted with a vision of 'the good society' that is to be achieved.

The central issue of the discussions on ideology is the question whether or not the ideologies of modernity are still relevant and meaningful for contemporary politics. Schwarzmantel (1998) argues for a double crisis of ideology and modernity: the question whether the ideologies of modernity are still valid as frameworks for political thought, discussion and action in the changed circumstances of the contemporary world; and the crisis of modernity itself as presented by postmodernism. Since the French Revolution in the end of the 18th century, political conflict has been expressed through the distinction between the ideologies of the Left-Right continuum. Nowadays this approach is being questioned. The debate of the relevance of the ideologies of modernity, expressed as the Left-Right spectrum, can be divided in two main lines: (i) the problem with Left-Right spectrum and its (ir)relevance for contemporary politics; and (ii) the

problem with the concept of the ideology itself. Is it the case to dismiss ideology itself or to argue for the irrelevance of Left-Right spectrum of political ideologies? The answers to this question vary.

In the 1960's the thesis of the 'end of ideology' emerged. Seymour Martin Lipset and Daniell Bell were the proponents of the end of ideology thesis. They argued that in the West there was a general consensus among political parties over the broad framework of policy, thereby eliminating the need for ideology and reducing politics to the process of declining the best means of policy implementation. The main idea was that there was no ideological or intellectual battle left to fight and the rest of the world would eventually follow the path of the western liberal democracies. Thus 'the age of ideology was over' (Adams 1993:348). The fall of the communist regimes in former Soviet Union and Eastern Europe in 1989 seemed to confirm the idea that free market economy of liberal representative democracies was the 'only game in town'. In this light, Fukuyama in his article 'The End of History' in 1989 declared that 'what we may be witnessing is not just the end of the Cold War, or the passing of a particular period of post war history, but the end of history as such; that is the end point of mankind's ideological evolution and the universalization of Western liberal democracy as the final form of human government' (Fukuyama 1992:3). Again it was claimed the 'death of ideology'.

Another line of criticism on ideology comes from postmodernist perspectives, which undermine the grounds of ideological struggles. As Schwarzmantel argues ideologies of modernity have been criticised on three bases: (i) the assumptions they make about a coherent and conscious agent of political and social change; (ii) their unitary assumptions and failure to recognize diversity; (iii) their connection with totalitarianism; (Schwarzmantel 1998:187). The ideologies of modernity - based on the industrial society, class identification and the nation-state – cannot remain indifferent to the changes of contemporary society and ignore the critiques of postmodernism. Thus Schwarzmantel concludes by maintaining that ideologies are still relevant for democratic practices, but 'that the ideologies of modernity, with their universalist assumptions and core ideas developed on the ground of modernity are not up to the task, that new ones are needed as addition to the Left-Right spectrum' (Schwarzmantel 1998:198).

Furthermore, Brock and his colleagues argue that ideology is critical to democracy and that there is a need for coherent, consistent and contrasting ideologies (Brock 2005:3). Bobbio (1996) also argues for the validity and the relevance of the ideological Left-Right spectrum. According to Bobbio, left and right are not fixed terms, rather they may change over time. The main characteristics of this division are: (i) left and right are exclusive in the sense that no doctrine or movement can be both left-wing and right-wing at the same time; (ii) they are exhaustive in the sense that a doctrine or a movement can only be either left-wing

or right-wing (Bobbio 1996:1). However, ideological struggles and the left/right continuum have been strongly challenged by the Third Way, as is explored in the following lines.

A politics beyond left and right and its critics

The main assumption of the 'Third Way' is that there is no alternative to neo-liberalism and thus legitimating consensus at the centre, beyond left and right. This implies: (i) the denial of the relevance of collective identities in the name of individualism; (ii) the denial of the relevance of adversaries in democratic struggle in the name of consensus and dialogue; (iii) blurring frontiers between left and right and the abandon of ideological struggles. The ideas of the Third Way helped drive the policies of the New Democrats in US under the Clinton administration and in Britain under Blair's leadership of the Labour Party. In the late '90s there was a considerable agreement among Anglo-Saxon and Continental leaders - Clinton, Blair, Schröder, Kok and D'Alema - on Third Way politics as progressive governance for the 21st century (Giddens 2000: 4-6). The argument here is that Third Way politics emerged as a necessary response to the changes that post-traditional societies are going through in the area of information technology. Giddens claims that Third Way politics 'represents the only effective means of pursuing the objectives of social justice and solidarity in this second stage of modernity' (Giddens 2000: 9). The Third Way can be seen as the attempt to arrive at a consensus at the centre of the left – right continuum and as a break point between social democracy and market neo-liberalism.

Giddens (2000) maintains that Third Way politics represent the renewal of social democracy in the post-traditional society. First, the Third Way implies that the model of politics structured around collective identities has become out-dated due to the growth of individualism in the second stage of modernity – reflexive modernity (Giddens 2000: 48-49). Second, as a consequence the 'democratization of democracy' can occur without having to define an adversary. Third, with the advent of risk society and the individualization of political conflicts, the old times of conflict and partisan controversies have lost their relevance and the past clarities of politics are no longer effective (Giddens 2000: 48-49). Based on the idea that the left and right distinction is obsolete and not relevant anymore, the main claim of the Third Way is of politics 'beyond left and right'.

The first critique is related to the ideological ambiguity and the absence of a coherent system of ideas. Jeff Faux argues that the Third Way is not developed as a coherent political philosophy and that it has not proven adequate in relation to: (i) a coherent analysis of the declining relevance of the 'old left'; (ii) providing

an effective basis for rebuilding the fortunes of social democratic parties; (iii) a plausible strategy for dealing with issues of the post-Cold War age. The third way has not proved to be a philosophy that moves political policy-making 'beyond left and right'. It is a rationalization for political compromise between left and right, in which the left moves closer to the right. Furthermore it is argued that Third Way politics is a project within Anglo-Saxon origins and that the 'Giddens-Blair' concept of the third way is a largely unsuccessful attempt to develop a 'big idea' for our times (Giddens 2000: 20). It is a politics that speaks of the need for hard choices, but then avoids them by trying to please everyone.

While Giddens argues for the loss of relevance of collective identities and the obsolescence of the adversarial model, Laclau and Mouffe (2001) recognize the relevance of collective identities, the role of power relations as constitutive of the political, the struggles for building a new hegemony by defeating an adversary. The Third Way aims to establish a world 'beyond left and right', 'beyond hegemony', 'beyond sovereignty' and 'beyond antagonism'. Mouffe argues that such an anti-political approach 'reveals a complete lack of understanding of what is at stake in democratic politics and of the dynamics of constitution of political identities and it contributes to exacerbating the antagonistic potential existing in society' (Mouffe 2005: 2). The conflict between left and right as legitimate political positions is necessary for the political identification of voters and for the mobilizing of passions in politics. If one does not acknowledge the clash of legitimate democratic political positions between left and right, then 'the democratic confrontation will be replaced by essentialist forms of identification or non-negotiable moral values' (Mouffe 2005: 37). Furthermore Mouffe argues that 'the case of New Labour makes clear that the refusal to acknowledge that a society is always hegemonically constituted through a certain structure of power relations leads to accepting the existing hegemony and remaining trapped within its configuration of forces' (Mouffe 2005: 63).

Laclau and Mouffe (2001: 21) argue that society is discursively constructed; it is a field of meaning where identities do not have an inherent positivity or essential core, but are relational, constituted in a system of differences. 'We can conceive the social agent as constituted by an ensemble of "subjects positions" that can never be totally fixed in a closed system of differences, constructed by a diversity of discourses among which there is no necessary relation, but rather a constant movement of overdetermination and displacement' (Mouffe 1993: 77). The concepts of discourse, hegemony and social antagonism are central to the work of Laclau and Mouffe. They define discourse as a decentred structure in which meaning is constantly negotiated and constructed. When it comes to the constitution of collective identities, such as political identities, there is always a creation of a 'we' as opposed to a 'they'; the 'we' is created by the presence of the

'other'. This relation may be one antagonistic, i.e. a friend/enemy relation, which means that the 'they' is perceived as threatening the identity of the 'we'. Populism fits very well into this framework.

Thus populism can be seen as a type of political dynamic that is entwined with other political positioning without offering itself a coherent and comprehensive set of ideas. It is thus a manifestation of political style or as Laclau puts it in a post structural approach as an "empty signifier" (Laclau 2007). He argues that populism is based on an antagonistic division between empty signifiers whose meaning is fully determined by their antagonistic relationship, i.e. the people are the antithesis of the elite (Laclau 2007). This focus on the gap between elite and the people allows populism to unite different sets of ideas (Kriesi, 2014). Based on this, other scholars have argued to conceptualize populism as discourse and to completely dismiss the link to ideology, albeit thin ideology (Aslandis 2016). Drawing from Mudde's definition and taking away the link to ideology, than populism can be conceived as in terms of a purely discursive definition: "*populism modestly becomes a discourse, invoking the supremacy of popular sovereignty to claim that corrupt elites are defrauding 'the People' of their rightful political authority; it becomes an anti-elite discourse in the name of the sovereign People*" (Aslandis 2016:96). This reflects not only the recurrence of populism in reality, but also the most common methodology operationalization of populism, i.e. through discourse analysis of political communication of party leaders and political parties.

Research design

This article adopts a qualitative methodology to identify the main themes of the SPA Chairman's discourse for a 'new politics beyond left and right'. Discourse analysis is a method to challenge common knowledge and taking for granted thinking, focusing on an interpretation warranted by detailed attention to the 'text', which in this article refers to party manifesto and political speeches. The discourse analysis is particularly relevant in the analysis of Rama's discourse for a 'new politics beyond left and right' for it implies the study of discourse as the 'use of language' and as a 'social practice' (Wodak & Meyer 2001: 13). Also language is not a neutral means of reflecting and describing the world; rather language is a 'form of life' and has an important role in constructing social life (Wodak & Meyer 2001: 141). Discourse analysis aims at latent meaning, it is not descriptive, and it conceives discourse as socially constitutive and socially shaped. Discourses do not exist in a vacuum, but are in constant conflict with other discourses and social practices, which inform them over questions of truth and authority (Mills 1997: 49).

While discourse analysis is an appropriate instrument to examine the implications of Rama's discourse on the SPA profile as presented in the research question and hypothesis of this project, it is not adequate for investigating other areas of interests including in this research, such as: the implications of the discourse in terms of the party relationships to its constituents. As such survey/questionnaire method could have been used so as to explore how voters identify themselves politically and how has the discourse affected their political engagement. In this sense, one of the main objections to discourse analysis is that 'it tells us nothing about the agents of the actions, about their place and time' (Leeuwen 2005: 17). It does not allow us to study the reaction of the public to both the political discourse and the way in which it is represented and covered by media. Leeuwen argues that to discuss this we have to research the production and reception of the texts ethnographically. However, since the research question is specifically related to a certain political discourse, the discourse analysis method was important to utilize in order to interpret the core dimensions of Rama's discourse for a 'new politics beyond left and right'.

Another potential objection to discourse analysis is that it is not able to produce empirical generalization as other social research methods do, such as surveys, questionnaires and so on. Discourse analysis does not set out to identify any universal processes. Discourse analysts are critical of the idea that such generalizations are possible, arguing that discourse is always constructed from particular interpretative resources and always designed for specific interpretative contexts (Gill 1996: 155). Thus, this research paper does not pretend to offer generalization on political discourse and its implications, rather it has target a specific discourse and its narratives and aims at scrutinizing it in-depth so as to capture the main dimensions and the implicit or explicit political themes. As Foucault (1998) have pointed out all discourse is occasioned: there are no trans-historical, trans-cultural, universal accounts, expects those that might be 'produced' by the artificiality of research context.

Another limit of discourse analysis concerns the issue of representativeness. Sometimes the selection of a certain talk or text may not by representative. Also, it is argued that the choice of the research goals, the methods of inquiry, the theories, the objects of analysis cannot be independent of researcher own socio-political positions and interests and of the wider social context of research. The issue of objectivity and researcher's autonomy is a very complex one and for consideration of space it will not be dealt here. However, this article draws from the principle that researchers cannot be fully independent from their own values and thoughts, but they thrive to adhere to research ethics and scientific practices.

This article takes into consideration both strengths and limits of the discourse analysis as a research method. However, the recognition of the limits by no means

implies that discourse analysis is not adequate for examining the research question. The discourse analysis is applied for it is the most appropriate method of research for investigating the research question which main interest is in political discourse. The aim is to analyse how the discourse is constructed, the kinds of rhetorical recourses used, the dimensions and the core political themes of Rama's discourse for a 'new politics beyond left and right'. The main categories of analysis as per the political discourse of the SPA Chairman are: old politics vs. new politics; change and union; left and right ideology; party political identity; political program; party relations to its constituents.

The SPA new Chairman and his political project

When Rama became the Chairman, the SPA was facing hard times. The former historical leader had resigned after losing the parliamentary elections and the party had no clear vision for the future. For many Edi Rama was the only one who could bring the SPA to life. He promised he would renew the SPA and would design a new project for the future government of Albania once the SPA would be in office. When Rama was elected Chairman, he had only been part of the SPA for a short period of time. On one hand, this helped him to distance himself from the party's past performance and failures and to mark a new beginning for the SPA. On the other hand, in the framework of these transforming processes, Rama faced these main challenges: (i) renewing the SPA in terms of its structures, organizational capacities and its political identity; (ii) consolidating his own position as the Chairman of the SPA; (iii) keeping up with the influences of the former leader and the pressures of his supporters; (iv) shedding light on the SPA' position in the left parties coalition; (v) designing a new political project and introducing the new manifesto. It took him two years until he finally launched his ideas for the future project of the SPA in June 2007, three months after he was re-elected as the Mayor of Tirana. Meanwhile, Rama had already started the process of transforming the SPA.

Rama successfully managed to renew the SPA in terms of its structures and organizational capacities. First, he brought in new individuals, who did not have any historic background with the SPA, but who had studied in western universities and were well known for their expertise and professionalism. Second, Rama strongly supported and encouraged the participation of women and young people in the SPA. Third, Rama initiated the implementation of the 'One Member, One Vote' principle to select party leaders and determinate the party program by the direct vote of the party' members. Fourth, he established contacts with the international left organizations. Also these steps helped him to consolidate his position as the

leader of the SPA and to hold back the pressures of the former leader and his supporters. Moreover, the running of a permanent political campaign, travelling the breadth and length of the country, has consolidated his political position within the party and his political image. The media has played a crucial role in this process, for Rama is using news media coverage of his activities as the Chairman of the SPA, as the Mayer of Tirana and as the leader of the opposition as free political marketing.

While, Rama was relatively successful in renewing the SPA in terms of structures, organizational capacities and manners of doing politics, he struggled to reconstitute its political identity and to design its new political project. Rama's first attempt was to propose the creation of a Left Federation in Albania so as to join together the political parties of the left spectrum and to prepare for the next parliamentary elections. Rama (2007) declared that:

> The SPA would like to make this first step towards the creation of the Left Federation and all other left political parties are invited to join. Being united will help us to win the next parliamentary elections and to implement the changes that Albania needs.

For consideration of time and space, I will not examine in details the relationships of political parties with the left spectrum and the conditions that made it impossible for the Left Federation to be founded. However, it is worth mentioning that Rama soon gave up the idea of unifying the left parties and launched the new project of the SPA, i.e. the project of a 'new politics beyond left and right'.

Main themes and interpretations

New vs. old politics dichotomy

The discourse analysis of Rama's political speeches made it possible to identify the core themes and then to move on with exploring their implications on the SPA profile, identity and role as a representative institution. One of the most important political speeches of the SPA Chairman was the one delivered on June 2007, when he introduced his political project for the SPA. Since then Rama's political speeches as well as the SPA manifesto have been constructed on these main themes: (i) new vs. old politics dichotomy; (ii) a new politics of change and union; (iii) a new politics beyond left and right; and (iv) an 'anti-political' approach to politics. I will start the analysis and interpretations with the first core theme of Rama's discourse.

The main theme of Rama's discourse is the 'new politics' vs. 'old politics' dichotomy. The categories of 'old politics' as opposed to 'new politics' can be found in every three sentences of Rama's political speeches. He characterizes the 'old politics' as the main source of the problems that Albania is facing during the democratization. Rama stresses that:

> 'There are 18 years that the politics speaks over and over again and the words differ from the deeds. The old politics is responsible for the negative image of Albania in Europe as a country of crime, corruption and informality' [The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the tour of meetings throughout Albania to introduce the New Governing Program of the Socialist Party, (April 2009)].

The same approach towards the 'old politics' is also reflected on the SPA manifesto. The later underlines the necessity of the SPA to differentiate itself from the 'old politics', a manner of doing politics that has dominated Albanian political scene since the fall of the communist regime. The 'old politics' is again characterized as a politics which:

> 'Does not pay attention to citizens' daily problems and which has not offered any valuable solution to the major problems of the country, such as: corruption, unemployment, poverty, rural underdevelopment and lack of infrastructure' (The SPA Manifesto August 2007).

'The new politics' is conceived as the force of change, the one that will bring prosperity and progress to Albania. The discourse analysis of Rama's political speeches identified the main dimensions of the 'new politics'. The first dimension of the 'new politics' is that it differentiates itself from the way politics has been conducted in Albania in the 18 years of transition, thus it pretends to be different from 'old politics'. Second, it is a politics that aims change and union of Albanians despite their political positions, thus focusing on the centrality of the citizens. This leads to the third dimension, i.e. maintaining to be a 'politics beyond left and right'. The discourse of the SPA Chairman takes the form of a political rhetoric for an election campaign, i.e. full of emotional appeals and full of promises with general attraction such as progress, prosperity, respecting human rights and so on. For instance, this is how Rama defines the 'new politics':

> 'The new politics will facilitate and increase the citizens' participation on decision-making processes; the central focus of the new politics is guaranteeing and protecting human rights and freedoms; the new politics will offer more chances for

each and every citizen; it will create a system of meritocracy and offer equal chances for everyone; it will protect the environment and develop the rural areas; the new politics represents a set of reforms which will build up a new and modern Albanian state; [The speech of the Chairman of the Socialist Party of Albania, Edi Rama, on the conceptualization of political parties and politics, (April 2007)].

Despite this emotional and general appeal in the form of promises and wishes for the future, Rama falls short to offer a clear and detailed political program of how he and the SPA are going to realize these in practice. Instead, Rama's discourse is constructed on the distinction between new vs. old politics as the distinction between good vs. evil. For instance, Rama strongly emphasizes in his speeches what has been stated on the SPA manifesto:

'The new politics marks the end of the hatred and cynicism; the decline of the party nepotism and interest walls; it marks the opening of the parties toward the society and the novelty; it marks the end of the long-lasting history of words that are not reflected into works' (The SPA manifesto August 2007).

The discourse on a 'new politics' pretends to hold the key to the salvation of the future of the country:

'The answers to the problems Albania is facing today can be found on the "new politics"' [The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the protest 'Pro NATO, Against Berisha!' (April 2008).]

The discourse on the 'old politics' as the one to blame for the problems that Albania is facing implies the identification of the 'old politics' with certain politicians who have governed Albanian since the fall of the communist regime. When Rama refers to 'old politics' as the worst thing ever happened to Albania, he is pointing to: (i) the Prime Minister and the Chairman of the Democratic Party of Albania; (ii) the Chairman of the Socialist Movement for Integration; (iii) other politicians who have been in office during the transition in Albania. Thus the confrontation is based on an individual level, rather than on programs, ideas or ideological standpoints. This approach leads to the rise of personalization in politics and political discourses. It also implies that what the 'new politics' is offering is just the replacement of some 'old politicians' with 'new ones' with no reference to political programs and ideologies.

The way Rama constructs the discourse on politics leads to the confrontation of two different approaches to politics. The 'old politics' is deemed as wrong and evil, the one which is '*impeding the progress of Albania*', whereas the

'new politics' is the right one, the one that will bring change and progress to Albania. The discourse on the opposing 'old' and 'new politics' constitutes the relationship between 'them' and 'us', which is a friend/enemy relation, which means that the 'they' is perceived as threatening the identity of the 'we'. This kind of discourse does not recognize any legitimacy to the political positions of 'the other'. The confrontation 'old' vs. 'new politics', as implied in Rama's discourse, is not a confrontation between two legitimate competing political positions, rather it is the confrontation of two different positions on moral values of right and wrong, good and evil. This is problematic for these positions are based on essentialist assumptions and are non-negotiable moral values (Mouffe 2005: 30).

