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Ethnographic report

Informal and clientelist political practices in Albania: The case of the 2017 general elections

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1. INTRODUCTION

Being a central component of a functional democracy, the conduct of free and fair elections remains an essential element in Albania's EU accession process. A European Commission report from October 2012 found that Albania had fulfilled four key priorities in the political domain, one of which was the modification of the legislative framework for elections. The EC recommended that Albania be granted EU candidate status, but only after the conduct of free and fair elections in 2013. The report stated: "The conduct of the 2013 parliamentary elections will be a crucial test in this regard and a pre-condition for any recommendation to open negotiations."¹ The 2013 progress report of the EC found that the "2013 parliamentary elections were conducted in an overall smooth and orderly manner,"² and recommended that Albania be granted EU candidate status, which was approved on June 23, 2014.³ The starting date of negotiations is yet to be announced. The EU Foreign Affairs MEPs assessed in January 2017 that "Albania needs to implement EU-related reforms credibly, and ensure that its June parliamentary elections are free and fair, if it is to start EU accession negotiations."⁴

However, the pre-election period (February - May 2017) was tense, with the main opposition party deciding to boycott the parliament and block the EU-related reform on justice, over serious concerns that the June elections would involve fraud by the governing Socialist Party. As we will see later in this report, this decision was based on the opposition's claims that the Dibër region local elections were undermined by informal practices in ensuring votes, clientelism, vote buying,

¹ European Commission, Key findings of the 2012 Progress Report on Albania, (2012) [online]. Available at: http://europa.eu/rapid/press-release_MEMO-12-763_en.htm [Accessed 6 Sept. 2017].

² European Commission, Key findings of the 2013 Progress Report on Albania, (2013). [online] http://europa.eu/rapid/press-release_MEMO-13-888_en.htm [Accessed 6 Sept. 2017].

³ European Commission, EU candidate status for Albania, June 2014, (2017). [online] http://europa.eu/rapid/press-release_MEMO-14-439_en.htm [Accessed 6 Sept. 2017].

⁴ Foreign affairs MEPs assess reform efforts in Albania and Bosnia and Herzegovina, (2017) [online] <http://www.europarl.europa.eu/news/en/press-room/20170131IPR60322/foreign-affairs-meps-assess-reform-efforts-in-albania-and-bosnia-and-herzegovina>, [Accessed 6 Sept. 2017].

and other illegal activities. Thus the Democratic Party announced its boycott on February 18, 2017, and a protest tent was erected in front of the Government building. All opposition parties, as well as coalition parties, were invited to join. Their primary demands were the resignation of PM Edi Rama, and the formation of a technical government which would take measures against the informal and illegal practices that undermined local elections, and pave the way for truly free and fair elections. After three months of failed talks, negotiations led by US State Department representative Hoyt Brian Yee produced a deal on May 18, marking the end of the parliamentary boycott by DP and unblocking the reform on justice. Elections took place on June 24.

The Albanian electoral code has been modified and refined before each election until 2015. The last two elections (2013 and 2017) were considered free and fair from a formal legal point of view, yet scepticism remains. On the one hand, the EU requests proof that reforms in the political and judicial fields are sustainable and not merely formal adoptions of EU standards, including elections. On the other hand, many local actors indicate that these reforms, especially electoral ones, are being undermined, despite formal compliance with rules and procedures.

In this report we concentrate on four issues that emerged from talks and interviews with ordinary voters and activists of political parties. The formal rules of elections are represented by the electoral code. But it is clear that the political parties employ such rules only partially. Party clientelism does not play accordingly. Success implies winning the elections, or, in the case of smaller parties, entering the parliament and if possible joining a coalition government. But what is the meaning of the "game" for voters? What does "winning the game", or "success" mean for ordinary citizens? In other words, the questions which this report will tackle are the following:

How does political clientelism work during elections? To what extent are formal party structures involved in clientelist informal practices? How does party clientelism influence individuals' interest to vote? How does it affect the organizing of elections and the electoral process? Are voters trying to use elections to resolve their daily problems? What channels do they use and do

they ultimately gain anything? What are citizens' perceptions about public institutions and the way to resolve problems? How do they rationalize their vote-casting?

In the framework of the Horizon 2020 INFORM project, the research team developed a theoretical model in order to analyze how informal relations and practices interact with formal institutions. The key research question of this project is to what extent the transposition of EU rules and regulations into national legal, political, and economic systems leads to substantive changes in practices and procedures, or whether they remain "empty shells" with little influence in social life. Based on the definition of formal institutions by Helmke and Levitsky (2004, 727) as constitutional and legal norms, as well as contracts and mechanisms of implementation, the model that we propose considers them as determining "formal constrains" of social behaviour (Bliznakovski, Gjuzelov and Popovikj 2017, 4). Informal institutions, on the other hand, consist of unwritten rules derived from traditions, customs, beliefs, former formal rules or practices in response to new formal rules of the "emerging game".



In our theoretical model formal constraints are treated as products of adopting formal rules which (in our case) are viewed as based on the EU *acquis communautaire*. Examples of laws passed in accordance with the EU *acquis communautaire* but not put into practice in Western Balkan societies indicate that rules (both formal and informal) do not automatically become constraints. Rather, to become effective in practice they must pass through what we call an “enforcement belt” – the process of interpretation, of designing mechanisms of implementation, and of positive and negative sanctions that enable their effectiveness.

Our colleagues J. Bliznakovski, B. Gjuzelov and M. Popovikj state that "when it comes to the political realm, we see political parties and citizens alike as constrained by both formal and informal rules/institutions, and we assume that political practices are shaped within this context" (Bliznakovski, Gjuzelov and Popovikj 2017, 5). Political clientelism is a set of informal practices and relations implemented by informal mechanisms through non-official channels, but also through formal ones, especially in cases when public resources are used for electoral purposes. Bliznakovski, Gjuzelov and Popovikj (2017, 6) have identified inducements (like vote-buying, employment, and selective distribution of social benefits) and enforcement mechanisms (carousel voting, photographing the ballot, and compiling lists of "guaranteed voters") that transform clientelist practices into informal constraints in Western Balkan societies. Similar inducements and mechanisms are also confirmed by the findings of our ethnographic work.

In this report we will outline theoretical issues concerning political clientelism and elections. An explanation of our methodology is followed by a summary of the three month political crisis and the May 18th agreement, which sheds light on how the ensuing leadership meetings and decision-making process oscillate between formal and informal spheres of politics.

In the next session we explore the issue of campaign funds. Money fuels the main mechanisms of the clientelist system. Elections are costly, with many of the informal ways to secure votes, such as gifts, paying for drinks and meals in restaurants for voters, and vote buying depending on

informal financial transactions during the electoral campaign. The electoral campaign does not start on its fixed date, but 6 to 8 months prior to it.

Then we look at how clientelist practices are applied during pre-electoral months, exploring the ways in which people perceive the role of political parties, their disillusionment and disappointment, and how these influence their decision to vote. Then we turn to ways in which people try to resolve some of their immediate problems by trading their vote, employment remaining a lasting concern. At the end we will try to understand the problem of vote-buying.

1.1 Theoretical considerations

The literature dealing with political clientelism, patronage and "money politics" has developed mostly along two approaches: (i) a political sciences point of view, and (ii) a concern with the sociological dimensions and impact. Political scientists focus on the ways in which political clientelism and patron-client relations influence the structural organization of political parties and their (weak or strong) institutionalization (See Tomsa and Ufen 2013; Carothers 2006; Hicken 2009). Sociologists and anthropologists have tried to understand why ordinary people engage in clientelistic relations, how they perceive democracy, participation and representation, and what they expect from political systems functioning in their countries and from political parties managing public resources once in power (See Gadjanova 2017; Ayero 2012).

These two approaches obviously differ in focus, yet their authors influence each other, regardless of their background. Many political scientists use qualitative sociological and anthropological methods to understand why certain categories of citizens vote as they do, what is their stance towards political parties, and how it influences their structures and organizational forms, their endurance or disappearance (See Thompson 2013; Tan 2013). Sociologists and anthropologists, on the other hand, try to understand how the political past of a country affects party models, and

certain electoral system models and their influences in society (see Gadjanova 2017; Guttman 2002).

There is a shared agreement that political clientelism is a long lasting, dyadic, and face-to-face relationship between a patron and a client (Hilgers 2011, 567) It is defined by “reciprocity, voluntarism, exploitation, domination and asymmetry... beneficial for both patron and client.”(Kitschelt 2000, 849). It has been considered as a mode of vertical inclusion, apart from its “populist appeal”. Yet, it differs from populism (Ayeró 2012, 97) in being a particular form of party-voter linkage (Tomsa and Ufen 2013, 4; Ayero 2012, 97), whereby holders of political offices distribute public resources, direct payments, access to jobs, goods and services (otherwise unavailable for those without contacts) in forms of favours, in exchange for political support at the polls (Kitschelt and Wilkinson 2007; Ayero 2012, 97; Wantchekon 2003, 400).

Opinions differ regarding some forms of face-to-face exchanges for political support. Tomsa and Ufen consider some parts of the definitions above as problematic, stating that clientelism “has become a catch-all phrase that is often used synonymously for a range of informal and/or illegal practices, including patronage, vote-buying, bribery and outright intimidation” (Tomsa and Ufen 2013, 4). At the core of this questioning stands an essential characteristic of clientelism, which is the forging of long lasting relations between patrons and clients. Corruption and vote-buying (or "money politics" as it is often called) might serve as a strategy to strengthen already existing clientelist ties. However, the distribution of money or goods to attendees of electoral rallies is too random and anonymous to be called clientelistic. Tomsa and Ufen state that in a secret ballot it is not really possible to know if the voter has fulfilled his part of the deal (2013, 5). This aspect is also pointed out by Gadjanova and others. However, Nichter (2014, 315) and Gadjanova (2017, 594) call this "electoral clientelism", implying that such strategies do not necessarily result in lasting relationships between patrons and clients. As we point out later in this report, vote buying is not necessarily a component of political clientelism, precisely because it is an instant exchange that does not create any form of relationship (short- or long-term). Tomsa and Ufen (2013, 6)

also question the "face-to-face" element of political clientelism. Contemporary party apparatuses have grown bigger, and patrons no longer know how many clients they have, and they know very few personally. However, parties themselves can act as impersonal patrons.

Many authors studying clientelism have analyzed the bonds between the poorest strata of the population and party machinery. The connection between party machinery and powerful business companies is either bypassed, or not brought to attention. However, authors dealing with political clientelism in Southeast Asia have noted how businesspeople become parliamentary candidates, especially in Thailand and the Philippines, given their majoritarian electoral system. On the other hand, political parties there have a low level of institutionalization and a weak parliamentary track record (Tan 2013). These authors see the dissolution of such ties at the implementation of a closed list proportional electoral system. Albania's political parties do not suffer from weak structures, its electoral system is a proportional one, with closed lists, yet clientelist ties between political parties and the business sector are strong and persistent as we will show in this report.

