The European Union and the Paradox of Accession: the Conflicting Logics of Integration and Democracy in the Case of Albania

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Abstract

The main aim of this paper is to argue that although the European Union's objective is to promote the empowering of democracy in the candidate countries for EU integration, as a paradox it happens that the process of integration might lead to a national democratic deficit. The first three chapters introduce an EU-centered analysis focusing on the process of EU eastern enlargement, the goal of democracy promotion and conditionality, while the fourth chapter introduces the analysis on Albania, making it the case study of this work. What makes it more interesting is the fact that it is not an idiosyncratic case but on the contrary, the findings can be used to draw analogies with other countries that go through the same process. The framework of the analysis of the case consists of six particular features. These features, called layers of impact, are:

- Political programs over public policies
- The civil society dimension
- The political parties dimension
- The role of elites
- Sharpening of the existing level of populism
- The personalization of politics

The analysis of these layers that I introduce, does not serve to suggest the rejection of the EU project, instead it supports the idea that the EU integration should not become an end in itself, making all other processes dependent on it or even making them suffer different malaises.

Introduction

While the 'transitologists' of the 1970s and 1980s investigated the conditions and modes of transition from dictatorship to democracy, the 'consolidologists' of the 1990s concentrate on inquiring into causes, conditions and models of the consolidation of young democracies. Most recently, the questions of whether democracy is working, how 'good' or 'bad' a democracy is, and the conceptual issue of diminished sub-types of democracy (illiberal democracies, defective democracies and so on) have begun to become the new

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predominant trend in democracy theory and democratization studies (taken from Magen and Morlino, 2009).

The EU integration process is one of the most important instruments through which the international community affects democratization. Though the EU integration provides the roadmap that candidate countries have to follow in order to democratize, international efforts to promote democracy can have undesirable effects. Consequently, there is a strong risk of the EU exporting a kind of democratic deficit through the accession process. In this respect, the main aim of this paper is to argue that although the EU objective is to promote the empowering of democracy in the candidate countries, it paradoxically happens that the process of integration might lead to a national democratic deficit. In this context, the democratic deficit is considered as a kind of democratic malaise which originates from the European integration process because the integration dynamic sharpens the division between the ruling elites and citizens, and at the same time narrows the alternatives of the political process in the candidate countries for EU integration.

Under the EU influence, attempts for democratization are concentrated on the formal procedures of democracy, putting aside or even blocking the political dynamic out of which the institutions should emerge. This concentration leads to the creation of weak structures but also excludes the citizens from decision-making. It leads to a long process of consolidation of democracy, a process that, because of a strong dependence attitude, is very difficult to take place without international support. Decisions are driven from the need for stability and from the need to eliminate conflicts rather than being a result of inclusive political processes between different actors.

One can argue that a proper democratic system is a continuous confrontation among different political identities, a competition among different interests, and is reinforced by a continuous political debate. It should be based on the opportunity of being able to choose among different alternatives and programmes that are shaped from inclusive political procedures that represent different political and economic interests, far from apathy. To a large extent, these processes are blurred or even undermined by the indirect effects of the European integration process.

To investigate this idea, the paper is organized in five main chapters, each based on specific objectives. According to the order to which they are treated, the major objectives of the paper are:

- To explain the approach towards democracy and to operationalize the concept.

- To explain the logic behind the EU Eastern enlargement and the relation of this process with the European goal of democracy promotion.

- To explain the conditionality associated with the European integration process, the Stabilisation and Association Process (SAP) and the Copenhagen criteria.

- To explore the relationship between the process of European integration and the process of democratization by taking Albania as a case study.

- To evaluate the interactions between the European integration process and the different layers of impact, layers which explain the state of democracy in Albania.

Following the introduction and the explanation of the methodological approach in the first chapter, the second chapter discusses the EU Eastern enlargement dynamic and the European goal of democracy promotion. In the third chapter, the paper proceeds with the discussion of the conditionality of the European integration, the SAP and the Copenhagen criteria. The fourth chapter introduces the analysis of Albania as a case study. Albania as a case study is a very interesting one and besides this, the findings can be used to draw analogies with other countries that go through the same process. In this chapter, I propose six particular features that constitute the framework of the analysis of the case. These features, called layers of impact, are:

- Political programs over public policies

- The civil society dimension

- The political parties dimension

- The role of elites

- Sharpening of the existing level of populism

- Personalization of politics

After analysing a range of key issues in this work, the last chapter addresses some last observations and conclusions.

I.   *Methodology and Theoretical Framework*

This paper will mainly focus on the concepts of Europeanization as a process of European integration, democracy\democratization and democratic deficit. Therefore, this section will explain the key terms and concepts in use, giving the necessary definitions for a clear understanding. In order to define the terms, there is a need to start with the concept of integration. In the context of this work, it is quite important to consider a broad definition of EU integration, which might serve as a common denominator. Minimalist definitions of integration coming from different perspectives of integration theory might exclude some of the most important dynamics. Trying to bring a broad conception of integration, neo-functionalism and liberal intergovernmentalism provide a good basis. Neo-functionalism highlighted the role of supranational actors and non-state actors whereas LI maintained that member-state governments were still driving integration. Ernst Haas (1958), one of the most influential neofunctionalist scholars, defined integration as the process: "Whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations and political activities towards a new centre whose institutions possess or demand jurisdiction over the pre-existing national states. The end result of a process of political integration is a new political community superimposed over the pre-existing ones." Neofunctionalism introduced the idea of the spillover mode of integration. Chryssochoou (2001) states that "Procedural mechanisms were seen as decisive, whereas the idea of a socio-psychological consensus at the popular level was not taken as a structural prerequisite for the

transfer of decision-making authority to a new regional centre. Such consensus is replaced with a successful elite socialization."

According to the liberal intergovernmentalism approach introduced by Moravscik (1993): "A broader definition of European integration might consider four dimensions of policy co-ordination: (1) the geographical scope of the regime; (2) the range of issues in which policies are co-ordinated; (3) the institutions of joint decision-making, implementation and enforcement; (4) the direction and magnitude of substantive domestic policy adjustment. These four elements may be thought of as different dimensions of the same underlying variable, namely policy co-ordination. The direction and magnitude of substantive policy adjustment is based on the view that policy co-ordination is most significant where it imposes greater adjustment on domestic policy." The costs and benefits of the necessary adjustments vary across countries. Furthermore, LI does not acknowledge the role of values as a driving force for integration.