A new politics of change and union

Rama's discourse is constructed on two other themes - change and union, which are both related to 'new politics' vs. 'old politics' dichotomy. 'Change' and 'union' are attributes of 'new politics'. The analysis of Rama's political speeches showed the high frequency of using phrases like:

> 'The union beyond left and right'; 'the union in the name of change'; 'a new union of Albanians'; 'the children of both left or right families suffer the same'; 'we all face problems, despite being part of the left or right'; 'it is time for a new synergy among all Albanians'; 'it is the time to give life to a new union, for the sake of our children, beyond the right and left wing'.

The necessity for change is not articulated just as an electoral promise, 'change' is articulated as a signifier that constructs through language the 'new politics' vs. 'old politics' dichotomy. The articulation of this dichotomy signifies the discursive constitution of the antagonistic relations between two different political positions, i.e. the 'new politics' of Rama and the SPA and the 'old politics' of the 'other'. With the 'other' Rama refers mostly to the Chairman of the Democratic Party and the Socialist Movement for Integration. 'Change' as an attribution of 'new politics' implies progress, prosperity and good governance. Thus 'change' is articulated as opposed to regress, failures and bad governance, which Rama refers to as 'old politics'. In the same light, 'union' is also an attribution to the 'new politics' and it is in contrast with fragmentation, divisions and hatred, which are all characteristics of the 'old politics'. In this way, he is discursively constructing an antagonistic relation with the 'other', i.e. political competitors and challengers. The change that 'new politics' will bring is the union of all citizens despite their political positions, i.e. the union beyond left and right.

A new politics beyond left and right

The other main theme of Rama's discourse is that of a 'new politics beyond left and right', i.e. blurring frontiers between left and right and the abandon of ideological struggles. Drawing from the Third Way politics, Rama argues against ideological struggles and appeals to the denial of the left/right distinctions. The ideology is deemed to be obsolete and the left/right distinction as problematic for the development of Albania. For instance, Rama declares the 'death of ideology':

> 'The SPA will be the party of ideas and values, not the party of ideologies. The epoch of ideology is now over once and forever. We will do what is best for Albania. Thus we will never hesitate to take actions, even though they may be considered as a belonging to the right spectrum' [The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the National Assembly of the SPA, (April 2008)].

What is more the SPA manifesto also states the abandon of ideology and of the left/right distinctions:

> 'We are linked together by some ideas and values, not by an ideology. Our approach to politics is not based on ideological prejudices' (The SPA Manifesto August 2007).

At the same time, the SPA manifesto accepts that there is no alternative to free market economy:

> 'We strongly support the idea that the free market is better than state interference concerning economic development' (The SPA Manifest August 2007).

However, the SPA alternative to left/right politics is unclear and ambiguous. This is how the SPA manifesto demonstrates this ambiguity:

> 'However, we do not believe that the free market logic and the competition can resolve the complicated problems of education, health, culture, environment and urbanization. We endorse the free market economy, not the free market society. The new social Albania would be based on the balance between free market economy and the state as an expression of collective will.' (The SPA Manifest August 2007).

Therefore, after declaring the end of ideology, Rama appeals to all citizens to be joined together in an allegiance beyond left and right, which is represented by the SPA and its political program:

> 'I ask you today not to join new political parties, but to be united in an alliance beyond left and right. It is not time for us to be divided in dozens of political parties. It is time to be united for the sake of our children, to be united despite the frontiers of different political parties. It is time to say goodbye to the old politics and to embrace the new politics' [The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the meeting with the Network of the Volunteers of the New Union for Change, (December 2008)].

The SPA Chairman discourse for a 'new politics beyond left and right' implies that the new political program of the party is based on two assumptions: (i) the irrelevance of ideology; and (ii) the abandon of the left/right distinctions. Thus the 'new politics' appeals for a union of all citizens beyond left and right. This discourse is problematic for the SPA profile in terms of its political program and political identity. First, by declaring the end of ideology, the SPA political project suffers from the absence of a political program based on a coherent system of ideas. This means that the SPA once in office might move sometimes on the right and other times on the left, without establishing clear political standpoints.

Second, Rama's project on a 'new politics beyond left and right' strongly affects the SPA profile in terms of its political identity; i.e. the SPA is abandoning its political identity as a left party by appealing for a union beyond left and right, thus creating a vacuum in the constitution of its own political identity. If the SPA is not based on ideology, if it refuses the left/right distinctions as political categories and if it appeals for a union beyond left and right politics, then the question is: What is the political identity of the SPA and how can citizens identify themselves with the SPA? In this way, the SPA moves away from partisan politics and it appeals to a wide range of citizens by claiming to become the party of all citizens. This tendency is showed by the other theme of Rama's discourse, which is the anti-political approach to politics.

The anti-political approach

The final main theme of the 'new politics' as explored by the discourse analysis of Rama's political speeches and the SPA manifesto is the anti-political approach to politics. The anti-political approach is implied in the way Rama conceives the SPA

and himself as the Chairman of the party. Rama conceptualizes the SPA as an instrument in the hands of citizens for achieving change:

> 'The SPA should be an instrument in the hands of every young people who want to change his/her life, an instrument in the hands of every woman who wants to change her social position, an instrument in the hands of every entrepreneur who wants to change the quality of services or technologies' [The speech of the Chairman of the Socialist Party of Albania, Edi Rama, on the conceptualization of political parties and politics, (April 2007)].

Thus, not only the party, but the Manifesto as well is open to everyone, despite their political views:

> 'This text is unfinished, it is open so as to leave space for others' commentaries, critiques and suggestions' (The SPA Manifesto August 2007).

Rama not only conceives the SPA as an instrument to achieve change and its Manifesto as open to everyone, but he also declares that he is not a politician:

> 'I am a citizen like you, I am not a politician, and I am a citizen who does not give up the idea to change his country' [The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the 16th Anniversary of the Forum of Euro-socialist Young Albanians, (January 2008)].

> 'I am the Chairman of SPA, because I want to be part of the efforts to change Albania, to change the life of each citizen and to be proud of having the Albanian passport. I am the Chairman, but I am not a politician' [The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the 17th Anniversary of the Forum of Euro-socialist Young Albanians, (January 2009)].

Rama's discourse implies a 'new politics' that is in essence 'anti-political'. The anti-political and anti-ideological approach has significant implications for the SPA profile, identity, functions and relationship to its constituents.

If the SPA is just an instrument in the hands of citizens for achieving change, despite political cleavages and if the Chairman is not a politician and does not have any ideological bond with his own party, then the question is what is the SPA left to? It seems that for Rama there is no difference if he is the Chairman of the SPA or the Chairman of any other political party, as long as what he is appealing for is the unification of citizens despite their political views. Thus the party loses its role as a representative institution and the relationship of the SPA to its constituents

is strongly affected. The SPA claims to represent every citizen and to join them together in the allegiance beyond left and right, which undermines the principles of political pluralism, party competition and political representation.

The decline of the SPA as representative institution of certain segments of society and its appeal for 'politics beyond left and right' leads to a political party which does not rely anymore on its loyalties, members or historic allegiances. As Swanson and Mancini (1996) argue, when the fortunes of political parties rest on opinion rather than membership the means for cultivating and shaping public opinion become crucial to electoral success, i.e. mass media, which move to centre stage in politics. Therefore, Rama's discourse on a 'new politics beyond left and right' is strongly transforming the relationship of the party and its constituents. The effort to reach as many citizens as possible is based on the implicit consideration of citizens as voters: the more voters you reach, the greater the chances to win elections. The SPA has become a 'catch-all' party, whose main goal is to win elections, rather than to implement a political program and certain public policies, based on a coherent system of ideas.

The deliberate design of the manifesto and political program as an open text, the appeal for a union beyond left and right as well as the abandon of ideological struggles are based on the party's ambition to reach as many voters as possible and is an expression of Rama's project for 'a new politics beyond left and right'. Therefore the implications are: (i) the SPA does not embrace any ideology, i.e. a coherent system of ideas. At best its political program resembles a mishmash of ideas gathered here and there and at worse it is vague and ambiguous; (ii) a vague and ambiguous political program makes it impossible to predict the manners in which the SPA is going to react to certain issues if elected in office. This leaves space for a politics of avoidance, i.e. the party offers no answers or possible solutions to certain problems and at the same time, once in power, it can easily change its standpoints for there is no biding link with a coherent system of ideas.

Limitations and further research

Since the research has a qualitative nature based on discourse analysis, one may question the generalizability of the findings. However, it is precisely the qualitative nature of the research project and its focus on discourse that does not consider generalization as relevant because discourse is constructed from particular interpretative resources and designed for specific interpretative contexts. Thus, the merit of the research results is that they further advance the understanding and deepen the analysis of Rama's political discourse for a 'new politics beyond left and right' in a given context. To be able to have some quantitative insights into the SPA

manifesto and Rama's political speeches in terms of the frequency of the categories of analysis, then content analysis need to be conducted. A combination of content analysis with discourse analysis will certainly help to a better understanding and interpretations of the findings.

It is important to point out that the data analysed is not sufficient to produce a firm conclusion about the SPA relationships to its constituents, but it will be enough to attempt an initial answer to this issue. While discourse analysis is an adequate tool to analyse the implications of Rama's discourse on the SPA profile as presented in the research question and hypothesis of this project, it is not adequate for investigating the implications of the discourse in terms of the party relationships to its constituents. As such survey/questionnaire method could have been used so as to explore how voters identify themselves politically and how has the discourse affected their political affiliation with the SPA. The research focused on the ways in which the SPA political identity, political program and relations to its constituents was altered by the discourse for a 'new politics beyond left and right'. Additional research would be useful to further investigate the implications that such a discourse might have on the democratic processes of Albania.

Concluding remarks

The need to differentiate himself and the SPA from the past, the failure of the foundation of the Left Federation, the goal of winning the parliamentary elections through appealing to a wide range of voters led the SPA Chairman to his project for a 'new politics beyond left and right'. Through using discourse analysis as a method of research and through the interpretations of the findings, this research project attempted to show to what extent Rama's discourse for a 'new politics beyond left and right' affected the SPA profile in term of: (i) its political identity; (ii) its political program; and (iii) the relationship to its constituents. The discourse analysis of Rama's political speeches and of the SPA manifesto shed light to the main themes of the political project of the SPA for a 'new politics beyond left and right', which are: (i) new vs. old politics dichotomy; (ii) a new politics of change and union; (iii) a new politics beyond left and right; and (iv) an 'anti-political' approach to politics.

The article showed that the SPA Chairman's project for a 'new politics beyond left and right' implies that: the new political project considers the ideological struggles to be irrelevant in Albanian contemporary politics; the abandon of the left/right distinctions as political categories and replacing them with the 'new' vs. 'old politics' dichotomy; appeals for a new politics of change, which will be based on the union of all Albanians beyond the left and right boundaries; has anti-

political approach to politics. The SPA is deemed to be an instrument in the hands of every citizens and the Chairman does not conceive himself as a politician, but as a citizen who wants to achieve change and union of all Albanians through the instrumental use of the SPA.

The first main implication of the SPA Chairman's discourse on a 'new politics beyond left and right' in terms of the SPA political identity and program is that the SPA suffers from ideological ambiguity and absence of a political program based on a coherent system of ideas. This means that the SPA, through abandoning its political identity as a left party and by appealing for a union beyond left and right, is creating a vacuum in the constitution of its own political identity. Furthermore, without being able to construct its political identity clearly and suffering from an ideological ambiguity, the SPA will conduct a politics of avoidance. The project for a 'new politics beyond left and right', despite emotional electoral appeals, does not offer a coherent political program as a possible alternative to the incumbent party in government. Thus, the party offers no answers or possible solutions to certain problems and at the same time, once in power, it can easily change its standpoints for there is no biding link with a coherent system of ideas.

The second major implication of the SPA Chairman's discourse on a 'new politics beyond left and right' is related to the SPA relationships to its constituents in the sense of political representation. Rama's concept of the SPA, as implied in his discourse and in the party manifesto, is that of a political party that claims to represent every citizen and to serve as an instrument at the use of every citizen despite his or her political views. By definition a political party in a pluralist party system cannot pretend to represent all citizens for this would undermine the principles of political representation and political pluralism. What is more, such a claim of being the 'party of all' leads the SPA to lose interest in its members and loyalties and to appeal to wide range of citizens, thus shaping more and more the profile of a 'catch-all' party. This creates a vicious circle: from ideological ambiguity and absence of a political program to a 'catch-all' party, which aim is to win elections, rather than to implement certain policies based on certain coherent systems of ideas.

Another implication is that the confrontation between political actors is based on an individual level, rather than on programs, ideas or ideological standpoints. The discourse analysis of Rama's political speeches and the SPA manifesto showed that the confrontation 'old' vs. 'new politics' is not based on political categories like left and right, rather it is based on moral values of right and wrong, good or evil. Also what the 'new politics' is offering is just the replacement of some 'old politicians' with 'new ones' with no reference to political programs and ideologies. Thus, the political confrontation of the SPA with other political actors is not based on contrasting political programs and ideologies, but is based on individual

confrontation and non-negotiable moral values like good vs. evil, right vs. wrong. This approach leads to the rise of personalization in politics and political discourses.

The democratic processes in Albania cry out for substantial political confrontation between different political programs and ideologies, rather than individual confrontation full of personal attacks and accusations. However, the impact that Rama's discourse on a 'new politics beyond left and right' have on the SPA profile in terms of political identity, program and representation can serve as a starting point for further research on the implications that the 'new politics beyond left and right' and populist political communication have on the democratic processes of Albania.

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Appendix

The speeches of the Chairman of the Socialist Party of Albania - Edi Rama

- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, on the conceptualization of political parties and politics, (April 2007)
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the 16th Anniversary of the Forum of Euro-socialist Young Albanians, (January 2008).
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the protest 'Pro NATO, Against Berisha!' (April 2008).
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the National Assembly of the SPA, (April 2008).
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at a local rally with the youth of Lushnja Town, (May 2008).
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the Forum of the Albanian Newspaper (Gazeta Shqiptare): 'The Challenges of Kosovo after the Independence Declaration', (June 2008).
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the Forum of Discussions of the Qemal Stafa Foundation, (July 2008).
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the round table with the Ambassadors of NATO member states, (September 2008).
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the meeting with the *Network of the Volunteers of the New Union for Change*, (December 2008).
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the 17th Anniversary of the Forum of Euro-socialist Young Albanians, (January 2009).
- The speeches of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the tour of meetings throughout Albania with *Volunteers for Change*, (February – April 2009).
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the tour of meetings throughout Albania to introduce the *New Governing Program of the Socialist Party*, (April 2009).
- The speech of the Chairman of the Socialist Party of Albania, Edi Rama, delivered at the meeting with journalists for presenting the SPA political program, (April 2009).

Establishing the rule of law after communism: a comparative approach

Gentian Elezi[1]

Abstract

Rule of law is one of the main pillars of democratic systems. The post-communist countries of Central and Eastern Europe inherited deleterious legacies regarding rule of law, which made their path to democratisation fraught with difficulties. However, it remains unclear as to how communist judicial legacies and post-communist reforms interact to affect the establishment of the rule of law. Therefore, the purpose of this article is to examine the factors determining the establishment of rule of law in post-communist countries with a particular focus on Albania. The theoretical framework used is the 'four-factor explanatory model' of post-communist trajectories, focusing on (i) pre-communist experience and cultural patterns, (ii) communist regime legacies, (iii) elite strategic choices in early transition, and (iv) external influence. By analysing the impact of these factors in the Albanian case, the article aims to clarify the mechanisms that affect the establishment of the rule of law in countries similar to Albania.

Key words: rule of law, post-communism, democratic transition, institutionalisation, Albania

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'Communism means not the victory of the socialist laws,
but the victory of socialism over any law'
The first president of the USSR Supreme Court 1927.

The rule of law: in search for a definition

The concept of the rule of law is deeply rooted in liberal democracies and has become one of the main criteria for distinguishing these regimes from others. In the context of EU enlargement it has become a fundamental priority and one of the biggest challenges for accession countries, especially the post-communist ones. Different schools of thought among lawyers, politicians, philosophers, sociologists and economists, have constantly raised discussions and debates about what can be considered rule of law, where are its origins and roots in history, what are its characteristics and 'virtues', and how can it be implemented. Some scholars refer to the British system as the inventor of the rule of law, others mention the French term 'legalite consitutionelle' or 'Rechtsstaat' from the German experience. However, we can say that the basis that these concepts rely on, are very similar. As Kirchheimer and Neumann (1987) argue, 'legalite constitutionelle in the Continental constitutional language, as well as 'rule of law' in Anglo-Saxon legal circles, expresses the necessary correspondence of any governmental or administrative act with the laws of a particular country' (Kirchheimer and Neumann 1987: 132). The rule of law is not a static concept and has no static meaning; like all other human institutions it changes. As the pattern of human relations change due to progressive social advancement, the rule of law also experiences an evolutionary process in accordance to the new circumstances (International Commission of Jurists 1965).

We can find interesting perspectives related to the rule of law since the Roman Age when Emperors Theodosius and Valentinian in 429 AD declared themselves to be bounded by the law (Atkinson 1965). The modern meaning of the rule of law started to gain prominenece with the creation of the state as an entity. As Atkinson points out, 'when the State came into its own, it took more precise forms, grew more complex and more extensive, appropriated and rejected various elements of Roman law and collated and reformatted various codes' (Atkinson 1965: 11). The main theories concerning the rule of law have been analyzed and structured by Craig (1997) in two different groups: substantive and formal. The substantive approach does not limit the concept to the separation of powers, law above all, equal procedures and legal certainty. It is also concerned about the quality of the

law. One of the supporters of this view is Dworkin, who points out that 'law rules bye virtue of its 'fit' with a coherent set of principles about justice and fairness and procedural processes' (Dworkin 1986: 243). Dworkin argues that we need to give law a degree of moral and practical integrity. These principles would promote faith in the legal system as a whole and will generate an obligation for citizens and officials to abide by it. People need to see law as theirs and as a public good that gives mutually beneficial cooperation. In this way, law will facilitate social interaction and will help to curb the abuse of power (Bellamy 2005).

The formal approach claims that the notion of good can be subject to political disagreement. This approach does not deal with judging the content of the law, whether it is god or bad (Craig 1997). In a strict and simplified formal sense, 'the rule of law means any ordered structure of norms set and enforced by an authority in a given community' (Friedmann 1971: 94). Hayek has given one clear definition of the rule of law related to this approach: 'stripped of all technicalities this means that government in all its actions is bound by rules fixed and announced beforehand – rules which make it possible to foresee with fair certainty how the authority will use its coercive powers in given circumstances, and to plan one's individual affairs on the basis of this knowledge' (Hayek 1944: 54). Hayek argues that 'it does not matter whether we all drive on the left or on the right-hand side of the road so long as we all do the same. The important thing is that the rule enables us to predict other people's behaviour correctly, and this requires that it should apply to all cases – even if in a particular instance we feel it to be unjust' (Hayek 1944: 60). He believes that 'if the individuals are able to use their knowledge effectively in making plans, they must be able to predict actions of the state which may affect these plans. But if the actions of the state are to be predictable, they must be determined by rules fixed independently of the concrete circumstances which can neither be foreseen nor taken into account beforehand' (Hayek 1944: 56).

Therefore, 'where the rule of law is observed, people can have reasonable certainty in advance concerning the rules and standards by which their conduct will be judged, and the requirements they must satisfy to give legal validity to their transactions. They can then have reasonable security in their expectations of the conduct of others, and in particular of those holding official positions under law' (MacCormick 2005:16). This system generates a degree of predictability in social life by stabilizing, regulating, securing and even constituting relationships (Bellamy, 2005). Although the rule of law is not a sufficient condition for having a liberal democratic system, we can say that it is a necessary requirement. As O'Donnell (2004) points out, 'the rule of law works intimately with other dimensions of the quality of democracy. Without a vigorous rule of law, defended by an independent judiciary, rights are not safe and the equality and dignity of all citizens are at risk' (O'Donnell 2004: 32).

The specific purpose of this article is to discuss and explain why the concept of the rule of law has encountered multiple difficulties in post-communism, with particular reference to Albania. The article adopts the formal approach of the concept, especially linked to establishing independent institutions and legal certainty. It draws from the main theories and applies them for understanding the Albanian context and its characteristics. Through an exploratory and explanatory approach, it aims to identify the factors that have determined the trajectory of the establishment of the rule of law has followed after communism.

