

Electoral systems and their features in Albania case

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Abstract

One of the developed democratic disciplines in societies is psefologjia politology which deals with the study of elections and electoral systems. The word 'psefologji' derived from the Ancient Greek: psephos which means "stone" in which Greeks show or report votes, respectively dealing with election statistics analysis. The term began to be used in 1952 in the UK by RB McCallum historian to describe a scientific analysis of the election after their completion.

The democratic states in the first time designing the electoral system which is prepared by a team of experts and suits the general interests of society. Organizing elections made on the basis of a series of legal acts that stipulate the elections taking into account the most advanced international standards for democratic elections. In addition to the procedures provided, preparation or training for staff involved in the administration level, implementation of the law in a country, culture, political or other factors that play a role in the quality of the electoral process, the electoral system itself has a particular weight.

This study will be done with qualitative research method, studying the relevant literature on this topic. The research work is based on quantitative research or information qualitative, we have used a considerable number of articles, rich bibliography of books, studies, scientific articles or even the daily press. In this paper we will discuss electoral systems, but rather we will focus on handling features of the electoral systems in the Albania case.

This paper aims to emphasize that the choice of electoral systems is very important stage for every country and more so for countries that are in transition stage. Because the electoral systems determine the manner and legal rules for the calculation votes for the candidates who are

in the electoral race and define formulas for allocation of seats in the representative body, announcing the winners in the elections (the Parliament composition), but those who have the power to change the election system are the main political parties. And a detailed analysis we will also do for the behind reasons that systems have change frequently in Albania.

Keywords:

- Electoral systems,
- Political parties,
- Policymaking,
- Transition phase,
- Political choices etc.

Entry

Electoral systems defining the way and legal rules for the calculation of votes for the candidates who are in the electoral race and define formulas for allocation of seats in the representative body, announcing the winners in the elections (Berhani, 2009: 151).

"Every electoral system constitutes a real filter between society and politics, or rather between society and institutions. For this reason, electoral systems are instruments of great importance and have value extremely large for the operation of political systems and the dynamics of the form of government" (Amato & Barbera, 1977: 67-68).

One of the most fundamental issues outlined in psefologjisë theory and political science, is to clarify the role of electoral systems for the consolidation of representative democracy. In general, electoral systems play a very important role in the consolidation of representative democracy, but each of them has a positive role if applied on the basis of the specifics of a political, economic, ethnic divisions and of course also on the basis of tradition and right state building.

States with democracy consolidated in the first time and design the electoral system which is prepared by a team of experts and suits the general interests of society. Organizing of elections was made on the basis of a series of legal acts that stipulate the elections taking into account the most advanced international standards for democratic elections. In addition to the procedures provided, preparation or training for staff involved in the administration level, implementation of the law in a country, culture, political or other factors that play a role in the quality of the electoral process, the electoral system itself has a particular weight.

One of the most developed disciplines in democratic societies is psefologjia which deals with the study of elections and electoral systems. The word 'psefologji' derived from the Ancient Greek: psephos which means "stone" in which the Greeks was showing or reporting the votes, respectively dealing with election statistics analysis. Psefologjia means the course of voting, the regions, public opinion surveys, information about campaign financing and related statistical data. The term began to be used in 1952 in the UK by RB McCallum historian to describe the scientific analysis of the election after their completion.

Electoral systems

Various authors in their studies give different versions of the notion of electoral systems. According to one definition, the electoral system represents union rights, principles, mechanisms and guarantees on the basis of which ensures the participation of citizens in elections. So, those are the rules under which the electorate votes are translated into the allocation of posts or seats in the legislature, in political terms between the parties or candidates. According to another opinion, the election system determines the rules for the selection of political elites, and therefore the quality of the electoral system largely depends of the functioning of democratic institutions.

He does research of voting during elections by treating it as a basic form of political participation of citizens; elections-functions their and importance in political life; methods, procedures and electoral reforms; the electoral process; behavior of individuals and groups during elections etc.

Other authors point out that the fundamental basis for the explanation of electoral systems is the right of citizens to choose their representative bodies expressing their free will.

The will of the people shall be expressed in periodic and fair elections to be held by universal suffrage and equal, by secret ballot procedures or equivalent free voting.

Time to pass and the defects in the electoral system, of the Law and the Code of Elections, have made categorical need to change the typology of the political system, avoiding also tricks constituency in which the elections in our country have fabricated party victorious and lost, so unfair, by abusive speculating with favorable electoral strategjima, or remain outside it (Tushi, 2006: 128).

