

Public Perceptions on Transitional Justice in Albania

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Abstract

The democratization process of Albania following the fall of communism has led scholars to focus on the relationship between justice reforms, rule of law, and the society, in the light of political and economic situation. This article aims to provide an original analysis of the political timeline of events in terms of transitional justice and dealing with the past unfinished process in Albania.

The main research question (RQ) is “How have transitional justice initiatives indicate public perceptions on transitional justice in Albania?”. Transitional justice mechanisms such as lustration and vetting are the most used mechanisms in the post-communist countries, which scholars themselves have paid more attention to in comparison to other mechanisms. Due to the limitations of studies and analysis on the causal relationship between lustration as a mechanism and political developments and polarization in Albania, this research question seeks to shed light on the ongoing political debates and deeply divided society when it comes to lustration law and the opening of the files of the communist regime. The main hypothesis of this study is - RH: The limited achievement of transitional justice initiatives has conditioned the current status of public perceptions on transitional justice in Albania.

This study employs quantitative data analysis, using 1021 survey respondents conducted in Albania. Data findings are analyzed through SPSS Software.

Keywords: *Communism, justice, political debates.*

Introduction

The democratization process of Albania following the fall of communism has led scholars to focus on the relationship between justice reforms, rule of law, and the society, in the light of political and economic situation. As Frasherri (2011) argues, the process of transition is not a static one and often necessitates non-legal solutions because of its inherently adaptable nature. Accordingly, in order to democratize societies and legitimize the new regime, legal reform is essential and aims to create the necessary legal framework. Furthermore, Frasherri highlights the “inflation of legislation” as a characteristic of the legislative institutions in the post-communist decades, which is evident by the significantly high number of laws that have been adopted during this time period. The degree and complexity of experimentation in reforming the political landscape, economy, society, and legal system make the study of the Albanian legislative process interesting and pertinent to the contemporary processes of state building, democratization, and development. Frasherri points out that the regime change in Albania is marked by a characteristic in which the democratization process has

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recognized that the issue lies in the fact that the transition occurs without any change in the relationship between the individual and power (p.65).

The multifaceted issue of the transition process in Albania drives the legal system's transformational characteristics, which Frasherri baptizes "inflation of laws." This issue can be viewed through two distinct lenses. The chaotic nature of the process has been associated with the rise of informality and the erosion of the state. In addition to that, another crucial aspect to take into consideration is the identification of the main players who have been propelling the process of transformation forward. The early 1990s marked a time when transitioning from a communist country to a liberal democracy was a process that hinged greatly on the implementation of law. It was widely acknowledged that the concept of law as a crucial and structured mechanism for accomplishing the aims and objectives of a community was valid (p.70).

Albania's political landscape has been marred by a significant issue of the lack of consensus and compromise, which has been brought to light by various scholars, including Gentian Elezi (2017). Elezi's analysis sheds light on the challenges faced in the process of institution building and the establishment of the rule of law after the fall of communism in Albania. Elezi argues that the existence of this absence is a clear indication of how the legacy of the communist dictatorship still persists today. Furthermore, the author's analysis highlights that the establishment of a democratic regime in the country has encountered obstacles due to two major factors. Firstly, the executive's frequent intervention in the judiciary system has posed a significant challenge. Secondly, the uncertainty and inefficiency of the judiciary have also contributed to hindering the establishment of a democratic regime (p. 70).

Elezi (2017) regards the design of the new Constitution as a moment that exemplifies the lack of consensus and the degree of polarization in the country. As noted by Elezi, the development of a new constitution that excluded the opposition was initiated by Berisha in 1994 due to the rising conflicts. Due to the sensitive legal situation in Albania, it can be argued that Berisha's actions at that time, regardless of the quality of the draft, imply that the draft would have provoked significant inquiries about its legitimacy (Elezi, 2017).