The rule of law and communism

Although communist regimes embodied different patterns that made them distinguishable between each other, the general characteristics were similar. They had suffered almost from the same kind of non-democratic power, lack of freedoms and rights, and economic disaster. As Ekiert argues, 'the simultaneity of the breakdown, despite varied political and economic conditions in each country, reinforced a notion that these regimes were basically similar' (Ekiert 1996: 321). At the beginning of the transition to a democratic system, these countries were experiencing difficulties due to their communist legacies. It is interesting to notice that in terms of institution building and establishing the rule of law, these countries had much more in common than in other areas. Under Stalinism, the conception of law and of the rule of law was quite particular. As Linz and Stepan (1996) remind us, the first president of the USSR Supreme Court wrote in 1927 that 'communism means not the victory of the socialist laws, but the victory of socialism over any law' (Linz and Stepan 1996: 248). Thereby, the concept 'law above all' that characterizes liberal democracies was replaced by 'socialism above all.' In this way there was no space for a legal system to constrain or bind the leader. 'A system in which the leader rules with undefined limits is the conceptual opposite of modern democratic constitutionalism, which entails that elected political leaders, the state, and even the sovereign citizenry have agreed to a complex series of self-binding mechanism' (Linz and Stepan 1996: 248). Many decades under this kind of rule left deep scars and legacies which, as we will see, have influenced the transition more than any other factor.

As Jowitt (1992) claims, 'the new institutional patterns will be shaped by the inheritance and legacy of forty years of Leninist rule' (Jowitt 1992: 285). The nature and the choices of the elite in the early transition are important too, but 'the creativity of the actors is also constrained by the experiences of the past and the patterns of economic and political resource distribution under the old regime' (Kistchelt 1999:19). Thereby, because of path-dependency, both communist legacies

and strategic choices of the elite are crucial in creating the new institutions and the new politics. As Johnson argues, 'path contingency has its origins in historical institutionalist theory. Historical institutionalists argue that institutions are legacies of political struggles and that they can shape preferences as well as reflect them. Thus, institutions are usually treated as forces of stability in maintaining routine, predictable political and social outcomes' (Johnson 2003: 292). Putnam (1993) also argued about the importance of path dependency: 'where you can get to depends on where you're coming from, and some destinations you simply cannot get to from here. Path dependency can produce durable differences in performance between two societies, even when the formal institutions, resources, relative prices, and individual preferences in two are similar' (Putnam 1993: 179)

Similarly Holmes (1997) has pointed out the importance of a common heritage among post-communist countries in relation to the rule of law. The absence of a culture of compromise is one of them. Overall, at varying degrees, the comprehension and incorporation of the notions of consensus and compromise was really weak in post-communism. This is a clear and direct legacy from the patterns of the communist period when conflicting views were never tolerated and considered a major threat. As Crawford (1996) argues, 'many of the people replacing the communists are just as much products of the old system, in that they are just as dogmatic, authoritarian and unskilled in compromise, whether in ministries, the new parliaments, universities or schools.' (Crawford 1996: 102). Kitschelt (1999) argues that the most important thing regarding elites and institutional choices are the legacies of the past. Specifically, he argues that 'the legacy explanations claim that resource endowments and institutions that precede the choice of democratic institutions have a distinct impact on the observable political process under the new democratic regime. Moreover, such explanations claim that democratic institutions themselves depend on legacies, because they are endogenously chosen by the political actors emerging from the old pre-democratic system' (Kitschelt 1999: 11).

This last point introduces us to another important aspect that Holmes includes in his consideration. It is the cynicism towards and mistrust of political institutions that characterizes all post-communist countries. In the surveys that Rose and Haerpfer (1994) have done to collect some evidence regarding trust in institutions, we can notice that there is still a big lack of trust, especially in parliaments, political parties and public authorities. Holmes (1996) argues this is a result of the fact that 'during the communist era, many citizens had a marked sense of 'them' and 'us', and often turned to private relations as a way of coping with the fact that they had little impact on their incompetent and often corrupt institutions. Thus, in addition to actually establishing new institutions, post-communist politicians have to nurture a communal faith in the very notion of state institutions, the rule of law, and constitutionalism.'

(Holmes 1996: 17). For these reasons, the development of trust in institutions has been slow in post-communism. As Brown (1994) points out, this 'them' and 'us' syndrome in post-communist Europe will persist. It will begin to disappear only when democratic institutions and practices become more representative of society as a whole, thus more legitimated in order to establish the rule of law.

All the problems and the patterns described above have been characteristics of the transition, in different levels, in all post-communist countries and in Albania as well. Although we notice a common experience and common legacies, the trajectories that these countries followed after communism in establishing the rule of law were different. Their performances vary from the relatively successful Baltic states or Poland to the less successful cases of Albania or Macedonia. How can these differences be explained? Expressing it in Gati's terms, why there are 'winners, laggards and losers' among the post-communist countries?

Explaining the Albanian case

Building the new system

Since Albania started its path toward the establishment of a democratic system, the rule of law has always represented one of its weak points. Two were the main problems concerning the establishment of the rule of law. The first was the continuous intervention of the executive in the judiciary; thus issues related to the separation of powers. The second was legal (un)certainty and the efficiency of the judiciary, linked to high corruption and (lack of) professionalism. Legal certainty was very weak in the early years of transition and the considerable weakness of the institutions furthered this uncertainty.

The Albanian Party of Labour (APL) was the last communist party to respond to the wave of change that had already swept the communist countries in Europe. The communist leader of Albania, Ramiz Alia, who was the successor of the long-time dictator Enver Hoxha since 1985, embraced a more moderate approach in order to calm down the protests that were growing in the country. Alia tried a moderate reform from above, changing the personnel of some institutions and administration, and bringing in the state more reformist figures (Gill 2002). In spite of these light reforms, mass protests continued to increase until the first pluralistic elections in 1991. The communist party won and after the elections parliament adopted an interim constitution, 'Law on Major Constitutional Provisions', which introduced a president figure with executive powers and elected by parliament.

As a result, the political and institutional situation seemed to get calmer, but less than two months later political stability was weaker than before. The opposition

party, the Democratic Party of Albania (DPA) decided not to cooperate anymore with the government and pushed for new elections. In 1992, the DPA won by a large majority and its leader, Sali Berisha, became the new President of the Republic. Since the beginning, although he claimed inspiration from the Western models, Berisha had problematic relations with independent institutions and the judiciary in paticular. Conflicts increased until when, in 1994, Berisha decided to start working for a new constitution without the participation of the opposition. Whatever the quality of the resulting draft would have been, keeping in mind the delicate situation of legality in Albania, it would have raised serious questions about its legitimacy. The new constitutional project embodied a strong presidency that would guaranty Berisha that most of the institutions would be under his influence. As Kitschelt points out, 'dominant forces in the transition try to lock in their initial advantages through institutions that improve their expected chance to pursue important objectives, such as winning and maintaining political office' (Kitchel 1999: 32).

The result of those first years of transition was the high personalization of politics and of independent institutions which undermined any attempt for the creation of a basis for the rule of law. As Henderson and Robinson have observed, 'what was most alarming, was Berisha's inclinations to change the rules of the political game when they did not suit him' (Henderson and Robinson 1997: 349). The initial mistrust of the population toward institutions, due to the past experience, was furthered and the perception index of corruption increased. As importantly, the intervention of politics in the judiciary undermined the credibility of the courts. This situation influenced the deepening the pattern of 'them' and 'us' which was a legacy from communism. Incompetent and corrupt judges came to symbolise the image of new institutions. As the OSCE Report on Albania argued, 'a number of new judges were assigned to the courts in 1994 after taking a controversial six-month special course and then completing the 'correspondence' system at the Law Faculty in Tirana on an accelerated basis (six more months)' (OSCE 2004: 18). According also to the *Nations in Transit Report* of Freedom House, 'besides corruption, the Albanian judiciary is beset with operational shortcomings and a debilitated capacity for enforcing decisions.' (Freedom House 2004: 13). All these dysfunctional patterns in the legal and institutional system created basic problems to the economic and social life in Albania. The nature of the early transition influenced and shaped the legal and institutional situation even in the second decade of post-communist Albania.

To explain the trajectory of the rule of law reforms in Albania, I will use the theoretical model that Ekiert (2003) has built for post communist countries. This model is based on four main factors that determine the path of the rule of law after the collapse of communism, which are: pre-communist institutional and

cultural legacies, the type of the communist regime and its impact, the choices of the transition elite, and the geostrategic factors. What follows is an exploration of the Albanian case and the impact of these factors in establishing the rule of law.

Pre-communist legacies

To understand the different institutional developments and democratisation trajectories between countries, it is not sufficient to refer to the communist legacies without analysing the cultural and historical background of the country in the pre-communist period. This analysis is important for undertaking the levels of social trust in these societies because, as Huntington (1996) observes, rule of law is also about trust. An independent judiciary can work only in environments where people can trust each other and in his opinion this is the case only in the West. As Hernando De Soto (2000) shows from the polls that he made in the Liberal Democratic Institute, it is true that people trust each other more in the West. Empirical data from polls show that in the West trust levels range from 40% (USA) to 65% (Sweden). It also showed that developing countries have levels of trust around 5-10 %. Despite this, De Soto does not agree with the connection that Huntington identifies between trust and the rule of law. In a 'chicken-egg dilemma', he thinks that trust is a by-product of the rule of law and consolidated institutions. Even in the West people do not trust each other as individuals, but as parts of a common legal framework that guaranties and protects them from each other.

In De Soto's opinion as an economist, this mechanism of achieving trust and certainty through the rule of law and the efficiency of institutions is fundamental in democracy, but especially in the market economy and institutions (De Soto 2000). The point stressed by De Soto is further supported by Rose (1998) who claims that changing and building institutions can produce changes in the behaviour and values of individuals. New institutions alter the incentives, rules and constraints that individuals use to calculate their behaviour (Rose 1998). Thereby, institutions have the power to shape and build new mentalities and new values. Mandelbaum (1996) also argues that once institutions and a market economy are established efficiently, people will adapt themselves and their behaviour to the rules and they will operate successfully.

Another set of arguments concerning the importance of the pre-communist experience is related to the historical approach. Gardner (2000) supports the argument that it is crucial to identify under which empire the post-communist transitioning country operated. The Ottoman and the Romanov empires dominated and destroyed the societies they ruled more so than the Habsburgs. The latter, even though with authoritarian character, left more space to civil

organizations and embraced the Enlightenment. The previous two disintegrated civil freedoms and inculcated habits and cultural aspects which still dominate in Gardner's opinion. This theory has been developed further also by Rupnik (1999) in his work on post-communism. Focusing on the rule of law and different performances in implementing it among post-communist countries, Rupnik (1999) introduced what he called the *Habsburg factor*. In trying to argue about the reasons that might explain the relative success in establishing rule of law in Central Eastern Europe, compared to the other post-communist states, Rupnik (1999: 60) states:

> There is another factor, however, that warrants mention in this connection: the legacy of the Austrian as opposed to the Ottoman Empire. It may be going too far to call the Habsburg Empire liberal, but neither was it an autocracy like Czarist Russia. It was a *Rechtsstaat,* that is, a state run by the rule of law. Indeed Austrian turn-of-the-century literature (from Musil and Roth to Broch and Kafka) is dominated by the question of the law, the tension between legitimacy and legality. That Habsburg legacy of the rule of law has influenced several of its Central European successor states, as reflected in their legal scholarship, public administration, and political culture more generally. It was already being rediscovered in the last phase of communism, as the rulers began to accept some limitations on their powers and the opposition began to challenge their rule in the name of accepted domestic and international legal commitments. The 1990s have confirmed the trend.

Similarly, Crawford (1996) reminds us that some of these countries had some bad common experiences and characteristics more than others in the pre-communist period, such as acceptance of foreign intervention in wide areas of life, a habituation to arbitrary methods, a messianic concept of political change, etc. Schopflin (1993) and Kitschelt (1999) give other arguments in order to support the importance of the cultural and historical background of a country in the pre-communist period. To explain patterns of transition, Schopflin (1993) focuses on the role of bureaucracy before communism. The level of professionalization of the public sector is a major factor in explaining the character of institutions and rule of law during and after communism. Kitschelt (1999) continues on this cultural administrative approach when he argues that in order to explain the performance of institutions in post-communism 'the key variable is the pre-communist and communist legacies of bureaucratic rectitude. State with traditions of the rule of law in the pre-communist period (Czechoslovakia and East Germany) carried on this tradition into the communist period and were thus left with a better chance of setting up liberal states that could respect and defend all kinds of rights in the post-communist era.' (Kitschelt in Kopstein & Reilly 2003:122). These factors

have played an important role in the early democratic transition and therefore provide considerable evidence for explaining differences between countries.

The type of communist regime and its legacies

For this article, the different experiences under communism are a crucial explanatory framework to understand why Albania was less effective in overcoming its legacies compared to other post-communist countries. As Fowkes observes, 'on the eve of the transition from communism Albania was in many ways unique in Europe. It was completely isolated internationally. Its people were so poor that their per capita GDP in the 1990s placed them firmly in the Asian or African category of low-income countries. There was also very little dissent within the country, and no inclination on the part of the ruling communist party to follow the example of Gorbachev reforms in the Soviet Union.' (Fowkes 1999:72). Albania was the last European country where communism collapsed. There are several reasons for this all connected to the particular path that communism followed. The country experienced isolation under the personalized leadership of Hoxha and for almost forty years was subjected to one of the harshest communist regimes. Closing trade channels and exchanges with the rest of the world, Albania claimed self-sufficiency as a new ideology linked to communism. Obviously this took the country in an even deeper underdevelopment making it the poorest country of Europe. Hoxha's isolationist communism penetrated in every area of Albanians' social and private life, undermining the very possibility of independent thought other than Party dogmatism.

Isolationism is not the only characteristic that distinguishes the Albanian regime from the others in the communist bloc. Linz and Stepan (1996) help us in observing differences between these regimes through their categorization. Specifically to the communist regimes, three kinds of categorisations can be applied: authoritarianism, totalitarianism and sultanism. Quite all post-communist countries could fit, at least partially, in one of these categories. According to Linz and Stepan's (1996) classification, the closest description of the Albanian regime would be totalitarianism since it was characterized by a total absence of pluralism, a strong ideology, extensive mobilization and powerful leadership with undefined limits of rule. But it also was affected by a highly personalized system and regime, no rule of law and low institutionalization. That's why many refer to this regime as *Enverism*, due to its ruler Enver Hoxha. His staff was mainly composed by his family members and friends. From this point of view it goes closer to a sultanistic regime. But as long as sultanism had an absence of ideology we can say that this was not the case for Albania. Therefore, it is difficult to include the Albanian case in one of these categories.

The more appropriate definition for Albanian regime is made by Kitschelt who makes a different categorization of communist regimes: patrimonial communism, national-accommodative communism, and bureaucratic-authoritarian communism. The first type, patrimonial communism is most suited to describe Albanian communism. This kind of regime:

> Relies on vertical chains of personal dependence between leaders in the state and party apparatus and their entourage, buttressed by extensive patronage and clientelist networks. At the apex of patrimonial regimes, political power is concentrated in around a small clique or an individual ruler worshiped by a personality cult. The level of rational-bureaucratic institutionalization in state and party remains low because the ruling clique penetrates the apparatus through nepotistic appointments (Kitschelt 1999: 24).

Because of its extremely harsh and closed character, 'on the eve of the communist collapse, patrimonial regimes faced no significant internal opposition movements, except dispersed, isolated dissident intellectuals, unable to produce a sustained discourse or organize a professional cadre advancing a new vision of political-economic modernity (Kitschelt 1999: 24). The political institutions during this type of communist regime are crucial in explaining the different paths countries took during the last years of communism and the first years of transition (Kitschelt 1999).

Kitschelt (1999) points out the two main dimensions through which to explain differences between countries in the post-communist transition. The first dimension 'concerns the extent to which communist regimes rely on a formal-rational bureaucratic state apparatus that rules out corruption and clientelism, as opposed to a patrimonial administration based on personal networks of loyalty and mutual exchange, combined with patronage, corruption and nepotism' (Kitschelt 1999: 21). In Albania, the regime was based on personal networks of loyalty and mutual exchange, corruption and nepotism that characterize the patrimonial regime. The general level of efficiency of the civil service and administration was lower than in other countries. Albania faced the transition with a very low quality and professionalism of public administration. A well-functioning bureaucracy would have influenced probably in limiting the damage caused by the uncertainty of the transition. To that point, we agreed with Schumpeter (1945) who argued that bureaucracy can be the answer to governments of amateurs.

Another dimension Kitschelt (1999) identifies as crucial in understanding different trajectories in post-communism is the extent to which communist rulers after Stalin's death tolerated a certain degree of economic or political pluralism. Except for Albania, all other East European communist countries experienced a slow

de-stalinization after the death of the Soviet dictator. Thereby, in other communist countries there were significant or at least weak oppositions organized in movements. There were different pressuring organizations in several countries such as, Solidarity in Poland, Civic Forum in Czechslovakia, popular fronts in the Baltic States, the Union of Democratic forces in Bulgaria, etc. Some of these movements were created as early as the early 1980s. There were no such developments in Albania. As Gill (2002) argues in a comparative key, 'the Albanian regime was particularly harsh, using widespread police control actively to both destroy and discourage independent activity' (Gill 2002: 96). So while other communist countries were moving toward a kind of moderation, Albania was still experiencing political purges even among the higher echelons of the communist leadership.

Thereby, even in its last years of life, Enverism did not allow the creation of any basis of opposition. Even the post-communist political leaders born after the protests of 1990-1991, were a handful of timid professors and students many with connections to the regime. This was because persons who were not part of the regime intellectuals had no idea or capacity to address such a massive need for change and the creation of an opposition. The lack of opportunities for the early growing of voices against the regime led to the rushed creation of an unprepared opposition.

Differently from the other countries which experienced transition after authoritarian regimes (Central Europe), the collapse of Albanian totalitarianism presented many inhibiting legacies concerning the rule of law. As Linz and Stepan (1996) argue, the rule of law did not exist in totalitarian communism. 'There was no space for semi-opposition, no space for regime moderates who might negotiate with democratic moderates, and no sphere of the economic or civil society that is not subject to the despotic exercise of the sultan's will' (Linz and Stepan, 1996: 53). The legal code was highly politicised and instrumental for the party state and its purposes but incompatible with democracy. The legacy of the fusion of public and private and the extreme personalization of power, made the establishment of the rule of law one of the most difficult tasks in Albania. 'The clientelistic penetration and corruption of bureaucratic institutions limit their efficiency and legitimacy and put extensive reform on the agenda. Even democratically elected leaders may perpetuate clientelistic practises rather than rational administration' (Linz and Stepan 1996: 62)

The regimes in Central Europe were different from the Hoxha regime according to Linz and Stepan's classification because they are considered authoritarian not totalitarian. Central European countries:

> Maintained closer ties with the West in many formal and informal ways during the communist period. Some countries experienced crisis-generated emigration waves (during the post-World War II communist takeover and in 1956, 1968,

and 1981) that produced large political diasporas living in Western Europe and the United States. In addition, countries like Poland, Hungary, or Slovenia had more-open political regimes that imposed fewer travel restrictions. The presence of large emigrant communities opened many informal channels facilitating diffusion processes.' (Ekiert and Hanson 2003: 39).

These countries allowed a certain level of openness and opposition, which affected the early democratic transition in terms of establishing independent institutions and the rule of law. The different type of communist regime in Albania and its approach to institutions and legal certainty has had a crucial impact in the new regime.

Political choices of the post-communist elite

Among the factors that explain the rule of law performance, Ekiert and Hanson (2003) include strategic choices of the new political elite. They argue that:

> The diversity of outcomes has its source not only in the legacies of the past, but also in choices made by strategically located actors in various critical moments of the unfolding processes of change, as well as in the modalities of transitional politics and institutional characteristics of the post-communist period.' (Ekiert & Hanson 2003: 2).

Overall the authors contend that political crafting, the agency of political actors, is at the heart of the transition to democracy, and successful democratizations are more a product of political will who are not mere pawns of structural constraints.

Therefore, in the early transition period elite choices are crucial for subsequent developments. Among the numerous difficult tasks that elite faced, one of the most important was the establishment of a legal framework and independent institutions. Considering the political elite as the main actor in shaping institutions by the strategic choices they make, Ekiert (2003) reminds us, quoting Valerie Bunce (1995), that 'in postcommunism, political institutions seem to be more a consequence than a cause of political developments' (Ekiert 2003: 94).

As this part is about choices, one of the choices that President Berisha made in the 1990s was to pursuit de-communization and lustration. It is not a purpose of this study to analyze the content and the normative aspects of this issue, but the way in which this events took place in Albania undermined the principles of the rule of law. As Mendez argues, 'a realistic assessment of the possibilities of pursuing justice would also give full regard to the institutional limitations established by the politics of transition in each case. These institutional limitations may in fact

tie the hands of a democratic government seeking to redress past wrongs, but they do so only within the rule of law.' (Mendez 1997: 23). In 1993, Nexhmije Hoxha, Enver Hoxha's widow was sentenced to nine years imprisonment. In the same year, the former Prime Minister Fatos Nano was arrested on charges of corruption and sentenced in 1994 to twelve years for misappropriating public funds. In August, former President Ramiz Alia was arrested for abuse of power and sentenced to nine years for corruption and human rights abuses. All these trials were highly criticized by international organizations of human rights due to fundamental irregularities and non-competent judicial personnel and judges. The trials were transformed in symbolic demonstrations of power as the outcome was already known.