Another point in common among many authors is the fact that their research on clientelism is always related to elections and polls. This is because, as we explain in our methodology section, elections represent the event when clientelist relationships and practices are most visible and available for research. And conclusions for similar issues may vary, since clientelism is widespread in most parts of the world, and research is conducted in different countries, with different political histories and different encounters with democratic traditions.

1.2 Political clientelism in Albania: literature overview

There is a growing literature on political parties and electoral systems in Albania, but works on political clientelism remain scarce. In their book on Albania's European integration, Bogdani and Loughlin (2007) have analysed some aspects related to the elections in Albania up to the parliamentary elections of 2005. They have argued that although clientelism existed in various

forms during the communist period, it worsened during transition because of several factors. These include the absence of means of applying pressure on the political class, a weak public administration, a difficult economic situation, resulting in scarce public funding and employment opportunities. Various forms of abuses of power included appointments to public positions, exchanges, as well as sharing bribes for public work contracts, and provision of illegal benefits. 'Party bosses' helped supporters to secure government benefits and services, favoured new businessmen and entrepreneurs to obtain licenses and contracts, and controlled the distribution of public sector and administration jobs to party officials and supporters (Bogdani and Loughlin 2007, 150-151).

The politicization of public administration institutions has been a major problem throughout the transition period. A very concerning development has been that upon seizing power every political party replaced whole staffs of the previous administrations with its own loyal members or supporters. This phenomenon has weakened the stability and continuity of the institutions, and undermined their legitimacy and efficiency (Bogdani and Loughlin 2007, 47).

In his analysis of electoral behaviour during transition, Afrim Krasniqi has argued that general parliamentary elections have been dominated by large parties or coalitions, while local elections have been characterized by a larger representation of smaller parties. In local elections citizens vote on the basis of their knowledge of the candidates, personal or regional connections or family relations, which are not always under the control of the larger parties. He also argues that there were no differences regarding financing, rhetoric, and political antagonism during local or parliamentary elections, although problems in the two different levels of government differ (Krasniqi nd, 22). The 2015 local elections were also dominated by national themes, rather than local ones. Lleshaj (2015) has argued that the clientelistic party system at the local and national levels is so consolidated that the results of local elections would not influence the citizens' everyday life. During elections the employees make efforts to keep their jobs while opposition

parties promise their clientele new positions. Considering the high unemployment, political parties have become the largest “employment agencies”.

In an analysis of internal democracy within political parties, Krasniqi and Hackaj (2015) have argued that the clientelistic model in Albania is likely to be more visible in local elections, where local interests are closer to local policies. In parliamentary elections, where the decision of a deputy cannot dictate the fulfilment of his/her promises, this phenomenon is less relevant. The interviews conducted with party members showed that less than half of respondents answered that they talked about local communities issues in the meetings of party sections. The compiling of electoral strategy appears to bear the same importance as the employment of supporters. When asked “What is the purpose of joining a political party?”, 52% stated that it helped their career advancement (Krasniqi and Hackaj 2015, 57).

2. METHODOLOGY AND RESOURCES

Bluntly put, and for better or for worse, most of what ethnographers “do” is talk to people. We talk to people about what they think, what others think, and about what they and others say they and others do. We also “observe,” and these observations may be important, but I think on the whole many of us rely far more on words about deeds than on the deeds themselves. (Guttman 2002, 5)

Authors dealing with political ethnography argue that the advantage of the ethnographic method rests in its potential to look closely at the relations between political institutions, their sets of practices, and day-to-day interactions between political actors and citizens. It is also a unique way to gain insight into the meanings and perceptions that people attach to their daily actions

related to politics, their interaction with political and public institutions, and also the way they perceive political systems, democracy, participation, and representation (Guttman 2002).

We had the advantage of carrying out this research as the deepest political crisis starting from 2009 unfolded, a crisis which had the conduct of general elections at its heart. Elections legitimize the continuation and the reproduction of the (political clientelist) system and they represent the peak, the culminating moment, when informal practices undermining formal rules, clientelist ties, and the flow of corruption intermingle and act simultaneously in full force. Generally speaking, it is difficult to document informal relations and practices, especially cases that are also combined with dubious activities. Authors dealing with political ethnography, like Gianpaolo Baiocchi and Brian T. Connor (2008, 140), Javier Auyero (2006, 257-259), or Adler-Nissen (2016, 13) rely on Loïc Wacquant's definition of the ethnographic method as "'close-up, on-the-ground observation of people and institutions in real time' where the investigator detects 'how and why agents act think and feel'" (Wacquant 2003).

In the present case where observation is important it was essential for the researchers to be residents and citizens of the country under study. In this sense we participated in both pre-electoral (keeping in mind that the campaign started informally several months in advance of the official date) and electoral events. We followed the political crisis from the outset and not only through media. Two team members followed the opposition protest on the ground, participating and observing protest meetings and the tent erected in front of the government building, talking to people, and listening to various thematic conversations. We also participated in two electoral meetings that took place in Tirana during the official campaign. Secondly, we joined various conversations related to elections on a daily basis. They involved peoples' decision (not) to vote, their motivation in this, as well as pressures they face or offers they receive for their votes. The observation is limited by our impossibility to join party structures engaged in clientelist practices and witness/practice them. At the end we rely, as Guttman says, on individuals' own account on their actions and motivations thereof. Our data were based on first-hand accounts.

In this report we identify two levels of informality permeating the electoral process. The first belongs to high politics and the second involves the direct, face-to-face interaction between base structures of political parties and voters. By high politics we mean decisions and negotiations made within higher structures of political parties regarding campaign funding, and political negotiations among leaders of the main/large/ political parties to resolve the pre-electoral period political crisis. The data related to this level were gathered chiefly from media and OSCE-ODHIR reports. We have also gathered data from the people we have interviewed, but this information serves more to raise questions than to give answers.

We conducted two groups of interviews:

- a. five in depth interviews with active members of local structures of 3 political parties in Albania.
- b. opinions and information from 30 people, regarding their decision to vote, before and after the elections, 18 of them as semi-structured interviews and 12 as non-structured conversations. We interviewed people from Tiranë, Kavajë, Tropojë, Ersekë, Korçë and Elbasan.

Combining answers by these two target groups (local party activists-brokers) and voters enable us to better understand the ways in which activists of base structures of political parties connect with ordinary voters.

3. GENERAL PARLIAMENTARY ELECTIONS IN ALBANIA ON JUNE 25, 2017: A SUMMARY OF THE POLITICAL CRISIS

Albania is a parliamentary republic with legislative powers vested in its 140-member unicameral parliament, and the executive power exercised by the government, led by the prime minister. The parliament's 140 members are elected for a four-year term through a closed list proportional representation system in 12 multi-member electoral districts that correspond to administrative regions. Parties and coalitions of parties that register for elections must submit candidate lists for all districts. Parties and coalitions that surpass, respectively, three and five per cent threshold of votes cast in the corresponding district, qualify for seat allocation. The legal framework on parliamentary elections consists of the 1998 Constitution, the 2008 Electoral Code, and other legal regulations.⁵ The 2013 parliamentary elections resulted in a government led by the Socialist Party (SP), bringing about a shift of power from the previous government led by the Democratic Party (DP). The political climate, however, remained characterized by longstanding mistrust between the DP and SP.⁶

Following the 2015 local elections, an *ad hoc* Parliamentary Committee, co-chaired by representatives of the DP and SP, was established to draft amendments to the electoral law. However, the Committee was frequently blocked and it failed to finalize any draft amendments. According to some OSCE/ODIHR (Office for Democratic Institutions and Human Rights) and Election Observation Mission (EOM) interlocutors, the process lacked inclusiveness with some proposals by smaller parties and civil society not considered.⁷ Overall, the Electoral Code provides an adequate basis for the conduct of democratic elections, but shortcomings identified

⁵ REPUBLIC OF ALBANIA. PARLIAMENTARY ELECTIONS 25 JUNE 2017. OSCE/ODIHR Election Observation Mission Final Report, Warsaw, 28 September 2017, p. 4. [online]. Available at: <http://www.osce.org/odihr/elections/albania/346661?download=true> [Accessed 6 Dec. 2017].

⁶ *Ibid.*

⁷ *Ibid.* p. 5.

in previous OSCE/ODIHR reports were not addressed in advance of these elections. This included recommendations related to refining the gender quota for candidate lists, strengthening independence and professionalism of the election administration, enhancing transparency of campaign financing, and clarifying responsibilities for election complaints. Lack of clarity of some provisions of the Electoral Code had a negative impact on the electoral process.⁸

The European Union considered a constructive and sustainable political dialogue as essential for the consolidation of continuous reforms in accomplishing Albania's five top priorities toward EU Integration. Candidate status does not mean that the EU will automatically start accession negotiations with Albania, which is a subsequent, separate step in the EU integration process, for which additional progress, in five key priority areas, is required.⁹ That is why the conduct of democratic, peaceful and free elections was considered of utmost importance in 2017.

On 5 December 2016, the president called parliamentary elections for 18 June 2017. The candidate list is legally required to include at least one male and one female among the top three positions with a 30 per cent quota for each gender. Elections in Albania are regulated by a legal framework consisting of the Constitution and the Electoral Code, both of which were amended for the 2017 elections based on recommendations by the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE/ODIHR) and Council of Europe. Elections in Albania are administered by the Central Election Commission (CEC). The CEC is an electoral management body consisting of seven members proposed by both the parliamentary majority and opposition. The CEC chairperson is appointed through an open application process. Commissions for election administration and voting in each zone are appointed by the CEC for each election. Voter lists are extracted from the National Civil Status

⁸ *Ibid.*

⁹ Albania and the EU (2016). [online]. Available at: https://eeas.europa.eu/delegations/albania/6953/albania-and-eu_en [Accessed 6 Dec. 2017].

Register (NCSR) database. So far, there are no provisions for absentee voting, voting abroad, or voting by mail.¹⁰

In spite of their deep-rooted hostility and animosity, the government and the opposition managed to pass the decriminalisation law in parliament on December 2015 and to agree on the principles of judicial reform with the unanimous passing of constitutional amendments on 21 July 2016, which enabled parliament to undertake comprehensive reforms.¹¹ In January 2017, the DP and 22 opposition parties declared that elections could not be democratic unless several conditions were met: the establishment of a technical government until the elections; electronic voting and counting, and biometric voter identification; “decriminalisation” of elections; reduction of election campaign costs and harsher punishments for election-related offences; prohibition of the use of administrative resources; and finally fair access to the media.¹²

On 18 February, the DP started a boycott of the parliament, alleging that the SP-led government was preparing widespread electoral fraud and that credible elections could not be held under existing conditions.¹³ The DP and its allies walked out of the parliament and started peaceful street protests, camping out in an 800 square meter tent in front of Prime Minister Edi Rama’s office,¹⁴ demanding the resignation of Prime Minister Rama and the installation of a technical government as a guarantor of a democratic election process. The DP maintained that Rama’s government would undermine the elections,¹⁵ and asked for the introduction of electronic voting.