The integration process is strongly related to the Europeanization process. Both integration and Europeanization can be seen as two sides of the same medal. Börzel and Risse (2000) argue that the domestic effect of Europeanization can be conceptualized as a process of change at the domestic level in which member states adapt their processes, policies, and institutions to new practices, norms, rules, and procedures that emanate from the emerging European system of governance. Therefore, here Europeanization connotes a process of EU orientation which causes change at the domestic level. Börzel and Risse (2000) state that "the lower the compatibility between European and domestic processes, policies, and institutions, the higher the adaptational pressure of the EU."

After a short explanation of the use of the integration and Europeanization concepts, democracy is the next term that needs to be defined. Because the main concern of this analysis is the state of democracy, the spectrum under which the term democracy is used needs to be clarified. It is important to emphasise that democracy cannot be limited only to the formal procedures. Procedural definitions of democracy put emphasis on the formal norms and procedures of a democratic system. It is

mainly the procedural part of democracy that the EU tries to stimulate in candidate countries but this excludes the essence and the core substance of democracy. This concept of democracy constitutes a minimalist approach. Democratic consolidation involves not only institutional change as a technology of democracy but also the enrooting of certain values, which actually should lead political processes. It does not imply only the stability of institutions and the rule of law, standards required by the Copenhagen criteria. Democracy passes through complex processes of association, representation, debate, deliberation, and continuous communication. It can not be limited only to a process where "those exercising political powers are capable to achieve high degrees of effectiveness but it is a requirement that choices made by the political system should be driven by authentic preferences of citizens building a chain of accountability linking those governing to the governed" (Menon and Stephen, 2008).

Having clarified the spectrum in which the concept of democracy is used, the next step is to explain the use of the concept of 'democratic deficit.' The term 'democratic deficit' does not have a consensual and clear cut definition because there is no single meaning of 'democratic deficit'. Follesdal and Hix (2006) state, "Definitions are as varied as the nationality, intellectual positions and preferred solutions of the scholars or commentators who write on the subject." However, according to the 'classical' school of thought, there is a so-called standard version of these definitions. According to this version, the basic problem is the fact that there is a shift of political control from the democratic parliamentary system of government at the national level to the executive centred system of government at the European level. In national levels, this phenomenon is accompanied by a set of other processes that produce malaise related to democracy matters. It is precisely this democratic malaise that constitutes the 'democratic deficit' that will be analysed in this work. The term 'democratic malaise' connotes the 'insane' state of democracy that is revealed through different features in the following analysis. In order to have a 'diagnosis' for the state of democracy, among other things, we need to regard the democratic deficit as the breaking of the ties with the so-called input democracy. The input democracy underlines the importance of interest aggregating\articulating on national basis and the importance of responsiveness to these interests. Unlike the

other concepts that focus on the output side of democracy, such as the results of the decision-making process, the input concept focuses on political participation and "the contest between rival elites with rival policy agendas over the chance to control the reigns of power for a limited period" (Hix, 2003). Positions that are based on the output criteria pose relatively a narrow vision. However, it should be pointed out that debates about democracy and the democratic deficit differ from the EU and the national context. It means that due to the different nature of the systems of democracy, inclusiveness, openness, and transparency do not mean the same thing in different contexts.

After defining and explaining the use of the main concepts in this section, the next sections will follow according to the previously proposed order. The core issue, which is the problematic equation 'integration-democratization' in Albania, will be described and will find an explanation after the chapters focused on the EU.

II. The EU Eastern Enlargement and the European Goal of Democracy Promotion

A. The EU Eastern Enlargement

Enlargement is often called as the most important area of the foreign policy of the EU even though it can not be denied that in many cases there is a cacophony of voices within the Union, making it a less coherent actor. Thus, due to the diversity within the union, enlargement is accompanied by different advantages and disadvantages. The question why the EU is committed to enlargement does not have a simple answer even though there are costs that arise for many states. This answer seems to derive not only from pure rationalist perspectives but also from an emotional and moral dimension associated with the EU. Eastern enlargement is not motivated simply by the logic of economic, political, and security interests but there are also social factors and non-material interests that drive the EU eastern enlargement.

However, the Union's enlargement plans bring about strong debates. These debates involve disagreement about the long-term objectives, the shape of the EU and its final borders. Blockmans and Prechal, (2007) maintain that "Despite the apparent malaise of the EU project and the difficulties in finding an agreement about the geometry of the project and political compromises on necessary reforms, the European Union enlargement process is not at the end." Further expansion appears on the horizon but it imposes increasing pressure on the EU. However, this is only one side of the medal. On the other side, there are candidate countries that have a clearly marked path to follow. New democracies, which might still be in transition at the time they apply for membership, have to demonstrate they are moving in the right direction and meet a range of particular criteria. To be admitted in the EU, an applicant country is expected to meet precise conditions. They are also aware of the consequences of not fulfilling the conditions imposed upon them by the EU, giving the process an asymmetrical shape. Many scholars and academics actually are quite sceptical about the EU eastern enlargement. In this regard, most rationalist approaches and in particular their main proponent in EU studies (Moravcsik) is based on materialist assumptions. From this perspective, "EU policy-making is thus the outcome of bargaining process between actors who try to maximise material preferences" (Sedelmeier, 2005).

In relation to this issue there are conflicting dynamics that need to be considered. Some states are concerned about a loss of influence in an enlarged EU and also stress negative consequences for a further deepening of integration. The economic benefits and the risks of instability from enlargement are unequally distributed among old member states. Actually, not all member states can expect their benefits from the enlargement to outweigh costs. On the other hand, a counter-argument from the rationalist point of view is that prosperous and politically stable democratic eastern neighbours can be positive factors for actual member states. Candidate countries provide new markets, investment opportunities, and reduced security risks. It can be considered as a non-zero sum game where the appeal of the EU remains a strong driving force for reforms in the East (the Western Balkans and Turkey). Moreover, enlargement increases the EU's political and economic weight in the world. Enlargement to the East has the potential of further strengthening the

EU's geostrategic positions and its foreign and security policies. The older EU member states have a vital interest in stability on their eastern borders.

