

Parliamentary elections held on May 26th, 1996 in Albania and the political crises they caused

Dr. Adelina Nexhipi* & Phd. candidate Erjon Nexhipi*

*Lecturer, Faculty of Education and Philology, University "Fan S. Noli" Korce, Albania

*Lecturer, Faculty of Economy, University "Fan S. Noli" Korce, Albania

ABSTRACT

Parliamentary elections of May 26th, 1996 in Albania were held in a deeply polarized political environment; they were associated with multiple tensions during the pre-election period, the Election Day and post-election period as well. The voting process and the results of the elections were opposed by the oppositions and criticized by the international institutions. Election processes in post-communist Albania have been associated continuously with multiple legal, procedural, administrative problems, but May 26th elections, as never seen before, were declared publicly and decisively as against election standards, Government's responsibilities and political interventions in the process as stated by the international observers. According to them, 32 out of 79 election law's articles were violated. The elections qualified as "a step backwards to the democratization process", deepened the political crisis in Albania and ignored major problems already prevailing in Albania.

This paper attempts to describe, analyze and evaluate the parliamentary elections held in May 26th, 1996 as seen from a legal, procedural and political point of view and their effects on political crisis in Albania. To reach this objective, the present descriptive - analytical paper was prepared through researching, synthesizing and analyzing efforts and based on documents and reports of Albanian and international institutions, studies conducted by Albanian and foreign scholars, testimonials and interviews of the protagonists, etc.

KEYWORDS: Albania, parliamentary elections, political crisis, elections boycott, parliamentary boycott

Introduction

After almost half a century of dictatorship, on March 31st, 1991, the Albanian people held the first pluralist elections. Since then, Albanian people vote every 4 years to elect their representatives. Elections have been qualified as "Achilles heel" for the Albanian democracy, therefore have attracted frequently the attention of international institutions. Since 1990 until today, many political parties have been created in Albania, however, the Albanian political scene has been an arena for violent and long conflicts between the two main parties: The Democratic Party (DP) and the Socialist Party (SP). These two parties have been substituting each other in taking the power since 1992 until today.

The elections of May 26th, 1996 are the reflection of one of the biggest political failures, not only for the domestic politics. The internationalists considered them the most illegitimate and irregular elections ever held after the communist regime decline in an Eastern European country. In the end of 1996, Albania entered a deep political and financial crisis. The scope of this paper is to describe, analyze and evaluate the parliamentary elections held in May 26th, 1996, seen from a legal, procedural and political point of view as well as their effect on deepening the political crisis in Albania.

The methodology used in preparing this descriptive-analytical paper is researching and analyzing. Numerous studies have been done regarding the elections in Albania, by Albanian scholars and not only, seen from different perspectives (legal basis, issues, results, turnout), but this article aims to provide a complete overview of the 1996 parliamentary elections, and the political crisis they caused, both in the pre-election and post-election period. In preparing this study primary and secondary sources have been used: official documents, laws, press materials, reports from several international institutions and organizations and domestic and foreign studies as well. Especially, the press documents of that time were used such as: daily newspaper "Rilindja Demokratike", as edition of the Democratic Party, daily newspaper "Zëri i Popullit", an edition of the Socialist Party and the newspaper "Koha Jonë", an edition of the Democratic Alliance Party (PAD), which reflect the official attitude of these political parties. An important source were the documents of international institutions such as: OSCE / ODIHR, IRI, IFES, Human Right Watch etc. Analyses conducted by researchers and protagonists of the events such as Prec Zogaj, Shinasi Rama, Elez Biberaj, Valentina Duka, Spartak Ngjela, Miranda Vickers, Mero Baze were very helpful.

After having done the researching work, it was concluded that the Albanian political parties affected negatively the elections through their actions and attitudes and gave a strong blow to democracy consolidation process and the European integration for the country. The elections harmed largely the political life, put the country in crisis and damaged the cooperation between the position and opposition.

Polarization of the Albanian political scene before the parliamentary elections

Political life in post-communist Albania has been characterized by an increasing conflict that polarized and irrationalized the politics. Political parties in Albania have been fighting hard in creating a pluralist polarized system. The political situation in Albania was disturbing and the polarization between parties was high. Lack of dialogue and consensus kept the political pressure in high levels in the beginning of 1996.

Violent debates between the party in power (DP) and the opposition (SP) began with the trials and sentencing some of the SP leaders, including their chairman, Fatos Nano, sentences which the socialists and not only, considered as political. Debates increased during 1994 because of the constitutional referendum. Through an anti-constitutional process, it was decided that the draft constitution, prepared by a parliamentary commission, be enacted by popular referendum. Such decision of the President and the Parliament caused displeasure and strong reaction from the opposition. The referendum for the constitution was held on November 6th, 1994. 84.43% people voted: 41.70% voted pro and 53.89% voted against it¹. The result of the referendum affected the political life of the country by increasing the conflicts and political intolerance. The SP qualified the results as a punishment for the DP's politics, therefore it insisted on its request for early elections. Early elections, according to socialists, were a logical consequence of the political developments in the country. The Parliament has already lost its authority among the people, the trust of voters, therefore its renovation through new parliamentary elections was the right alternative. The SP's request for elections DP answered that the referendum was held for a very concrete issue as the draft constitution. Popular refusal was addressed directly to the constitution and this didn't have to be the reason for early elections. The DP has already a 4-year mandate ending in 1996².