¹⁰ *Ibid.*

¹¹ Council of Europe. Election observation report: Observation of the parliamentary elections in Albania (25 June 2017), p. 3. [online]. Available at: https://www.ecoi.net/en/file/local/1410049/1226_1506427343_coepace-observation-of-the-parliamentary-elections-in-albania.pdf [Accessed 9 Jan. 2018].

¹² *Ibid.*

¹³ Albania and the EU (2016). [online]. Available at: https://eeas.europa.eu/delegations/albania/6953/albania-and-eu_en [Accessed 6 Dec. 2017].

¹⁴ Koleka, Benet, Albanian opposition to boycott parliament, defying EU appeal, Reuter, February, 22, 2017. [online] Available at: <http://www.reuters.com/article/us-eu-albania-protests/albanian-opposition-to-boycott-parliament-defying-eu-appeal-idUSKBN1612GL> [Accessed 9 Jan. 2018].

¹⁵ Albania’s June 2017 Parliamentary Elections (2017) [pdf]. Available at: <https://www.ndi.org/sites/default/files/NDI%20Albania%202017%20Election%20Analysis%20Final.pdf> [Accessed 9 Jan. 2018].

The SP rejected these demands and claimed that the DP did not want to participate in the elections due to a lack of popular support. As the stand-off continued, opposition parties did not register for the elections by the 9 April deadline. With all registration deadlines having expired, and the Central Electoral Commission (KQZ) having decided on the content of the ballot paper, a large DP-led demonstration took place in Tirana on 13 May, reasserting the party's call for the acceptance of its conditions in return for its participation in the elections.¹⁶

Election deadlines such as candidate registration came and went, and the DP remained defiant. Rama rejected the DP's demands, saying that its actions jeopardized Albania's bid for EU membership and good standing in NATO. Albania's Presidential elections went forward in April. The president is indirectly elected by the parliament in a process meant to yield a consensus candidate. Given DP's boycott, a consensus on presidential candidate seemed hard to reach. SP proposed Socialist Movement for Integration leader and Assembly Speaker Ilir Meta, who was duly elected on April 28, without DP participation.¹⁷

On 25 April 2017, the European Parliament negotiators Knut Fleckenstein and David McAllister arrived in Tirana with the goal of mediating a solution to Albania's ongoing political deadlock. They met with PM Rama. The Assembly speaker Ilir Meta and McAllister met with the DP leader Lulzim Basha, to whom they presented a platform to end the crisis. The McAllister package contained three essential points: postponement of the election to 16 July; replacement of four cabinet ministers with technical staff proposed by Prime Minister Rama and approved by the opposition; appointment of the chairman of the KQZ with the proposal of the opposition and the consensus of the President and the Ombudsman. The proposal was not accepted by Basha, who during the negotiations made a concession regarding the unchanged condition of the caretaker government: the technical government PM could be nominated by Rama himself, with the consent of the opposition. However, Albanian political leaders failed to reach an accord on the proposal at the talks mediated by McAllister and his fellow MEP Knut Fleckenstein.

¹⁶ *Ibid.*

¹⁷ *Ibid.*

Only after the visit and the meetings of the Deputy US Assistant Secretary of State Hoyt Brian Yee with both leaders in a last effort to convince them to reach a compromise ahead of the June's parliamentary election, Rama and Basha came to a deal, in which both parties accepted the so-called "McAllister Plus" proposal. The deadlock ended on 18 May with a political agreement between the DP and SP leaders. A text of the 18 May political agreement was published on the DP and SP websites. It includes commitments to continue the process of judicial and electoral reform, to introduce electronic voting for future elections, and to institutionalize dialogue between the two party leaders. The agreement secured the participation of the DP and its allies in the elections and stipulated that the DP could fill several key positions, including one deputy prime minister, six ministers, the chairperson of KQZ, directors of several public agencies, and the ombudsperson. The parliament dismissed the ombudsperson and appointed a new one on 22 May, disregarding the legally prescribed process. The new ombudsperson was sworn into office only on 17 June, leaving the human rights institution without leadership for much of the election period. The agreement also foresaw the postponement of the elections to 25 June, as well as extension of party and candidate registration deadline to 26 May.¹⁸

In return, the opposition abandoned its demand for Rama to resign. Electoral provisions of the agreement produced changes in the Criminal Code, the Law on Audio Visual Authority, and the Law on Political Parties, to increase electoral transparency and fairness of competition. Changes to the Law on Political Parties, for example, required political parties to submit campaign donations and spending records within 60 days after the election, and placed limits on campaign spending. Amendments to the Criminal Code and Law on Political Parties stiffened penalties, including imprisonment, for vote buying and selling and other criminal electoral conduct. And while the McAllister Plus Package was a welcome solution to the political crisis in addressing substantive reform, it underscored the parties' inability to negotiate similar reforms in parliament

¹⁸ REPUBLIC OF ALBANIA. PARLIAMENTARY ELECTIONS 25 JUNE 2017. OSCE/ODIHR Election Observation Mission Final Report, Warsaw, 28 September 2017. p. 5. [online]. Available at: <http://www.osce.org/odihr/elections/albania/346661?download=true> [Accessed 6 Dec. 2017].

that would have enabled civil society groups to participate and given sufficient time to the Central Election Commission (KQZ) to prepare, issue, and enforce regulations and guidance to its subsidiary bodies and to political parties.¹⁹ These amendments introduced new regulations on campaigning, campaign finance, and political advertising in broadcast media, as well as new electoral offences and increased sanctions for existing ones. New criminal offenses in the Criminal Code included abuse of public function for electoral activities and misuse of other people's identification documents. In addition, more detailed prohibitions on vote-buying and vote-selling were introduced.²⁰

The substance of the changes was welcomed by many OSCE/ODIHR EOM interlocutors. Positively, some of the amendments addressed prior OSCE/ODIHR recommendations with regard to the transparency and accountability of campaign finance and more robust measures to prevent pressure on public sector employees and corrupt electoral practices.²¹

However, the 18 May political agreement was given legal effect at the expense of the rule of law. All amendments were voted on in one day, contrary to the constitutionally prescribed legislative procedure. Under the Constitution (Article 83), an expedited procedure to approve draft laws must not be less than one week. Codes may not be approved or amended with an expedited procedure. At odds with OSCE commitments and Council of Europe standards, the process lacked transparency and consultation with stakeholders, while its late timing created significant difficulties in the implementation of key aspects of the election administration. Paragraph 5.8 of the 1990 OSCE Copenhagen Document commits participating States to adopt legislation “at the end of a public procedure”. Section II.2.b of the 2002 Venice Commission Code of Good Practice in Electoral Matters recommends that “the fundamental elements of electoral law ...

¹⁹ Albania's June 2017 Parliamentary Elections (2017) [pdf]. Available at: <https://www.ndi.org/sites/default/files/NDI%20Albania%202017%20Election%20Analysis%20Final.pdf> [Accessed 9 Jan. 2018].

²⁰ REPUBLIC OF ALBANIA. PARLIAMENTARY ELECTIONS 25 JUNE 2017. OSCE/ODIHR Election Observation Mission Final Report, Warsaw, 28 September 2017. p. 5. [online]. Available at: <http://www.osce.org/odihr/elections/albania/346661?download=true> [Accessed 6 Dec. 2017].

²¹ *Ibid.*

should not be open to amendment less than one year before an election.” Last minute legislative changes challenged legal certainty and undermined the consistency of the legal framework as some of the new provisions were not harmonized with the Electoral Code, such as new rules on campaign advertising in the broadcast media. Under the Constitution (Article 81), codes carry greater legal weight as acts adopted by a qualified majority of MPs. Many OSCE/ODIHR EOM interlocutors emphasized the need to involve experts beyond the largest parliamentary parties and to study policy options, including for electronic voting, before future reform.²²

4. FUNDING OF ELECTORAL CAMPAIGNS

According to Albania’s Electoral Code electoral campaigns are supported by advance funds given from the State Budget to political parties registered as electoral subjects; income generated by the electoral subject itself, in accordance with the legislation in force; gifts in monetary value, in goods or services rendered, and loans taken by the political parties. 95% of the electoral campaign fund defined through a decision of the Parliament is distributed to all political parties registered as electoral subjects, which received no less than 0.5 % of the valid votes in the previous elections. The other share of 5 % of the total fund is distributed to the rest of the electoral subjects. The CEC is responsible for distributing the total budget of the electoral campaign to parties on the basis of the number of votes they received in previous elections.

The enhancement of transparency of campaign financing has been one of the OSCE/ODIHR recommendations in all previous election reports. On May 22, 2017 various amendments were adopted to the law of Political Parties, the Law on Audio-visual Media, and the Criminal Code which introduced new regulations on campaign finance, but also on campaigning, political advertising, new electoral offences, and increased sanctions for existing ones.

²² *Ibid*, p. 6.