B. *The Process of Enlargement and the Promotion of Democracy*

Actually, democratization is one of the most important issues in the international system. Over the years, in international relations the EU has been described as a civilian power, a soft power, and more recently, as a normative power. The policy of enlargement is instrumentally used by the EU in order to promote democracy toward third states, giving the EU an important role as an international actor. As a matter of a fact not all EU attempts to promote democracy are related with the enlargement policy; vice versa the enlargement itself is strongly linked with democratic values. This active role of the EU in the promotion of democracy towards third states is interrelated with the enlargement towards candidate countries and stabilization and association towards potential candidates in the Western Balkans.

From a legal perspective, democracy is a fundamental principle for the functioning of the Union. The EU recognizes the principle of democracy as a common principle for member states and for candidate countries as well. This principle was introduced not very early as a legal acknowledgement. It dates back to 1999, with the entry into force of the Amsterdam Treaty. In the discussion about democracy it should be taken in consideration that the Union was founded in the context of just having overcome autocratic regimes. The commitment to democracy was one of the crucial foundations of the integration process. With the passing of time, references to democracy became stronger.

The methodologies used by the EU in the attempt to 'push' democracy in different states, share some common assumptions. Among others, these assumptions are characterised by:

1) a top-down mode of engagement, focusing on inter-governmental bargaining and bureaucratic exchange rather than more diffuse, bottom-up support for civil society;

2) a legalistic, technocratic approach to reform-promotion, drawing on the Acquis Communautaire for standards and benchmarks of reform.

3) the use of 'reinforcement by reward' type of conditionality

4) regular monitoring and reporting on progress in meeting reform benchmarks" (Magen and Morlino, 2009).

So, it can be argued that the aim of the EU today is that the principle of democracy, as a common value of the Union, should be respected not only within its borders, but also in the context of the Union's external relations, in particular in the Common Foreign and Security Policy (CFSP), in the development and cooperation with third countries and through the integration conditionality posed upon candidate countries. In this regard, it is certain that democracy promotion through enlargement is a very important EU strategy but the success of this strong aim is much under discussion.

III. *Conditionality of the European Integration, the SAP and the Copenhagen Criteria*

The EU is a unit with clear-cut conditions for membership. The process of integration is predetermined by a set of rules and requirements that the EU poses upon the candidate countries that aspire membership. Geographically, the EU Eastern borders are not permanently defined. EU borders have changed every time a new country has joined and the actual enlargement policy covers the Western Balkans and Turkey. This process of enlargement is strongly related to the process of conditionality. Blockmans and Prechal (2007) argue that "Over the years the content of EU membership conditionality has developed in parallel with (I) The evolution of the European acquis (II) A increasing level of preparedness on the part of candidate countries (III) Growing opposition in EU member states to further enlargement."

Conditionality is a basic strategy that the EU uses to promote compliance by candidate countries for EU membership. The EU neighbourhood is strongly dependent on the EU accession conditionality. The forms of conditionality to third countries are both positive and negative. Positive forms include benefits such as, financial aid, trade facilities, concession of cooperation agreements and political assistance. On the other hand, the most important negative form of reaction from noncompliance is the denial of membership.

Among Europeanization approaches, an important assumption is that integration is a EU oriented process. It cannot be denied that in its entirety it is also a bottom-up as well as a top-down process but there is an asymmetry of power in favour of the EU since it is the EU that poses the conditions. Moreover, "the asymmetry of power between the applicants and the Union gives the EU more coercive routes of influence in the applicants' domestic policy-making processes than in the existing EU because the applicants face additional conditions that current members do not." (Grabbe, 2002).

The complicated process of Europeanization leads to difficulties deriving from adaptations or non-adaptations in the candidate countries. The EU pressures for adaptation and policy convergence expressed through the accession conditionality are larger than those on previous candidates due to the Union's further state of development. Compared to the previous candidate countries, the eastern accession conditionality has given the EU a wider control to make these applicants comply with its demands.

Referring to the post-communist candidates aspiring for EU membership such as Albania, Europeanization is an essential but also a very delicate issue. The Europeanization process, which is strongly predetermined by the EU conditionality, is the key theme of most of the political developments thus raising more than just problems of compliance. This happens because all political life is a subject of this process and its implications. For the Western Balkans countries, including Albania, there is quite a long path to follow in order to qualify for EU membership. These countries as potential candidates for integration are obliged to follow preliminary steps before they qualify as official candidate countries. The accession procedures have been adapted for the SAP as a first step before being admitted as official candidate countries. Initiated by the Commission in 1999, the SAP aims to assist the countries of the Western Balkans in meeting the relevant EU criteria in order to be ultimately accepted as official candidates for membership. In relation to the SAP, there are some commitments also from the EU side. The SAP represents a contractual relationship between the EU and each Western Balkan country. According to Blockmans and Prechal (2006) "The EU offers the states of the Western

Balkans enhanced trade liberalisation, improved financial and economic assistance, a regular political dialogue, cooperation in Justice and Home Affairs and in particular a new tailor-made category of contractual relation based on Article 310 TEC: Stabilisation and Association Agreements (SAAs)." After being admitted as official candidate countries for EU membership, these countries are placed in front of another set of conditions known as the Copenhagen criteria. While having established the criteria, the Copenhagen European Council did not clarify the principles and the actual means to measure the conformity with them, stating only that "the European Council will continue to follow closely the progress in each associated country towards fulfilling the conditions of accession to the Union and draw the appropriate conclusions" (Kochenov, 2004). The first two Copenhagen criteria require definitions of what constitutes a 'democracy', a 'market economy' and 'the capacity to cope with competitive pressure and market forces', highly debatable and fluid concepts. "The EU has never provided an explicit definition of these concepts, although implicit assumptions about their content were made in the Commission's opinions on readiness for membership" (Grabbe, 1999). In legal terms, there is the condition for the adoption of the entire acquis communautaire. The term 'acquis communautaire' has been used to refer to "the whole body of EU rules, political principles and judicial decisions which new Member States must adhere to, in their entirety and from the beginning, when they become members of the Communities" (Grabbe, 1999).