> Berisha achieved his political goals in terms of perceived historical retribution and distraction from the major problems the population was experiencing due to the transition. But the high price was the undermining of the rule of law and the credibility of the institutions. Watching the trials being conducted by young and unqualified judges, who were trying to humiliate the defendants outside of legal bounds, furthered mistrust in the judiciary. Emphasizing the wider importance of the trials of the former communist leaders Brown stated that

De-communization [was a] crucial test for the rule of law in Eastern Europe. For decades, laws were framed, interpreted, and implemented in the service of communist ideology. Even good laws often lost their value because of the ends to which they were put. Now the post-communist East European states are genuinely trying to replace this perversion of law by the rule of law – law that protects rather than controls citizens, that regulates their relations with each other and with their freely elected governments, that preserves individual rights while guaranteeing social order (Brown 1994: 3).

Albania failed the test of de-communization within the rule of law. The reason was the lack of professional judges but also mainly because of the political elite's choice to politicise the trials and instrumentalise the judiciary. In post-communist Albania institutions were a direct result of politics. President Berisha was not the only post-communist leader who made bad choices. As Ekiert reminds us, 'Slovakia, which was initially part of the group of leading reformers, fell behind in the mid-1990s. Economic transformations slowed down, political liberties were seriously curtailed, and the rule of law was frequently subverted by the Meciar government.' (Ekiert 2003: 96).

Applying Ekiert general theory on transition trajectories, we can say that 'the design of electoral systems and institutional relations are considered to be the most critical institutional choices' (Ekiert 2003: 108). The years of the transition

in terms of rule of law and executive-legislative relations were marked by the way that the 'rules of the game' were decided and how the constitution was modified. Ackerman (1992) theorized the importance of the so-called 'constitutional moment.' 'The immediate aftermath of revolution provides liberal democrats with a unique opportunity, what he calls the constitutional moment, where circumstances are optimal for laying the legal foundations for a democratic order and mobilizing the requisite broad popular support for constitutional initiative. Timing in tackling major constitutional controversies is critical, for the opposition to authoritarian rule will remain united only for a finite amount of time after it has come clear that a new order is in the making. If the constitutional moment passes in vain, therefore, it is very difficult to recreate it.' (Stanger, 2003: p.183). But as Holmes has argued, 'if successful constitutionalism is to be judged by the speed at which a country hammers a definitive constitution into place, then Bulgaria and Romania would be the most legally advanced countries in Europe' (Holmes 1993: 22).

Thereby, a link between Ackerman's Constitutional moment and the success of the institutional design is not based on sufficient arguments or data. The important element is rather the way in which institutional transition was negotiated. The crucial point in understanding the basis of institutional arrangements was the debate on the legal framework and the Constitution. As Gill (2002) argues, 'post-communist democratic regimes saw it as necessary to reject the legacy of the past by replacing the former set of rules of the political game by a new set untainted by communist associations and openly linked to the new avowedly democratic regime. But of course what is important is not just the introduction of a new constitution, but the structure of institutions which it creates' (Gill 2002: 16).

Countries like Hungary, Poland and the Czech Republic, were characterized by civil society forces that:

> Emerge and become sufficiently strong that, when the perception of crisis takes hold within the regime and the regime splits, the more liberal side of the regime elite sees those society-based forces as appropriate partners for meaningful negotiations. Early negotiations occurs, leading to elections, which remove the old regime from power and ensure that the subsequent negotiations about the form the regime will take are dominated by civil society forces. It is those forces which overwhelmingly shape the political outcome, a stable democracy. The former ruling communist party transforms itself into a social democratic party as part of this process (Gill 2002: 24).

Although civil society was weaker in Hungary than in Poland, the reformist wing of the communist regime was stronger and the new elite was organized.

The situation was different in Albania. As Gill (2002) pointed out:

> When the old regime elite perceives the onset of the crisis, civil society forces are not sufficiently developed to be a powerful negotiating partner and are not immediately able to displace that elite. The old regime elite is able to transform itself, and in the new guise as a successor regime, engages in negotiation with society-based forces and wins the first election. In Bulgaria the political actors accepted the initial agreements and set in place a democratic system. In Albania the society forces refused to accept the institutional structure established at the outset of the post-communist period. Open oligarchy was the result (Gill 2002: 31).

In that regard, Stanger (2003) claims that post-communist countries had three possible choices about the new constitution: to restore the old communist constitution, to have a radical continuity approach by keeping most of the old constitution, or to draft a new one. In all three countries of Central Europe, 'aspiring democrats used the constitutions they inherited from the outgoing order as a point of departure for institutionalizing democracy' (Stanger 2003:184). All institutions started internal reforms by keeping the old structures and not trying to shock the whole system. As Stanger points out about Hungary, 'the freely elected Hungarian parliament continued on the same road to democracy through constitutional reform as had their less than democratic predecessor, rather than changing course and pursuing a radical break with the legality of the communist system.' (Stanger 2003:192). The new legal and institutional framework was decided through negotiations and round tables. As Elster (1993) points out, 'in Poland, Hungary and the former Czechoslovakia, the transition to democracy was negotiated through Round Table Talks between the outgoing communist order and the democratic opposition. In each country, the transfer of power transpired in complete legality – that is, through a negotiated settlement consistent with existing law, rather than radical renunciation of the ancient regime and its legal apparatus' (Elster 1993:190). Round tables with the regime in Hungary were conducted from June to September 1989 and produced the basic rules for the new political system.

In Albania on the other hand, in the first pluralist elections of 1991, the communist party won and allowed for the creation of a government composed by reformists. This was the crucial moment for starting the negotiation of the Constitution and institutional design. But Berisha and his party decided not to participate. 'The opposition claimed electoral fraud (claims not supported by international observers), refused to cooperate with the government, and objected to a draft constitution presented to parliament in April 1991. Instead parliament adopted interim constitutional amendments, which introduced an executive presidency elected by a two-thirds majority of the parliament.' (Gill 2002: 34).

The consensual approach is the missing part in the Albanian transition and it is a pattern that characterizes the Albanian system still. The Constitutional amendments of 1991 were made without the participation of the opposition, after Berisha's decision to abandon the table and cooperation with the government. The first wrong choice was made by the reformers and communist elite, who despite the rejection of the opposition continued the constitutional drafting process.

The way this process was conducted spread a sense of cynicism among the masses and a strong lack of legitimacy. This created the basis for what Holmes and Sunstein (1995) define as a major problem for the establishment of the rule of law. They argue that this situation 'leaves political actors with no choice but to accept the drawbacks of a highly politicized, and that means parliamentarized process, where everyday politics is part of an ongoing constitutional crisis, this reality also results in a host of unintended consequences, many of them at odds with the establishment of the rule of law (Holmes and Sunstein 1995: 288). Thereby, the key point was legitimacy of the process through consensus. As Mandelbaum argues about institutional arrangement in transitional countries, 'what distinguishes successful from failed transitions is not the effectiveness of the state but rather its legitimacy' (Mandelbaum 1996: 15).

After this first choice in a democratic consolidation moment, Albanian politics was shaped by a non-consensual pattern. Since then, whenever the government (both Socialist and Democrat) needs to make important reforms on institutional arrangements, the opposition party refuses to participate. There is lingering prejudice and mistrust on the other part that influences the negotiation process as the opposition considers itself weak in entering negotiations where the governments has most of the power. Thereby, knowing that in the bargaining game it will be necessary to give more than receive, it decides to pull out, depriving the whole process of legitimacy. Berisha, after winning the elections in 1992, continued in the same path of de-legitimacy and tried to create institutions that would be on his side. In 1994 he drafted a new constitution whose main purpose was to strengthen his power. The draft aimed to create a strong presidency, by-pass Parliament, and consolidate power into his hands. Other chapters of the draft redesigned also the hierarchical relations of the President with other institutions, always increasing the role of the President, especially regarding the judiciary. The president would have the power to propose judges of the Supreme and Constitutional Court.

'Interference with the judiciary was particularly contentious, as Berisha was involved in a protracted battle with the judge who headed the Supreme Court soon after the referendum defeat' (Henderson and Robinson 1997: 349). The rule of law was undermined with this new constitutional draft as it deformed the balance of power and placed the judiciary under political control. Fowkes also agrees with this analysis when he says: 'Sali Berisha in Albania is an example of

anti-communist who came to power but continued to use the methods of the former communist regime' (Fowkes 1999: 60). The drafting of the constitution was done by few external experts and members of Berisha's party while the opposition did not participate. Since Berisha did not have the required two thirds majority in parliament to approve the constitution, he organized a referendum in November of 1994 where the constitutional draft went down to defeat. Similarly to 1991, the failed 1994 constitutional referendum was another attempt of reforming institutions that lacked legitimacy. All attempts to restructure the rules in the beginning of democratization were made by governing political actors to increase their advantage, while the opposing party refused to participate.

During the early years of transition, another important factor that inhibited democratisation and facilitated the politicisation of nominally independent institutions was the weakness of civil society. As Pridham argues, 'in Hungary there has always been a strong emphasis on both the checks and balances system and on participatory democracy, including the involvement of organised civil society in decision making in relation to its constitutional design' (Pridham 2001:176). This is very important for democratisation because 'when complementary organizational forms arise to stabilize political and social life, fledgling democracies may be able to initiate their self-transformations even absent long-awaited new constitutions' (Stanger 2003: 204). In Albania the necessary system of check and balances between institutions was missing 'The system as it emerged in Albania was openly oligarchic rather than democratic with the failure to agree on the rules of the democratic political game moulding elite political struggle into an oligarchic rather than a democratic form' (Gill 2002: 35).

Geographic strategic factors and Western influence

If we have a look at the annual report of EBRD on economic, political and social indicators in post-communist countries, we will notice a clear pattern of geographic distribution. The countries which are closer to the Western part of Europe have higher scores and ranks in most indexes that measure political and economic performances. The more we go east in the map the greater is the difference in terms of efforts to consolidate democracy, build adequate institutions and create a market economy (Ekiert and Hanson 2003). As Ekiert (2003) quotes from Whitehead (1999), 'geopolitical constraint and crosscurrents can powerfully affect the interstate distribution of democratization, the scope of democracy within the states affected and the viability of the resulting democratic regimes.' (Ekiert and Hanson 2003: 14). As Lane argues about this point, 'two observations might be made about the character of those states that have successfully consolidated capitalist revolutions: first is their level of income per capita and, second, is their proximity to Western

Europe. Data show quite conclusively that the richest countries are the ones that have taken the greatest strides to capitalism and pluralism' (Lane 2002: 24). Analyzing the institution patterns, Lane concludes that 'geographical proximity to the West enabled institutional diffusion to spread more rapidly to the central and eastern European countries' (Lane 2002: 25). As a result, for such countries transition was relatively successful and their institutional consolidation proceeded quickly.

If we take a look at the countries that surrounded Hungary for example, we can clearly see that they are all part of what Gati calls 'winners'. Hungary's proximity to Western countries affected its approach to institutional reforms and to the other countries of Central or West Europe. Its openness accommodated the penetration of Western experience and practises in terms of political and institutional framework. As importantly, a healthy sense of competition started to increase between the policy-makers and political actors between the countries in Central Europe. Having in mind their goals and working together, these countries undermined quickly the heavy legacies that communism had left.

In the case of Albania, the country found itself isolated in a very unstable region. With the neighbours at war, the main concern was state survival and keeping an eye to the borders. This produced a missed opportunity for the country's openness. Differently from Central Europe that exploited the opportunities that stability and openness offered, the Western Balkans – fraught by instability - retrenched further. As a result, even after the fall of communism Albania found itself isolated again. The West could not open its borders because of regional instability and the fear of uncontrolled immigration. In a sense for most Albanians the Berlin Wall was still palpable as they could still not access Western Europe. Consequently, Western influence could not penetrate easily and the new unprepared elite found itself alone and without direction for creating a constitutional and democratic system. Ekiert points this out by stating:

> Poland, Czechoslovakia, and Hungary, for example, received more attention from the international community at the start of the transition not only for being among the first to reject communism, but also for their past experiences of political struggle and economic reforms and their openness and historical links to the West. In contrast to other countries of the region, they had vocal and well-known cultural and political counterelites, and in two of these three countries communist elites were pragmatic, reform-minded, and liberal. The advantage of being first familiar as well as these past experiences not only provided intellectual capital and skills but also led to a faster and more extensive cooperation with the West and greater inflows of foreign expertise and capital. This in turn had a growing impact on the policies of newly democratized regimes, the normative orientations of political actors, and

their economic preferences, expectations, and behaviours. Better-developed market institutions, improved economic performance, and stronger democracy in turn invited more cooperation, assistance, and investment (Ekiert 2003: 116).

Western countries, especially members of the EU, had different behaviour toward the new post-communist regimes. The countries which were at the borders of the EU in Central Europe received much more attention. This is explained through different reasons. The first is a long cultural and historical relation the West had with them. This proximity to the borders 'forced' the EU to think about a concrete democratisation path for them and had a fundamental influence on Central Europe by improving their institutional, economic and financial performance. Another important reason is that these countries were the first to start fighting communism by organizing opposition and protests. After 1989, Poland, Czech Republic and Hungary 'became the recipient of a significant amount of foreign investment as a result of the publicity of being among the first to exit from communism and its close proximity to Western markets' (Kopstein and Reilly 2003: 140). But most importantly, this assistance was crucial in designing new institutions and furthering democratic consolidation. As Grabbe argues, 'the EU promoted both the strengthening of existing institutions (such as ministries and central banks) and the establishment of new ones' (Grabbe 2006: 77). The EU directly helped policy-makers create the basis for the establishment of the rule of law. As Kopstein and Reilly observe on the beginning of the transition:

> The effects were not only political but also, perhaps more importantly, legislative and institutional. As an observer and advisor the European Commission helped to usher in a flood of new institutional legislation and organization reforms, as Hungarian ministries and successive governments rushed, in a competition with other prospective states, to alter their own legislation and institutions to conform with the 88,000-page acquis communitaire with its more than 10,000 directives. EU monitors regularly evaluated Hungary's progress in institutional change and issued reports about lacunae in legislation and offered a checklists and blueprints to follow (Kopstein and Reilly 2003: 142).

Of course as Vachudova (2005) reminds us, passive leverage was functioning only as a source of attractiveness of EU membership which was highly desired in most of the post-communist countries. But as we explained above, in Central Europe, the EU had a direct impact through penetration in the economic, institutional and social areas. The lack of such degree of penetration in the Balkans, pushed the unprepared elite to try to establish a 'home-made' system that in appearance copied Western practise. Albania is the best example for this point. From the very

beginning Albania exhibited many inefficiencies and was far behind compared to Central European countries. In addition, its elite remained ambivalent towards the EU and its leverage. Berisha did not like Western interference and used the European dream mainly as a rhetorical argument. As Fowkes noticed, 'many ruling politicians of both 'right' and 'left' in the post-communist world feel able to ignore Western advice and defy Western pressure: one thinks of Sali Berisha in Albania, Vladimir Meciar in Slovakia and Ion Iliescu in Romania until they lost their power' (Fowkes 1999: 7).

The instability that characterized the Balkans, pushed the West to focus on stability at the expense of democratic consolidation and institutional reform. As Pridham observes about Albania, 'western backing of Sali Berisha in Albania – including by EU representatives – involved turning a blind eye to his autocratic ways and election rigging' (Pridham 2005: 59). The contrast between internal institutional developments in Albania and EU's optimistic expression of support is expressed by Vickers who describes the situation as an impressive 'contradiction between international political support and domestic unpopularity which continued to dominate political life' (Vickers 1997: 270). As Albania prepares to open accession negotiations, the EU should not lose sight of the major goal: institutional and democratic consolidation. Anything else would represent, at best, short-time gain with unforeseeable long-term repercussions.

Conclusions

The purpose of this article was to analyze and explain the factors that determined the trajectory of the establishment of the rule of law in post-communist Albania. After explaining the main characteristics of the rule of law in post-communism, through an exploratory and explanatory model of four factors, I analyzed the different configurations of the Albanian case. Cultural and historical legacies from pre-communist period have played an important role in accounting for Albania's difficulties, especially in terms of the lack of institutional tradition. Overall, the article found that the legacy of Albania's totalitarian and isolated communist regime determined considerably the outcome of early transition, undermining efforts to establish the rule of law. Secondly, strategic choices made by the new elite can also explain the particular trajectory rule of law reforms took in Albania. The elite's tendency of maximising and preserving personal power prevailed inhibiting them from finding consensus. This in turn undermined the legitimacy of the new structures and institutions that were created, furthering political instability.

Albania's geographic location also played a negative role. Compared to Central European countries, Albania found itself in a war-torn region where stability was

valued more than democratisation by EU structures. Thereby, the possibilities for openness and exchange were limited and the Western influence was weak in affecting post-communist reforms. Overall, the EU was a relatively passive player in Albania compared to the other countries at its borders because Albania lacked strong historical connections to influential EU member states. Secondly, aiming at stability in the region, the EU and USA supported the new regime despite several authoritarian patterns shown, especially in terms of establishing rule of law and upholding the separation of powers. It was different in Central Europe, where the strategy of leverage and ingrained interest helped foster institutional consolidation mainly through experience exchange and financial flows.

Many questions can be raised at the end of this article about Albania's past trajectory and, as importantly, the future it faces on the eve of implementing the sweeping judicial reforms it approved in 2016. At present, the gap between Albania and Central European countries in terms of rule of law has increased further. Now that EU's borders have come closer to Albania, one can only hope that EU's pressure and interest will increase to serve as a conditioning mechanism to affect positive change in the field of the rule of law.

About the author

Gentian Elezi is a lecturer at the University of Tirana, Albania and the Executive Director of Agenda Institute. He obtained his PhD at the University of Sussex, United Kingdom, where he also did his Master studies in European Politics. Dr Elezi has a wide experience in public policy analysis, both as an academic and practitioner. From 2013 to 2016 he served as Deputy Minister for European Integration in the Albanian government and during 2009-2013 he directed the Albanian Centre for Competitiveness and International Trade; one of the most reputable think-tanks in the field of economic policies.

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Ethno Bureaucratic Patrimonialism: The Political Regime of Bosnia-Herzegovina

—— **Igor Stipic[1]** ————————————————————

Abstract

This article, by following theories of informal institutionalization and not of democratic consolidation, aims at conceptualizing the existing post-Dayton or post-transitional political regime in Bosnia-Herzegovina (BH). The study applies a structural approach to regime building, identifying the set of institutionalized rules structuring the interaction of the political power center and its relation with the broader society. The first part of the article explains the specificities of both first and second transition in BH and identifies its main actors, thus setting the conditions for posterior analysis. The second part of the article elaborates on the existence of ethno-national hegemony in BH socio-political space, and examines the importance of bureaucratic office and its patrimonialization for the structuring of what we define as Ethno Bureaucratic Patrimonialism (EBP). Towards the end, the analysis is completed through inclusion of both possibilities and realities of civil society development inside of this informally institutionalized regime whose most palpable characteristic is the inexistence of a protective state and the arbitrary rule of power.

Keywords: *Bosnia-Herzegovina, Ethno Bureaucratic Patrimonialism (EBP), Informal Institutionalization, Democratic Consolidation, Ideological Hegemony, Civil Society.*

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Dugotrajno robovanje i rđava uprava mogu toliko zbuniti i unakaziti shvatanje jednog naroda da zdrav razum i prav sud u njemu otančaju i oslabe, da se potpuno izvitopere. Takav poremećen narod ne može više da razlikuje ne samo dobro od zla u svetu oko sebe nego ni svoju vlastitu korist od očigledne štete.

Lingering servitude and bad governance can confound and disfigure the understanding of one people to such a degree that its common sense and right judgement turn thinner and weaker, to the extent that they become completely distorted. Such disordered populace can no longer distinguish neither the good from the evil in its world nor its own benefit from an obvious detriment.