There are various legal prohibitions regarding public and private funding of political parties. Article 88 of the Electoral Code specifically prohibits any use of resources of any central or local public institution for campaign purposes and the recruitment, dismissal, release, movement or transfer in duty in public institutions or entities during electoral campaign. Following the agreement of May 18th 2017, the abuse of public function for electoral purposes was included in the Criminal Code. Participation of employees in public institutions in electoral campaigns and the forcing or organising of pre-tertiary education students in the electoral activities by employees who perform a public duty in public education became punishable by imprisonment of six months to three years. Forcing or requesting citizens by a public administration employee to participate in electoral activities, to vote, to vote in a certain way or to support or not a political party or candidate became punishable by imprisonment from one to three years. The same punishment was foreseen for the use of public goods, functions or state activities, or human and financial resources aiming to support one party or candidate.²³

4.1 Use of resources of local and central public institutions for campaign purposes.

Various forms of abuse of public resources during electoral campaigns have been constantly observed and reported during elections in Albania, with local and central state institutions engaged directly and/or indirectly in the electoral campaigns of governing parties. One of the forms of abuse of public resources during electoral campaigns has been the use of openings of public works for electoral purposes. During the June elections, structures of local government were openly involved in supporting the party in power during the campaign, culminating with

²³ LIGJ Nr. 89/2017 PËR DISA SHITESA DHE NDRYSHIME NË LIGJIN NR. 7895, DATË 27.1.1995, “KODI PENAL I REPUBLIKËS SË SHQIPËRISË”, TË NDRYSHUAR (2017) [pdf]. Available at: <https://www.parlament.al/wp-content/uploads/2017/05/ligj-nr-892c-dt-22-5-2017-KOdi-Penal.pdf> [Accessed 7 Oct. 2017].

the opening ceremony of the newly constructed Skanderbeg square in Tirana.²⁴ This ceremony took place in the middle of the electoral campaign, on June 10th 2017, although the square was not yet completely finished. The ceremony was organized in a pompous style with folk groups from all of Albania invited (financed by local municipalities) and the entire event was permeated by heavy nationalist discourses. The square has an area of 28000 m², symbolizing the surface of Albania (28748 km²). According to the mayor Erion Veliaj, the stones used in the construction of the square were taken from all areas of the Balkans where ethnic Albanians live.²⁵

Political discourse during electoral campaigns in Albania has often been dominated by open declarations of governmental support only for candidates of the governing party/coalition while other candidates would be described as vulnerable because of the lack of support by the central government. These statements can be interpreted as open pressure on voters and a threat to the fairness of the electoral process. During the June elections there were various examples of this relation formed between local and central governments aiming to gain voter's support. One of the more evident examples is a letter sent to inhabitants of Tirana by the mayor Erion Veliaj, in which he openly asked them to vote for the Prime Minister Edi Rama and the Socialist Party. After several paragraphs describing the achievements of the municipality during the preceding years, those were then attributed directly to the support offered by the Prime Minister:

*But let me tell you honestly that all these achievements would have been impossible without the constant attention and **unconditional support of Edi Rama**. And in order to make the Tirana that we want, it is vital that we secure this irreplaceable support for the four coming years. Only a Prime Minister like Edi Rama, who knows in his heart and his*

²⁴ The construction of Skanderbeg square had previously started when the incumbent Prime Minister Edi Rama was the mayor of Tirana. When Lulzim Basha (now head of the Democratic Party) became mayor, his administration suspended this project and found a temporal solution. The new socialist mayor Erion Veliaj restarted the same project planned by Rama.

²⁵ Të shtunën hapet Sheshi Skenderbej. Veliaj fton qytetarët t'i kthejnë dinjitetin qendrës Panorama 5 June 2017. [online]. Available at: <http://www.panorama.com.al/fotot-te-shtunen-hapet-sheshi-skenderbej-veliaj-fton-qytetaret-i-kthejme-dinjitetin-qendres/> [Accessed 7 Oct. 2017].

*mind the challenging work of the Municipality and who is inseparably related to Tirana, can **respond day and night** to our numerous needs.²⁶*

The letter continues with promises for future projects of the Tirana Municipality, relating the realization of these projects again directly to the future support of the Prime Minister:

With Edi Rama as Prime Minister we will construct 17 new schools [...]. Receiving that support depends on you! Because on June 25th you will vote not only for the Albania we want, but also for these big projects and for the future of our works for the Tirana we want.

It is very simple why everything depends on your vote! Thus, I am asking you the honour that would help me and would help us endlessly on the road of the great effort we are making together: If you want that work in Tirana never rest day or night, then vote united on the box number 2! Because the flag of the work in our Tirana is worth more than any party flag. Vote for Edi Rama! Because the vote to keep Edi Rama Prime Minister is valid for Tirana and our big capital family more than the votes for all parties together! Vote for the Tirana we want, with a [functioning] state, work, and wellbeing; and what we will accomplish together with Edi Rama will be more than we have accomplished so far.²⁷

During the campaign, former and current ministers specifically mentioned their support and investments for municipalities, in order to ask the voters to keep voting for the party in power if they want these investments to continue. The Minister of Finance prior to the elections, Arben Ahmetaj, who resigned due to the agreement between Rama and Basha, stated during his campaign opening in Rrogozhina:

The government of the Socialist Party has brought serious investments to revitalize the town. Today alone, 9 million dollars have started to be invested in this district by the

²⁶ The bold parts are the same as in the original letter. Tirana inhabitants received the letter in front of their apartments. The full text was also published by newsletters available at: <http://www.kohajone.com/2017/06/23/leter-nga-erion-veliaj-e-dashur-familja-ime-e-madhe-e-tiranes/> [Accessed 7 Oct. 2017].

²⁷ *Ibid.*

*Albanian government. [...] It took us four years to treat the body of Albania, torn apart by transition, bad management, and corruption. Now we have a four-year period where on the healed body of Albania we have the chance to build and develop. Do not forget that on June 25th we have a lot to lose, therefore on that day we must not lose any vote.*²⁸

The increase of public investments and inauguration of public works in the months prior to elections and during electoral campaigns constitute a form of abuse of public resources for electoral purposes. According to the OSCE/ODIHR report on June elections:

*Many OSCE/ODIHR interlocutors expressed concerns over the abuse of state resources, and of work-place related pressures on private and public sector employees in connection with their activities of preferences. A concern exists that, in an environment of politicised institutions, electoral choices of public-sector employees, a segment of society vulnerable to pressure, can have consequences for individual livelihoods and future employment.*²⁹

4.2 Private funding of electoral campaigns

While eventual abuse of public resources can be easier to track due to visibility in media and presence in public documents, private funding of political parties is a much more complicated issue. According to the electoral code, private funding of the campaign should not exceed 1,000,000ALL per donor and the donation should be deposited in the bank account of the beneficiary party, opened for this purpose. Companies that have received public funds above

²⁸ Ahmetaj nis fushatën në Rrogozhinë. Bujqësia dhe turizmi prioritetet e mandatit tjetër. Tiranapost 20 May 2017 [online]. Available at: <http://www.tiranapost.al/ahmetaj-nis-fushaten-ne-rrogozhine-bujqesia-dhe-turizmi-prioritetet-e-mandatit-tjetere/> [Accessed 12 Jan. 2018].

²⁹ Election Observation Mission, *Final Report: Parliamentary Elections 25 June 2017 Republic of Albania* (Warsaw: OSCE/ODIHR, 2017) p. 13-14. [online] Available at: <http://www.osce.org/odihr/elections/albania/346661?download=true> [Accessed 6 Oct. 2017].

10,000,000ALL in the last two years, or that have participated in more than one public project, are not eligible to donate to political parties.³⁰

One of the constant recommendations of the OSCE/ODIHR regarding the elections in Albania has been transparency of finances of parties during electoral campaigns. Election campaigns have become more costly and state funds provided to political parties cover only a small part of these campaign costs. Therefore, political parties and candidates increasingly rely on donations to raise the funds needed to run an effective campaign. This approach carries the risk of election campaigns being funded by dubious sources or through promises of favours from candidates to different donors, promises which could later be fulfilled through corrupt practices and misuse of state institutions. Legally, the campaign expenditures of a political party cannot be more than ten times higher than the highest amount in public funds that a contestant has received. But monitoring and auditing reports of party finances indicate that while political parties do not declare campaign expenditures higher than the legal limit, there are serious concerns that the political parties do not declare their income and costs in full.

Political parties also do not declare all their campaign expenses. The monitoring reports of certified audits on campaign finances of political parties which are published on the homepage of the Central Elections Committee reflect different problems, among others the lack of contracts for electoral offices, lack of detailed bills for each event and other electoral activities, lack of lobbying contracts, failure to declare electoral meeting expenses, incomplete billing of services

³⁰Article 89* Financing of electoral subjects through non-public funds.

1. Electoral subjects may receive funds for the purposes of their electoral campaigns only from domestic natural or legal persons. For the purposes of this Code, an Albanian citizen who resides outside the territory of the Republic of Albania shall also be considered a domestic natural person. 2. The amount that each natural or legal person may give to an electoral subject may not be larger than ALL 1 million or the equivalent value in kind or services.

3. Donation of funds by a legal person or any of its shareholders is prohibited if one of the following conditions applies: a) has received public funds, public contracts or concessions in the last 2 years, exceeding ALL 10 million; b) exercises media activity; c) has been a partner with public funds in different projects; ç) has monetary obligations towards the State Budget or any public institution. This obligation is not applicable if the shareholder owns these shares as a result of a public offer. [online]. Available at: <http://aceproject.org/ero-en/regions/europe/AL/albania-electoral-code-2015> [Accessed 8 Sept. 2017].

related to electoral meetings, and lack of transparency regarding the number and location of electoral offices.³¹

The monitoring of electoral campaign expenses during the electoral campaign would be an important method to enhance transparency of political party funding. Despite legal improvements regarding the finances of political parties, resources to audit electoral campaign expenditures of parties during the campaign are limited. For the June 25th parliamentary elections, the Central Elections Committee appointed financial experts to monitor campaign expenditures. According to one of the experts, they faced many problems which hindered the monitoring:

*We were appointed for the monitoring with delay, only two weeks before the elections. The Municipalities replied with delay about the location of electoral offices. The political parties did not give official written answers about the list of electoral activities that were planned and this made the monitoring difficult.*³²

While arguing that the electoral campaign was more positive than the previous one, political scientist Afrim Krasniqi emphasized that the progress in the decrease of electoral expenses, more accurate financial declarations by political parties or the compromise about less advertising, is minimal in comparison with the complex problems of high informality within the parties:

*The main electoral funding comes from three sources: direct funding outside of political lines by “strong” groups in the electoral district, immeasurable funding in goods by different companies or public resources and international lobbying in hundred million ALL carried out before the campaign.*³³

Through a newspaper report from November 2017 it became public that the DP had signed a contract for 675,000 US dollars with an American lobbying company which was not declared in

³¹Raportet financiare fushata 2017 [online]. Available at: <http://financial.cec.org.al/> [Accessed 25 Jan. 2018].

³²“Maja e ajsbergut”: Partitë politike fshehën shpenzimet e fushatës nga ekspertët e KQZ. Reporter 4 Dec. 2017. [online]. Available at: <https://www.reporter.al/maja-e-ajsbergut-partite-politike-fshehen-shpenzimet-e-fushates-nga-ekspertet-e-kqz/> [Accessed 7 Dec. 2017].

³³ *Ibid.*

the financial statements of the DP. The DP also had a contract with another lobbying company for 150,000 US dollars. The Socialist Party and the Socialist Movement for Integration had also lobbying contracts in high amounts of money.³⁴ According to the financial statement of the Democratic Party, there were consulting contracts in total amount of only 16,602,878 ALL,³⁵ approximately 155,000 US dollars. Following the media report, the Tirana prosecutor's office declared in December 2017 that it had started a criminal investigation against the Democratic Party on charges of falsification and non-declaration or false declaration of income.³⁶

During our fieldwork we had interviews with members of different parties, in which we asked questions regarding the funding of electoral campaigns, the donors, the donation procedures, and the expectations of donors. While our interviewees were usually either reluctant to talk about financial issues of electoral campaigns, or stated that they did not have any information on how funding worked and who was involved, we did receive some information on how things work in practice.