There are a number of factors that indicate that the system more than moulder of political parties, is shaped by them, to try to maximize as much benefits (Xhaferraj, 2011: 42-61). The electoral system often determines the party system, which means two parties or more of political parties that have influence in a state. In all elections nationwide, election allocated areas. Some countries have practicing areas with one candidate, where the local population has the opportunity to elect only one representative (a mandate) to the national assembly. Other countries have areas with more of one candidate where are divided more seats.

Some of the effects of the electoral system, according Kajsiu (2005) might be "... evident productivity in the governance, political stability, representing the interests of different social groups, implementation of the electoral system and the electoral system impact on the electoral process."

Within the electoral area, there are two ways to pass a vote of mandates. Proportional, it can be applied only in areas with many candidates, where seats are allocated among parties that receive the most votes, so that the allocation of seats reflects the division of votes. Majoritarian normally is practiced in areas with a candidate and the party that gets the most votes wins the mandate of the area, "the winner take all". The result is a system dypartish, while small parties are unable to win seats (98).

Some countries do not have clear how work the election rules, they adopt certain rules in the hope of achieving some goals, but the result is different. Through electoral systems can achieve objectives such as proportional representation, the exclusion of many small parties, or strengthening of the biggest party. These election rules could apply after was approved by the relevant authorities, as well as changes in election results may be quantifiable.

In this case we can emphasize that the electoral system can be like a magic wand in the hands of a political party, for a system of well-studied well, can bring them desirable results for a political party that its goal only is to take the power and governance of the country. But when I say well studied, emphasize consideration of conditions and local political traditions of the country because for the adoption of an electoral system needs the votes of political opponents by the members of parliament ekzekutv. Even if the election rules proclaimed can be enjoyable, they may not always be applicable. Rules can be undermined in many ways, such as through the introduction of restrictions on the nomination of candidates and the campaign, by preventing people for voting, lack of privacy, as well as through the manipulation in the calculation of votes (Taagepera & Shugart 2004: 36 - 37).

It is important to do the division of constituencies on the basis of a number of voters equal for all constituencies in the country, because the constituencies have a number of seats in proportion to the number of voters eligible to vote, then it should be noted not the total number of population (where includes children, persons with disabilities, who can't vote). Different formulations for the distribution of votes and seats can also significantly affect the representation in Parliament and could be adopted so as to ensure that no party will win a majority, to hold bias urban - rural, provide 'balances' other and ensure representation of minorities or specific groups (Goodwin-Gill, cit. 1994: 39 - 40).

The creation of electoral system now recognized as of great importance to the major issues of governance and probably as one with the greatest impact of all political institutions. At the most basic level, electoral systems show that political elections, votes are cast in the countries that receive parties and candidates. The main variables are:

- 1) Electoral formula that was used (namely whether it be majority or proportional system, and what mathematical formula used to calculate the allocation of seats).
- 2) The size of the region, not how much voters lived in a region, but rather as members of parliament could be elected in that region.

The structure of the electoral system is closely related to other more administrative aspects of elections, such as the distribution of polling stations, appointment of candidates, voter registration, etc. who runs elections. These issues are of great importance, courses potential

advantage of every selection election system will be hindered if will not have the necessary attention. The form of electoral system also affects other areas of electoral laws: selection of electoral system has an influence on the manner in which regional boundaries were set, the design of the ballot as the votes are counted, along with numerous other aspects of the electoral process.

The choice of electoral system and its implementation can have a direct effect on the respective political rights. The organization of elections is an important issue, where ekzsistojnë two ways: elections by majority votes or proportional representation. Election by majority vote, candidate who receives the most votes in a given area. Some systems predict additional choice to two candidates with the highest number of votes, if none of them gets the majority of votes in the first phase. Systems Plurality tends to favor the two major political parties. As elections with a system of proportional representation, usually vote for political parties and not for individual candidates. Number of party representatives in the national legislature or the ratio is determined by the percentage of votes received by each party in the elections.

Large families of electoral systems

If don't have a winner, then party leaders entering to discussions among political parties and based to the weight that have in parliament (based on the number of deputies to get into parliament), they form a governing coalition. Parliamentary governments elected in this way tend toward multiparty systems, according to which in the legislation was represented and from the small political groups. But this system can produce instability in the country since multi-party coalitions may be fragile and can disintegrate very rapidly under political crisis that can pass country. And we can say that the Prime Minister does not have the weight that can be had when elected directly by the people.