Ivo Andric, Znakovi pored puta (eng. Signs along the road)

(Quote translated by: Marija Ivanovic)

Introduction

With the fall of the Berlin Wall, collapse of the Soviet Union, twilight of the communist regimes in Eastern Europe, democratic upsurges in authoritarian Yugoslavia, and the retreat of military dictatorships in Latin America – marking the Huntington's third way of democratization, studies of democracy and transitology would acquire a prominent place in the field of political science. The dominant interpretation of the time, representing some sort of "manifest destiny" for transitional regimes, and well captured by Fukuyama's claim of "the end of history", assumed unquestionably that soon the world will be populated only by democracies. More precisely, each and every new polyarchy supposedly faced inevitable future democratic consolidation due to the widely held belief that democracy could everywhere become "routinized and deeply internalized in social, institutional, and even psychological life" (Linz and Stepan 1996: 15), thus acquiring the status of "the only game in town" (Przeworski 1986).

Nevertheless, this initial enthusiasm, upon facing innumerable obstacles and witnessing the existence of various paths to democratization, would meet serious challenges. In this sense, the new born democracies, although formally democratic regimes, came to assume life of their own, diverging from the prescribed ideal. Besides, as these unconsolidated democracies have, against all odds, endured over time, new type of hybrid regimes, neither easily identifiable as democratic nor authoritarian, has emerged on the scene. At this point, the theoretical framework of democratic consolidation, for being essentially inspired in the western models of democratic regime functioning, proved unable to account for the reality of "arrested development" prevailing in vast number of recently democratized societies, whose political, socio-cultural and historical context is alien to that found in the models of the northwestern world. Thus, by simply asserting how they "are incomplete

and are not managing to consolidate" (O'Donnell 1996: 70), political scientist proved unable to properly conceptualize specificities of these democracies, leading us towards theoretical limbo. In the light of such conclusions, already by the early 1990s Guillermo O'Donnell signaled a change of theoretical course, and has in his vivid essay "Illusions About Consolidation" (1996) advocated a "complete rethinking of the dynamics of post-authoritarian regimes by avoiding the usage of 'flat' theories of democratization and accepting how these may institutionalize in "ways we dislike and often overlook" (O'Donnell 1996: 70).

Most specifically, slowly but surely academics have come to accept that in many of these polyarchies, particularism and informal institutionalization coexist in a very specific relationship with formal institutions and rules. In this sense, it turns out that many of unconsolidated democracies do not lack institutionalization, but our fixation on complex and highly formalized organizations impedes us to see other extremely important, but many times covered institutions (O'Donnell 1996). Therefore, these parallel and competing informal rules and practices can, and many times do, become more powerful than the formally declared ones, having thus a high potential to become the real norms. For example, focusing simply and exclusively on the formal rules of the game called democracy seriously constrains our understanding of specific executive-legislative relations in Latin America, or many neo-patrimonial norms that took hold in various Eastern and South-Eastern European countries. In many of these cases, informal institutions, ranging from corruption, clientelism, patrimonialism or any other particularism, have an overwhelming effect on the functioning of political regimes. In this sense, using only formal indicators has the tendency to force political scientists to solely concentrate on one equilibrium, even when in fact there may be many. Therefore, if the formal "rules of the game" that structure political life coexist with, or are subverted by the informal "rules of the game", then a comprehensive regime analysis requires both sets of these rules to be considered (O'Donnell 1996).

Consequently, we can argue that the process of consolidation of democracy can have two end results. One is the establishment of the model type of democracy, while the other is the institutionalization of a particularistic regime. If this is valid, then instead of going about the consolidated democracies, we could investigate distinct possibilities of regime consolidation-institutionalization. Therefore, we could ask what type of regime, if not the northwestern type of democracy, did get consolidated in a particular country. Also, if we conclude how democratic values were not cultivated, learned, or even deeply institutionalized, we should additionally ask what kind of values did get institutionalized.

Following the previously presented, this article, by using techniques of informal institutionalization, aims at conceptualizing the existing post-Dayton or post-transitional political regime in Bosnia-Herzegovina (BH). Most of the studies

done so far have simply claimed that BH represents unconsolidated democracy or a hybrid regime. However, such findings do not get us any further than reiterating what this regime is not – a well behaving copy of an idealized theoretical model. This study aims to investigate particularistic and informal mechanisms that have been institutionalized in the political regime of BH. We believe how these informal institutions make this regime, regardless of how improbable such claim may seem in the light of its externally perceived instability, highly resistant to any kind of metamorphosis. BH political regime, that we define as "Ethno Bureaucratic Patrimonialism"[2] (EBP) is, despite all disastrous results it has produced over the last 25 years, very well anchored in the deep tissue of the society it hosts and with whom it constructs its existence.

Theoretical framework

Following O'Donnell (1994: 3), "an institution is a regularized pattern of interaction that is known, practiced, and accepted (if not necessarily normatively approved) by actors who expect to continue interacting under the rules sanctioned and backed by this pattern". Both types of institutions, formal and informal, act as rules and procedures that structure social interaction of certain political regime by constraining and enabling actors' behavior. In this sense, institution may be defined as "the society's rules of the game" (North 1990). However, while formal institutions are openly codified in constitutional framework and official functioning of a political regime, informal institutions are less clearly identifiable. More specifically, informal institutions as socially shared rules, are usually unwritten, and are created, communicated, and enforced outside of officially sanctioned channels (Helmke and Levitsky 2004: 727).

In many polyarchies, formal institutions are unable to guarantee the order for which they were created and rather "a discrepancy between the behavioral norms of formal institutions and the actual behavior of individuals" is observed (Helmke and

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[2]   Ethno Bureaucratic Patrimonialism (EBP) is the term we use to define as a type of political regime established inside of territorial borders of Bosnia-Herzegovina during what is normally considered as second transition to democracy. In this sense, Ethno Bureaucratic Patrimonialism is a type of political regime inside of which political behavior of people is overdetermined by: 1) the absolute hegemony of ethno-national objectivity of the social world and 2) absolute patrimonialization of the bureaucratic public office, which is the main employer in the economy. While ethno-national hegemony leads to conversion of what are supposed to be citizens into politically instrumentalized subjects, ensuring absolute monopoly of ethno-national parties over the political life; patrimonialization of the public office, leading to the patrimonialization of the state itself, has the power to discipline citizens in such a way that it turns an impersonal relationship between independent voters and politicians, into a disciplined relationship between patrons and their clients. The exercise of political power, derived nominally from the people, turns in such environment entirely discretionary, as rules and limits are imposed directly by the political administrators.

Levitsky 2004). Thus, many outcomes that may be of interest to institutionalists are not adequately explained by formal institutional design, and many of the 'rules of the game' guiding political behavior are not found in the formal rules (Helmke & Levitsky 2004). Instead, informal constraints shape more often actors' incentives in systematic and robust ways. "One can define this situation negatively, emphasizing the lack of concordance between the formal rules and the observed behavior; but, as anthropologist have known it since long ago, this does not substitute the study of the rules observed in reality; neither does it authorize the supposition that there is a certain tendency towards the increasing respect of the formal rules" (O'Donnell 1996: 78). Thus, "when informal rules are widely diffused and have deep roots it can be said that these rules (rather than the formal ones) are highly institutionalized" (O'Donnell 1996: 78). In such ambient these informalities, rather than formalities, become the real norms of political (regime) functioning.

Furthermore, the main problem with "traditional" approaches to democratic transformations is the uncritical application of universalism – one conducive to vertical and horizontal forms of accountability - to all types of polyarchies (Munck 1996). Quite on the contrary, in many polyarchies that we examine and consider, particularistic motives, and not universalist orientations of public welfare and benefit, are the real guides to individuals that perform functions in political and state institutions (O'Donnell 1996). Besides, these particularistic elements, even if foreign to theories of democratic consolidation, are overwhelmingly found in informally institutionalized polyarchies.

Moreover, even if this work may occasionally refer to some type of cultural-particularistic characteristics of a polyarchy, we are strongly against culturally deterministic treatments of a political regime. Rather, the fact that "political experience and the quality of governance have such large autonomous effects on the way citizens think, believe, and behave politically" (Diamond 1999: 162) has led us to take a system-deterministic (structural) approach. This approach takes into account the interplay of all relevant actors under the structures created by them. "As the three decades of research since the publication of The Civic Culture have shown - the cognitive, attitudinal, and evaluation dimensions of political culture are firmly "plastic" and can change quite dramatically in response to regime performance, historical experience, and political socialization" (Almond 1990: 144).

Nevertheless, we do not consider how the complete construction of political regime can simply be analyzed through the prism of dominant actors that format it. Rather, a thorough understanding of political regime has to involve set of social interactions that are established inside of it, allowing us to comprehend the type of relations that exist between the state and society at large. After all, "the political regime itself is the expression of social processes, pointing at the interconnectedness of politics with various other types of human social activity" (Pasic 1976: 22).

Still, even if the society is never a mere observer it still does not hold the same power in every context. Thus, acknowledging the importance of the relative weight of actors (both ruling and societal) cannot be avoided, because the specific normative preferences of mayor actors in some political regimes, especially in predominantly informally institutionalized ones, have significant effect on the regime institutionalization. In this sense, "a political regime is thereby designated to be an institutionalized set of fundamental formal and informal rules structuring the interaction in the political power center (horizontal relation) and its relation with the broader society" (Skaaning 2006: 13)

Following the established theoretical framework, we assert how the polyarchy of Bosnia-Herzegovina is highly informally institutionalized political regime. Therefore, the citizens of BH, situated in this new regime dynamics (BH after the collapse of Yugoslavia), even if just as rational as citizens of other 'consolidated polyarchies', adapt to the specific real conditions, both physical and sociological, that mark BH political landscape. Also, they submit to informal institutions that govern them, thus developing a particularistic rationality in accordance to the society's rules of the game. This particularism, which may be defined as anomaly or defect by some, through the passage of time and subsequent rooting (25 years since the Dayton Agreement) turns into a process of cultural learning, in which both elites and society become accustomed to its norms and values. Consequently, and due to the process of mere habituation, the sanctifying power of tradition and custom evolves, converting the EBP (Ethno Bureaucratic Patrimonialism) into a "normal state of matters" (Weber 1978).

To sum up, if we accept that institutions in general are regularized patterns of interaction that are known, practiced and regularly accepted by social agents, we have to recognize that these institutions can, but not necessarily, become embodied in buildings, procedures or codified laws. Unlike formal institutions which are openly and officially known and codified in, "informal institutions constitute vehicles through which influence is exercised on the democratic functioning of a polity, beyond the channels of participation provided by the formal institutions of government. "To be considered an informal institution, a behavioral regularity must respond to an established rule or guideline, the violation of which generates some kind of external sanction" (Helmke and Levitsky 2004: 727). All countries have varying degrees of influence exercised by informal institutions, as well as a mix of different types, but not all of them are characterized by such pervasive influence of informal rules and irrelevance of formal ones. In certain polyarchies, that usually lack the same or similar type of socio-cultural or socio-economic conditions that characterized the 'old polyarchies', the institutionalization of existing and practiced codes of social and political behavior is, exactly due to specificities of socio-cultural context, many times structured in ways unaccountable by theories of

formal institutionalization. Thus, political and social behavior in many cases comes to be more strongly determined by existing socially embedded rules of behavior, rather than by the rules codified in written laws or constitutions. In these cases, we seem to observe that informal rules of behavior are actually more institutionalized among the populous than the formal rules, simply due to the fact that they are the ones that are widely spread and more determinant for actors when undertaking behavior. In other words, even if created and communicated outside of officially sanctioned channels, this does not change the fact that they are nevertheless widely enforced, actually much more than the formal rules.

Therefore, scholars who fail to consider these informal rules of the game upon studying certain polyarchies are at risk of being unable to adequately explain politics and social systems that are objects of their research. In this sense, studying Bosnia-Herzegovina by analyzing the work of its formal institutions does not go any further than asserting what this polis is not. By now, academics have demonstrated time and again how this country is unconsolidated democracy, meaning that formal rules of democratic functioning do not serve the purpose they should, meaning that political conflicts and political behavior will be hardly influenced by such channels. Thus, stories of unconsolidated democratic institutions do not in many ways explain us how is the political behavior actually structured in this society, because as we shell know, the rules, even if unwritten, exist, and as such they do influence political behavior of this polis and they produce certain outcomes.

For such reasons, we take the case of Bosnia-Herzegovina and examine it through the lenses of informal institutionalization, taking a societal structural approach, trying to establish a model which could explain political outcomes this regime has been producing for the first two decades of its existence. Especially since we are dealing with regime that has not significantly changed for such a long period of time (since 1995), we believe that it should be about the time to quit saying how it is not managing to consolidate, since such affirmations seem rather inappropriate by now, as they say almost nothing about the real behavior we observer, or about the social, that is unwritten, rules that dominantly structure the behavior of actors in this polis.

Methodology

Collection of primary data: I will be looking at news stories in order to find the necessary documents that reveal corruption practices in Bosnia-Herzegovina, considered to be deeply embedded in the functioning of the society and its implication for the structure of political regime. Furthermore, I will be looking at data available from international organizations (Transparency International, World

Bank, United Nations, and Open Society Fund) to understand certain aspects of functioning of economy, promotion of certain political policies in education, and the official fata collected on the importance of corruption for the functioning of this polyarchy.

Analysis of political discourse: I will be looking at publicly available speeches of party leaders and other influential politicians, during the time span between September 1 of 2016 and January 1 of 2017, in order to provide us with a better understanding of construction of narratives that aim at disintegration of society, promotion of particular views of social reality and protection of the status quo in the country.

Two Transitions: from Communist Yugoslavia to Dayton "Democratic" Bosnia-Herzegovina, and a detour from the path of Democratic Consolidation[3]

Bosnia and Herzegovina (BH) as we know it today, was established in 1995 by the Dayton General Framework Agreement for Peace (GFAP), drafted in American military base of North Peterson Ohio and signed in Paris. Annex 4 of GFAP represents the Constitution of BH, and as such provides a legal framework of this country. The constitution, ironically written in English only, attributes great role to the international community (IC), making BH into some kind of semi-protectorate of great powers. In this sense, the highest authority in the country does not belong to any locally elected official but to the Office of the High Representative (OHR). Virtually unaccountable to BH citizens, the High Representative (HR), appointed by the IC Steering Board and endorsed by the UN Security Council, holds wide powers and is virtually the highest legislative and executive level in the country (Sali-Terzic 2006). Thus, as it was established by the Dayton Peace Agreement (DPA), BH is undeniably a product of "political engineering" of international community (IC), or more specifically of a foreign policy mind of the United States at the time (Curak 2016). As such, IC (generally the United States at first, later to be replaced by the European Union) appears as the most significant actor shaping the system from the outside during both first and second transition.

Additionally, and probably as a result of perplexities of 'the Bosnian problem' and difficulties to fully comprehend this war torn country, IC (being the main transitional actor) accepted the warlords (the ethno-national elites) as the only legitimate partners in the processes of war-ending, peacemaking and democracy building. In this way, the IC effectively bestowed upon them the role of the main

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[3] Transitologists usually consider two transitions: while first transition implies a shift from authoritarian regime towards officially democratic system, second transition implies a movement from new democratic regime towards consolidated democracy.

internal actors. As such, the constitutional act of BH statehood, highly determined by realpolitik and war-like approach, essentially institutionalized the results of war. This initial mistake of the IC would have serious and overwhelming consequences for the posterior institutionalization of Ethno Bureaucratic Patrimonialism (EBP) in BH. Besides, it is important to have in mind that while the impact of internal actors (ethno-national elites) would be overwhelming for the interior structuring of the political regime, their power would always (during both first and second transition) have to correspond to enabling or restricting of the IC.

Moreover, if we consider the concept of modes of transition (Mainwaring 1989) we can assert that first transition in BH was simply initiated and concluded by the act of war. Therefore, Dayton BH is a war product, imagined by war, and conditioned by its result (Curak 2016). No matter whether we do one or one thousand researches on the process of the second transition towards consolidated democracy, we would not reach any significant conclusions, simply because this type of second transition was never in plans of the main actors established by the DPA itself.

Besides, considering the degree of control over both transitions (Juan Linz 1990) we can affirm how the warring elites together with the IC had complete domination over these two processes. In this sense, constitution of BH does not represent a constitutional act of BH demos (Sarcevic 2008: 155). Rather, by following Lijphart's consociational model of democracy (2004) Dayton BH is by definition itself a government of elite cartel. This specific type of transition would have overreaching influence on the future regime construction to be undertaken in BH, especially for the reason that the society was left at the outskirts of politics from the start.

Furthermore, BH transition has to be considered with special lenses because of the assertion that "in the periods of extreme uncertainty, politics becomes less constrained by structural factors than is normally the case, and actors and their choices matter much more" (O'Donnell and Schmitter 1986: 19). Having in mind how in BH both first and second transition took place in war or post-war setting, the importance of the elites turns underlining for posterior regime construction. As such, the most palpable result of DPA with regards to de-escalation of the crisis in BH was a ceasefire. In this sense, DPA brought peace to BH only if we define peace as the absence of war (Curak 2016).

Moreover, and in order to assure their complete control over the political space in the time to come, ethno-national elites would make sure that crisis becomes a perpetual characteristic of BH socio-political landscape. Thus, rather than concentrating on the healing process of society in the post-war period, the political elites did quite the contrary. The deep fears and war traumas, resulting from the war, are constantly re-incepted in the collective consciousness through perpetual

propagation of ethno-national symbols inside of the socio-cultural space. In this sense, repeated calls for referendum for Republic of Srpska's (RS) national day or its separation from BH, unitary visions of the country coming from the Bosniak elite, or reenactment of Herzeg-Bosnia and the establishment of the third entity from the Croat side are the essence of such 'civil wars of memory'. Regardless of the hopes some may cherish, this crisis is unlikely to come to its end because "if by some miracle, all national interests would be solved, the existence of three ethno-political parties in Bosnia-Herzegovina would become senseless" (Mujkic 2006: 74).

Besides, IC has itself also played a role in this crisis maintenance mode. Lacking a promising meta-narrative for BH (i.e. the return to Europe of the Eastern Bloc), it has always favored security over developmental dilemma in its approach to "the Bosnian Problem". Thus, any involvement of international actors in BH would focus its attention towards the avoidance of major crisis. Anything that falls short of this terrible scenario would not deserve any serious attention of international actors, which have thus accepted the narrative of perpetual political crisis in BH as a normal state of affairs. The recent reaction of OHR, United State of America (USA) or the European Union (EU) with respect to clearly anti-constitutional (thus anti-DPA) referendum of the entity of RS is also very explanatory. The current HR, Mr. Valentin Inzko, while commenting the unconstitutional referendum in RS, had declared an act that in other countries could be considered as coup d'état as only "illogical" (Dizdarevic 2016). In this sense, the international community declared the constitutional crisis produced by this event as relatively satisfactory, as the 'threat of war' was successfully avoided.

Furthermore, and now considering especially the second transition, the one supposedly leading towards consolidated democracy, we affirm that the main constructor of BH, namely the IC did not (throughout the years) do enough to put the country on the right path of democracy building. Overall, OHR did not show necessary decisiveness in the establishment of basic democratic institutions and procedures, thus unclearly defining rules of the political game (Mujkic 2006) and leaving space for undemocratic interpretations. Such involvement essentially equalized the process of mere electoralism as the most important feature of democracy. Besides, international involvement in BH, especially during second transition, would further decline as the attention of the USA would move to other more problematic regions, especially after the 9/11. The primacy of the USA was replaced by that of the EU which, for lacking a "stick" in its foreign policy did not find an appropriate way to deal with BH political elites. Consequently, taking into account how the elite political culture is crucial to democratic consolidation, without whose real commitment democracy cannot work, previously mentioned developments have undoubtedly resulted in a detour on BH road towards democratic consolidation.

Last but not the least, and due to the actions of the main actors, one of the major results of the transitional processes is the inexistence of State in Bosnia-Herzegovina. Essentially, even if "many state institutions are there, created either through consensus of local powers or by imposition of international representatives, few of them embody the authority and functionality sufficient to secure the well-being of the nascent Bosnian democracy" (Sarajlic 2011: 10). Due to the great difference between de jure and de facto, the prevailing system is based on the arbitrary use of power. In such setting, law and order cease to exist, and chaos, mess and violence begin their reign. Besides, due to the lack of functional formalities, political power and social influence remain deeply rooted in informal institutional design. This converts the alternative channels of influence into the most important feature of Bosnian-Herzegovinian political regime.

Thus, in such a system it is rather absurd to even think about political accountability. In this sense, upon being defied recently by the BH Constitutional Court for going along with the prohibited referendum, President of RS entity, Milorad Dodik, declared how "The Constitutional Court can hang its decision on a cats' tail" (Dizdarevic 2016). Unsurprisingly, he was right indeed, and the Constitutional Court was not been able to bring him in for hearing. Once again, and as Mr. Dodik likes to repeat in his interviews, he effectively is the main baja (meaning the main guy, who when enters the room makes everyone stop and stand up) of this regime (TV1 2016). To make the outlook just a bit worse we should note how Mr. Dodik's case is more rule than an exception, as in BH 91 decisions of the Constitutional Court were not respected, which says enough about the rule of law in this polyarchy (Klix 2015).