When asked how the funding of the electoral campaign functions, our DP informant from Tirana explained:

One part of funds comes from the party. Another part comes from donors of the electoral district. In our section we have three persons with small and medium size businesses who give money according to their capacities. Phone bills we pay ourselves, while receptions and coffees during electoral meetings were partly paid by our candidate, who told us she has three sponsors. But we as party structure members do not know their names.

34 Kontrata e fshehtë e PD me lobistin amerikan, transfertat milionëshe përmes kompanisë 'offshore'. Reporter 22 Nov. 2017. [online]. Available at: <https://www.reporter.al/kontrata-e-fshehte-e-pd-me-lobistin-amerikan-transfertat-milioneshe-permes-kompanise-ofshore/> [Accessed 23 Nov. 2017].

35 Raporti i Audituesit të Pavarur Për Auditimin e Fondeve të Përfituara dhe të Shpenzuara në Fushatën Zgjedhore të Kuvendit 2017 nga Partia Demokratike e Shqipërisë http://financial.cec.org.al/AuditReports/AuditReport_Audit_Report_PD.pdf, p. 3. [pdf]. [Accessed 25 Jan. 2018].

36 Ekspertët mbeten skeptikë për hetimet mbi financat e partive politike. Reporter 4 Dec. 2017 [online]. Available at: <https://www.reporter.al/ekspertet-mbeten-skeptike-per-hetimet-mbi-financat-e-partive-politike> [Accessed 11 Dec. 2017].

Albanian parties are generally funded by big businessmen, while small and medium sponsors of any activity try not to show off. The Democratic Party has a lack of sponsors.

When asked why small businesses sponsor activities during the campaign, his answer was:

If you have a small or medium size business and you have sponsored a party, if that party wins elections, then you have the right contacts in the future administration. So if you would have problems with the tax office, for example, you have not paid a fine or a specific tax, or you have more workers than you actually declared, then it is enough for you to call your contact person and remind him that you have sponsored the campaign. So the tax officers will leave you in peace. This is how it works with both the Socialist and Democratic Party.

One of our interviewees, a member of the Socialist Party active in the electoral campaign, when asked about whether he had any knowledge about private sponsors funding the electoral campaign of deputy candidates answered:

Not that I know of, it is the party that guarantees their funds for the campaign in that district. I talk here about main funds, such as posters, advertising and so on, while technical matters, such as who pays for the hotel, travel expenses, these are mainly solved through sponsors. For example, you can sleep at the hotel of someone who is a supporter, and someone else pays for lunch. There have been cases when candidates have stayed even one month in the district, and this is something that is always solved differently. It is not always the same solution. The main funding comes from the party for the elections.

Asked how funding by private subjects for the party has changed, he answered:

I do not have any information. It looks like it has increased, but I am not convinced that it is a substantial increase. There have been many individual donors during these elections, but the sums have not necessarily been larger.

To the question regarding the motivation for funding a political party he gave this answer:

A kind of influence, real or purported, on politics, a kind of favour they hope to receive I believe is the main reason.

These examples indicate a perception by politically active people that the private donors' main expectation in return for their support is better access to state institutions if the party they supported wins the elections. One of our interviewees, active within the Socialist Movement for Integration told us that “*We hear that there are businessmen who sponsor a little to all so that they are in good terms with all parties*”. Our interviews indicate that the higher the funding for the political parties, the greater the chances of profit by public resources for the donors.

When asked whether the relationship between party and business has increased or decreased, our informant from the Democratic Party in Tirana explains:

I think it is a stable situation. I do not think there will be any weakening because party conjunctures are dependent on business. Albanian political parties are financed by big businesses, and this is not going to change any time soon. Party structures depend on the business ties that they are able to create. Take for example activities during the electoral campaign. Try to compare the funds that the political parties get from the state with the real costs. You will see that those funds are so small that they cannot cover most of the real expenses needed. Let me give you my example. When I was involved as part of the youth structure of the party, I participated in 8 parties organized for the youth in Tirana. Hundreds of people participated. Only I consumed 6 drinks, which cost a medium of 2500 ALL per party. And what about the rest? Remember that such parties were not organized only in Tirana, but all over Albania. Then, what about other electoral activities?

The lists of deputy candidates for the parliamentary elections are prepared by party leadership. While candidates must be people of a certain reputation and influence from the electoral district, and they must be proposed by the local party organisations, there are cases when the candidates are completely unknown to party structures and membership, and have never participated in party activities. In such cases, our DP informant from Tirana told us:

From conversations not only within the party, but also with people who have been active in other parties and organisations, in order to become a deputy candidate when you have not been promoted by the base and you are unknown to the party structures, you have to donate 350 to 400 thousand euros. I know of one such case personally, but I will not tell the name.

Another informant, a journalist from Elbasan³⁷, who has followed the elections closely in the region, told us:

Almost all the companies that work with public money, fund the campaign of the party in power. They are required to do so, if they want to keep doing business in the field of public works and investments. But they also feel obliged to do so, because they received money through tenders and concessions. Certainly, this money is not donated in a formal way, through bank accounts. They withdraw cash from their accounts and deliver a part thereof to the ruling party, while using the rest for vote buying. In the municipality that I observed, for example, there are two big construction companies that manage all the public works related to construction and infrastructure of the region. These companies have not only financed the campaign of SP, but they also lead that campaign in the region. Some of their employees were involved in vote buying with the company money. Family members of the local mayor work in those companies. The municipality also puts pressure on companies for receiving future construction permits, so that they can continue sponsoring the campaign. One of the company owners has been head of commune for the Democratic Party in the past. Now he left the DP and is linked to SP.

Besides advantages for funding businesses in receiving public money and contracts, the most often mentioned reason for businesses to fund political parties was to avoid problems or solve eventual issues with state administration, especially the fiscal administration. One businessman,

³⁷ The informants' personal data such as age, profession and origin have been altered in this report.

35 years old, who managed his own shop, told us that the rationale behind his vote in the last elections was the promise made to him for tax relief for his business and that this was his only expectation from voting for the party he chose.

One student from north-eastern Albania who voted for the Democratic Party mentioned that she was offered travel expenses from Tirana to her native town in order to vote, and asked about who paid for this she answered:

There was a close friend of the deputy candidate who financed minibuses that bought students from Tirana and paid for their travel expenses. Many were businessmen and profited through tax reductions, tenders, and annulment of late payments interests.

Our ethnographic work indicates that private funding of electoral campaigns is a very complex issue where private and public interest intertwine and it is an important source for the establishment of long-term clientelistic relations between businesses and political parties. Our ethnographic work and the data from the INFORM survey conducted in May and June 2017 indicate that not only are public-sector employees vulnerable towards abuse of state resources, but also business owners and private sector employees, especially through tax offices and differentiated attitude of state institutions to businesses. The analysis of answers to the question “Have you ever been offered money or a favour in exchange for your vote in elections?” according to the respondents’ economic status shows higher percentages of yes answers among those employed in the private sector. Only 7.5 percent of those employed full time in state sectors answered affirmatively, as opposed to 36.4 percent of those employed part-time. Among those formally employed full-time in the private sector 20.1 percent answered yes, while 28.3 percent of the self-employed answered yes. Percentages of answers in the affirmative were also high among informally employed persons, students, and pensioners, reflecting the higher vulnerability of persons who were offered money or favours in exchange for their vote.

Among those who answered yes to whether they had turned to a party official/ influential for help, the largest proportion (22.7 percent) were self-employed, followed by formally full time

employed in the private sector (18.2 percent). 11.4 percent of yes answers came from people employed in the public sector. Formally full time employed persons in private sector constituted the largest proportion of people who answered yes to the question whether they had been asked by their manager/boss to participate in activities of a certain party (31.5 percent).

The largest number of those who answered yes to the question whether they had been requested by the manager/boss to vote for a certain party were again among those formally employed full time in the private sector (35.4 percent). 12.6 percent of those who answered yes were employed in the state sector (both part and full time).

These results show that the impact of clientelist behaviour in the private sector is considerable and deserves special attention. The legal improvements of the Electoral Code regarding the involvement of public sector employees in campaigns seem to have had a positive effect in protecting public administration, but they do not include protection for private sector employees.

5 CLIENTELIST PRACTICES IN THE ELECTORAL PROCESS

5.1 How do people vote? Expectations, perceptions, and practices

When we talk about clientelism it is important to understand its persistence as a set of informal (and often illegal) practices. Theoretical literature on this issue abounds. Among other factors, the existence of a "clientelist habitus" (Ayeró 2012, 101-20) is mentioned specifically with regard to the reproduction of relationships within clientelist networks. These relationships are considered to be "schemes of perception, evaluation, and action" which in return "reconfirmed by the symbolic actions that patrons and brokers routinely enact in their public speeches, emphasizing their 'love' for their followers and their 'service to the people', and in their personalized ways of giving... creating the appearance that, were they not there, the benefits would not be delivered" (Ayeró 2012, 102). In a similar fashion, talking about the "economy of favours," Caroline Humphrey argues that favours are generally considered as informal and illicit

practices, but they “persist because they enable actors to enhance a sense of self-worth within relevant social circles; they are sources of esteem for ‘normal heroes’ in such life-worlds” (Humphrey 2012, 23).

It is not the aim of this report to discuss whether we can trace patterns of such a habitus in Albania. Yet, by trying to understand people’s perception of what political parties represent, their expectations and disillusionments, we are able to notice a discrepancy between perceptions on how things should be done / how the public sector should function, and the reality of this functioning in practice. Why do people get involved in clientelist relationships and practices at least during elections: is this because they perceive political actors as mere distributors of goods and services to their own voters and activists? Or is this a consequence of the malfunctioning of formal institutions, and because parties in (central or local) power fail to create and implement long-term strategies of development for the population in general?

Based on our conversations and interviews with voters we argue that there is a widely shared perception that political parties should be programmatic and that their policies once in power should contribute to the country’s general development, whereby people’s lives will be improved. While all of our interlocutors answered this question briefly but firmly, a 25 year old student from Tirana stated:

Political parties are structures of a democratic society, responsible for the well-functioning of the state. They should represent various social groups. They should give voice to our concerns and problems, respect our rights and demands, because we elect their candidates to represent us.

However, only half of our interlocutors have voted for a party because they have some sort of confidence in their programs (while expressing a deep disillusion with the parties that they voted for), or both because they feel affiliated to the right or left wing, and receive rewards in exchange for their vote. The other half voted in exchange for other favours, employment, or money, as we will see below.

It was interesting to see how people would express their disillusion with Albanian political parties immediately after saying their perceptions on what these parties should represent.

A 45 years old teacher from a town in middle Albania said:

I have always voted, but I can say that unfortunately political parties are at the service of the very few. They do not serve the well-being of population in general, but only a part of their activist members. I voted DP because my family was politically persecuted during communism. The last wish of my father was that I always vote against SP, and I do so. Also we gained NATO membership and visa liberalisation during the DP rule. Otherwise, if we take into consideration Albania's natural resources and potential for development it is obvious that political parties have not been able to advance our country.