Elaborating a political evaluation and starting to shed light on the main problem in this work, it can be argued that besides the direct impact that these criteria have in different domains in the candidate countries, there are inevitable indirect consequences originating from the EU conditionality. As a consequence, there are not only desirable results that derive from the EU integration process, which is confined by conditionality, but there are also a set of unpremeditated effects that accompany this process. More precisely, there are strong concerns for the level of democracy on national basis.

IV.　　1. *The conflicting dynamic behind the process of European Integration and the process of democratization in Albania*

This chapter outlines an analytical framework in order to answer the basic questions related to the case study under discussion. In order to have a clear understanding, the first step is to explain the current stage that Albania finds itself in, and then introduce a more analytical discussion. Since the main aim is to conceptualize and explain complex phenomena and contextual developments related to the process of integration, it is a quest to unlock the issue in its component layers. In this analysis, I propose six particular features that constitute the layers of the EU integration process impact in Albania. These layers are:

- Political programmes over public policies

- The civil society dimension

- The political parties dimension

- The role of the elites

- Sharpening of the existing level of populism

- Personalization of politics

Since the installation of a pluralist system after the collapse of the communist regime in 1991 the state of democracy in Albania is very questionable. Even if it is more than 20 years from the change of regime, currently democracy still suffers from a wide range of problems. Formally, there are quite good regulating mechanisms but their concrete operation and results are quite problematic. Albania is a Parliamentary Republic. The current Constitution was adopted by referendum in 1998. It replaced the provisional constitution that was in force following the negation of the Marxist-inspired constitution in 1991. The Albanian Constitution confirms general democratic standards. It guarantees democratic freedoms, political pluralism, freedom of expression, freedom of religion and it states the division of powers (Kushtetuta e Republikës së Shqipërisë, 1998). The President of the Republic is the Head of State representing the unity of the nation. The legislative power is concentrated in the Albanian Parliament. The assembly is elected every four years and consists of 140 deputies. The executive branch of government is represented by the Council of Ministers, headed by the Prime Minister. The judiciary power belongs to the High Council of Justice, the Constitutional Court, the High Court, the

Prosecutors Office and other courts as well. There are two main parties in the country: the Democratic Party, which represents the right wing, and the Socialist Party representing the left. In the political arena there are also a considerable number of other smaller parties that are usually active because of the coalitions they form with the two main parties. It is quite difficult to classify them in the left-right dimensions because their low ideological loyalty. The Democratic Party in coalition with a number of other smaller parties have held the biggest number of seats in the parliament since 2005. The last parliamentary elections in June 2009 did not change the general equilibrium in favour of the Democratic Party, but this time the Democratic Party created a coalition with a left wing party as the Socialist Movement for Integration. The next elections will be held in 2012.

Formally, there is a strong democratic regulation of political life in Albania but in real life there is a great number of problems. The shortfall in the separation of powers and the identification of state with the ruling party are some of the main obstacles to democratization. In the most recent report from Freedom House (Nations in Transit, 2008), the organization states that the separation of powers between the legislative, executive and the judiciary is still fragile and frequently damaged by different political initiatives. There are repeated interventions of the executive in the judiciary system but also a strong influence in the legislative one. Politicization in the public sector continues to exist and it restricts the development of a civil service, police, judiciary system, and the media. There are continuous social and political conflicts that develop a spirit of fruitless contradiction. It is still difficult for civil society to serve as an important voice in public life. Freedom House (2008) says that the decentralization of local government remains one of the main challenges, as well as the improvement of independence, effectiveness, and accountability and transparency of justice. The judiciary faces continuing threats from the government's efforts to exert pressure and to control the judges. As regards the corruption, Freedom House (2008) says that it is one of the most dramatic failures of the government and their policies of 'clean hands'. Albania is characterized by a set of political, social, economic, and state-building weaknesses. The question of free and fair elections is still a big issue in the country. However, the picture is not completely black but still there is a lot to do in order to move forward. In this context, the EU has always been considered as a coast of salvation. Since the

collapse of the communist regime in Albania, successive governments have considered European integration as a priority in their programmes and their agendas. The relations between Albania and the EU started in 1991. In 1992 these relations evolved through the signing of a Cooperation and Trade Agreement. In 1999 the European Commission proposed a SAP for five Balkan countries including Albania. The Zagreb Summit in 2000 set up an 'EU-Albania High Level Steering Group' in order to facilitate the cooperation and to support the reforms to be carried out by the country in preparation for the SAA (Stabilization and Association Agreements). In November 2001 the President of the Commission, Romano Prodi, declared in Tirana that the opening of the negotiations would be in March 2002, but making the political stability of the country would be a condition to start (Bogdani and Loughlin, 2004). The internal political instability postponed the negotiations for the SAA that were officially launched on 31 January 2003. It took three years to officially sign the SAA. Since 2006, when the SAA was signed, Albania is under the process of Stabilization and Association in the road to EU integration. This process will ultimately mean the establishment of and conformity to the European political and economic standards. These standards are uniform for all countries, as EU's very essence is a unique group of mandatory standards regarding almost all public policies in all member states. Only when these standards have been established, the Stabilization and Association Process will come to an end and will give the floor to further steps.

Thus, sheer good will is not enough to enter the EU. Countries aspiring to become member states, have to pass different steps of the process, but only if all conditions of the previous step are fulfilled previously. In this way, the aspiration of membership serves as a stimulus for all reforms needed to be taken. The Stabilization and Association Agreement (SAA) is a broad platform consisting of a number of instruments of various characters such as political, institutional, legal, economic, financial, trade, social, etc. It formulates the fundamental platform of EU – Albanian relations. After fulfilling the terms of the SAA, Albania is obliged to implement the criteria set by the European Council of Copenhagen. These criteria are of both political and economic character. As already explained in the previous chapters, the criteria require the applicant country to guarantee democracy, a lawful government,

assurance of human rights and minorities; and regarding the economic side, the establishment of a market economy that will endure the pressure of competition of the single European market once the country has joined the EU. Finally, the candidate state will have to fulfil the requirements deriving from "acquis communitaire" – EU legislation.