Ethno-national ideological hegemony and domination of imagination

At the onset of the new regime, the new leaders - its main actors, for facing few or no impediments to their unrestrained rule, and abusing of ambiguity of DPA itself and due to the ambivalent approach of the IC, have in Gramsci's terms (2001) effectively created the ideological hegemony of ethnic discourse in BH. The concept of hegemony states that man is not ruled by force alone, but also by ideas. Thus, through hegemony political leadership is based on the consent of the led – the population, a consent that is "secured by the diffusion and popularization of the world view of the ruling class", which converts its interests in the interests of society at large (Gramsci 2001: 19). According to Althusser (1984: 20), unlike the Repressive State Apparatus (RPA) which functions by violence, the Ideological State Apparatus (ISA) functions by ideology. It includes many apparatuses, from

religious, educational, political, and cultural and media institutions, which even if diverse, function in fact unified "beneath the ruling ideology, which is the ideology of 'the ruling class". Here, ideology is the system of ideas and representations, which dominate the mind of a man or a social group (Althusser 1984: 32). Without the ideological hegemony, the ruling class would face greater constraints to its rule, because it is only through the domination made possible by the ISA that particular ideology becomes the ruling ideology. In this sense, when thinking about BH and its ethnic complexities, rather than following the well-known paradigm of deep ancient hatreds and trans-historical conflicts, we should consider ethnicity in terms of practical categories, cognitive schemas, discursive frameworks, organizational routines or political projects (Brubaker 2002). Therefore, it is important to reiterate how ideology is a perspective of a specific social group, implying certain political goals. As such it does not represent "the system of the real relations which govern the existence of individuals, but the imaginary relation of those individuals to the real conditions in which they live" (Althusser 1984: 39). Thus, by producing political subjects, ideological hegemony also modifies, in accordance with some political goals, the conception of the world of those subjects, revealing its ability to "enslave the minds of others through domination of their imagination" (Althusser 1984: 37).

Furthermore, as Marx said, every child knows that a social formation that does not reproduce the conditions of production at the same time as it produces would not last a year (Marx 1868: 209). In BH case, reproduction of conditions of production primarily implies the crisis maintenance through the "civil wars of memory". Thus, every political game in BH is deliberately interpreted, by the ISA as a zero-sum game (Mujkic 2007) between the existing ethnic groups. In this sense, the dominant BH political discourse creates a narrative that constitutes and organizes social relations according to the wishes of the ruling class, that is, by superimposing an ethnic issue to other more existential ones.

In this way, Mladen Bosic, president of SDS (Serbian Democratic Party), unsurprisingly commented on the decision of the Constitutional Court to forbid the RS referendum to be "in accordance with the practice of making decision against the Serbian people" (Nezavisne Novine 2016). Also, and in the good fashion of this ethno-political discourse, Dragan Covic, President of the HDZ (Croatian Democratic Community), and the Croat member of the Presidency of BH, declared how "since 2000 there is an idea to extinct Croats from the BH territory" (Bljesak 2016). With such reproduction of conditions of production (conflict between the three ethnic groups), the main national parties (SNSD, HDZ and SDA) monopolize the role of the only true representative and protector of "its" constituent peoples (Serbs, Croats, Bosniaks). Thus, every question, even when completely unrelated to national issue (i.e. BH National Census of 2013),

is somehow related to it. As such, it is suddenly turned into a concern of life or death where one ethnic group either wins or loses, and by which the survival or extinction of "our own" species is decided, thus increasing the perceived potential for conflict and gathering people in defense around the national parties.

Furthermore, ethno-nationalist ideological hegemony is additionally strengthened through the other ISAs, especially those of intellectual thought, education and religion, which, by feeding citizens with daily doses of nationalism, chauvinism, xenophobia, moralism, hatred etc. injects them a necessary dose of the EBP "know-how" (Althusser 1984). Probably the most absurd example of this practice is the attempt of ethno-linguistic-intellectuals to make Bosnian, Serbian and Croatian languages, which literally contain fewer differences than various Italian dialects or many versions of Spanish in Latin America, strictly differentiated and "unintelligible" to one another.

In the same fashion, main ethno-national parties control large part of the print media in BH, whose purpose is then reduced to paying lip service to the defense of ethno-national truths, leaving little or no space to other interpretations (Perisic 2010). Likewise, the official history imposed by the ruling class is rather ideological, and as such many times contains no historical but rather trans-historical "truths", and other types of myths. For example, President of RS personally ordered the publication of "History of RS" from the University of Banja Luka, which rather than containing real history of Serbs inside of BH historical context, is strictly concentrated on the "historical strives of Serbian people in BH" (Susnica 2016). However, and as Mujkic (2006a) notes, the specific micro identities of Bosnian Serbs and Croats can only make sense inside of a history of BH and not inside of official histories of neighboring countries of Serbia and Croatia, which are generally the ones thought to ethnic Croats and Serbs in Bosnia-Herzegovina.

Moreover, the ISA has, through the complete control it exercises over the educational system, for being this in most of the cases the very first institution a child interacts with, enormous power of socialization of its future citizens. As it is understood, schoolbooks that are used in the national educational programs, serve the function of becoming the cultural role models for future citizens of a particular regime (Bogdanic 2009). Especially in societies that are fighting with divisions and inter-group tensions, education is a powerful potential source of both integrationist and dis-integrationist forces. In the case of BH, we can without a doubt claim how an educational separatism exists. Thus, all children in EBP study under three different educational programs. If by some 'mistake', the school is attended by children from different ethnic groups, these are kept separate from each other by being placed in different shifts, in the infamous EBP invention of "two schools under one roof". Unsurprisingly, research "Education in BiH: What do we teach the children?" (Fond otvoreno drustvo 2007), has demonstrated that the school

books of national groups of subjects (history, religion, language, geography) are "equally directed at promoting one people, one part of the country, one religion, one cultural heritage, this being the one to which the majority of population on a particular territory on which the books are used belongs" (Fond otvoreno drustvo 2007: 178-179).

Last but not the least, Catholicism, Islam and Orthodoxy, three dominant monotheistic religions in the county, which are also the main source of differences between the existing ethnic groups, and a 'hallmark of nationhood in the Balkans', are misused, with or without the approval of the religious leaders, to emphasize clear borders and "enormous" differences that exist between the Croats, Bosniaks and Serbs (Abazović 2006).

In this way, ethno-political ISAs have overwhelming influence in creation of Homo Daytonous, who, rather than being a fully-fledged citizen, is converted into a strictly ethno-national subject instrumentalized for political goals. In this end, it is the ideological hegemony enforced through the ISA that interprets for the subject its relation to the "real" conditions of existence, providing an imagined causality by distorting subjects perception of reality. Thus, contaminated by ethno-nationalist ideology, Homo Daytonous is incapable to recognize this as an imposed condition, but rather assumes it as something natural, submitting himself unconditionally to its logic. For being formed in this specific cultural, social and political ambient is rationally irrational when he votes for his "true representative". This kind of Domination (in Weberian terms) can be defined as traditionalist authority, as it is based on the creation of the system of inviolable norms that are considered sacred; an infraction of which (i.e. distancing yourself from the nationalist discourse) could result in magical evils (i.e. the extinction of ethno species).

Bureaucratic patrimonialism in BH

To fully understand the functioning of the EBP, we need to identify the sources of its material support. The Dayton constitutionalism, besides constructing an ethnically minded country, also hyper-institutionalized it. BH has fourteen governments, the same number of parliaments, and 260 ministries (Mikulic 2010). Depending on different projections, it is affirmed how 55-65% of total BH GDP is spent on financing this incredible bureaucratic machinery, standing this figure in "normal" countries around 10% only (Zelenika 2010). In this sense, BH of today has the biggest and most complex bureaucratic structure not only in Europe but in the whole world as well. This information inevitably leads us to conclusion that Dayton BH as such exists significantly due to permanent bureaucratization as means of extorting material support for regime construction, making of bureaucratic office

the main motor of the economy and consequently the main employer. Out of total number of about 720.000 people working in BH, around 240.000 of them are employed in institutions, firms and agencies in state ownership (BHAS 2016). Being the next main employer, the agricultural sector, and considering the reality of high interconnectivity of private sector with the public one, there is little space for autonomous economic entrepreneurship inside of EBP. Additionally, the fact that the unemployment level in BH stands at around 45%, youth unemployment being at 60% (UNDP 2016; World Bank 2016), only increases this already exacerbated importance of this type of employment in the total economy.

Moreover, this hyper-bureaucratization of BH, once paired with the inexistence of the State, the importance of arbitrary power, and monopolistic rule of national parties that continuously operate outside of the formally institutionalized order and essentially control the public sector, opens up space for patrimonialization of the bureaucratic machinery and thus patrionialization of the State itself. The bureaucratic office of the State as such does not serve the impersonal interest, which is the imaginary being of the State, but rather the actors who expropriate this office. Following Weber (1978) we can note how the type of bureaucratic office that prevails in BH "lacks above all the bureaucratic separation of the "private" and the "official" sphere" (Weber 1978: 1028-1031). Consequently, political administrators treat the public office and the State itself as part of their personal property and, being all positions in this sector filled by party appointments, the duty of office is transformed from signifying interpersonal bond with the State into signifying a strictly personal relationship between patron and client. In this sense, selection of officials is based solely on personal trust and loyalty, making the material power of employability one of the main methods of political influence, converting the notion of the physical whip used for the control of slaves into a wage whip controlling the populous. Report of Transparency International (2016), very affirmative of declarations made here, states how in BH party membership and family connections are the key factors in obtaining employment and how education virtually plays no role. Consequently, research also affirms how public institutions are essentially transformed into family firms. Besides, clientelism and nepotism are due to private control of judiciary quasi-legalized. In this sense, legal institutions, which in theory belong to the imaginary being of the State, in BH reality, are extended hand of the political parties.

Moreover, people of BH are conscious of this situation and they, due to their functionality, consequently internalize these "values". Thus, following the EBP logic, a great part of citizens will come to accept theft, corruption, bribes, clientelism or crime as not only profitable, but also desirable personal traits. In such system being capable obtains a completely inverted meaning, and it simply signifies the capacity to cheat and steal from others. In a survey done by UNDP (2009) 95% of

respondents say that having personal connections is always, or sometimes, useful for gaining access to basic social services, and 85% of them consider personal connections as the only way to get a job. In 2015, 27% of BH citizens were in a situation to bribe one of the public servants (Transparency International, 2016). Also, more than 50% of them declared how it is socially unacceptable to declare corruption, due mainly to fear of arbitrary power (33%) or for believing how this will produce no effect (20%). In the same way, many of BH citizens decide to vote for certain politicians, not because they think how these offer the best political program, since in reality BH political parties do not have any particular programs, but rather to try securing their employment. In the case that they choose the "wrong" candidate they may be punished for lack of loyalty. Such practice is not uncommon for EBP, as in 2016 municipal elections the main party of ethnic Serbs (SNSD) openly sent text messages to citizens saying how "our observers have noted that you have not shown up at the voting boots so far", thus simply sending them the heads up (Buka 2016). Therefore, and due to the reasons described in this article, in BH we have a reversed meaning of public government, in a sense that rule is not done for the people, but upon them.

In this sense, the bureaucratic-patrimonial aspect of BH political regime has the power to discipline the population, as it produces the likelihood, on the basis of an ingrained attitude, that a command will find prompt, automatic, and blind obedience among a specific group of people (Weber 1978: 1020- 1022). As such, one of the main sayings in Dayton BH turns out to be "Either submissive or stupid", reinforcing once again the rooting of authoritarian-minded political culture, inside of which a strong distaste for criticism of any type of authority is widely ingrained. In such regime, it is maybe not so irrational to observe BH citizens repeatedly choosing politicians that have enriched themselves through expropriation of State resources and other crimes for their representatives.

Civil Society inside of EBP dynamics

The sole concept of civil society, developed as an essential consequence of historical processes that occurred in Europe, is based on the premise that formal democracy on its own is not sufficient to ensure the democratization of society (Diamond 1999). In this sense, civil society emerges as a space between the State and the market, which by its action pressures the State structures from "below", forcing the corrections of its imperfections.

However, the idealized version of the concept, one that tends to emphasize its civility (meaning something carrying positive and progressive connotations), fails to comprehend the very distinct and particularistic evolutionary realities

of state-society relations in non-western parts of the world. As such, it many times fails to consider the effects that this particularistic socio-cultural realities may have for development of "civil" society in certain parts of the world. Thus, the concept of civil society should comprehend the totality of social processes that form state-society relations and constitute the essence of socio-political construction of the state. In this sense, the notion of civility does not have to be unquestionably attributed to any "civil" society. For such reasons, we decide to place emphasis on society as a whole in the particular regime we are dealing with, as we believe this perspective to be more fructiferous for analysis of BH realities.

Therefore, in order to understand the construction of (civil) society in BH it is indispensable to place its development in historical, socio-cultural, socio-economic and socio-political context. In this sense, historical legacy of undemocratic regimes that prevailed on the territory of current BH, have resulted in a specific type of historically structured learning, gaving little experience of democratic character to this socio-cultural space. Besides, the particularistic type of BH transition to "democracy", essentially completed through very undemocratic means and fought for nationalistic and not democratic ideals, did not clearly imply a change of previously mentioned historical direction. Such type of transition did not necessarily bring about posterior societal development conducive to democratic values.

Rather, developed in an environment of existential crisis, it only reinforced the importance of the main actors, thus leaving the society at the outskirts of post-transitional politics. In this new context, ethno-national "liberators", passing on the dominant values of their "class", simply changed one dominant ideology (communism) with another (ethno-nationalism). Both of these ideologies, for being rather absolutist and authoritarian, and certainly not democratic, stand far from the ideal implied by the pluralistic liberal notions conducive to healthy development of civil society. In this sense, the dominant political culture passed on from the elites to society at large, well consolidated through the domination of ethno-nationalist ideological hegemony, has resulted in a creation of a sociocultural context in which ideal civil democratic virtues were replaced by predominantly ethno-national ones. Consequently, the core value of BH identity, evident in the presence of nationalism for example, could be characterized as "Odii ergo sum" (I hate, therefore I am). Here, the trait of aggressive collectivism has emerged as one of the main characteristics defining post-transitional BH society which, by excluding any possibility of unity in difference and by imposing uniformity is one of violent kind (Babic 2012). In this sense, "the most tragic result is that such collectivism produced collective hate in BH" (Babic 2012), as it consequently resulted in "de-civilization of civil society".

Moreover, in this socio-cultural environment where "reality" is generally interpreted through the prism established by the ruling class, prevailing anger and dissatisfaction of BH populous, produced as a result of unfavorable conditions dominating this dysfunctional country, rather than being directed towards the national representatives, are projected in anger towards other ethnic groups that supposedly "do not want our State to function". In this sense, the 2014 demonstrations (the most important in the history of Dayton BH), even if coming as a result of conditions equally shared by all constitutive communities, have found serious impediments to cross the inter-ethnic lines, as the dominant ethno-narrative successfully characterized them as an unitarist Bosniak-Muslim movement.

Moreover, the ethno-national domination of "civil" society's imagination is also reinforced through the patrimonial aspect of this regime. As such, ethno-national values, having the tendency to be rather divisive, are well embedded in the functioning of many CSOs (Civil Society Organizations) that call themselves independent. Thus, through the material support available to them in form of the highly-bureaucratized state, the ruling elites reinforce, now in a more elaborate way, the propagation of the most desirable values - promoting conflict rather than cooperation. In this sense, local governments arbitrarily fund organizations that are loyal to their cause, being most of the money awarded to organizations generally lacking civil culture in the Balkans, like sport organizations (34.3 percent) and associations originating from the civil war (16.0 percent) (Papic 2016). Consequently, instead of controlling the work of the government, many of BH CSOs essentially function as ancillary organizations of the parties in power. Being directly dependent on financing from government, most lack necessary autonomy and instead forge a patron-client relationship with the ruling elites. Recent demand by the President of Student parliament of Sarajevo University (who is also a member of the youth of the main ethno-nationalist Bosniak party) is very indicative of this symbiosis that exists between the government and the "independent" CSOs. Thus, this organization, supposedly representing all students regardless of their ethnicity, religion or any kind of identity, strongly advocated for obtaining free time on Friday for performing namaz (Muslim pray). As a reaction to this, in an open letter by STAFF (Student Association of University of Philosophy) such move was criticized as serving the interests of the ruling party by appearing as an independent organization and ignoring other, more relevant issues affecting the student population (STAFF, 2016). At it can be concluded by now, in EBP of BH many "independent" CSOs simply serve as control points of ethno-national unity and ethnic divisions.

Furthermore, current economic reality of precariousness affecting the size of the middle class and the virtual inexistence of the protective State cannot be

ignored when thinking about civil society in Bosnia-Herzegovina. Most of all, a strong democratic legal state, a crucial correlate of a strong society is inexistent in the environment we consider. Also, reality of economic hardship in the real sector makes most of the citizens' struggle for everyday survival and impedes the development of the independent middle class necessary for creating spaces of free though. Rather, the only real middle class in BH is one employed in the public sector, and due to its particular relations with the ruling regime it is unlikely to offer any kind of critical thought.

Likewise, the specific type of capitalist transition underwent by Bosnia-Herzegovina, marked by the inexistence of the State and disappearance of previously existing social security, resulted in socialization that is marked by wild individualism as another underling trait of BH society (Fjodorov 2006). Here, the complete destruction of society has resulted in the creation of what Dean calls 'the survivor subject'. This subject, for having its behavior determined by pervasive fear of both present and future, and mistrust towards everyone, embodies the psychotic culture which prefers to confront the power alone (Dean, 2016). This type of individualism, resembling pure egoism, is very distinct from individualism of responsible and constructive type. Interestingly, this mistrust is now directed towards everyone, and not only towards those belonging to other ethnic groups. Thus, this ambiance of general abandonment and general lack of trust, highly felt by citizens of BH polyarchy, leads to a situation of war, where all fight against all. Consequently, an individual, feeling alone in the fields of BH Hobbesian jungle, is literally incapable of any type of meaningful cooperation. In this sense, the UNDP (2009) research that notes how the levels of social trust in BH (10%) are significantly below other regional countries (Slovenia 17%) and miles behind other more cohesive societies (Scandinavian countries stand around 60 %), clearly demonstrates the detrimental social effects that EBP has brought upon its citizens.

Consequently, and as Putnam argues (1995: 67), social capital, that produces good government insofar as it produces trust in others and facilitates "coordination and cooperation for mutual benefit", thus broadening citizens' "sense of self, developing the 'I' into 'we'" is nowhere to be found in BH. Rather, in this political regime we find something that could be defined as 'bad type of social capital'. This one, due to the rooting of mistrusts towards anyone and everyone, has effectively led to complete destruction of healthy social relations in Bosnia-Herzegovina as a whole. In this sense, even if uncountable reasons to protest cause parts of BH civil society to explode from time to time for all kinds of ad-hoc motives, its incapacity to metamorphose from disorganized mass into an organized collective makes it unable to sustain serious political pressure over time. Such social thought has the unfortunate effect to result in general apathy of population, inside of which any possibility of hope towards change is immediately discarded.

Conclusion and Recommendations

In conclusion, the case study of BH post-Yugoslav transition has challenged the supposed "manifest destiny" of transitional and post-authoritarian regimes, which was rooted in the erroneous assumption of the end of history. The case of BH showed us that the democratization process could have a number of outcomes, one of them being the establishment of a non-democratic regime. Precisely due to this fact, this study has avoided the standard approach of democratic consolidation. Rather, it has tried to shed the light on the particularistic features of the consolidated regime by way of deconstructing the transitional process of the country and looking at its main actors and institutions, whether formal or informal. In order to achieve this, structural (systemic) approach has been used, one that considers "society's rule of the game". Furthermore, the political regime was understood as a result of institutionalized set of fundamental formal and informal rules structuring the interaction in the political power center (horizontal relation) and its relation with the broader society (vertical relation). The following paragraphs will summarize the main features of BH political regime, and the characteristics of the main actors that participate in it, namely the political elites and the (civil) society. Finally, some recommendations for future research will be provided.