The failure to use opportunities for economic development as source of disillusion has been articulated by the majority of our interlocutors, who voted either out of sympathy, or in exchange for favours, or both. A 35 years old agronomist from a village in north-eastern Albania, stated:

I voted simply out of personal interest. I have no faith whatsoever in any of the political parties. They never met my expectations with regard to their promises. If they would have kept half of them, there would be no extreme poverty. In our rural area we have only one high school, and students from various villages come here walking.

The personal interest in this case was a sack of wheat. Every house in his village received one.

Since it makes no difference whether I vote or not, or if I vote, there is no difference regarding improvement of our economic situation, I decided to take the sack of wheat. It means one month of bread (i.e. food) for my kids, at least. Poverty is extreme here.

Disillusion was at the heart of each clientelist exchange (votes in exchange of jobs, resolving daily or legal problems) or of vote-buying. Most voters above 30 (who have voted in more than two elections) described how their disillusion deepened from one election to the next.

It is interesting to see what activists of political parties state on the matter. A high ranking member of the SP, male, said that SP builds its electoral strategy based on a wide national survey about what people expect from SP governance in the case of a future mandate:

During the 2013 electoral campaign respondents to our survey were generally concerned about order. This is the reason why we focused the electoral strategy, and later our policies, around this matter. This time I was surprised to find out that respondents were concerned about reform of justice. This is an issue that does not influence peoples' lives directly. This is why during these elections we focused on this issue. Central party structures do not deal directly with electoral strategies in the base. Local structures identify local problems. For example if a region has a problem with tap water and not with road infrastructure, and another region the opposite, then the campaign strategy in these two regions is different.

He avoided questions on how promises are delivered, whether through a clientelist approach or a formal one. However, several SP and DP activists and one SMI activist in local base party structures give quite another picture.

Another SP member, activist in one of base structures of SP Youth Forum, explained that the base structures of all political parties have a list of voters of the specific electoral zones where they operate and they are able to identify loyal supporters/voters (not only members of the party). They are also able to identify approximately the loyal supporters /voters of other parties. Then they try to identify supporters of other parties who might potentially decide not to vote, or to change preference because their expectations were not met. Then they try to identify first time voters, and here the structures of Youth Forums are important. This strategy is also confirmed by

our interlocutors from DP and SMI. However, she confirmed that the most difficult meetings are the ones with members of the swing/gray electorate:

When we meet potential swing voters, or persons who decide to abstain, or persons who are indifferent, it is very difficult for us. Many of them refuse to meet us, since they are convinced that we deliver fake promises. A few decide to vote for what they perceive as "the lesser evil". Then there are those who directly ask for favours. I mean, people are tired of the incompetence of state institutions to deal with their problems. The most important issue is employment.

Another interlocutor, a DP member and activist in Tirana, gave us a similar picture. Still another interlocutor, a member and activist of SMI in Tirana, said:

Sometimes we encounter really strange requests. For example I went to meet people who live in an area where high voltage electric wires are connected. These homes are legally considered inhabitable and the state is obliged to give monetary compensation to these inhabitants so that they can live elsewhere. What happened is that only some inhabitants received the compensation. The others are so desperate that they think if they vote for our party we will resolve this problem. Many people met me with tears in their eyes, and showed me all the documents they possess. But I am a low ranking party member, and cannot promise that I will help them on such an important issue.³⁸ It broke my heart to see that I could not help. This means that our state does not function as it should.

³⁸ We will see later in the report, she declares that public institutions are divided like parcels among power holders, and in some cases it is not so easy to promise a favour if the broker does not know whether his/her party will hold that specific constitution.

The discrepancy between peoples' expectations and perceptions on the one hand, and the reality on the other has caused an increasing disillusion and distrust in political parties and public institutions. In our view it means that it is difficult to speak of a "clientelist habitus", where people either choose and prefer to engage in the "economy of favours", or are easily moved by the symbolic affection of "love" and "being at the service of our people" slogans expressed in the speeches of political patrons. Political clientelism persists insofar as strategies for development are short-sighted or not properly implemented.

5.2 Solving problems of everyday life

Another important issue is for us to understand how base structures of political parties identify peoples' problems during the campaign. During our fieldwork we heard various people reporting feeling bothered by various polls, either through telephone or by direct contact. The young SP member-activist admitted she had personally trained people to conduct such surveys, while other party informants avoided this question. Conducting national or local surveys and polls during the campaign is a normal and formal electoral practice. The question is whether such surveys are conducted in order to build strategies for the specific community, or whether they are conducted to gather information about immediate needs, issues and problems of local voters in order to deliver promises and favours in exchange for votes?

One of our interlocutors, a 60 year old male from a village in middle Albania said that people who came to his house for a poll asked him specifically whether the party in power has kept the promises made four years ago. Another interlocutor from Tirana said that he responded to two polls, one at home and the other by phone. He was specifically asked about his own problems and possible disappointment, and also which party would he vote for and why. Our informant from a village in north-eastern Albania added that people who came to conduct polls also promised favours in exchange for his vote. Other interlocutors answered in a similar fashion.

They admitted to having voted in exchange of promises for employment, or favours with lasting impact, or gift-money. Some of our interlocutors stated that because they were identified by people in the local community as loyal supporters of a specific party, they were not approached by activists of rival parties, nor were they contacted to participate in polls. If we link this to the way in which local party activists identify the possible swing/indifferent/gray electorate, we might then infer that there is a correlation between this identification and polls on the local scale. Of the five party activists that we interviewed, only two accepted to talk about the issues that people put forward to local party structures, which they fail to resolve through formal channels. Our interlocutor from the DP said that key figures for party structures are the chairs of the local branches, which coincide with specific electoral zones. They are the central figures who coordinate the electoral campaign, and they are the persons whom both ordinary voters and party members try to contact about their problems. The branch chair is the first point of contact. If the person is a member of the party this is easy, but if he/she is not, then they would have to find a person of contact, through friendship or kinship ties, or both (friends of friends, friend of a kin person, kin of a friend). Then the chair of branch scrutinizes the problem to see if he can resolve it first hand, and if not, he/she delegates the problem to higher party structures. Sometimes the problem is resolved in exchange for nothing (the vote is not asked for explicitly), sometimes in exchange for the vote, but many times they ask for money, especially if the favour is related to employment or resolving a problem in the property registry (property issues are still very complicated and unresolved in Albania), or to facilitate procedures related to healthcare.

You go to an office, let us say the property registry, and the officer gives you the list of documents that you have to deliver. You do it and you have to wait 40 days for an answer. And the answer is that you have to deliver other documents that you were not told about at the beginning. And you have to wait other 40 days. And then again you have to deliver other documents which to be honest, make no sense, either you can't get them anywhere, or you would need to spend a year or two to get them, and at the end the

answer from the property registry might be that it is not the right document. While if you find the middlemen through party structures, and pay the bribe, the problem will be resolved within 3 days. But if you are not a party member or declared voter, you will have to find another connection, a friend or a kin person of the director, and yet pay a bigger bribe. If you cannot find any of these, then may God help you.

When asked about the role of the heads of local party branches regarding the problems of citizens, one of our SMI interlocutors told us:

They turn to heads of the local party branches for favours like employment and various documents, or for the legalisation of the houses of that party's members. In this way their role is based more on private interests than on community interests.

He mentioned as the reason why people turn to party officials for help “*the chance to solve such problems is higher when you address it to them. They ask for money in return while during elections the vote is enough and in both cases they profit.*”

The other member-activist from SMI, said to us:

When we were part of government coalition with SP, public education institutions were divided between the two parties like parcels, those managed by our people and those managed by them. The education system in Albania is under direct influence of political parties, especially with regard to employment.

Besides employment, the inclusion of families within the social aid scheme in the months prior to elections is a form of clientelism, especially important for low-income families. Cases of decision-making by local institutions which increased the number of persons receiving social aid during the pre-election period in 2017 indicate the persistence of this form of political clientelism. Our SMI activist interlocutor stated that:

I have had relatives who got money for three months and then it was interrupted, as with employment. Even nowadays 5-6 months prior to elections a large number of people were employed and then the contracts were terminated.

She also admitted that institutions of higher education are divided on the basis of party influence. She mentioned a request made to her during the campaign. Someone promised his vote in exchange for passing 12 exams. One woman lecturer told us that she was put under pressure from faculty bodies so that students involved in electoral campaigns of political parties could be excused from exams because of the campaign. This kind of favour was also mentioned as a normal practice by our DP interlocutor. Our SMI interlocutor also said:

Parties in power have always used the legalization of informal dwellings as a strategy to gain votes. If you would compare how many buildings were legalized during 4 years, and how many in the months prior to elections, you would have a clear idea what goes on in this country during the electoral period.

When we talked to people about whether resolving issues of everyday life has influenced their decision to vote, we were able to identify two types of problem-solving through favours. The first has to do with long term problems that people face, where the vote might help them get the problem resolved. The second has to do with problems which might not appear during elections, but once they emerge, people will have to find contacts within the party who are likely to influence the institution involved.

In the first category we distinguish problems which impact the well-being and security of individuals and their families. The abovementioned cases of families who did not receive compensation for living in non-habitable dwellings of high danger falls into this category. Also legalization of informal buildings (houses and shops/workshops) is such a case. Our interlocutor, a 25 year old student from middle Albania told us that her entire kin of 50 people (traditionally voters of DP), voted for the SP this time because their houses were legalized before elections. In the next session we will see how this problem plus the promise of employment were decisive for

swing voters. Legalization of homes (security of housing in the long run) is such a big problem that out of gratitude people very probably will keep voting for the same party for at least the next two or three elections to come, a student told us.

Examples of the second category were also given by some of our informants. Dealing with the health system, for example, also depends to a certain extent upon having contacts within political parties. Our DP activist informant explained how this functions. Such is the case everywhere, except Tirana. The public National Hospital Center "Mother Theresa" in Tirana is the complex of hospitals that hosts the best doctors, services, facilities, and technology in Albania. Citizens from outside of Tirana have their own regional hospitals that lack the same quality. It is difficult to get a permit from regional hospitals to get hospitalized at the National Center of Hospitals, and here is when contacts within the ruling party (DP up to 2013 and SP after that year) are needed. Interestingly enough, only a few weeks after learning about this, we met a colleague who lives in a rural area in the South, who personally had administrative difficulties to fix an appointment for his parents at NHC in Tirana. He said that it would have not been possible to do so, if he would not have called the MP of his region and reminded the MP of the support he gave to his party.