Based on his analysis, Elezi has put forward the suggestion that the legal and institutional situation in post-communist Albania during the second decade was highly indicative of the very early transitional period. The impact of Enverism was coming to an ending, however, it was still powerful enough to impede the establishment of any opposing factions. The dictatorship left behind several legacies that posed challenges to the establishment of the rule of law in the country. One of these legacies is the highly politicized legal code, which was used as a tool by the party state. Furthermore, the public and private sectors were still fused, adding to the difficulty of creating a fair and just legal system (Elezi, 2017). The Albanian dictatorship stands out as atypical when compared to other former socialist and communist countries in the Eastern and Central Europe or even in the Soviet Union block. Following the regime change, institutions and legal certainty have been greatly affected by this particular element, which has been given further consideration.

According to Elezi, the Constitutional amendments in 1991, which were conducted without the involvement of the opposition, and the constitutional referendum of 1994, are the earliest instances that he identifies as aggressive to domestic politics for the rule of law and democracy. The former decision was taken by the reformers and the communist elite, while the latter was taken by the Berisha government, and the new rising political elite.

Transitional justice scholarship has evolved over two major debates, such as ‘truth versus justice’ and ‘democracy versus justice’ (Mihai, 2010, p.186). The debates focus on whether wrongdoers should be held accountable at times of fragile institutions and on whether the paving of the path towards the rule of law and democratic institutions, while looking into the past would not make any difference to the future of polity (2010, p.189). Although most of the participating scholars value the importance of democratization through institutions and state-led practices on reforming laws and structures, there is also a tendency to push more for recognizing the significance of public emotional culture, as a way to legitimate and support these institutions (p.189).

Scholar Lambourne (2014) claims for another form of justice at times of peacebuilding, which lasts more than a transitional one and that should “deliver sustainability through institutions and structures” (2014, p.22). Lambourne calls for recognition of particular cultural and conflict contexts as a way for this to be achieved. This is a transformative process which consists of four pillars or elements, such as “accountability, knowledge and acknowledge, socio-economic and political justice” (2014, p.29). In that sense, local ownership and the ones participating in it have to become participants in the process of social reconstruction.

To make a better analysis of the phases that Albania should undergo to obtain what is considered a proper transitional justice process, it is important to look through previous procedures and models from different countries, from developed ones to less developed ones. One of the main theoretical concerns remains whether the political parties and elites will be open or not to transitional justice. For instance, they may choose to “draw a thick line” with the past by adopting a strategy which indicates the politics of amnesia or may develop a ‘confrontation strategy’, which will help the reaching of a confrontation with the past. Both strategies strive to find a way in which the present will be relieved from the burden of the past, even if this means to silence, ignore or erase the past, or mastering and confronting the past (Rusu, 2017).

One of the approaches towards transitional justice, which is indeed very important, is also through lustration. According to Barahona de Brito, the definition of lustration is regarded a specialized form of employment vetting which works by the process of banning communist officials and secret political police officers and informers from current politics and post-communist positions that have some influence in our society. Lustration is also considered one of the main regional transitional justice measures (Horne, 2014). In her analysis, Horne (2015) discusses the timing of transitional measures based on two contrasting opinions. The first viewpoint maintains that to achieve the maximum benefit, the measures should be put into effect as soon as possible after the transition and that reforms do not have an automatic expiration date and suggests that even delayed implementation of transitional justice is better than no implementation at all (p.123). While timing certainly plays a role, Horne argues that it is not the sole or even the primary factor in determining the presence of democracy or trust. She argues that an early or not at all approach to lustration and public disclosures is justified by three assumptions:

- Maybe only beneficial during periods of extraordinary politics at the start of the transition;
- If lustration comes too late, it is no longer a practical means of removing communist collaborators;
- That the danger of overt politicization of the laws increases as the time from the transition stretches out (p.125).