*During 1994-1996, the attitude of the political majority (which represented the anti-communist majority) was characterized by authority signs ... Albanian was characterized by a very long political battle and a high level of political conflict, delaying many preparatory processes for membership in Western and EU institutions, which practically were miles away toward the liberal democracy.*³ The political situation during 1995 was aggravated because of passing two

polemic laws: Law Nr. 8001, dated 22 September 1995, "*On*

¹ Adelina Nexhipi, *Aspects of the political transition in Albania*, 79 (dissertation) retrieved: <http://www.doktoratura.uniir.edu.al/tag/adelina-nexhipi/?lang=en>

² "Ne respektojmë votën e lire të njerëzve," *Rilindja Demokratike*, No. 800, November 8, 1994, 1

³ Rrapo Zguri, (2017), *Marrëdhëniet mes medias dhe politikës në Shqipëri*, (Friedrich-Ebert-Stiftung), 10

the genocide and crimes against humanity in Albania during the communist period for political, ideological and religious reasons" and Law Nr. 8043, dated 30 November 1995, "*On the moral figure of officials and other persons related to protecting the democratic state*". Law Nr.8001 aimed to protect the democracy by removing from the public functions public figures, who has been active during the communist period. Law Nr.804 aimed to provide the purity of democratic life of the country during the post-communist transition. Both laws proposed to the parliament a few months before the new parliamentary elections, deepened the gap between the two parties and affected the opportunities for cooperation.

Law on genocide among others, aimed to prevent former high officials in political positions, appointed, executive or legal during the communist period and collaborators of the State Security, from being appointed in positions in central or local governments' institutions or higher administration, legal system or mass media until December 31st, 2001. The opposition parties accused the Government that this law was made for election purposes and was being approved for attacking the political rivals. Punishing people without considering the circumstances at that time and concrete activity of the individual contradicts openly the Resolution of the Council of Europe. According to the opinion given by Prec Zogaj, the *Albanian anti-genocide lacked not only historical vision but the future vision as well and it was created in a poverty of thought.*⁴

In 1995, by special law, the Commission for Control of the Figure of Higher Officials was established. The Commission excluded from the elections of May 26th, 1996, 35 SP candidates running for parliamentarian⁵ and 6 PAD candidates⁶ arguing that they resulted to have served during the communist period as spy agents for the State Security and were part of the communist apparatus and leadership. SP reacted by calling the decision of the commission as arbitrary and political. Some of the excluded candidates addressed the issue to the Court of Justice in order to contest the Commission's decision.

Law Nr.8043, dated 30 November 1995, "*On the moral figure of officials and other persons related to protecting the democratic state*" aimed the purity of the officials figure who operated or wished to operate in important positions in the Albanian government structures during the post-communist transition period. Based on this law, the institutions and functions subject to verification were: the President of the Republic, elected officials, managing functions in executive operations and public administration, officials in Armed Forces and police forces, judges, prosecutors and judicial police. "*The objective of the law was to prevent or dismiss all those individuals who served as leaders in the political structures of the Labor Party, etc from being a part of the political life in Albania*"⁷. Related to the application of Law on

⁴ Prec Zogaj, (2009), *Intuicionet e tranzicionit 1* (UET Press), 73

⁵ *Bombe në selinë e PS, digjen 35 kandidatë*, Koha Jone, No. 86, April 13, 1996, 1

⁶ *Eleminohen 6 kandidatë për deputetë*, Koha Jone, No 85, April 12, 1996, 3

⁷ Eglantina Reka, (2019) *Lustration and Vetting in post-communist Albania inter-linked with civic trust in governmental institutions*, in *Transitional justice in Albania*, (OSCE Presence in Albania, Friedrich-Ebert-Stiftung), 132

Verification, the Verification Commission was recommended to disqualify almost 200 individuals, election candidates. Most of disqualifications were based on Article 2 c of the law, referring to those individuals recorded on the list of the State Security (former secret police) as informants in the past. About 60 persons appealed against it in the Court of Justice and 9 complaints were accepted, the rest were rejected. For the OSCE/ODIHR mission, the disqualification of the candidates conflicted the Article 7.5 of the Copenhagen document.⁸

On January 31st, 1996 by accelerated procedure, new election law passed with 74 votes of DP's parliamentarians. This urged the opposition's irritation. The opposition reported the parliamentary session on passing the law by DP as "a putschist session"; ... "the law was voted in the most arbitrary way when it should be voted by consensus. The voting was held in the most scandalous way which shows the installation of dictatorship in Albania." and it declared that "the DP showed that it is not prepared to leave the power" ... "Such law created unequal conditions. Although, the people will know how to judge and each one will get the votes they deserve. Passing such a law is a juridical and constitutional putsch"⁹

The new election law remained majority - proportional, but it changed the way of parliamentary representation; the entering threshold for the parties that benefited by the nominal list (the proportional) was 4% of national votes and 8% of national votes for the coalition parties in the first voting round. Number of single nominal areas (majority) increased by 115 of 100 that was in the previous elections, whereas the number of seats from the multi nominal list was reduced from 40 to 25. The Law provided changed in selecting the election commissions. It provided three levels of election commissions: Central Election Commission, 115 commissions of election zones and approximately 4,700 commissions of election centers. Based on Article 19 of the amended law, the composition of Central Election Commission (CEC) would be by decision of the President and proposal of the Council of Ministers and large political parties. Based on articles 21 of the Law, each party having a candidate in certain election area, had the right to appoint a member for the election commissions and the commissions at the polling centers. The Law granted the right to the President, instead of the Parliament, in defining the boundaries of election zones.¹⁰