One of the most distinctive features of Dayton BH is that it represents a product of "political engineering" by the IC. The IC appears as the most significant actor shaping the system from the outside during both first and second transition, and is the one that effectively accepted the ethno-national elites as the main internal actors (who would posteriorly structure the regime from the inside). In this sense, while the first BH transition simply signified the act of war, the second transition (initiated and framed by the DPA itself) would be strongly conditioned by its result, leading to consensus democracy of an ethno-national elite cartel. Moreover, the fact that both transitions were marked by the (post)war atmosphere of uncertainty and crisis had a significant effect in increasing the importance of the main actors, and effectively keeping the society at the outskirts of politics. Both the ruling elites and the IC further maintained this crisis mode. While the former abused of war experiences by promoting 'civil wars of memory', the latter, for lacking a promising meta-narrative for BH accepted crisis as a normal state of affairs. Additionally, as the IC did not do enough to put the country on the right path of democratization, and as clearly undemocratic elites concentrated only on the 'theft of the state'- rather than state building -, political power and social influence became deeply rooted in informal institutional design – making this the most important feature of BH political regime.

Furthermore, the ethno-national ideological hegemony, through its power to modify the conception of the world of subjects, and in accordance with its power interests, superimposed ethnic question to any other more existential one, thus enslaving the minds of BH citizens through domination of their imagination. Through ISA "the State" fed its citizens with daily doses of nationalism, chauvinism, xenophobia, moralism, hatred etc. injecting them a necessary dose of the EBP "know-how", thus securing the diffusion and popularization of the worldview of the ruling class, and converting its interests in the interests of society at large. In this way, ethno-national ideological hegemony has reached moral, intellectual, cultural and political leadership, completely converting BH citizens into politically instrumentalized ideological subjects whose main duty would be pseudo-political. Thus, through the process of cognitive re-mapping, ethno-national elites have effectively monopolized the role of the only true representatives of "national" interests, converting themselves in "Salvadores de la Patria" (Saviors of Ethnic-Nation).

Besides, the hyper-institutionalized Dayton BH, in which 60% of total GDP is spend on financing the most complex bureaucracy in the whole world, would become a voting machinery par-excellence of the ruling class. Monopolistic rule of the ethno-national parties in this polyarchy has resulted in patrimonialization of bureaucratic office and consequently in patrionialization of the State itself. As such, the duty of office is converted into a strictly personal relationship between patron and client, and by having the effect to discipline the population it made "either submissive or stupid" into one of the most important norms of the EBP. Thus, as it turns citizens into servants of their politicians and not the other way around, the meaning of public government is completely reversed in a sense that the rule is not done for the people, but upon them. This particularism, which may be defined as anomaly or defect by some, with the passage of time and subsequent rooting turned into a process of cultural learning, in which both elites and society became accustomed to its norms and values. Thus, by reinforcing the authoritarian-minded culture, it has made clientelism, corruption, loyalty and obedience into the most important society's rules of the game.

Moreover, historically structured learning, which implied little experience with democratic values, made BH society at the onset of the new regime very susceptible to directions of elites. In this sense, ethno-national wars, fueled by nationalistic and not democratic ideals, did not imply the posterior societal development conducive to democratic values. Rather, ethno-national "liberators" simply changed one dominant ideology (communism) with another (ethno-nationalism), which, for being absolutist and authoritarian, and certainly not democratic, stood far from the ideal implied by the pluralistic liberal notions conducive to ideal development of civil society. This continuation of the legacy of authoritarian culture has resulted

in the reinforcement of the values very suspicious of open criticism of authority and fond of mass culture of loyalism, obedience and piety towards authority. As such, through its ideological hegemony it replaced civic by ethnic virtues, resulting in de-civilized civil society. Likewise, the patrimonial aspect of this regime further propagated rather divisive ethno-national values, by corrupting and financing CSOs that simply function as its ancillary organizations.

Additionally, inexistence of a protective and democratic legal state, paired with reality of economic hardship in the real sector, has resulted in institutionalization of wild individualism and 'survivor subject' as another defining characteristic of BH society. This ones, for making individuals literally incapable of any type of meaningful cooperation results in 'bad type of social capital' and leaves protestors more in a state of disorganized mass than an organized collective. In this sense, the reconstruction of social relations, historically much more important for BH socio-political space than the State itself, is likely to be the main future obstacle for the development of BH society. If this condition does not change, society's negotiating power vis-a-vis the ethno-national elites, and its return from the outskirts of politics is rather unlikely.

Nevertheless, the protests of February of 2014 still deserve to be hailed as the most important social awakening in the history of the current political regime. Despite all of its failures, it represented the first open challenge to the dominant ethno-national ideological hegemony. After almost 20 years of lethargy, the citizens have "woken up" and tried to "de-ethnicize" the dominant form of discourse and to show that the biggest division in our society is not between Croats, Serbs and Bosniaks but rather between the haves and have-nots, between the ethno-national elites and huge mass of marginalized and disenfranchised. Of course, these new social symbols are still weak and the grip of the ruling parties still strong, especially considering the patrimonial control of the state bureaucracy and so many years of ritualized ethno-national engagement.

As the things stand now, the ruling elites are unlikely to change their practice and work in the interest of BH citizens, as they do not want to give up the enormous power they have. In this sense, without a more decisive involvement of the EU and the US, using more "stick" in its policy towards the BH elites, the state of the matters is unlikely to change. However, such hopes, considering the positive reviews of European Commission that constantly congratulate this EBP of BH for its "progress" on the way of EU integrations seem rather discouraging at the moment.

Finally, for future recommendations I find it appropriate to invite other academics to focus more on investigating alternative ways in which unconsolidated democracies may actually institutionalize or consolidate their "arrested development". Also, comparative studies between different countries or even

different regions seem quite an interesting option. Here, I would especially point at regions of the Balkans (esp. Kosovo, Macedonia), Eastern and Central-Eastern Europe, the Caucasus, and Latin America. Besides, this article, for being truly interdisciplinary also invites future research on other variety of topics: identity studies in conflictive multi-ethnic societies, role of political instrumentalization of identity (in both developed and developing world), role of international actors and their influence in regime transitions of weak countries, and role of exclusive identity for peace and conflict studies (both locally and internationally).

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Economic determinants of voter turnout: A quantitative approach

_____ *Adela Danaj[1] and Roland Lami* _____

Abstract

Research on voter turnout argues that low economic performance affects the rate of voter turnout. However, scholars continue to disagree on the direction of this relationship as some argue that poor economic performance is a deterrent on voter turnout, while others argue that it is an incentive to vote. Applying a quantitative approach this article aims to further elucidate the relationship between voter turnout and the voters' economic performance. The study finds a strong relationship between economic adversity and voter turnout. As importantly, the study finds that while strong, this relationship is complex and multi-layered. Overall, this article aims to further the debate on the relationship between economic performance and voter turnout and to clarify the mechanisms that affect its strength and direction.

Key Words: *voter turnout, macro-economic adversity, GDP per/capita, GDP growth, unemployment rate*

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Introduction

For nearly a decade, ever since the 2008 economic crisis, the economy has been the most salient issue in global politics, and economic concerns - jobs, the cost of living, and an adequate income - have been the most pressing personal problems citizens have faced. Although the social, economic, and electoral consequences of fluctuations in the economy have been widely examined, no consensus has been reached on the impact of economic adversity on the rate of political participation and in particular voter turnout. The economy clearly affects how a person votes, but does it affect whether he or she votes? As we stated, although a great deal of research has been done on this issue, scholars have failed to achieve an overarching consensus.

Voter turnout bears the difficulty of being a challenging and ambiguous action in terms of political participation. Overall, 'turnout seems to decline by 10 percentage points recently' (Scruggs and Stockemer 2012) as voters increasingly choose to not vote. Considering the idea that representative democracy is, among others, based on voter turnout, its decline can be viewed as an ominous sign for the democratic health of a particular society. As importantly, decline in voter turnout affects disproportionately the poor, the little educated, and the unemployed due to their already pre-exiting propensity to be less engaged in politics (Makszin and Schneider, 2010). This in turn can feed a self-sustained cycle of non-participation, economic under-performance, and ultimately alienation from public life.

While much of the literature on voter turnout focuses on the question of whether - and in what ways - macroeconomic conditions affect electoral outcomes (for reviews, see Radcliff 1992), this article focuses on how the economy affects turnout. According to Pacek and Radcliff (1995), the macroeconomic variations of economy affect electoral turnout; namely how people vote. With regard to voter turnout, several scholars have argued that a non-stabilized economy appears to direct citizens not to participate as voters during election day. As an overall argument, the causes of voter turnout relate to macroeconomic conditions at both the individual and aggregate levels. However, other factors can be identified that can affect voter turnout, such as: population size, population stability, campaign expenditures, the number of political parties, how long in advance people must register to vote; how many hours polling stations stay open; whether elections take place on weekends or workdays; whether businesses are required to give employees time off to go and vote and so on (Ezrow & Xezonakis 2014; Geys 2006).

Since there is still quite a significant degree of disagreement regarding the (type of) effect economic performance has on voter turnout, this article will focus on relationship between the two to identify any causal mechanism between them.

Research Focus and Objectives

This article aims to examine the relationship between voter turnout and the state of the economy. The main objective of the article is to test the hypotheses it generates from the literature review and conclude whether they can account for voter turnout rates in democratic political systems. In particular, the effect of economic performance on voter turnout in this article is analyzed from a macroeconomic perspective through a quantitative analysis. Specifically, the article aims to analyze the effect of economic welfare indicators on voter turnout. The economic welfare indicator is measured by: (i) DGP/capita; (ii) unemployment rate and (iii) GDP growth.

Literature Review

Radcliff (1995) pays a great deal of attention to the relationship between economic conditions and voter turnout and concludes that short-term economic fluctuations are a decisive determinant in voter turnout. Many studies have been conducted to examine this relationship in the United States from Kiewiet and Rivers (1985) quoted in Pacek and Radcliff (1995), where strong and significant evidence has been found linking economic fluctuations and voter turnout. As a result of these findings, an increasing body of theories have been developed to explain this relationship and the current article is mostly influenced by the "negative voting" theory.

The "answers" on voter turnout

Economic adversity increases voter turnout
One point of view is that economic duress increases political participation. The argument here is that people under economic strain blame the government for their situation and vote, organize, lobby, protest, and so on to redress their grievances (Schlozman and Verba 1979:12-19). Lipset puts it this way: "Groups subject to economic pressures with which individuals cannot cope, such as inflation, depression, monopolistic exploitation, or structural changes in the economy, might also be expected to turn to government action as a solution and to show a high voting average" (1960:192). There is also evidence that the motivation to politically punish is greater than the motivation to politically reward (Kernell 1977). If this "negative voting" theory holds, it is reasonable to expect that "the punishers" - those who experience economic duress - would be more likely to vote than people without economic problems.

Economic adversity decreases voter participation

A second perspective makes the opposite claim: people with financial difficulties are less likely to vote. The reason is that economic adversity is stressful: it causes a preoccupation with personal economic well- being, and as a result, the citizen withdraws from such external and non-essential matters as politics. Economic duress reduces a person's capacity to participate in politics because the poor and unemployed are financially strained, lack the information required for active participation, and often cannot afford the burdens of political activeness (Kosa 1969). The poor are more likely to be preoccupied with personal economic concerns than the rest of the population (Brody and Sniderman 1977:344), and the unemployed often must cut back financially, dip into their savings, borrow money from family and friends, apply for welfare and food stamps, and move into cheaper housing (Maurer 1980). Thus, when a person experiences economic adversity his scarce re-sources and time are spent on holding body and soul together – surviving - not on remote and seemingly distant concerns like politics. "Citizens whose chief worry is making ends meet, holding onto their job, or finding one, may well find any interest they might have in the broad affairs of politics deflected to coping with finding a way to deal now, or as soon as possible, with the most immediate and pressing of 'bread-and-butter' problems" (Brody and Sniderman1977:346).

Economic adversity is not related to voter turnout

An essential assumption of the mobilization arguments above is that citizens who experience economic duress blame the government for their hardship and believe that changes in government policy or changes in who holds office would improve their own personal economic situation. But this link between personal well-being and political orientation may be weak, overstated by researchers, or even nonexistent. For example, Kinder (1979) shows that personal economic experiences are not politically important in either presidential or congressional elections in the United States. Similarly, unemployment does not affect (1) the perception of equality of opportunity; (2) class consciousness; or (3) support for policies that would significantly change the government's power over the economy (Schlozman and Verba 1979). One reason why personal economic conditions may be unrelated to political preferences and behavior is that most people do not seek a political solution to their predicament; rather, they hold themselves personally responsible (Sniderman and Brody 1977; Schlozman and Verba 1979: 199). Or, as Kinder and Kiewiet conclude, "economic discontents and political judgments inhabit separate mental domains" (1979:523). An alternative explanation may be that unemployment, poverty, and other economic problems simply do not produce much personal strain (Garraty 1978:251). As one journalist puts it, "unemployment just doesn't hurt as much as it used to" (Donnelly 1978: 1785). Fiorina concludes that "there is no discernible

relationship between economic conditions and voting turnout" (1978:439). The same conclusion also has been reached for unemployment: "any difference between the employed and the unemployed in their amount of political activity is a function of the social characteristics of the unemployed rather than a result of the experience of unemployment" (Schlozman and Verba 1979:245-46).

Since there are such varying, and contradicting, theoretical perspectives on the connection between economic performance and voter turnout, then this paper aims to empirically test their relationship to provide some clarity on their relationship and on the mechanism(s) that might account for their level of possible interaction.

Variables' definition

Independent variables – GDP/capita– GDP growth– Unemployment Rate

We begin from the assumption that the increase or decrease of voter turnout as a phenomenon can be tested through the dynamics of economic adversity. According to the literature mentioned above, societies that face high level of unemployment, poverty and financial troubles are believed to be less/more likely to vote, depending on the approach researchers take to conduct the analysis. In order to test the assumptions above – and achieve more clarity - in this article we test how unemployment, poverty and economic difficulties effect the voter turnout. Specifically, unemployment is measured through the unemployment rate, poverty through the GDP/capita and economic difficulties through GDP growth.

According to Rosenstone, (1982:41) "turnout is lower when short-term unemployment is high, prices are unstable, and a large proportion of the population experience financial difficulties." According to his argument when a country is facing economic difficulties one of the consequences is the non-political participation of the citizens. This relationship is explained by a set of cost opportunities that affect the individuals' decision to participate in politics. For instance, when the level of unemployment is high, the opportunity cost from the political perspective is high since people are more concerned about their "pocket" then politics in general. Therefore, Rosenstone (1982) concludes that "the higher the opportunity costs, the lower the probability the citizen will participate in politics.

Dependent variable – The voter turnout

State-level voter turnout is a measure of turnout among a state's voting-eligible population. Traditionally, voter turnout has been calculated by dividing the number of votes in a given election by the voting-age population. McDonald and Popkin (2001) argue, however, that this measure raises concerns about validity because it includes non-citizens and felons who are ineligible to vote. Their estimate of voting-

eligible population excludes these groups to more accurately reflect the true voting-eligible population. The dependent variable in this study is based on their estimate (see McDonald 2004), which eliminates the validity concerns associated with using turnout rates among voting-age populations across the states. The voter turnout dependent variable is drawn from election years 2002 until the first quarter of 2014 and it includes all the countries under democratic regimes all over the world. It has to be mentioned that the countries that apply compulsory voting are excluded.

Hypothesis Development

This research is led by the following research question: Does the current state of the economy affect voter turnout during the election day?

Based on the literature review provided above, we have designed the following hypotheses:

> **H1:** *During elections, voter turnout is affected by the current state of the economy.*
> **Null HP:** *During elections, voter turnout is not affected by the current state of the economy.*

Based on the literature above, a non-rejected hypothesis is expected.

Research Design

This section provides evidence about the data collection and methodology used to generate the empirical findings. According to the approach used in the framework of this study, this section is organized as follows. The first section corresponds to the macro level analysis and the information regarding the data design and methodology is provided in the corresponding sections.

Data and Methodology

The timeframe where the analysis is based lies from 2002 until the first quarter of 2014. The sample includes 248 countries that are part of the World Bank database.

Data Design

The macro-economic adversity is measured through these main variables: (i) GDP/capita; (ii) unemployment Rate; (iii) GDP Growth; and (iv) voter turnout.

The variables mentioned above, are generated from the World Bank database and are measured on the basis of market prices. GDP per capita is gross domestic product divided by mid-year population. Data are in current U.S. dollars.[2] Unemployment Rate refers to the share of the labor force that is without work but available for and seeking employment.[3.] GDP Growth is the annual percentage growth rate of GDP at the market prices based on constant local currency.[4] The International Institute for Democracy and Electoral Assistance (International IDEA) - an intergovernmental organization that supports sustainable democracy worldwide[5] - is used as the source for voter turnout data.

The table below is as summary of the all variables. It shows the source of the variables and the indicators. The last column of Table 1 indicates the well-known authors in the field.

TABLE 1: Variable Description

Variable	Indicator	Abbre	Source	Authors
Respondent	Voter turnout	Turn	IDEA	Benjamin Radcliff (1992)
Explanatory	-GDP/capita -Unemployment Rate -GDP Growth	GDP	World Bank	Steven J. Rosenstone (1982)
		UNP		
		Growth		

Source: Author

Methodology

In order to identify the relationship between voter turnout and its determinants, a quantitative approach is used; where voter turnout is considered to be the depended variable, while the GDP/capita, the Unemployment Rate and GDP Growth are the explanatory variables. Overall, the relationship between the variables can be stated as follows:

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[2] The source for the GDP per capita http://data.worldbank.org/indicator/NY.GDP.PCAP.CD the last accessed on 14the April 2016

[3] The source for the unemployment rate http://data.worldbank.org/indicator/SL.UEM.TOTL.ZS the last accessed on 14the April 2016

[4] The source for the GDP Growth http://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG the last accessed on 14the April 2016

[5] The source for the Voter Turnout http://www.idea.int/about/index.cfm; http://www.idea.int/vt/ the last accessed on 14the April 2016

Voter turnout = f (GDP/capita, Unemployment Rate, GDP Growth)
(1)

After analyzing the distribution of these variables, it was found that most of them did not meet the normal distribution requirement. Therefore, voter turnout, GDP/capita, Unemployment Rate and GDP Growth are cleaned from outliners; meanwhile, the GDP/capita, Unemployment Rate and GDP Growth are transformed into logarithmic. All these variables are run using a multiple regression analysis and the estimated model is stated based on the equation below:

Voter turnout= β_0+ β_1 Log(GDP)+β_2 Log (UNP)+β_3 Log(GDP Growth)+ε
(2)

In addition, since there were several missing data in the dataset, we also cleaned the dataset from the missing. Another aspect that has to be underlined relates to countries that have compulsory voting. To enable a meaningful comparison, it was decided to exclude these countries from the analysis. The variables were also tested for multicollinearity, which refers to the case when two or more explanatory variables in a multiple regression exhibit high pairwise correlations. This can lead to inflated standard errors of coefficients and low significance of estimated coefficients. To check whether our variables exhibit any problematic correlation a Variance Inflation Factor test is computed. According to Jiao et al., (2012) VIF's above 5 indicate a severe multicollinearity. In the case of this article the VIF-values range from 1.01 to 1.03, which means that our variables are not strongly correlated with each other and therefore, the regression model does not suffer from multicollinearity.

In this article data from 248 countries were included and the time frame of the analysis extends from 2002 until 2014. Due to the fact that the measurements of the GDP/capita, the unemployment rate and the GDP growth did not consist with the correspondent years when the national elections were held in the countries included in the study, it was decided to calculate the average of each variable within the time frame mentioned above. Thus, it was taken in account the average value of the GDP/capita, the unemployment rate, the GDP growth and Voter turnout from 2002 to 2014.

Results

In this section the overall findings, summary descriptive of the variables' correlation and the analysis of the results are provided. Thus, it is analyzed whether the hypothesis of the research is verified or not.

H1: *During elections, voter turnout is affected by the current state of the economy.*

Table 2 below summarizes the main variables and provides some descriptive statistics for the listed indicators.

TABLE 2: Descriptive Statistics

	Obs.	Mean	Std.Dev	Min	Max	Skewness	Kurtosis
Voter turnout	233	66.64	11.18	44.26	94	0.48	2.58
Log.GDP/capita	233	3.68	0.67	2.27	5.15	0.53	2.88
Log.Unemployment Rate	233	0.85	0.28	-0.22	1.74	-0.6	3.4
Log. GDP Growth	233	0.55	0.28	-0.24	1.14	-0.52	2.76

In terms of distribution shape, characteristics, kurtosis and skewness are also shown in the descriptive statistics table. They are computed after the sample is corrected for outliers and transformed into logarithmic. Kurtosis checks for how small and sharp the central peak is relative to a standard bell curve. Standard normal distribution is called mesocurtic and equals a kurtosis value of 3.