Nalepa's 2010 book "Skeletons in the Closet" argues that lustration is an exceptional form of transitional justice, as it exposes the shortcomings of both the former autocrats and the former opposition (pp.310-311). By holding the opposition hostage to its own secrets, the communists could prevent the implementation of lustration. They successfully convinced the liberal opposition that such a move could ultimately damage them as well (p.315). One of the prominent contributions in the field is the theorizing endeavor of Jelena Subotić in 2013. It focused on expanding the understanding of transitional justice mechanisms and varieties of international justice pressures. In her analysis, Subotić develops three major arguments, starting with the situation when states adopt the international norm of transitional justice in the absence of a domestic demand to deal with the past; international and domestic costs in compliance or not with international pressures; the differentiated group of elites in a contested process of transitional justice, namely justice resisters, justice instrumentalists and true believers (p.128). She further correlates "the thickening international environment of transitional justice with the increasing pressure of international system legalization and the reliance on the rule of law" (p.129).

Methods and Survey

Following the regime change in Albania, after the collapse of the Soviet Union dictatorship in Eastern and Central Europe, fundamental issues raised at the political, social and economic level. Over years since the 1990s, various laws and constitutional changes were made in Albania in order to align the new regime with the democratic and the rule of law principles. Politics have been always been at the forefront of dealing with the past efforts, sometimes to hinder the process and few times to help it. The first survey conducted in Albania to provide for a larger audience data on public perceptions of the communist regime was done by the OSCE Presence in Albania in 2017. Many events have occurred since 2017 and the debate on transitional justice in Albania has been more clear recently, thus the aim of this survey is to provide more data and a snapshot of public perceptions on how much are they informed on transitional justice in Albania. The survey objectives are: 1. To provide primary data on transitional justice as one of the less researched and highly politicised area in the country; 2. To get an in-depth understanding from data on the importance that transitional justice as a process might have for the Albanian people; 3. Citizens' perceptions on their understanding of transitional justice and how would it help if applied anytime in Albania; 4. To get an understanding of their knowledge of TJ and the former Communist regime.

The researcher used this data to elaborate further on the topic in academic articles and journals, by supporting this way a broader debate and discussion on the field of study. This survey might be of help to think-tank organizations and other researchers that conduct studies in the field. However, this survey has its own limitations in scope because of pandemic restrictions that were conducted at the time that this survey was implemented. A margin error of 0.05% is inevitable for the survey.

Figures of Independent Variables

In the survey, to understand the demographic characteristics of the respondents, five independent variables of gender, age group, education, settlement in 12 regions (Prefectures) and urban-rural division were used. Their distributions are presented in the following figures in percentages (%).

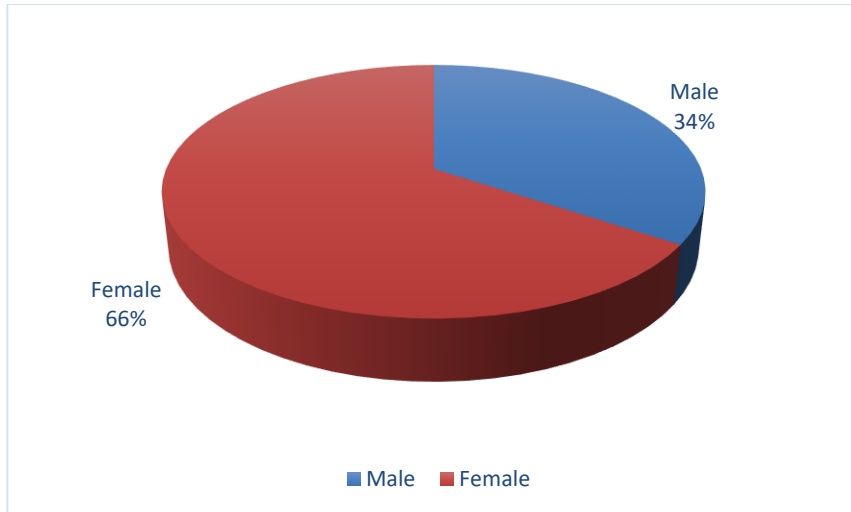


Figure 1: Gender Distribution of Respondents (Percentage)

Base: Respondents (N=1021)

Female: 667 out of 1021 (66%); Male: 351 out of 1021 (34%)