The objective of the SAA is the establishment of political and economic stability in the candidate state. For this very reason, this agreement contains asymmetrical obligations in relation to the EU. Albania will have to achieve convincing results in many areas, mainly in the harmonizing of the internal legislation with that of the EU by fully adapting all of the 80.000 pages of "acquis communitaire." Thus, the main issues of Albanian politics are those relating to the integration process and SAA. These issues are technical as well as standard, neglecting the role of different values. They have to do mainly with:

- An agreement for political cooperation between the government and the opposition.

- Achieving of the best possible, concrete results regarding the fight against organized crime.

- The war on corruption. Yet the European Commission's Albania Progress Reports consider corruption to be widespread and a serious problem in Albania.

- The increase of independence and transparency of the legal system because justice is one of the most serious problems for Albanian society.

- The stability of the institutions, rule of law and a strong balance between the central and local government.

- The formation of administrative and institutional structures ensuring effective implementation of "acquis communitaire," etc.

In the meantime, the Albanian government is devoted to undertaking concrete steps through the National Strategy of Integration and Development for the 2007-2013 timeframe, which defines the mid-term\long-term objectives and the

sector strategies of the Albanian government. The EU plays a significant role in Albanian politics but this role is not merely positive. Thus, there is a strong risk of the EU exporting a kind of democratic deficit through the accession process. Although the EU objective is to promote the empowering of democracy in the candidate countries, it paradoxically happens that the process of integration leads to a sort of national democratic deficit. As a result of the integration process there are a number of indirect effects that do not help democracy in a national level. The layers of these indirect effects are presented in the following subchapters.

2. *Layer 1 - Political programmes over public policies (Ideological Orientations)*

The integration of Albania in the EU is not only a top priority of the current political life but more precisely it is the priority of any Albanian government. This integration is considered as the only path that Albania has to follow, whereas overall development is viewed as directly related with Albanian integration and vis-à-vis (Government's Programme 2005-2009, 2005). As a matter of fact, the European integration process in Albania is more an administrative and technical process than a political one, in the sense that it does not constitute any basis of political debate-deliberation among different angles, but it raises mainly 'managerial' issues. This renders ideology unimportant and platform differences between political parties obsolete pushing them into a forced pragmatism. From this perspective, political parties compete on the basis of the duration and the rhythm of the technicalities of the integration process.

The fact is that ideological functions in formulating and leading policies are completely casual. Thus, there is neither a regular commitment of the right side to right wing policies nor a left side commitment to left wing policies. Everything is elaborated according to the needs of the integration process.

The EU has significantly reduced the alternatives on what a government can do and what the ways would be to achieve results. The state model based on the

"acquis communitaire" is one of bureaucratic norms and standards that regulate the economic and political markets. Thus, in order to have an efficient government, and rules and laws, it is indispensable to have an open legislative process where the laws are produced by representation, discussion, different suggestions and debates among different actors. Instead, candidate countries are obliged to adapt thousands of pages of legislation that are a result of translation procedures more than a result of a representation process. Since a pre-consensus in favour of the reforms exists, political parties' rivalry is about who can be the best manager and not about the content of public policies. This means that political forces in Albania now find themselves with a pre-set path to follow, leaving no room for programmatic competitiveness and ideological visions but rather managerial capabilities.

The openness of Albania to the EU influence is also closely related to the 'reregulation' process of the post-communist transformation. This was an adverse starting-point in terms of democracy matters and institutional development. The start was not a tabula rasa but the communist legacy was quite hostile and disadvantageous. The attempt to move towards what is called 'deregulation' under the free market means fundamental re-regulation in the Albanian case, and furthermore imposing regulation where there was not. This is the starting step after which Albania has to progress in the direction of a single market. Behind this process lays a common principle regarding all policies that need to be reoriented. Because of the Copenhagen criteria for enlargement, the EU has a great impact in public policy-making introducing rules and norms that have to be adopted inflexibly. Grabbe (2002) states that "The EU can also present other demands for changes in regulations and policies ad hoc. The very general nature of the conditions thus allows the EU a wide margin for policy entrepreneurship in setting demands that change the policy and institutional frameworks of countries." This has made the EU model a 'regulatory' source of political programmes in which differences are minimal.

Thus, the EU policy regime has a direct impact but also a powerful indirect impact. This impact is manifested in the narrowing of the process of domestic political competition. According to Hix (2003)

"The single market rules governing the production, distribution and exchange of goods, services, capital and labour restrict micro-economic policy

options. Similarly, Economic and Monetary Union (EMU), the Growth and Stability Pact and the multilateral macro-economic surveillance restrict national budgetary and fiscal policy options. As a result, parties on the left (who accept the EU regime as legitimate) cannot promise high levels of social protection or expansionary budgetary policies. Equally, parties on the right cannot promise further deregulation of labour, product or capital markets or major cuts in public expenditure."

In 'a 'sane' democracy, competing groups (parties) would have incentives to develop and support different policy positions. The problem is that the "package" is the same even if it comes from different proposers and moreover this package is a standard one established by the EU. The phenomenon in this case does not derive by a general convergence between left and right as a result of the changing of the nature of party politics all over Europe. It is more of a kind of disorder steaming from the EU influence.

3. Layer 2. -The civil society dimension

As a general principle, social groups and movements mobilizing around their social differentiations of gender, race, religion, national origin along with 'class' make it difficult to find the common good. The process of finding the common good often favours dominant social or power-holding groups. The EU integration of Albania is presented as a common good and it is not a disputed issue at all. Because of this kind of approach, diverse voices are silenced. It is very important in every society to notice and take in consideration differences inside the society in order to structure the power and to have a sane political debate preceding the decision-making. Young (2002) argues that

"Oppression of the differences and alternative point of views which take many forms, appeal to a common good which does not respond adequately to the sub-national diversity. Communication of the experience and knowledge derived from different social positions helps correct biases derived from the dominance of partial perspective over the definition of problems or their possible solutions." The explicit inclusion of different social groups in a democratic deliberation and in the

decision-making process increases the likelihood of improvement of democratic parameters.

Therefore, it is clear that an important role in outlining different policies and safeguarding democracy is played by a well organized and a pro-active civil society. The involvement and influence of civil society and its relations with the quality of government has been greatly discussed in political scholarship.