Small parties were affected by the amendments made to the election law, since they could win a considerable number of votes on country level, but had difficulties to in a large number of votes in every election area.¹¹ Election commission would be dominated by the party in power, non-parliamentary parties had no rights to be part of the commissions. Commission chairmen and secretaries appointed by the party by parliamentary majority (DP) would be in charge of managing the voting

⁸ Ibid, 133

⁹ Arben Vata, "Puc juridik dhe konstitucional", Koha Jonë, No.26, February 2, 1996, 5

¹⁰ Ligji Nr.8055, dt 01 Shkurt 1996, Për një ndryshim në ligjin Nr.7556, dt 04.02.1992, Për Zgjedhjet e Kuvendit Popullor të Shqipërisë

¹¹ International Republican Institute, IRI Observation Report on the Albanian Parliamentary Elections of May 26, 1996 (Washington D.C. 1996) 16, retrieved: <https://www.iri.org/sites/default/files/Albania%27s%201996%20Parliamentary%20Elections.pdf>

process. The new law did not resolve the political disputes, on the contrary, it made them worse. Passing of the new law received many critics from the SP and other parties which accused the DP for making use of the power to change the rules of the political game. Lawyer Spartak Ngjela describes the law as *scandalous*, which "prevented the opposition entirely to participate in counting the votes and the voting process."¹² This law, according to Elez Biberaj, strengthened the power of the higher officials of the party, who continued to dominate the process of selecting the candidates.¹³

The International Foundation for Election Systems (IFES), an institution in charge of monitoring the elections settled in USA, conducted a pre-election evaluation in Albania in March 1996. The final report of the organization among others pointed out that: ... *IN February 1996, a new election law passed in the Parliament despite the protests of the opposition. The law is problematic since it restructured the election commissions to Government's advantage. The President Berisha ordered for changes in election zones. The election law also gave the party in power a disproportional time on TV. According to Article 53 of the Law, the parties have proportional times, but half of the time was given to the party in power. The biggest issue with the election law was the way how it restructured the commissions' composition favoring the Government and increasing the chances for vote manipulations.*¹⁴

Division of election zones caused a huge political debate as well. The SP accused that the division was in favor of the DP, it did not respect the administrative divisions, created confusion and did not respect the election law. The reports from the international institutions considered the division as abusive, non-transparent and non-constitutional¹⁵. According to the OSCE's report "the size of the electorate in the newly established zones ranged from 12,000 to 27,000. This disparity is too wide to ensure the same weight for all casted votes"¹⁶.

Election campaign

The election campaign started officially on April 11. It was characterized by a huge political polarization. During the campaign, the political parties treated each other more like enemies rather than legitimate political rivals. The political race had no boundaries, did not respect rules and laws, morals and ethics. As opposed to law, the political parties used the public administration and students in their election rallies. According to Shinasi Rama, those who participated in meetings hardly even read the programs. Most of them were forced to participate, otherwise, would lose their jobs or schools¹⁷. In many cases, official ceremonies were used to made political propaganda, administrative sources were used for campaign purposes, public officials were used to make the campaign

¹² Spartak Ngjela (2013) *Përkulja dhe rënia e tiranisë shqiptare 1991 – 1996*, UET Press, 438

¹³ Elez Biberaj (2011), *Shqipëria në tranzicion*, AIIS, 392

¹⁴ IFES (1996) *Pre-Election Technical Assessment of the Republic of Albania, March 1996*, Washington, DC: IFES, retrieved <https://www.ifes.org/publications/pre-election-technical-assessment-republic-albania-march-1996>

¹⁵ IRI, *Observation of the parliamentary elections held in the Republic of Albania, 26 May 1996*, 17 - 18

¹⁶ OSCE/ ODIHR, *Observation of the parliamentary elections held in the Republic of Albania, May 26 And June 2, 1996*, 3

¹⁷ Shinasi Rama, (2012), *Përrallat e tranzicionit shqiptar*, Princi, 182

for the candidates, political posters and billboards were put on the walls of public institutions opposing the election law. Public institutions created obstacles for the opposition parties during the campaign such as denying permissions to organize meetings, intimidating the citizens not to participate in opposition's meetings, organizing anti-meetings, etc.