Two other informants told us about their personal experience with the healthcare sector. A student from a north-eastern town in Albania told us that had it not been for some contacts through the party that they support, her mother would have not received the disabled person's status, although she was diagnosed as such. While our interlocutor from a town in middle Albania told us:

I possessed all the needed documents to perform free health examinations, along with the doctor recommendation. But at the hospital they would not allow me without making the (official) payment (which people without insurance have to pay). I insisted, till I had to make a phone call to a friend of mine, who had another friend in the party that influences that specific healthcare institution. Why should it be like this?

5.3 Employment as a source for clientelist ties

33.5% of INFORM survey respondents in Albania answered that they knew someone who had to bring a gift, provide a favour, pay money or find a contact in order to get a job in public companies or institutions. Only 6.2% of respondents admitted to having done this by themselves. Among those involved in this practice, 57.9% responded that they paid money to get things done, 12.3% brought a gift, 8.8% provided a favour, 15.8% found a connection, and 5.3% refused to answer. Only one respondent answered that it was a member of a political party who had helped him get a job, while friends and relatives were mentioned by the majority as persons who helped (75.4%).

While our survey showed a high perception of the influence of political parties in getting or losing a job, only 4.8% of respondents answered that they had turned to a party member for help. 36.3% of respondents answered that they had no trust at all in the members of the party they vote for, and only 0.7% had complete trust. Our interviews and informal talks reflect a very low trust in political parties, although many respondents describe the influence of parties in solving their issues as very important, especially with issues related to employment.

A 25 year old student from middle Albania (unemployed) told us:

We are a big clan and we all lived in houses not yet legalised. Being more than 50 people that could vote, they were very interested and offered us to elect one of our relatives, who would represent us and be active in the campaign, offering him a job in exchange. Through recruiting one from our family they had trust in our vote, because after the counting of votes they could calculate we might have lied but actually they could lose at most 10 votes, which would not be a big loss. Two old people died and they got two votes less.

She also added that the connection to party officials is usually not enough since “they consider people only in exchange for payment. For example, if someone wants to get hired while fulfilling all the conditions, he has to give a large sum of money, euphemistically called “a coffee”.

One teacher in Tirana told us that the main reason behind her vote was the promise made to her for a job with a 12-month contract, with the possibility of extension. Another student told us that she was offered a job after finishing her studies, and that job or money offers have been made to her by both the Socialist and Democratic parties. She was also one of the few persons we talked to who said that she never turned for help to any party.

There were also cases of interviewees who stated that they were put under the pressure of losing their current job. An employee who voted for the Socialist Party mentioned that he was threatened on the phone by his supervisors (who according to him were supporters of the Democratic Party) that he would lose his job. He also stated that he was asked to be active during the electoral campaign for the Socialist Party and that his involvement was considered as a bonus for finding a job.

A 50 year old man in Tirana, who abstained in the last elections, told us he was put under pressure by his employer to vote for the Democratic Party, otherwise he would be at risk of getting fired. He told us that his neighbours experienced the same pressure from the Socialist Movement for Integration, and that he was offered a job for his son by the Socialist Movement for Integration in exchange for the votes of the whole family (5 members).

A 65 year old man from Tirana who voted for the Socialist Party told us that he had heard from two of his neighbours who were teachers that they were put under pressure to vote for the Socialist Movement for Integration or otherwise they would lose their jobs.

A teacher in Tirana, a member of the Socialist Movement for Integration, when asked about the political influence in education reported:

You see it in employment. It is proclaimed they are merit-based but in reality there is no merit involved at all. All spaces are used to establish the right people, the people they want. She continued: “*When someone is looking for a job [through politically engaged acquaintances], the first question he/she faces is whether he or she has been engaged in the electoral campaign for the party*”. She also told us how employment could actually be used by political parties as one of the criteria for identifying a voter’s political orientation.

Relations regarding employment are identified. In the district you work we know who is employed by the local institutions, who is employed by the central government and we even know which year they were employed, meaning they were employed at the time when there was this or that party in power. Or we have many cases of people who survived employment even after political rotation following elections. Such cases show that these are swing voters with the purpose of keeping their jobs. Thus, some people who were right-oriented preserved the same job position, especially in cases when they did not deserve it.

She mentioned her personal experience in helping with the employment of different people:

Interviewer: If we could give a concrete example, without mentioning names or jobs, of someone approaching you, whom did you contact within the party for this purpose?

Interviewee: The coordinators. They employed him through the network of directors in different institutions.

Interviewer: Asking those directors from the same party?

Interviewee: Yes, from the same party. There are cases in which directors from other parties exert their influence when personal relations are good and they are more flexible. There are more principled directors. There are directors with principles who want to support, to help someone, especially when s/he deserves it. I have never intervened for someone who did not deserve it, and it was usually someone who deserved much more but nobody gave him/her any chance.

The Socialist Movement for Integration is generally perceived by people as a party that has a strong clientelist structure founded especially on employment. During eight years as a coalition party in the central and local governments, SMI has strived to employ most of its members in those public institutions led by its members at a local and national level. Being a small party with only four MPs in 2009, its share of institutions depending on SMI ministers was big enough to allow for the party not only to employ its members, but also to increase its membership at a fast pace. At a certain point, for many people becoming a member of SMI meant secure employment. One of our informants told us that the director of the institution where she works was a member of SMI at the time of elections, and that she obliged members of SMI working in the institution she headed to pay 10,000 ALL from their May salaries. They had to deliver the sum in cash to the finance office of their employing institution, which then delivered the money to the director, who delivered the money to the overseeing party structures. This account shows a flagrant abuse of institutional infrastructure which is used as a party infrastructure. We doubt that this is an isolated case, especially when linked to descriptions of public institutions by other informants, as "homesteads of political influence".

We received information from many informants who were promised something in exchange for their votes (and those of their families). They were approached by party observers at the voting centre to make sure that they and their families voted. The three largest parties have a network of party activists who monitor voting centres to make sure that the supporters or individuals who promised to vote for their party show up and vote. Our politically active interviewees viewed this as a form of political mobilisation rather than an imposing mechanism on voters.

The negative influence of party observers outside of voting centres was noted in the OSBE/ODIHR report on June elections:

The IEOM assessed voting negatively in 7 per cent of voting centres observed, mainly due to poor queue control, procedural irregularities, and undue influence of party observers in the process. [...] Tension or unrest was noted in 4 per cent of voting centres observed by the

IEOM. Groups of party activists in the vicinity of the voting centres observed often appeared to be instructing voters for whom to vote. In 5 per cent of observations, the IEOM observed individuals attempting to influence voters to vote for a particular party inside the voting centre. IEOM observers noted many instances when party observers kept track of those who had voted by recording their ordinal numbers as assigned in the voter lists. This process was aided by commissioners who announced out loud voters' ordinal number.³⁹

Following the changes in the Criminal Code in May 2017, offering or giving money, material goods, promises of employment or other favours in exchange for votes constitutes a criminal offence punishable by one to five years of imprisonment. The same applies to passive corruption during elections, when voters ask or accept money, material goods, or other favours in exchange for their votes.⁴⁰

It seems that employment in exchange for votes creates a long-lasting clientelist relation between individuals/families and political parties. The employees and their kin are expected to vote for the party that enabled their employment. There are strong indications from our fieldwork that often only voting for a certain party is not enough to get an employment, since party officials are often involved in corrupt practices that involve money payment in exchange for jobs.

5.4 Vote-buying

As we have noted in the theoretical part, most of the literature on clientelism considers vote buying as a part of "electoral clientelism" when discussing clientelist links between elites and

³⁹ Election Observation Mission, *Final Report: Parliamentary Elections 25 June 2017 Republic of Albania* (Warsaw: OSCE/ODIHR, 2017) p. 13-14. [online]. Available at: <http://www.osce.org/odihr/elections/albania/346661?download=true> [Accessed 6 Dec. 2017].

⁴⁰ LIGJ Nr. 89/2017 PËR DISA SHITESA DHE NDRYSHIME NË LIGJIN NR. 7895, DATË 27.1.1995, "KODI PENAL I REPUBLIKËS SË SHQIPËRISË", TË NDRYSHUAR (2017) [pdf]. Available at: <https://www.parlament.al/wp-content/uploads/2017/05/ligj-nr-892c-dt-22-5-2017-KOdi-Penal.pdf> [Accessed 26 Oct. 2017].

citizens. During campaigns, clientelist parties (or political mechanisms) deliver material enticements to individuals or small groups of citizens in exchange for political support.

At first sight, the notion of vote buying seems to be clear. But it can turn ambiguous if we look at its actual usage by political actors. In the 2017 elections in Albania political parties accused each other of “vote buying”, when they spoke of such activities as distribution of food bags, delivery of money in exchange for votes, and delivery of public services to local communities during the campaign. In our fieldwork, we have tried to distinguish the forms and methods of “vote buying” during the electoral campaign. Our empirical starting point as observers in trying to interpret our findings is that during the electoral campaign individuals who claimed to act in the name of political parties offered money and material benefits to the citizens.

According to Nichter (2014, 316), clientelist vote buying is the distribution of rewards to individuals or small groups during elections contingent to exchange for vote choices. Rewards are defined as cash, goods (including food and drink), and services. Post-election benefits, employment, public programs, and transportation to the polls are not considered rewards.

In our opinion, however, vote buying is not necessarily a component of political clientelism, precisely because it is an immediate exchange that does not create any form of (short or long term) relationship. Moreover, we do not see it as strategy for strengthening already existing clientelist ties. Rather, vote buying is a strategy that has been brought forward by political actors precisely because both their policies regarding the use and distribution of public goods and resources in a formal way (formal politics), and their informal practices applied for this use and distribution (political clientelism) have failed a considerable part of population. Political parties use their clientelist machinery to implement vote-buying, but vote buying in return brings only momentary profit. There is no guaranty whatsoever that the anonymous vote-sellers will sell their vote again, or that they will do so for the same party (patrons).

Another point that our findings question is the secrecy of ballots. In Albania certain control mechanisms operate to affirm that the vote has been cast according to the buyer's expectation.

5.4.1 Vote buying during the electoral campaign

In its press release on the June 25th election the US embassy in Tirana congratulated the citizens of Albania for exercising their democratic right to vote in the 2017 parliamentary elections and assessed that the voting was conducted efficiently and peacefully in the majority of polling places. Nevertheless, according to the US embassy, international observers witnessed incidents of vote buying, photographing of ballots, and intimidation of voters. Election officials and law enforcement responded to many such complaints resulting in some arrests.⁴¹

A similar observation and concern was expressed by the OSCE/ODHIR Observation mission. According to its election report, “There were widespread allegations of vote-buying during the campaign.”⁵⁸ While allegations were widespread across the country, the OSCE/ODIHR EOM received confirmation by regional police that it had taken action in the following cases:

On 17 June, the police ordered the arrest of an individual suspected of promising citizens ALL 10,000 for each vote that would be given to a certain candidate in Shkoder district.