When taking into account the relationship between civil participation and governing, especially in communities with active participation in public issues, citizens expect their government to keep high standards. "Information, consultation and active participation provide government with a better basis for policy-making enabling it to become a learning organisation. At the same time, it ensures more effective implementation, as citizens become well informed about the policies and having taken part in their development" (OECD, 2001). Complying with fundamental democratic virtues would require strong debates on public policies, prompt attention to citizens' needs as well as acceptance of civil society inputs. Instead, Albanian governments have been reluctant to involve civil society as a partner. In excluding civil society, Albanian governments have failed in implementing the mechanisms of institutionalizing accountability, and have lacked the trust that public and different groups should have in it. Nevertheless, civil society's role in Albanian economic and social development has increased, although many obstacles exist to overcome for its proactive involvement. This situation and factors such as the lack of layers of social groups with clear identities, the lack of organization and articulation of interest groups and the role of NGOs in decision-making have lead to a democratic malaise. Groups, their identities and interests in Albania do not form the basis for diverse positioning: they are merely a consumer of politics. The will of the politics to influence social groups is so strong that it does so with total disregard to any ideological principle or doctrinal coherence that should guide political forces in the first place. Social differences in Albania are not properly utilized as a political resource. The mass only 'consumes' decisions that ruling elites (in Brussels and then in national level) make for them.

4. Layer 3. - Political Parties Dimension

The EU integration has a fundamental impact in the party organisation and their concrete action in Albania. This change has happened as 'a side effect' in the attempt for adaptation to the prerequisites that the integration platform poses to the political actors in the country. The key fact is that parties compete for the same people with the same means. Therefore, all parties have the same ' product' to sell. They cannot change the 'product' and as a result they change themselves.

According to a Downsian conception, parties can be seen as a group of people trying to control the governing apparatus through gaining positions in regular election as allowed by the constitution. Party government is a very important element that needs to be considered in analyzing democracy. According to this model, the major decisions are made by elected officials or by people under their control. The elected officials take political responsibility for these decisions. Policy proposals are formulated within parties, which subsequently act cohesively in order to enact these policies. The elected officials are recruited and held accountable through the parties. So citizens' will is expressed through their votes and through their representatives from the majority but what makes it really democratic is the fact that they can choose among different alternatives. Parties are forces of direct influence to the government, although there are many forces that influence the parties themselves. Parties have to respond to the dynamic of the electorate to maximize their chance of winning political grounds. To understand this dynamic a three level analysis has to be conducted: in what a party expresses, in what a party tries to accomplish and what the outcome of its politics are. What the party in power does is shaped by the amount of pressure of the forces beneath it. Simultaneously what a party says depends on the amount of effect it will have on the electorate. Albanian parties differ very little in all three levels. They express the same, act the same and as a result their actions are 'transcripted' in the same way. A reason for this is that both major parties target the same groups and strive to get the most support from all directions.

Political parties play a role in the development of the link between the government and the individual. They function as a forum of conflict and compromise and offer a wide opportunity in the articulation of different interests. Political parties

play a crucial role also in the aggregation of the interests of the electorate. This is a process in which parties gather and sample opinions, interests, priorities of the electorate, modelling them into common aims and political propositions. As a result of the attempt for universality and in attempt to be catch-all parties they are pressured from different directions that usually contradict one another. Thus the process of aggregation of interests is noticeably complicated, leaving the programs to be put forward by the elites in the party. On the other hand, elites borrow the programs from Brussels.

Albanian parties have evolved in catch-all parties changing their nature in different angles. First of all, it is the organizational change as a result of which parties have become more elitist, thus giving more power to the elites, the role of which will be discussed later. Second, the change is programmatic and as a consequence of this change ideological differences between parties have been minimized. The top priority of "catch-all parties" has become the maximization of votes making them demand votes from all directions. "A vote-seeking party is different from a policy-seeking party. Here, the primary emphasis is on winning elections: policies and positions are not locked in. Instead, they are regularly manipulated in order to maximize support. Vote-seeking party corresponds to a catch-all party" (Wolinetz, n.d).

Characteristics of the catch-all parties are:

- Drastic reduction of ideological load in favour of short-term tactics in the attempt to attract new groups

- Considerable strengthening of the leading group and leaders

- Lowering of the role of the member of the party

- Strengthening of the ability to recruit voters from the general population

Catch-all parties are characterized by a focus in cases that bring no controversy to the general public and attract the maximum number of voters. In order to cope with a practical lack of public policy options, parties have little choice but to compete over operating 'styles' rather than over substantive programmatic alternatives (Innes, 2001). Thus the dynamics of parties concerning their efforts for universality has direct influence on democracy, and the EU integration process being

the source that puts forward programmes is a very strong factor causing this phenomenon.

5. *Layer 4. - The role of the elites*

The prospect of European integration in Albania has been established mainly as an elitist project and the basic question of the policy legitimacy and democratic representativeness is merely raised. "Since European integration has always been an affair of the elites, both political and business, they have relied on persuading the mass public that the European venture is a good idea" (Obradovic, 1996). For different reasons, people in Albania are willing to quietly 'go along' with elite decisions. This scenario consents a 'permissive consensus,' which means accepting, although not necessarily embracing elite decisions. Therefore political elites in Albania pursue integration unconstrained by the demands of the public and they take decisions about European integration fairly independently. In this context, "elites are seen as relatively a small group in the society which dispose of disproportionate power; this power originates from the fact that they are occupying specific power-conferring positions or dispose of particularly useful resources" (Haller, 2008). In earlier elite theories, elites were defined as egoistic, per se power-driven, or even corrupted. However elites are defined, with respect to democracy, the important thing is the fact that they are a smaller group in relation to masses and elites are the real decision-makers. In Albania it is quite difficult to have a clear categorization because the same people who hold almost all top positions represent economic, bureaucratic and political elites. Moreover, the elite in Albania, in a large extent is 'recycled' from the communist period. Krasniqi (2006) notes that "Most of the political actors of the post communist period used to be part of the communist ruling class." They have adjusted themselves to the new situation creating a hostile environment for the young people. Thus, there are many problems in the elite-mass relationship in Albania. The acute phenomenon of alienation and detachment of political elites from the electorate in the country is quite problematic for democracy. Hence, in Albania there is a problematic equation elite-masses which is aggravated by a process of independent, pursue of the EU integration by the elite.