International institutions had largely supported the DP in its 4 years of governance and fully believed that Albania was going the right way. During the election year, USA and West European countries appraised the Albania's progress and ensured their support in the future, by making a valuable election "service" to DP and its government. President Berisha was "authorized" to manage the election campaign for the DP¹⁸, opposing the main constitutional dispositions, which provides that the President represents the national unity and his function is inconsistent to any other function. DP started the campaign feeling unsure, local elections in 1993, constitutional referendum in 1994 and the polls showed that DP had no the same popular support as 4 years ago. The DP's slogan for the campaign was "With us, everyone wins. Prosperity, work, safety". Young people were approached to the party's structures who made up the strength of DP's campaign¹⁹. In its election programme, for the second mandate, DP promised to Albanian people: prosperity for all people, full privatization of economy, support for small, medium and large businesses, economic cooperation with foreigners, increase of foreign investments, development of infrastructure and transport; high development of commerce and tourism, privatization process in agriculture, consolidation of private property, financial and technical support, legislative and institutional reforms, social and employment programs, improvement of health services, European integration and solutions to the national issues.²⁰

The SP organized its own campaign by identifying the failures and mistakes of the government led by Meksi and the President Berisha, economic difficulties, violation of human rights, politicization of public administration, etc. The SP campaign's motto was "Together for a true democracy",²¹ and its election programme mostly focused on governance based on the constitution and laws (independence for the juridical system, uncorrupted administration, respect and application of human rights, public safety), economic growth (employment, private property, solidarity, sustainable economy, etc); financial stability; social policies; regional partnership and stability, Euro-Atlantic integration.²² However, reciprocal accusations among the parties blurred the political programmes. International observers expressed their concerns on the lack of tolerance against the political opponent during the campaign. As stated on the Report of Helsinki Committee: *since the last months of 1995 new efforts were made by the government in order to silence the*
18 Hamdi Jupe, *Telashe Elektorale, Zëri i Popullit*, No.3, January 6, 1996, 3
19 Afrim Krasniqi, *Rinia do të votojë për të ardhmen, Rilindja Demokratike*, No.1162, January 20, 1996,
20 Platforma elektorale e PD-së, *objektivat madhore, Rilindja Demokratike*, No. 103, May 14, 1996, 2&7
21 Platforma elektorale e Partisë Socialiste, *Zëri i Popullit*, No.101. May 2, 1996, 1
22 *Ibid*, 2-11

*independent voices in juridical systems and media, as well as the opposition's officials. This situation became worse as the elections approached. Human Rights Watch / Helsinki feared that these actions are an effort made by the Government to eliminate its political rivals, putting into danger the fairness of the elections. Human Rights Watch / Helsinki does not take any stand in the political competition in Albania and admits that some of the accusations made by the opposition might be excessive. However, it is the responsibility of the Albanian government to adhere the rule of law and ensure that the voting process, the foundation of democracy, continue in compliance to Albanian and international law.*²³

Election day

Near midnight of May 25th, the opposition parties (SP, SDP, DAP and AP) in a special press conference accused the DP for having scandalously violated the election law: listing names the last minute, denying the opposition members the observer's authorization, mistreatment of SP's activists, etc. It was declared among others that: *Today in Albania full scenario of election manipulation was disclosed. Members of the opposition have been paralyzed in the CEC, none of their requests was considered. In most of the cases, they are not accepted. Both members and observers were under continuous threat.... Hundreds of new unknown names have been added. The police have been ordered to keep the polling centers surrounded.... This is a coup d'etat trying to turn the elections into a farce. Berisha's terror doesn't seem to stop.*²⁴

As Prec Zogaj described in his book "Transition's intuitions" the election day was "a day filled with negative energy"²⁵ *The journalist, Armando Meta portrays the day even gloomier stating that: ...since the first hours of the day, DP militants and high police officials created a group. Opposition officials and commission members were arrested. The roads in Albania were full of armed troops. Elections were not political at all since it was all in the hands of DP's militant forces, police and SHIK**²⁶

Foreign observers reported many problems in the Election Day. By regulation, the process should start at 7.00 AM, but many poll centers started up to 1.30 hours late. By observations, resulted many irregularities: the commissions composition, lack of official protocols, accuracy of voter registries, etc. The large police presence inside and outside the polling centers and their activity that day created a very difficult setting. Election Day was characterized by verbal and physical violence in many areas. IRI observers, who visited

23 Human Rights Watch, *Democracy Derailed Violations in the May 26, 1996 Albanian Election*, June 1996, Vol. 8, No. 10 (D), 1, retrieved: <https://www.hrw.org/report/1996/06/01/>

24 Deklaratë për shtyp, *Askush të mos luajë me votën dhe vullnetin e popullit, Zëri i Popullit*, No.121, May 26, 1996, 2

25 Prec Zogaj, (2009), *Intuicionet e Tranzicionit 1*, UET Press, 13

* National Intelligence Service

26 Armando Meta, *Zgjedhjet e 26 majit 1996*, Java News, May 26, 2017, retrieved: <https://javanews.al/26-maj-1996-dita-kur-berisha-denoj-zgjedhjet-e-lira-ne-shqiperi/>.

89 polling centers established in 55 out of 115 election zones brought facts related to voters' political intimidation. Threats were made present during the entire process. Presence of the secret police was also a tool for intimidating the opposition members. IRI also observed the presence of "extra" people inside the polling centers. In many cases these individuals were identified as observers of the DP, despite the fact that the DP had the right to have only one observer. The observers seemed to enjoy some sort of powerful authority in the polling centers.²⁷ In order to illustrate what happened during the elections in May 26th, 1996, let's talk about an event happening in one polling center in Rrogozhinw, as eye witnessed by Mero Baze ("Voice of America" reporter at that time and one of the greatest supporter of DP and Berisha): *I had just come inside the polling center, when I saw two observers from the American Democratic Institute and the Association for Democratic Culture....A giant member of the commission who seemed to know me, was happy that I was talking to them and asked me who were the observers.*

- *They are from the US Democratic Institute – I answered*

- *Oh, they are democrats. For a moment we were worried because we didn't know! – he said. – Long live to Sali Berisha! – he added holding up two fingers and cast a bunch of ballots in the ballot box. Later, he raised his voice: - To hell with the communists!*

I was embarrassed and bite my lip signaling him to stop.