Table 2 shows that Voter turnout value, logged GDP/capita, logged unemployment rate and the logged GDP growth are slightly above or below 3, which mean that these variables are close to the normal distribution.

FIGURE 1: Voter Turnout
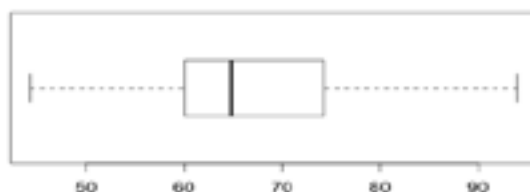
Also voter turnout kurtosis value, which is slightly lower than 3, precisely 2.58, is considered close to the standardized normal distribution. Skewness is an indicator of the asymmetry and deviation from normal distribution. The negative sign for skewness shows that the distribution of observations is left skewed, and vice versa. Table 2 shows that skewness value for voter turnout, logged GDP/capita, logged Unemployment rate, logged GDP growth varies slightly above or below the range of [-0.5 to +0.5] meaning that the distribution is approximately symmetric. See the figure 1.

While kurtosis value for logged GDP/capita is lower than 3, leading to a quasi mesokurtic distribution with normal peak. GDP/capita was highly distanced from normal distribution that is why, before the multiple regression analysis, we

decided to transform its values into algorithm. After this transformation normal distribution was achieved. GDP/capita varies slightly above or below the range of [-0.5 to +0.5] meaning that the distribution is approximately symmetric (see figure 2).
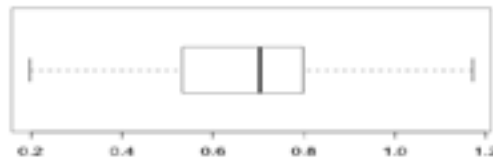
FIGURE 2: Log GDP/capita
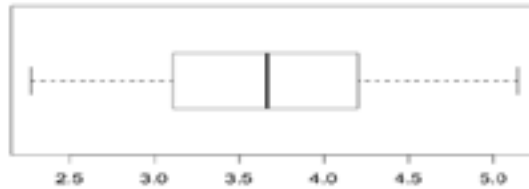
In addition, the unemployment rate varies to the second range (0.5 – 1) meaning that the distribution is slightly skewed (see figure 3).

FIGURE 3: Log Unemployment Rate
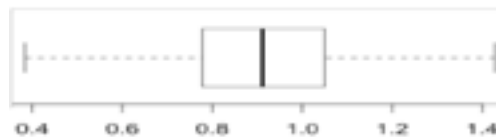
Regarding GDP growth, the distribution is normally distributed and the distribution is almost symmetric (see figure 4).

FIGURE 4: Log. GDP Growth

Pearson Correlation Matrix

Table 3 exhibits the correlation matrix between variables. Pearson Correlation matrix uses the 'r coefficient' to measure the strength of the monotonic relationship (the dependence) between variables. If a high dependence exists between explanatory variables, this is an indication of the existence of a high correlation between explanatory variables, which is not a good indication, as it leads to biased results. In the case of this research we did not find high correlation between the explanatory variables, which means that we will not generate biased results.

TABLE 3: Correlation Matrix

	Voter turnout	Log GDP/capita	Log UNP	Log GDP Growth
Voter turnout	1,000			
Log GDP/capita	0.43	1,000		
Log Unemployment Rate	-0.51	-0.01	1,000	
Log GDP Growth	0.48	-0.07	0.09	1,000

The correlation coefficient varies from -1 to 1. Table 3 above shows that a positive moderate relationship, specifically 0.43, exists between GDP/capita and voter turnout. This means that an increase of the GDP/capita, leads to an increase of voter turnout among citizens. At the same time, the table shows that stronger correlations exist between unemployment rate and voter turnout. The negative value means that an increase of the unemployment rate leads to a decrease of the voter turnout, thus the relation is negative. Meanwhile, the GDP growth shows a positive moderate correlation with the voter turnout. It is important to emphasize that a weak relationship exists between the explanatory variables, which indicates that no biased results are expected.

Analysis of Result

This section provides the empirical evidence of the relationship between variables, based on a multiple regression analysis. The depended variable (voter turnout) is regressed with the explanatory variables (GDP/capita, unemployment rate and GDP growth).

TABLE 4: Regression Analysis

Voter turnout	Coef.	St. Error	t	P value	2.5%- 97.5% Conf Interval	
Log GDP/capita	1.07	0.64	0.6	0.09*	-1.6	3.1
Log Unemployment Rate	-1.15	0.21	-0.31	0.05**	-8.3	6.03
Log GDP Growth	1.8	3.03	-0.9	0.06**	-8.7	3.1
Const.	66.7	5.8	11.34	<2e-16 ***	55.1	78.3
No. Obs: 233						
R Square: 0.22						
F (3, 176) = 0.5						
P-value= 0.06						

P-values in asterisk. Coefficients: * significant at 10%, ** significant at 5%, ***significant at 1%

This regression analysis has an R Square of approximately 0.22, indicating that 22% of the variance is explained by this model.

Considering the p-values it can be said that GDP/capita has a significant p-value (0.09), which means moderate statistical significant relationship with Voter turnout.
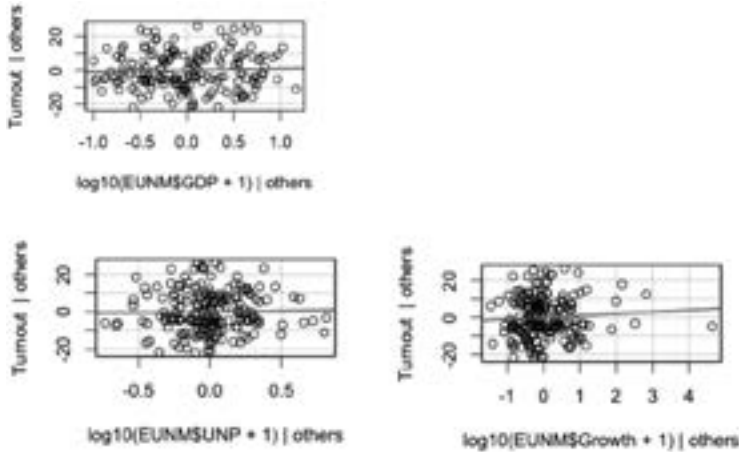
While based on the statistically significant p-values, unemployment rate and GDP growth show a high level of correlation.

Thus, all of them can be interpreted. Therefore, the deterministic equation, is states as below:

$$Voter\ Turnout = 66.7 + 1.07\ Log\left(\frac{GDP}{capita}\right) - 1.15\ Log(UNP) + 1.8\ Log(GDP\ growth)\ \varepsilon \quad (3)$$

(3)

The equation indicated that voter turnout is a function of GDP/capita, unemployment rate and GDP growth.

The statistically significant coefficient of GDP/capita 1.07 indicates that under *ceteris paribus* conditions, where all other variables are considered constant, an increase in GDP/capita of 1%, leads to an increase of 1.07 % in voter turnout among citizens. Using the same logic, it is found that an increase of 1% of unemployment rate, leads to *a decrease* of approximately 1.15 % in voter turnout, also under *ceteris paribus* conditions. This is an indication that in countries where the employment rate is high there will be a tendency for voter turnout to decrease. Meanwhile, an increase of 1% of GDP growth, leads to an increase of 1.8% in voter turnout, under *ceteris paribus* conditions. The constant coefficient 66.7 indicates that despite the explanatory variables, voter turnout takes a positive value of 66.7 meaning that despite of the economic conditions of the country, 66.7% of the citizens would

participate during election day to vote. These findings are in line with Pacek and Radcliff (1995) and Rosenstone, (1982) who stated that the macroeconomic variations affect electoral turnout marginally. According to their approaches when unemployment is high/low, GDP/capita and GDP growth increase/decrease then voter turnout will be affected. In the case of this article an increase of GDP/capita and GDP growth and the decrease of the unemployment rate will be associated with an increase on the voter turnout.

Concluding Remarks

To sum up, this study identifies voter turnout variations from an economic perspective. The study finds that there is a strong relationship between unemployment rate, GDP growth and voter turnout and a less strong relationship between voter turnout and GDP/capita; however, it is statistically significant. This means that macro-economic adversity influences voter turnout. Nevertheless, this relationship remains complex and multi-layered. Voters tend to vote when the GDP/capita is growing and stay home when unemployment is on the rise. This in turn can have perverse incentives on politicians who might become less worried about economic downturns as the ones negatively affected will stay home, while the ones who benefit from the economy will vote and reward the government.

Obviously there are intervening variables that affect voter turnout in any particular election. Therefore, it has to be underlined that due to practical issues this study was not developed deeper in order to better understand the phenomenon. However, it can be considered as a good starting point for further studies in the field. To conclude, it was found that hypothesis 1 is confirmed and that during elections voter turnout is affected by the current state of the economy.

Limitations of the Study

Despite the significant findings this study has some limitations, related to the deterministic variables of voter turnout among citizens. The degree of voter turnout is highly related to political stability, such as: the effective number of political parties in parliament and potential parliamentary boycott, which based on the literature are considered relatively important when determining voter turnout. In the case of this study they are not taken into analysis. So it will be beneficial for further studies to combine a quantitative and qualitative approach to provide a fuller account of the variable that affect voter turnout in general election.

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The influence of tobacco control legislation on smoking rates: A review of empirical research

_____ **Erika Melonashi[1]**_____

Abstract

Smoking is one of the most widespread health risk behaviours worldwide. The Framework Convention on Tobacco Control represents the most successfuland inclusive attempt to control the smoking 'epidemic', involving as many as 180 countries worldwide. The convention regulates aspects such as tobacco prices, advertising, smoking in public places etc., having as the ultimate goal the reduction of smoking rates. The present review discusses cross-country empirical evidence on the association between the Convention implementation and overall reduction in smoking rates, while also focusing onthe mediator variables involved in the process. It is concluded that apart from legislative enforcement, the consideration of attitudinal and social normative variables is important in achieving the long term goal of reducing smoking rates, especially in countries with very high smoking prevalence (e.g., Albania, Greece). Hence intervention programs addressing mediating variables are necessary in order to boost informal mechanisms of behavioural control.

**Keywords**: Framework Convention on Tobacco Control, smoking rates, attitudes, social norms.

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Health effects of smoking: The need for formal regulation

Smoking behaviour is still listed as one of the major causes of preventable death worldwide; the data are particularly disturbing considering that the negative health effects of this behaviour have been formally acknowledged for several decades now, by both national and international health organizations (Center for Disease Control and Prevention 2017). Different types of research studies including cross sectional, case-control, and cohort studies, have found relationships between smoking and heart disease or different types of cancer Samet (2001). Although causality has been a largely debated issue, this research has provided evidence of both a temporal relationship (smoking before disease appearing) and strength of the association between the behaviour and incidence of the disease. The relationship with lung cancer has been particularly well-established as the 2004, Surgeon General's Report (2004) claimed that smoking caused 90% of all lung cancer deaths in men and 80% in women.More recent estimations of the World Health Organization (2016) suggest figures as high as 6 million smoking associated deaths per year.

Even more concerning is research documenting negative health outcomes of exposure to environmental tobacco smoke (ETS). For almost 40 years now, studies have reported the negative health effects of ETS, especially among women with smoking partners or children living with smoking parents (Trichopoulos et al. 1981). Indeed the World Health Organization (2016) has classified environmental tobacco smoke as a risk factor involved in several respiratory conditions, cardiovascular diseases and several types of cancer. Evidence from a research study involving 192 countriesestimated that only in year 2004 diseases associated to ETS exposureresulted in 603 000 deaths (Öberg et al. 2011).

Recent estimates of the World Health Organization (2017) suggest that in the recent years the tobacco epidemic has largely shifted towards low and middle income countries, including south-east European countries. Despite the cross-country differences, smoking behaviour still represents an important public health issue in most countries all over the world. In this context,several efforts at an international level have been made to control the smoking 'epidemic'; the best example is the Framework Convention on Tobacco Control (FCTC), a treaty signed by as many as 180 countries worldwide (WHO 2003).

The Framework Convention on Tobacco Control (FCTC)

The Framework Convention on Tobacco Control (FCTC) addresses the main aspects which are thought to influence the tobacco epidemic includingprice,

taxation, advertising of tobacco products, packaging, labelling, education, public awareness, sales to minors, smoking in public places etc. (WHO 2003).Two important long-term goals of the treaty include the facilitation of smoking cessation and the promotion of smoking prevention; for instance aspects such as price raises have been found to directly influence smoking cessation rates particularly among smokers of low socio-economic status (Farrelly et al. 2001). On the other hand, regulation of advertising campaigns including total bans from all mass media were suggested to play an important role in terms of smoking prevention, particularly among adolescents (eliminating the exposure/persuasion effects). Moreover, FCTC addresses also the issue of access to tobacco, by prohibiting sales to minors and also enforcing total or partial bans in all public places, workplaces, and public transportation (Wakefield et al. 2000). Finally the obligation to include health warnings on all cigarette packages, does serve as a continuous reminder of all the negative health consequences for both present and future smokers (WHO 2003).

To summarize, the long term goal of FCTC is that of reducing smoking rates and consequently the negative health effect related to this behaviour. Empirical evidence on the association between successful FCTC implementation and reduction in smoking rates across countries is discussed in the following section.

FCTC, smoking rates, and mediating variables:
Cross-country evidence

Research findings have suggested that the proper implementation of FCTC is associated with several positive outcomes. For instance, studies examining the effectivity of workplace bans have reported that smokers in companies withstrongly enforced bans were 2.3 times more likely to quit smoking as compared to smokers working in environments with no bans (Bauer et al. 2005). Moreover, smoking bans in workplaces or other public places seem to positively influence behaviour at home; indeed smoke-free homes are an important determinant of success in quitting smoking (Ferketich et al. 2016). Furthermore, ex-smokers report very positive effects of legislation on their behaviour; for instance, data from Ireland in 2006 reported that 80% of quittersidentified new legislation as an incentive to quit smoking; even more, 88% reported that the bans served as an important deterrent, preventing them from starting again (Fong et al. 2006).

Nonetheless,animportantquestiontoaddressreferstothepsychosocialmediating variables through which smoke-free policies ultimately produce a reduction of smoking rates. Studies suggest that these variables might include attitudes (towards policies, health consequences etc.)as well as social norms. For instance, countries where successful implementation of smoking bans has been associated

with a reduced prevalence of the behaviour, have also provided evidence of high levels of knowledge and agreement with the health consequences of active and passive smokingin the general population; these results were found for both non-smokers and smokers (Kurtz et al. 2003). Evidence from one of the countries with the strongest anti-smoking policies in the world, the United States, suggests that as early as 2003, almost 90% of smokers and 97% of non-smokers actually accepted and agreed with the health consequences of both active and passive smoking (McMillen et al. 2003).

Moreover research has shown that smokers who acknowledge the health consequences of ETS also report stronger intentions to quit smoking (Muilenburg, Legge & Burdell 2010). The present findings have been replicated not only across different countries but also across different age groups; indeed, more recent data from the Global Youth Tobacco Survey suggested that support for smoke free policies was best predicted by knowledge/acceptance of health consequences of smoking also among adolescents, who represent the highest risk target group for starting smoking (Koh et al. 2011).

Conversely, studies from countries with poor implementation of tobacco control policies have reported poor agreement with the health consequences of passive smoking; the International Tobacco Control Survey conducted in China in 2010, reported that only 50% of smokers actually believed that exposure to ETS causes lung cancer (Li et al. 2010). Even studies among Chinese health professionals have shown remarkably low levels of agreement with the health consequences, especially of ETS (Jiang et al. 2007). Indeed China is still the number one country for cigarette consumption, with still very high rates of cigarette smoking and a death toll up to one million yearly related to this behaviour (World Health Organization 2017).

Another important variable to consider refers to socio-cultural norms, which seem to affect both implementation success and the relationship between policies and reduction of smoking rates. Greece, for instance has shown considerable resistance towards the implementation of smoke-free policies, as evident in the negative attitudes towards policies and the high non-compliance rates (Lazuras et al. 2009a). Attempts to explain these findings have provided explanations involving cultural meanings of smoking behaviour; a cross-cultural qualitative study with British and Greek smokers found considerable differences in levels of support and respective perceptions of smoke-free policies (Louka et al. 2006). In this study, British participants seemed to perceive smoking as a legitimate target for intervention and regulation and were quite supportive of smoke-free policies. On the other hand Greek participants had a negative attitude towards policies because they reported associations between smoking behaviour and individual freedom (i.e., the smoker should have the choice and right to smoke). Indeed

the high social acceptability of smoking behaviour in Greece has been strongly associated with high non-compliance rates particularly as regards smoking bans in public places (Lazuras et al. 2009a; Lazuras et al. 2009b). In terms of smoking rates, prevalence of this behaviour in the country is still among the highest in Europe (World Health Organization 2017).

A rather more complex case, particularly in terms of the contradictory research findings is that of Albania. Although the country has signed the FCTC more than one decade ago (year 2006), smoking rates are still very high as compared to other European countries. Moreover, implementation difficulties have been present ever since, particularly as regards smoking behaviour in public places (Zaloshnja 2010). However, studies assessing attitudinal variables particularly as regards smoke-free policies have reported findings which are very different from Greece; for instance the GTSS Collaborative Group (2006) reported an overall positive attitude towards tobacco control policies particularly among Albanian youth. This finding has been replicated in an extensive study, comprising 100 countries worldwide (Koh et al, 2011); in this study Albanian youth were classified at the top of the list, in terms of level of support for smoke-free policies. Melonashi (2014) also reported similar findings (i.e., positive attitude towards tobacco control policies) among Albanian youth and also in specific target groups such as teachers and healthcare professionals. Conversely, this same study found high rates of smoking and noncompliance with smoke-free policies in public places, among all groups investigated.

These findings clearly indicate an important attitude-behaviour inconsistency, which suggests that smoking behaviour in Albania might not have the deep personal meaning it has in Greece (freedom, choice etc.). Hence, smoking behaviour in Albania seems to be more driven by external social mechanisms, rather than internal constructs such as attitudes; indeed Melonashi (2014) reported descriptive social norms (i.e., perception of the extent to which *others'* engage in the specific behavior) as particularly relevant in understanding smoking behaviour and non-compliance with policies. Thus, in contexts of strong descriptive social norms individuals might engage in behaviours which might be incoherent with their attitudes; most important the social acceptability of the behaviour increases even further in the process (if everybody is doing it, it cannot be that wrong") (Melonashi 2014). Even so, the good news is that a positive attitude (theoretically speaking) might serve as a basis for changing perceptions of social norms; this process obviously requires exposing individuals to information which contradicts their perceptions, and comes from reliable sources (e.g., research data on actual smoking/non-compliance rates, actual attitudes of smokers/non-smokers etc.). Therefore, differently from Greece, intervention programs in Albania need a major focus on perceptions of normative behaviour (i.e., reduce perceptions of social acceptability) rather than attitudinal variables (the usual target for intervention).

Indeed, findings from other countries have found associations between low social acceptability of smoking behaviour on the one hand and higher rates of compliance with smoking bans (Niederdeppe, Kellogg, Skurka & Avery 2017); smoking rates in these countries have declined considerably and several authors have explained these findings in terms of the social control mechanisms enacted (Hamilton, Biener & Brennan 2008). Most important, it should be also mentioned that proper enforcement of policies also produces a shift in levels of social acceptability of the behaviour; for instance, the strong enforcement of Norwegian anti-smoking law in 1988 produced major shifts in social norms regarding smoking in the following decade (as well as reduction of smoking rates overall) (Nyborg & Rege 2003). Hence on the one hand, favourable social norms are important in ensuring compliance with the law and reduction of smoking rates, while on the other hand, law enforcement itself influences in the long term social norms and ultimate behavioural outcomes.

Conclusions

To conclude it could be said that the Framework Convention on Tobacco Control as well as other national level policies have been successful in reducing smoking rates either through promoting quitting among smokers or preventing this behaviour altogether, across several countries. However, studies suggest that psychosocial variables such as awareness, attitudes or socio-cultural norms related to smoking behaviour need to be considered as relevant mediator variables in understanding the process. This aspect is particularly important in those countries, which still have very high smoking rates, despite formally having smoke-free legislations for years now (e.g., Eastern Europe). Even so, research suggests that variation at the level of mediating variables is present (e.g., as illustrated above with the example of Greece vs. Albania), and should be taken into account when designing country-specific programs. In fact, while proper policy enforcement remains important, educational and promotional campaigns acting at the awareness, attitudinal or social normative level (thus boosting of informal social mechanisms of behavioural control) seem to also be crucial in achieving the long term goal of reducing smoking rates.

About the author

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