❖ *Majority system:* in which candidates are selected on the basis of a majority of the votes they receive in a given area constituency. Within the system itself there are five different types of subsystems

❖ *Proportional system:* where political parties take from parliament and local government bodies as places that proportionally correspond to the total votes each party wins in

the general election. We could say that the system that was applied is the system with list, where we have a determination from the percentage of votes that each party receives in relation to the other parties in the electoral race. There are two ways of voting, with closed lists where voters vote for parties or candidates (without expressing preference) and the second way is that voters vote with free list or open, where voters vote for their own political party, they also can also express their preference for a particular candidate.

❖ *Blended system or mixs*: in which applied two forms of systems cited above. Selected candidates are of two types; a group elected by majoritarian electoral system and the rest, according to the proportional electoral system. Albania has applied this system since 1991, with 100 seats elected by majoritarian and 40 other mandates under the proportional system.

But every electoral system has its advantages and disadvantages. Disadvantages of proportionality are: don't have credibility of representatives in whole certain areas (Beetham & Boyle, 2001: 54) and the electorate can influence the order of candidates on the party list. But supporters of the proportional systems argue that voting system pluralist and with alternative vote are undemocratic because they treated unequally votes of the citizens, giving a greater weight to some than to others.

Proportional systems of representation are intended to define the sites of political parties in proportion to the strength of their political, but they can encourage the majority of political parties and seek the voting based on party lists, in the way by distancing the voters from the elect and by further limiting opportunities for individual candidates, nonpartisan (Goodwin-Gill, cit. 1994: 38-39). They argue that the implementation of this system violates the basic principle of democracy, that of political equality. As a result, they can allow choose the government that they support only a minority of the electorate, often a very small minority.

While, on the other hand, we have the critics of proportional system. They advocate the idea that not often happens that a political party can win only with a majority of the popular vote, according to this system always is required to create a coalition government. Majoritarian system is inclined to favor two parties. This system is relatively straightforward, but in the situation multiparty he gives priority to stability on equality in representation, not only small parties and

friends are at a disadvantage, but the parliamentary majority can be won on the basis of small wins, considering the percentage.

They continue to argue that coalition take the governments from the hands of voters and give it party leaders, thereby reducing the extent of credibility and popular control. Also, they can give a disproportionate power to small parties, especially if they occupy a delicate space, key "important" in the center, between the major the right and the left parties. Here it can be countered with the fact that all parties should be accountable to their electorate for all decisions that taken within the coalition, and parties and authorities can not to underestimate the direction of passage of the vote between parties of left and right, one election to another.

Tip O'Neill, in his book "Politics is local, and other rules of the game ", wrote a statement that Carl Albert (Carl Albert), Speaker of the House of Representatives had said: "Our ancestors have invented Constitution haven't invented the most efficient form of government, but the form of greater freedom" (2001, 127).

"The beauty of American democracy is the two-party system. Suffice it to take a look at the other democracies of the world, with all those parties. The only governing way for them is coalitions. But coalitions are break occasionally and governments fall. Chaos. "(Tip O'Neill, 2001: 226).

The author argued that the US, according to the two-party system, has one government that prevail stability and there is no danger of falling government while in the coalition governments are fragile and can fall quickly if there are contradictions between the two political leaders. And from own experience from the United States, this type of system (two-party system) brings longevity of democracy and a stable government.

According to Giovanni Sartori, much less be electoral districts the smaller is proportionality. Albanian political parties projected boundaries of electoral districts, numbers of seats for constituencies, electoral threshold, the number of seats in parliament and the electoral formula.

Regional proportional electoral system that was applied for the first time in the parliamentary elections of 2009 and which still continues (allocation of seats is done on a regional basis), which eliminates the smaller parties, which have no constituency centered in one

or several areas but they have spread throughout the country, so as not to affect the natural distribution achievement of the electoral threshold. This system provides electoral hegemony parties, without giving the account to the electorate. In this system is created the idea that politics can not solve all the problems, the impression of validity of politics, occurs regionalism of the vote.

Also, another advantage of this system is more inclusive political representation. This reduces the possibility of creating "majority tyranny ", where we have the rule of a party with an absolute majority it paralyzes the interests of parties and other groups in society. This enables inclusion human a greater participation in the elections, achieving the main goal of representative politics, that of reflecting the interests of the voters. But, beyond the advantages, this system doesn't constitute a real popular representation it avoids significant political individualities, but also presents some other major drawbacks:

- There is a fragmentation of the vote, giving undue importance to certain groups;
- We haven't a system of direct representation, legitimacy and accountability system. The emphasis is on the party and not to the deputy.