6. Layer 5. - Sharpening of the existing level of populism

As a result of the growing of dissatisfaction with the political offer in Albania, there is a tendency on the part of the elite to rely on populist rhetoric and politics. This tendency affects both sides: position and opposition. The EU integration platform serves as a source of such actions. Populism is a type of strategy or political rhetoric with undefined contours. It should be understood as a sort of ideological corruption of democracy. Populism is a political rhetoric which simplifies problems to a possible maximum offering simpler choices for the public. A populist politician presents oneself as an ordinary person who understands people unlike the corrupted leaders that are incapable to govern. Such a politician declares that he/she represents all the underprivileged, the undervalued or the under-represented. Although populism is quite ambiguous and hard to define, it seemingly produces simpler solutions to problems, even for the more complex ones. Populism has a lot of influence when it is concretely used against someone or something. Populists in general, imagine a simpler world in which the complicated concepts of market economy and the rule of law involve obstacles to the satisfaction of the immediate needs of the people. Their ideas are usually simple. If some of the high government officials are corrupt, they should simply be replaced. If energy prices are high, the government should "freeze" them. If there is inflation, the government should intervene by raising wages and pensions. If there is high unemployment, the government should provide work opportunities, and so on. Populism considers principles or general ideas as insufficient for solving problems and tries to find "its own new way" in any case. Although a populist has its own plan, a plan which is based on utilitarism, opportunism and pragmatism. There are endless examples that demonstrate the EU influence in the sharpening of the levels of populism. In Albania there is much talk of reforms, but lack of any significant progress, and thus more dissatisfaction with politics in general and more politicians rely on populist methods. "Combined with the fact that most Albanian governments have stayed in power through compromised electoral processes this has further undermined their legitimacy with the electorate. In order to compensate for this, they rely even further

on the international community, often reflecting more the international rather than the local priorities" (Kajsiu, 2006).

7. *Layer 6. - Personalization of politics*

As a consequence of the personalization of politics, the function of leaders is quite enhanced and their role is frequently determinative. The electorate is transformed or even reduced to an audience, whereas politics loses its attributes turning to 'a war' between political actors in individual planes. The loss in elections becomes a personal "tragedy" while victory is a genuine triumph giving leaders the means to legitimize political actions which often prove to be incoherent.

The process of political communication is quite intense and often political actions largely covered by the media have been named as "serials" where accusations and political gossip stick out. The great media coverage brings the image of the politician as the glory of the superstar in the news where the opponent has to be attacked constantly. Thus, lacking a substantial offer and failing to introduce a concrete alternative, Albanian politicians use arguments and ad hominem accusations towards their political adversary. Using ad hominem arguments is just a method of criticizing or personally attacking the person who proposes a certain argument in an attempt to repudiate the argument itself. These arguments are not valid from a formal logical point of view, although they have great implication in the way the masses perceive events and political actors. With this logic, "the other" is not simply a political adversary but he\she becomes an enemy while arguing about their persona and integrity and not that of the political alternative that he/she represents. Nevertheless, personalization of politics is not a trend related only to the major leaders but rather a phenomenon that includes all political actors. Personalized politics at the level of political communication is a whirlwind where everyone accuses everyone with ad hominem arguments. This dynamic is produced and reinforced when lacking substantial offers in political terms.

Conclusions

As it was pointed out from the beginning "the questions of whether democracy is working, how 'good' or 'bad' a democracy is, have begun to become the new predominant trend in democracy theory and democratization studies" (Magen and Morlino, 2009:5). So, having the state of democracy as a main concern, the aim of this work was to argue that 'although the EU objective is to promote the empowering of democracy in the candidate countries, as a paradox it happens that the process of integration might lead to a national democratic deficit'. The democratic deficit, treated as a kind of democratic malaise, originates from the European integration process because the integration dynamic sharpens the division between the ruling elites and citizens, and at the same time, narrows the alternatives of the political process in the candidate countries for EU integration. The case of Albania as a potential candidate country shows 'the paradox of the accession' which consists in the conflicting logics of integration and democratization. Hence, resuming the main arguments the democratic malaise can be seen in:

- Layer 1 Political programmes over public policies (Ideological Orientations)

-Layer 2. The civil society dimension

-Layer 3. The Political Parties Dimension

-Layer 4. The role of the elites

-Layer 5. Sharpening of the existing level of populism

-Layer 6. The personalization of politics

Based on these layers I have attempted to argue that the EU accession is accompanied by a paradox. Even though theoretically the EU integration goes along with democratization, in reality integration and democratization might become conflicting dynamics. Although this is a very critical approach, my intention is not to 'attack' the prospect of Albania's EU integration, nor to suggest alternative positioning towards the EU. What I suggest is that the EU integration should not become an end in itself making all other processes dependent on it. Means should not be confused with ends because the EU integration is mainly a mean and not an

end in itself. The EU integration should come naturally, only after the construction of a 'sane' democracy in the country.

References

AVERY, G., and Cameron.F. (1998). *The Enlargement of the European Union*. Sheffield: Sheffield Academic Press.

BANCHOFF, T., and Smith, M. (1999). *Legitimacy and the European Union. The Contested Polity*. London: Routledge.

BLOCKMANS. S., and Prechal,S. (2006). *Reconciling the Deepening and Widening of the European Union*. The Hague: Asser Press.

BORZEL, T.A., and Risse, T.(2000). When Europe Hits Home: Europeanization and Domestic Change. European Integration online Papers, Vol.4, No.15 [online] Available at: <http://www.eiop.or.at/eiop/texte/2000-015a.htm> [Accessed 2 April 2009].

BOGDANI, M., and Loughlin, J. (2004), *Albania and the European Union*. Tirana: Dajti.

BRETHERTON, C., and Vogler, J. (1999). *The European Union as a Global Actor*. London: Routledge.

CHRYSSOCHOOU, D. (2001). *Theorizing European Integration*. London: Sage.

DAHL, R. (1998). *On Democracy*. Connecticut: Yale University Press.

DEMETROPOULOU, L. (2002). Europe and the Balkans: Membership Aspiration, EU Involvement and Europeanization Capacity in South Eastern Europe. *Southeast European Politics,* Vol. III,   No. 2-3, pp.87-106.