- *What is your problem, dude? - he said, - Are they democrats or what?*²⁸

Events like this one, as ridiculous as tragic, is not hard to believe were happening in every polling center even in presence of international observers. During the day, the situation became more problematic with opposition representatives bringing more facts related to many violations in their election zones; Petrit Kalakula (Right Democratic Party) showed a list with about 1700 additional voters in his election area; Blendi Gonxhe (PAD) stated that 20 commission members from PAD were not allowed in polling centers without any reason or explanation and no solution nonetheless; in Lushnje the ballots were filled up by the opposition's commission members in the open.²⁹ Another act, which sparked further clashes on Election Day, was the president's decree to extend the voting deadline from 8pm to 10pm.

Because of such flagrant violation of the election law by the DP, three main opposition parties – SP, PSD and PAD – withdrew from the elections a few hours before the polling centers were closed. The socialists declared that they would not acknowledge the results of the elections and would not

acknowledge the Parliament. PSD and PAD declared the withdrawal of their candidates, commission members and observers from the elections because they were neither free, nor fair. According to them, the direct responsibility for this unprecedented event was on the President of the Republic, who had not provided a normal organization and management of election process based on law. Also, the CEC in cooperation with the police had terrorized the commission members and had them arrested. Since election organization and control were under full DP, police and SHIK's supervision, both parties declared that they would not recognize the elections' results.³⁰ Almost all opposition parties boycotted the elections. They asked for cancelation of the election process and holding new ones under "*democratic conditions*".

Although this was an unexpected decision, for many foreign observers it was probable that the socialists' decision was premeditated. One day before the elections, the socialists had warned several times that the DP would manipulate the results. They withdrew from the elections when 80% of people had voted and polls announced DP as the winner. The opposition representatives withdrew from the election commissions in the same time all over the country, and considering the poor Albanian infrastructure, it was too difficult to make a notification in such a short time. This was doubtful considering the non-existence of a premeditated plan for a boycott – as stated in the IRI's analysis.³¹ The opposition was hopeful that by boycotting, the elections would be cancelled. Such unseen ploy from the opposition, changed dramatically the setting in the polling centers.

President Berisha condemned the boycott by describing it a "*political suicide*"³². He appeared on the public television happy for the deep winning of the democracy, and by denouncing the opposition's boycott, he called it "*the red boycott*" and promising that the opposition ballots would be counted with integrity.

In the elections held in May 26th, 1996 "*Albanians' willpower was not expressed freely*,"³³ - stated Fred C. Abrahams in his book "New Albania. From dictatorship to democracy". "*Elections, which were supposed to consolidate the democracy in Albania... practically destroyed it*..."³⁴ – stated Spartak Ngjela.

Confusion and desperation,³⁵ is what the atmosphere might be described which dominated in EU institutions after the declarations of foreign observers on the election in Albania. They added that the elections held on May 26, 1996 were characterized by many irregularities and were held under psychological terror. Many European election's observers who attended the elections in Albania, asked the EU to consider them as not valid and take care in organizing new, free and

³⁰ Nuk i njohim rezultatet e zgjedhjeve, Zëri i Popullit, No.123, May 28, 1996, 3

³¹ IRI, Observation of the parliamentary elections held in the Republic of Albania, 26 May 1996, 30

³² Elez Biberaj (2011), Shqipëria në tranzicion, AHS, 406

³³ Fred C. Abrahams (2015) Shqipëria e Re/ Nga diktatura në demokraci në Europë, Duda, 212

³⁴ Spartak Ngjela (2013) Përkulja dhe rënia e tiranisë shqiptare, UET Press, 443

³⁵ Përmbledhje e shtypit të huaj rreth zgjedhjeve 26 maj 1996, Dita, May 28, 2018

²⁷ IRI, Observation of the parliamentary elections held in the Republic of Albania, May 26, 1996, 9

²⁸ Mero Baze (2010) Viti '97, Botimet Toena, 53

²⁹ Përmbledhje e shtypit të huaj rreth zgjedhjeve 26 maj 1996, Dita, May 28, 2018, retrieved: <http://www.gazetadita.al/nje-permbledhje-e-shtypit-te-huaj-rreth-zgjedhjeve-te-26-majit-1996-ne-shqiperi/>

democratic elections.

The internationals considered the elections of May 26th as legitimately truncated. According to them, these were the most irregular elections ever held after the communist regime collapse in Eastern Europe. The report of OSCE observers stated that *“The election code has been flagrantly violated. Elections were compromised, 32 out of 79 articles form the Election Law were violated.”*³⁶ CEC stated that the internationals’ attitude was unfounded and unreliable.³⁷ There are many examples of law violations in the report written by OSBE / ODIHR on the parliamentary elections of 1996; it is described the case of a polling center in Berat where participation in the elections was 105%; in one polling center in Fier the participation was reported to be 100%; meanwhile the observers showed evidence that when the polls were closed, there were people in the line waiting to vote; there were 942 ballots in one polling center in Lushnje and only 880 registered signatures.³⁸ According to OSBE / ODIHR, the counting process was similarly problematic, *“the general impression of the majority of the observers was that the counting process was not regular or in accordance to the Election Law. In some cases, the observers noticed the results to be manipulated.”*³⁹