Legitimacy and accountability of the MP to gained from direct campaigning, which define the image of the representative deputy, but the other side also create potential problems for the party he represents and its leaders. In this regional proportional system, we have a direct dependence of the deputy with the leader / chairman of the party and we have a getaway from his voters.

According to Tonin Gjuraj (2015: 127), setting as regional proportional system, it is simply a cynical maneuver to create the idea that politics is local and that it takes into account local interests. As and the author points out that the current system difficult to justify the argument for a broad political representation, because it limits is participation of small parties in Parliament, increasing the proportion of voting necessary for this the job. So Gjuraj notes that the regional proportional system is not conducive for Albanian democracy. The system weakens the links deputy - voters and strengthens too much the dependence of the deputy from his leaders, as well as creates difficulties for small parties and makes them dependent on koalicioneve with the major parties.

In continuation of the analysis that makes Gjurač in his book "Nova Demokratia", two elements that make up the electoral system and can also be primary goals: stable governance and representation. So, it is important to have a government with political stability and to have representation of all political parties in the composition of parliament because in this way we will have a system appropriate, so if we can appreciate a system in appropriate or not for the political reality to our country, because there is no electoral system, good or bad, and we should evaluate it in relation to these two indicators.

Political scientists say that a proportional electoral system, causing a cleavage of the party system and at the same time, makes it possible to create stable majorities which are capable to governing the country.

Governments coalitions are not durable and effective, because as the more heterogeneous is the parliamentar spectrum the more fragmented is the government even opozicionimi (Gazeta "Balkans", the article "Why should a political system and parliamentary homogeneous?", Published January 18, 2006).

It's so important the study of electoral rules beyond political consequences, they are also creative policy, can also be changed for political purposes by the party leaders. So the rules of the electoral system of the country are so important, we can come to the conclusion that these could be decisive for the final result, regardless of the popular vote taken.

Aware that the drafting of a new Penal code, is a very difficult job, Lush Përpali emphasizes that it is necessary that the research is doing in time, so that it fits better to situations in which our country is going through today and to have a life relatively longer than in the form as it's this project (2004: 72). In connection with the adoption template of a Constitution of a democratic country, has demonstrated that it can bring the country into dictatorship and should be taken into account specific historical conditions, the foundations of the political system and parliamentary control, out of which, in general, can not speak democracy without falling into the trap of a stalemate formalism (Pëllumbi, 2013: 58).

Niazi Jaho (2006: 7) notes that it is a process that requires comprehensive study and generalization of the practice of periodic elections. It takes time, mature, application of principles, without which can't be met elections international standards. The author notes that

political will, thereby avoiding narrow party - koniunkturorë interests, is also of particular importance. It is necessary to respect the basic principles on the basis of which developed and built periodic elections in a democratic country (Jaho, 2006: 17-18). These principles are found in the Code of good practice in electoral elections of 2002, adopted by the Venice Commission, the Copenhagen Document of 1990's, the OSCE and the Moscow 1991, also OSCE of, as well as in our Constitution.

Regional jurisprudence and subsequent resolutions of the General Assembly of the United Nations, recognize that "there isn't political system or electoral method that will suit all nations equally and their people and the international community's efforts to increase the effectiveness of the principle of periodic and regular, should not call into question the right of sovereignty of each state, in accordance with the will of his people freely to choose and develop their system of political, social, economic and cultural, without considering that other states prefer or not this '(APKB res. 46 / 137, "Enhancing the effectiveness of the principle of free elections and fair ", December 17, also APKB res. 47 / 130, December 18 1992, as well as APKB res. 48 / 124, December 1993).

Features of electoral systems in the Albanian case

The most notable feature and distinct of electoral systems implemented in Albania these 25 years is their systematic change. In every election in Albania are implemented different electoral systems or similar appropriate modifications within the electoral formulas. During these years post-communist period we have applied the majority system with two rounds, mixed system dependent, mixed system with independent, proportional system regional, mixed system where the dimension majority determined by the model majority with two rounds in some cases or with Majority and Minimum in the case of general elections in 2005;

Also in the different choices we have applied different number of MPs in Parliament, 250 in 1991, 140 in 1992 and in 1996, 155 in 1997 and 140 after 1998 with the adoption of the Constitution. As we observed trend over the years that there is a shift in the framework of the electorals families from typical systems to more proportional majority. So in a frequent change

of political system has provided various products which radiated throughout the political system, and the model of democracy that applies Albania.