FOLLESDAL, A., and Hix, S. (2006). Why There is a Democratic Deficit in the EU: A Response to Majone and Moravcsik. JCMS: Journal of Common Market Studies, Vol. 44, No. 3, pp.533−62.

GRABBE, H. (1999). A Partnership for Accession? The Implications of EU Conditionality for the Central and East European Applicants. [online] Robert Schuman Centre Working Paper 12/99. Available at: <http://www.cer.org.uk/pdf/grabbeconditionality99.pdf> [Accessed 12 April 2009].

GRABBE, H. (2002). Europeanisation Goes East: Power and Uncertainty in the EU Accession Process. In: K.Featherstone, and C. Radaell, eds. *The Politics of Europeanisation*. Oxford: Oxford University Press. pp 303-327

HAAS, E,B. (1958). The Uniting of Europe. Stanford: Stanford University Press.

HALLER, M. (2008). Divisions on Europe between Elites and citizens. *Review of Sociology* [e-journal] Vol.14, No.1. Available through: Akadémiai Kiadó database [Accessed 10 April 2009]. Hasimja, E. (2005). Colloquium Liberal.Teza për një Qeverisje të Djathtë Liberale. Tirane: DITA.

HIX, S. (2003). The End of Democracy in Europe? How the European Union (As Currently Designed) Restricts Political Competition. [online] London: London School of Economics and PoliticalScience, Departmentof Government. Available at: <http://www.personal.lse.ac.uk\HIXworking%20Papers\HixEnd_of_democracyin_Europe.pdf> [Accessed 10 March 2009].

KAJSIU, B. (2005). Ligjerimi Steril. [online] INFOARKIV. Available at: <http://www.lajme.shqiperia.com/media/artikull/iden/144237/titulli/Ligjerimi-Steril> [Accessed 22 April 2009].

INNES, A. (2001). Party Competition in Post-Communist Europe: The Great Electoral Lottery. [online] Cambridge: Center for European Studies Central and Eastern Europe Working Papers Series (54). Available at: <http://www.ces.fas.harvard.edu/publications/docs/pdfs/Innes.pdf > [Accessed 25 April 2009].

KAJSIU, B. (2006). Politicizing Democratization in Albania: A Local Perspective. [online] Roma: Centro Studi di Politica Internazional Working Papers (29). Available at: < http://www.cespi.it/WP/WP29_Kajsiu.pdf > [Accessed 20 April 2009].

KAJSIU, B. (2008). Vekje Politikes, Liri Popullit! Polis. No.5, Pranverë, pp.5-25.

KOCHENOV, D. (2004). Behind the Copenhagen façade. The Meaning and Structure of the Copenhagen Political Criterion of Democracy and the Rule of Law. European Integration online Papers. Vol.8,No.10. [online] Available at: <http://www.eiop.or.at/eiop/texte/2004- 010a.htm> [Accessed 13 March 2009].

KOHLER-Koch, B., and Rittberger, B. (2006). Review Article: The 'Governance Turn' in EU Studies. *JCMS: Journal of Common Market Studies*, Vol. 44, No. 9, pp.27-49.

KRASNIQI, A. (2006). Partitë Politike në Shqipëri. Tiranë: ISHSP.

MAGEN, A., and Morlin, L. (2009). *International Actors, Democratization and the Rule of Law. Anchoring Democracy?* Oxon: Routledge.

MANNERS, I. (2002). Normative Power Europe: A Contradiction in Terms? *JCMS: Journal of Common Market Studies*, Vol. 40, No. 2, pp.235-258.

MENON, A., and Stephen, A.Wh. (2008). Transnational Legitimacy in a Globalising World How the EuropeanUnion Rescues its States. *West European Politics*, Vol. 31, No.3, pp.397 – 416.

MORAVCSIK, A. (1993). Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach. JCMS: *Journal of Common Market Studies*. Vol.31, No. 4, pp.473-524

FREEDOM House. (2008). Nations in Transit-Country Report: Albania 2008. [online] Available at: <http://www.freedomhouse.org/template.cfm?page=47&nit=443&year=2008> [Accessed 10 July 2009].

OBRADOVIC, D. (1996). Policy Legitimacy and the European Union. JCMS: Journal of

Common Market Studies, Vol.34, No. 2, pp.191-221.

OECD. (2001). Citizens as Partners OECD Handbook on Information, Consultation and Public Participation in Policy-Making. [online] OECD. Available at: <http://www.soros.org.mn/files/pblsh/pblsh_citizensaspartners.pdf> [Accessed 03 April 2009].

KËSHILLI i Ministrave, Republika e Shqipërisë. (2005). Programi i Qeverisë 2005-2009. [online] Tiranë: Këshilli i Ministrave. Available at: <http://www.km.gov.al/?fq=preprog/programi> [Accessed 20 May 2008].

SEDELMEIER, U. (2005). *Constructing the Path to Eastern Enlargement*. Manchester: Manchester University Press

KËSHILLI i Ministrave, Republika e Shqipërisë. (2007). Strategjia Kombëtare për Zhvillim dhe Integrim2007-2013. [online] Tiranë: Këshilli i Ministrave. Available at: <http://www.km.gov.al/UserFiles/File/DSDC/Strategjia%20Kombetare%20per%20Zhvillim%20dhe%20Integrim%20-%20Draft%20per%20konsultim%20publik%20%20Tetor%202007.pdf > [Accessed 20 May 2008].

NETWORK of Open Society for Albanian. (n.d). Strategjia e Shoqërisë Civile 2006-2008. [online] Available at: <http://www.soros.al/nosa/nosa_shoqeria_civile.pdf> [Accessed 10 March 2009].

THOMASSEN, J. (2007). The Legitimacy of the EU After Enlargement. In: B. Kohler-Koch, and F. Larat, eds., *Efficient and Democratic Governance in the European Union*. Vol 9, pp.211- 221. Available at:<http://www.connex-network.org/series> [Accessed 23 March 2009].

WOLINETZ, B,S. (2002). Beyond the Catch-All Party: Approaches to the Study of Parties and Party Organization in Contemporary Democracies. In: J. Linz, Jose R. Montero, and R. Gunther, eds., The Future of Political Parties. Oxford University Press. pp. 245-270.

YOUNG, I.M. (2000). *Inclusion and Democracy*. Oxford: Oxford University Press