The Council of Europe in their opinion stated that the elections were tainted by violence and irregularities.⁴⁰ The US Department of State declared that: *“Unfortunately, many irregularities destroyed the elections and they represent a step backwards as compared to the elections in 1992”. These irregularities overshadow the perspectives of the democratic progress, which remains the foundation of our relations with Albania”*.⁴¹ IRI’s final report presents many problems in the counting process, procedural violations, police control and the general atmosphere where the elections were held: *Ballot counting process was discriminating to the Socialist Party. The socialist ballots were almost always considered invalid... After the elections, the police celebrated by going round and about Tirana streets. They shot with guns in the air... Many people voted more than once ... The elections were not held by the Government, but the secret police. They surrounded all the polling centers. Sometimes they came inside and cast ballots in the ballot boxes.*⁴²

The reaction of international community to the elections were mixed. No head of any foreign country sent a congratulatory message to the President Berisha or the Democratic Party. Moreover, there was no international government or organization that did not consider the elections as fraud. Despite of their harsh initial reaction, the

36 OSCE/ ODIHR, Observation of the parliamentary elections held in the Republic of Albania, May 26 And June 2, 1996, June 18, 1996,2, retrieved: <http://www.osce.org/albania.election>

37 Artur Kopani, Kundër pretendimeve të vëzhguesve të ODIHR-it, Rilindja Demokratike, No. 134, June 15, 1996, 1

38 OSCE/ ODIHR, Observation of the parliamentary elections held in the Republic of Albania, May 26 And June 2, 1996, June 18, 1996, 12

39 Ibid

40 Columberg, Recent parliamentary elections in Albania, European Assembly, Doc. 7592, 25 June 1996. retrieved: <http://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=7574&lang=en/>

41 26 Maj 1996, Zgjedhjet që duhen “harruar, A2 CNN, June 30, 2019, retrieved: <https://a2news.com/2019/06/30/26-maj-1996-zgjedhjet-qe-duhen-harruar/>

42 Human Rights Watch, Democracy Derailed Violations in the May 26, 1996 Albanian Election, 10

international institutions acknowledged the final results of the elections, accepted the legitimacy of the new Parliament, but they criticized hard the deficiencies and chances of Albania for a European integration. According to the analysis made by Miranda Vickers in her book “Albanian case, Balkan reformation”, the international community, after solving the Bosnia issue by signing the Dayton Agreement, hoped for a peaceful and quiet Balkans. They were convinced that the Balkan problems could be solved peacefully through “tough presidents” and Sali Berisha was considered as such. This was the reason the internationals supported Berisha unconditionally.⁴³

Deepening of the political crisis

On May 28th, the opposition parties organized a protest which was violently dissolved by police forces, justifying that it was illegal. The violence was considered unnecessary, the number of opposition members was too small and there were no threats for disturbing the civil order.⁴⁴ Besnik Gjongecaj, DP’s general secretary called the SP’s protest a destabilizing political strategy.⁴⁵

The results of the first election round were published on May 29th by CEC, based on which the DP had won 95 out of 115 seats. CEC decided to repeat the elections in 17 election zones where serious irregularities with voting procedures and results were found. The DP called it full winning and denied the accusations for manipulation and stealing, whereas the SP and other opposition parties announced that they would not take their seats in the Parliament and would ask for *“election repetition under democratic, equal conditions and under international supervision”*.⁴⁶

After that, on May 31st, the socialist parliamentary group, supported by their allies, entered the hunger strike in SP’s building, *“such an extreme action, but a strong gesture nonetheless seeking for attention”*, according to Mero Baze. ⁴⁷55 candidates started the strike, of which 52 men and 3 women. The strike aimed at raising the awareness of the public opinion in country and abroad. As the opposition continued with the hunger strike, a second round of elections was held in 17 election zones on June 2nd. As it had declared before, the opposition boycotted the second round of elections. It caused less problems than the first round.

By intermediation of the European Parliament and the Council of Europe, the opposition parties agreed to end the hunger strike and sit to discuss about the political crisis in country. *With the conviction that the true democracy will triumph in Albania, believing that the people will say “No” to Berisha’s violence, chaos and political instability, that the European and US democratic institutions are interested in a necessary definitive solution in favor of democracy progress*

43 James Pettifer, Miranda Vickers, (2007) Çështja shqiptare, riformëzimi i Ballkanit, Bota Shqiptare, 375

44 OSCE/ ODIHR, Observation of the parliamentary elections held in the Republic of Albania, May 26 And June 2, 1996, June 18, 1996, 11

45 Menton Shehu, KE: Jo bojkotit, Rilindja Demokratike, No.197, August 29, 1996, 3

46 Nuk pranojmë zgjedhje të manipuluar, Zëri i Popullit, No.123, May 28, 1996, 6

47 Mero Baze (2010), Viti ‘97, Botimet Toena, 59

which was violated on May 26th. Through this message on the situation stabilization, believing in the dialogue among all political forces to review the elections under international supervision, with determination to continue “the political war” through other means in defense of the Albanian democracy, the hunger strike is declared closed, today on June 4th, 1996.⁴⁸