Different electoral systems have enabled us to experiment with different models of opposition and the most powerful majority, in the most fragile and conditional. Also different electoral systems have produced a complex relationship between the parties large and small in the country, making the party system more than the numbers within it reflect in a very clear way what Giovanni Sartori calls "the phenomenon of the potential for any coalition or the potential to produce political blackmail". Different electoral systems have produced political balances within parliament where the role of small parties has been critical or otherwise, simply part of his statistical framework.

Another visible element in systems used in Albania is the fact that with the exception of the election of 2009, in all previous elections at least 100 seats in the Parliament are elected through formulas majority (Majority Minimum or Majoritarian with two rounds). This is an important fact to understand this continuity in almost 15 years as a competition of political parties as a candidate against the opposition, as well as in creating a model familiar to voters, voting for the candidate.

Regarding with the electoral threshold used, we can say that Albania ranks in those countries that haven't lower threshold, but not penalizing for minorities articulated politically and demographically concentrated as is the case of the Greek minority in Albania. In the 1991 Assembly elections is implemented the majority system with two rounds, and in this logic concept of electoral threshold is not applicable, or may be regarded as a threshold election level of 30% of the valid votes in the first round to determine candidates who will continue the race in the second round. Regarding the electoral threshold in other election years, it is important to note with the exception of 2009, the thresholds are national, while in the Assembly elections in 2009 electoral threshold is at the regional level.

The main political parties in Albania have failed to interpret any electoral system that was implemented in Albania, in order to maximize their interests. From this perspective, it seems that voters have responded to different strategies of the main parties to maximize their benefits from the system. It shows not only a great safety the main political parties in maximizing of their

interest, but also voter tendency to respond to these interests of the major parties, reflecting a high level of dependency on "strategic humor" of a political entity in electoral behavior. In the case of elections that analyzed above it shows that the majority system is always present. Perhaps it's a resistant component unchanged of electoral systems used in Albania until 2005. This means all likelihood and from the standpoint of experience of the electorate experience with majoritarian culture has created expectations and rational vote culture, which translates to the alternative vote having chances to win despite that probably is not the first option that voter prefers. Even that part of the electorate that supports small parties over the years has learned that their votes for majoritarian candidates are vote lost. So they prefer to choose a great party that has a chance to win and why is not the first preference for them.

Also from the above figures mean that even in mixed system of independent small parties seriously damaged, because not only is it difficult to win mandates in the majoritarian system, but are in very strong competition with parties large and its proportionate share.

In the mixed systems to dependent the situation is different because the major parties to the electoral law have prevented from the proportional so long as the number of seats to won directly is greater than the number of seats obtained by proportional. In this situation the major parties delegate their votes to parties allied artificially increasing their weight for so maximize achieve their interests.

Even in the 2009 elections, small parties together are presented very poorly, because are punished as the districts of size electoral (small), and again from the distribution of electorate of their support throughout the country.

In summary we can say that as long as the rules of the game are put from the major parties, the fate of smaller parties is predictable now. Those for their characteristics appear poor in each majority formula appear weak in proportional formulas as a part of independent of mixed systems. Weak appear in regional proportional due to the small number of deputies to the area and distribution of the electorate. Mix well represented at the hanging, but hanging from the major parties having necessary the coalition with them because otherwise penalized

Conclusions

States with democracy consolidated in the first time and design the electoral system which is prepared by a team of experts and suits the general interests of society. Organizing of elections was made on the basis of a series of legal acts that stipulate the elections taking into account the most advanced international standards for democratic elections. In addition to the procedures provided, preparation or training for staff involved in the administration level, implementation of the law in a country, culture, political or other factors that play a role in the quality of the electoral process, the electoral system itself has a particular weight.

An efficient electoral system should be based on careful control of expenses. It is true that the main purpose of elections is to achieve a legitimate government and free regime, especially in a transition process, but without resolution of this fundamental issue is not possible to settle the rest of the social or political problems of the country.

From this panorama that we discussed above, we come to the conclusion that small parties are not only the consequence and dependent on the willingness of major parties, but systematically in years over, they have been getting wrinkled of their legitimacy and bad perceived from the public about image as simply extensions of the two main parties. From the foregoing, it appears that the best layout based on estimates of the potential all small parties in Albania can doing at the national proportional systems with low thresholds, trying to win (taking into account today's electoral weight) 3-4 once more mandates that they own have today, then 20-28 seats.

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