On 23 June, in the same district, the police apprehended the chair of a party branch and another person who were distributing food packages to allegedly obtain votes. On 24 June, two men driving in a car with a large amount of money and a copy of the voter list were detained by the police in Shkoder region. The police also received reports of vote-buying involving an SMI candidate in Shkoder region and SMI activists in Fier region.⁴²

In Korça the police arrested a man who, according to their report, promised employment to a young individual in exchange for his voting for SMI. The police found voters’ lists, contacts, telephone numbers and 20.000 ALL in his automobile, which according to the executor’s office

41 U.S. Embassy Statement. 26 June 2017 [online]. Available at: <https://al.usembassy.gov/u-s-embassy-statement-14> [Accessed 20 Jan. 2018].

⁴² *Ibid.*

would be used to buy votes for SMI. The police also possessed speech registrations of the arrested individual that were presented to the prosecutor's office as proof of vote buying.⁴³

The police also announced that it arrested 5 individuals in the Shkodra district, who were distributing payments by cheque in the name of the Albanian Power Corporation for the flooded areas of the Shkodra district, which were damaged by the inundation of 2010, and their compensation was paid just a few days before the elections. The police also announced that the General Director of Albanian Roads Authority, who according to media sources was appointed by LSI, was suspected of buying votes. Meanwhile, in Cërrik a businessman offered money to voters in a municipality which was governed by SMI since 2015.⁴⁴

During the election day the political parties accused each other of attempting to buy votes. SMI accused SP on trying to buy votes in Ksamil (Vlora district), while the Top-channel media broadcast announced that Albanian immigrants were coming home from Greece just to vote, and they were threatened by SP not to cast their vote.⁴⁵ The districts of Elbasani, Vora (Tirana district), and Berat were considered vote buying hot spots.

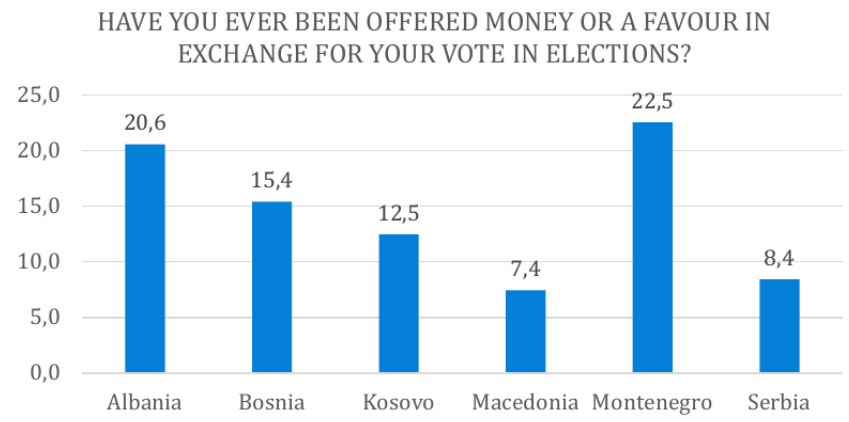
In the previous sections we analysed some survey data on vote-buying. This survey shows that vote buying practices are widespread in the Western Balkans. In Albania, 20.6% of voters declared they had been offered money or favours in exchange for voting (Graph 1)

⁴³ U arrestuan për blerje votash, gjykata masë sigurie me arrest për dy anëtarët e LSI. Reporter, 28 jun. 2017 [online]. Available at: <https://www.reporter.al/u-arrestuan-per-blerje-votash-gjykata-mase-sigurie-me-arrest-per-dy-anetaret-e-lsi> [Accessed 20 Jan. 2018].

⁴⁴ Akuzat për blerje votash e frikësim votuesish ngrenë siparin e zgjedhjeve parlamentare. Reporter, 25 Jun. 2017 [online]. Available at: <https://www.reporter.al/akuzat-per-blerje-votash-e-frikesim-votuesish-ngrene-siparin-e-zgjedhjeve-parlamentare/> [Accessed 20 Jan. 2018].

⁴⁵ *Ibid.*

Graph 1: Rates of vote buying in WB (2017)



As the INFORM case study on political clientelism notes, “The number of voters who are projected to have been targeted with clientelist offers in each country significantly surpasses the number of votes needed for a party to obtain at least one seat. It is also more than two-thirds of the votes for the election winners in Albania and Montenegro” (Bliznakovski, Gjuzelov and Popovikj 2017).

Among our interlocutors who received and accepted offers to sell their vote, we can distinguish offers made to indifferent or swing voters, and offers made as rewards to activists for participating in the campaign (similar to the cases where political parties intervened for student activists to pass their exams). Offers are either in cash, or in kind. We have previously mentioned the case of a man from a village in north-eastern Albania, whose entire village received one sack of flour per family. Other gifts (offered to activists especially during the campaign) included mobile phones. Another respondent, a student, was promised a scholarship from a party, in exchange for votes and activism during the campaign. Several other informants said that they were offered cash, which some accepted and some did not. As we have previously noted, control mechanisms exist in order to confirm that those who received long or short term favours, and

those who sold their votes, really voted for the patron Party. In some cases of vote buying, people were also obliged to take a photo of the ballot, and would receive the money only afterward. Our informants said that, while favours are offered through campaign activists, vote-buying is generally offered by people unknown to local communities. However, the reward offered to activists for spending their time in the campaign are informal payments (as we said, financial issues of electoral campaign are not transparent), but they might not be considered a clientelist exchange, since loyalty to the party does not depend on them.

6 CONCLUSIONS

In this report we identify two levels of informality permeating the electoral process, the first level belongs to high politics and the second to direct face-to-face interaction between base structures of political parties and voters.

With regard to the first category, the political agreement reached on May 18 was given legal effect at the expense of the rule of law. All amendments were voted on in one day, contrary to the constitutionally prescribed legislative procedure. At odds with OSCE commitments and Council of Europe standards, the process lacked transparency and consultation with stakeholders, while the late timing created significant difficulties in the implementation of key aspects of the election administration. Last minute legislative changes challenged legal certainty and undermined consistency of the legal framework as some of the new provisions were not harmonized with the Electoral Code, in particular, new rules on campaign advertising in the broadcast media.

The sharp increase in public investments and inauguration of public works in the months prior to elections and during electoral campaigns constitute a form of abuse of public resources for electoral purposes. This, and also open calls to vote for ruling parties (in both local and central levels) as a condition for local communities to receive funding and investments from the central budget, constitute a form of indirect pressure towards the decision of people to elect.

The examples mentioned during this report indicate a perception by politically active people that the main expectation by private donors in return for their financial support for the political parties is better access to state institutions if the party they supported wins the elections.

Besides advantages for funding businesses in receiving public money and contracts, the most often mentioned reason for businesses to fund political parties was to avoid any problems or to solve eventual issues with state administration, especially the fiscal administration.

Our ethnographic work indicates that private funding of electoral campaigns is a very complex issue where private and public interest intertwine. Private funding is an important source for the establishment of long-term clientelist relations between businesses and political parties. Our survey data show that not only are public sector employees likely to abuse state resources, but also business owners and private sector employees, especially through tax offices and discriminatory treatment of businesses by state institutions.

The INFORM survey results show that the impact of clientelist behaviour in the private sector is considerable and deserves special attention. The legal improvements of the Electoral Code regarding the involvement of public sector employees in electoral campaigns seem to have had a positive effect on protecting public administration, but they do not include protection for the private sector employees.

With regard to direct face-to-face interaction of base structures of political parties with the voters we have tried to understand the individuals' perception of what political parties represent, their expectations, and disappointment. We noticed a discrepancy between perceptions on how things should be done / how the public sector should function, and the reality of this functioning in practice.

Only half of our interlocutors voted for a party because they had some confidence in its program or because they feel affiliated to the right or left wing, and receive rewards in exchange for their vote. The other half voted in exchange for other favours, employment, or money.

Disillusion was at heart of each clientelist exchange (vote in exchange for jobs, resolving daily or legal problems) or of vote-buying. Most of voters above 30 described how their disillusion grew from one election to the next.

The picture of public institutions that emerges from our informants is that of sectors divided among power holders, and in some cases it was not easy to promise a favour if the broker did not know whether his/her party will hold that specific office.

When we talked to individuals whether resolving issues of everyday life has influenced their decision to vote, we were able to identify two types of problem-solving through favours. The first has to do with long term problems, where the vote might help to solve them. The second is related to problems which might not show up during the elections, but once they emerge, people will have to find contacts within the party that influences that specific institution.

Some accounts show a flagrant abuse of institutional infrastructure which is used as party infrastructure. We doubt that these are isolated cases, especially since other informants spoke of public institutions as "homesteads of political influence."

We received information from many informants who were promised something in exchange for their votes (and those of their families) that they were approached by party observers at the voting centre to make sure that they and their families voted. The three largest parties have a network of party activists who monitor voting centres on election day to make sure that supporters or people who promised to vote for their party actually show up and vote. Our politically active interviewees viewed this as a form of political mobilisation rather than an imposing mechanism on voters.

It seems that employment and other issues which are important for economic and social security and wellbeing in exchange for votes create a long-lasting clientelist relationship between individuals/families and political parties. There are strong indications from our fieldwork that voting for a certain party is not enough to get employment, since party officials are often involved in corrupt practices which involve cash payment in exchange for jobs.

Vote buying is, in our view, a strategy that has been brought forward by political actors precisely because both their policies regarding the use and distribution of public goods and resources in a formal way (formal politics) and their informal practices engaged for this use and distribution (political clientelism) have failed a considerable part of population.

Among our interlocutors who received offers to sell votes, and who accepted these offers, we can distinguish offers made to indifferent or swing voters from offers made as rewards to activists for participating in the campaign.

We learned that while favours are promised through campaign activists, vote-buying is generally offered from individuals unknown to local communities. However, the reward offered to activists for campaigning are informal payments, but they cannot be considered clientelist exchanges, since loyalty to the party does not depend on them. At least one third of our interlocutors voted for ideological reasons. There were other cases when people voted ideologically, but also because they had kin and acquaintances, or political belonging plus favours (employment, daily life problems) – these two categories made up half of our informants. And then the other half voted exclusively in exchange for long-term favours, or instant exchange (vote buying).

Party clientelism as a system of distribution of goods and services is permeated by ambiguity (activists acting as both brokers and clients). Getting the job done through contacts in a specific party does not always coincide with loyalty to that party, since the contact might be doing the favour as friend, or relative, or in exchange for bribe.

Yet there are ways to improve the formal functioning of electoral campaigns. Some of these phenomena, such as vote buying, which do not enhance long term relationships of obligation to return services with loyalty, can be easily eliminated. Failure to deliver clientelist promises and favours during the campaign might weaken clientelist relationships in the long run.

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