Despite the opposition’s call for repeating the elections, the President Berisha appointed the new government. Aleksander Meksi was appointed the Prime Minister of the Government participating other parties such as: PR, PBSB, PDK and PBK. The Government promised to accelerate the reforms and end the transition process within that legislation. Along with the Social-Democratic Party and the Democratic Alliance Party, the socialists started a denigrating and delegating campaign against the Government, while the democratic processes and respecting of human rights in Albania were under strict international supervision. Numerous discussions on elections which did harm to internal and external legitimization of the democrats, weakened considerably the Meksi Government. It was unable to undertake important initiatives anymore. The opposition boycotted the parliament; so that Albania became practically in a single party state and no efforts were made to find a solution to a situation in risk of escalation.⁴⁹ “The President Berisha had already full control on the Parliament, police, legal system and media, whereas the slow movement of Albanian towards democracy was suffering a setback”⁵⁰

⁴⁸ Mesazhi ynë, zgjidhje e shpejtë e krizës politike nëpërmjet dialogut, Zëri i Popullit, No.130, June 4, 1996, ⁴⁹ Valentina Duka (2014) Historia e Shqipërisë 1912-2000, Albas, 338
⁵⁰ Miranda Vickers (2008), Shqiptarët, një histori moderne, Bota shqiptare, 378
* DP won 58 municipalities / 90%, whereas the SP won 4 municipalities / 6.25%. The DP won 267 communes / 86%, whereas the SP won 15 communes / 4.5%

, - according to Miranda Vickers. Political tensions were increasingly growing, the situation was too polarized, the government was facing difficult issues without any foreign support, especially from the US. Therefore, Albania remained isolated from inside and outside, the government was losing stability. The deep political crisis prevailing in Albania, was immediately reflected on the economic development as well.

The democrats were faced with a strong pressure from the internationals for approaching the opposition and ensuring their participation in the local elections in October 1996. To obtain agreement within the politics, they started the dialogue with the socialists. Constructive dialogue and political responsibility was what Albania needed the most. On August 16th, 1996, the DP along with 16 other parties (2 from the governing coalition and 14 from the opposition), met together to discuss about improving the local elections’ mechanisms which were an important test for both DP and SP. Both parties hoped to improve their positions through the election results and strengthen the people’s trust: the democrats aiming to reinforce the winning from May 26th and the socialists aiming to show the manipulations. Local elections were held in October 20th, 1996 in a calmer and more cooperative setting between the party in power and the opposition. The Democratic Party won the elections,* the opposition did not acknowledge the elections results because of irregularities.

During the other half of 1996, the political situation continued to deteriorate. The political dialogue between the majority and the opposition seemed impossible, the state

The results of the parliamentary elections, May 26, 1996

Political entities	National votes	Votes expressed in%	Deputies in parliament	Representation in parliament, expressed in%
Democratic Party	914,218	55.50	122	87.00
Socialist Party	335,40	20.40	10	7.00
Republican Party	94,567	5.70	3	2.00
Balli Kombëtar	81,822	5.00	2	1.50
Union for Human Rights	66,529	4.00	3	2.00
Legality Party	34,019	2.10	-	-
Social Democratic Union	32,430	2.00	-	-
Democratic Alliance	25,679	1.50	-	-
Social Democratic Party	25,019	1.50	-	-
Christian Democratic Party	21,068	1.30	-	-
Democratic Unity Party	11,789	0.20	-	-
National Unity Party	3,939	0.20	-	-

Source: Rilindja Demokratike, June 21, 1996

authority was becoming harsher, the violence from SHIK against the organized crime increased fear and anxiety among the people.⁵¹ In the end of 1996, the Government had lost the political initiative, its foundation was becoming too unstable. Deep political polarization made people to be divided into two large groups. The reforms' programme was suspended. Problems were increasing because of the size of the activities of pyramid schemes⁵² and the international pressure on the Albanian government for terminating their activities.

Conclusions

Elections represent the transformation process of the citizens' political willingness to political power. In a democratic country, the Government's authority comes from the citizens' preferences, whereas the main mechanism transforming the preferences to government authority is holding free and fair election. Elections represent the main democratic legitimization form of the government. There is no democratic system without free, fair, general and democratic elections. Elections are the essence of democracy or its operating mechanism. Moreover, the elections play an important role, because they enable the competition between the political parties, which propose different governance alternatives to the citizens. Political pluralism operates through elections.

Parliamentary elections of 1996 were a test for the fragile and new democracy in Albania and the Democratic Party too, which represented the democracy to Albanian people. The elections should be proof that Albania had left the communist legacy behind and aimed to build and consolidate the democratic state.

Besides its successes, the DP made many mistakes during its governance. Corruption, Berisha's authority, politicization of public administration, targeting political rivals, blocking and shunning the opposition, etc had caused popular discontent. On the other hand, the request for early elections was the essence of SP's policy. The boycotts were usual methods of acting and making decision. These polarized the political life and undermined the dialogue.

Fearing for losing the power, the DP tried to create favorable conditions for themselves in the nearest election race. Since the ending of 1995, with the approval of 2 laws, respectively anti-genocide law and public figure law, it targeted the opposition parties, especially the SP, by depriving 35 main SP personalities the right to candidacy. The election law and election zones law served to this purpose and favored the party in power.

Election campaign started and progressed in a difficult political setting. The DP organized a sensational campaign, whereas the SP often was prevented from organizing their own campaign events. Political polarization deepened during

⁵¹ Adelina Nexhipi, *Political Polarization in Albania*, 36, retrieved: <https://www.amazon.com/Political-Polarization-Albania-circumstances-transition/dp/3659222283>

⁵² More information about pyramid schemes find in: Adelina Nexhipi, *Aspects of the political transition in Albania*, (dissertation) retrieved: <http://www.doktoratura.univtr.edu.al/tag/adelina-nexhipi/?lang=en>

the campaign and culminated the Election Day. During the Election Day, many legal, procedural and administrative irregularities were notified. SP, PAD and PSD boycotted the elections, withdrew their candidates, commission members and observers three hours before the election process closed, claiming that the DP was violating the election law and manipulating the process. This extreme decision affected the election process. By boycotting the elections, the opposition parties were hoping that the elections would repeat. They demanded that the elections be repeated and held under democratic conditions. The DP condemned the opposition's boycott and rejected their allegations. DP with the help of SP ruined the elections.

International institutions that monitored the elections in Albania made evidence of many irregularities during the election process; they criticized the police intervention, the role of the government and considered the elections and legitimately truncated. Nevertheless, the internationalists acknowledged the elections and the Parliament. SP and its allies did not acknowledge the elections results, boycotted the Parliament and intensified the political conflict. The Parliament was practically made up of one single party, whereas the new government lacked political initiative. The political crisis deepened affecting the economic situation as well. The elections "poisoned" the Albanian political scene.

REFERENCES

Documents

1. - Columberg, Recent parliamentary elections in Albania, European Assembly, Doc. 7592, 25 June 1996
2. - Human Rights Watch Democracy Derailed Violations in the May 26, 1996 Albanian Election, Helsinki 8 Qershor 1996, vëll. 8, Nr.10(D)
3. - IFES Pre-Election Technical Assessment of the Republic of Albania, March 1996, Washington, DC: IFES, 1996
4. - International Republican Institute (IRI), Observation Report on the Albanian Parliamentary Elections of May 26 1996 (Washington D.C. 1996)
5. - Ligji Nr.8043, dt. 30 nëntor 1995, Për kontrollin e figurës morale të zyrtarëve dhe personave të tjerë të lidhur me mbrojtjen e shtetit demokratik
6. - Ligji Nr.8001, dt. 22 shtator 1995, Për genocidin dhe krimet kundër njerzimit të kryera Shqipëri gjatë regjimit komunist për shkaqe politike, ideologjike dhe fetare
7. - Ligji Nr.8055, dt. 01 Shkurt 1996, Për një ndryshim në ligjin Nr.7556, dt 04.02.1992, Për Zgjedhjet e Kuvendit Popullor të Shqipërisë
8. - OSCE/ ODIHR, Observation of the parliamentary elections held in the Republic of Albania, May 26 And June 2, 1996, June 18, 1996

Daily press

9. - Journal "Zëri i Popullit", Janar – Dhjetor 1996
10. - Journal "Rilindja Demokratike", Janar – Dhjetor 1996
11. - Journal "Koha Jonw", Janar – Dhjetor 1996

Books

12. - Adelina Nexhipi (2014) *Political Polarization in Albania* (Germany: LAP)
13. - Adelina Nexhipi (2018) *Aspects of the political transition in Albania*, (dissertation)

14. - Elez Biberaj (2011) Shqipëria në Tranzicion, (Tiranë: AIIS)
15. - Fred C. Abrahams (2015) Shqipëria e Re. Nga diktatura në demokraci në Europë, (Tirane: Dudaj)
16. - James Pettifer, Miranda Vickers (2007) Çështja shqiptare, riformëzimi i Ballkanit (Tiranë: Bota Shqiptare)
17. - Mero Baze (2010) Viti '97 (Tiranë: Botimet Toena)
18. - Miranda Vickers (2008) Shqiptarët. Një histori moderne (Tiranë: Bota Shqiptare)
19. - Prec Zogaj (2009) Intuicionet e tranzicionit 1,(Tiranë: UET Press)
20. - Proseeding book, Transitional Justice in Albania, (2019) (Tirane: OSCE, Friedrich-Ebert-Stiftung)
21. - Rrapo Zguri (2017) Marrëdhëniet mes medias dhe politikës në Shqipëri (Tiranë: Friedrich-Ebert-Stiftung)
22. - Shinasi Rama (2012) Perrallat e tranzicionit Shqiptar (Tiranë: Princi)
23. - Spartak Ngjela (2013) Perkulja dhe renia e tiranise shqiptare (Tiranë: UETPress)
24. - Valentina Duka (2014) Historia e Shqipërisë 1912-2000, (Tirane: Albas)
25. Baidu Baike. "Miao." Baidu Encyclopedia, 2009, baike.baidu.com/item/%E8%8B%97%E6%97%8F.

Citation: Dr. Adelina Nexhipi & Phd. candidate Erjon Nexhipi "Parliamentary elections held on May 26th, 1996 in Albania and the political crises they caused ". American Research Journal of History and Culture, vol 6, no. 1, 2020, pp. 1-9.

Copyright © 2020 Dr. Adelina Nexhipi, et al. This is an open access article distributed under the Creative Commons Attribution License, which permits unrestricted use, distribution, and reproduction in any medium, provided the original work is properly cited.