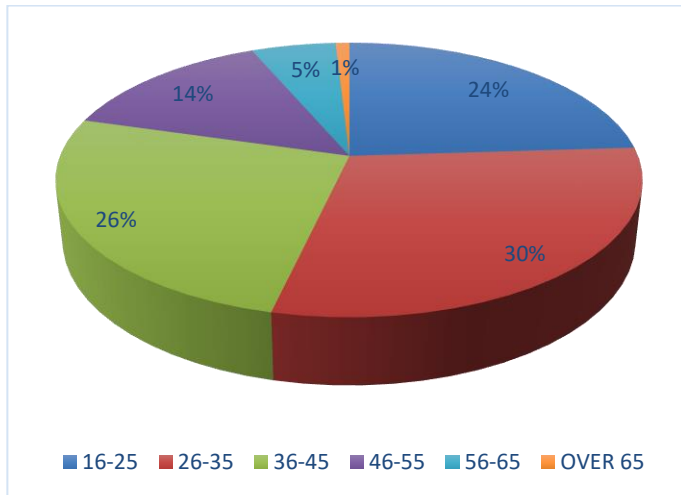


Figure 2: Percentage of Respondents by Age

Base: Respondents (N=1021)

The majority of survey respondents fell in the age group of '26-35 years old' with 29.6% of the total, whereas the age group of '36-45 years old' had 25.9% of the respondents, and the '16-25 years old' age group had 24% of the total respondents.

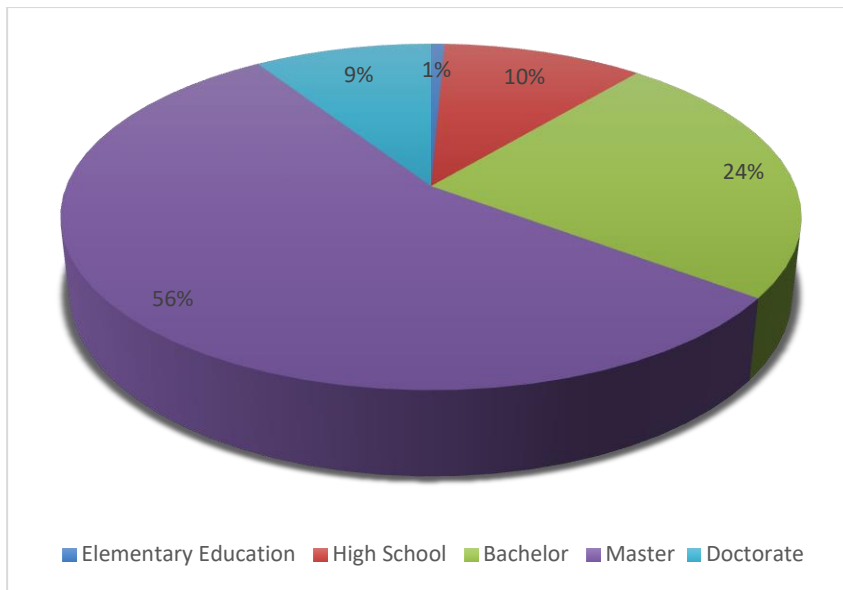


Figure 3: Percentage of Respondents by Level of Education

Base: Respondents (N=1021)

There are five different categories that the education section has been divided into, which includes elementary education, high school, bachelor undergraduates, master postgraduates, and doctorate programs. The survey findings revealed that the highest percentage of respondents, specifically 55.6%, had pursued a master’s degree as their highest educational qualification. Of all the participants, 24.1% had obtained a bachelor’s degree, while a mere 10.4% had finished their high school education. The elementary education system spans from the first year of schooling all the way up to the ninth year of schooling. The primary school is designed to provide primary education to children aged five to twelve and is a type of educational institution that covers the period from preschool through high school.

Geographic location or residence

The survey, which was conducted online in all regions of Albania, found that the majority of respondents were from Tirana, accounting for 53.2% of the total, followed by 13.5% from Vlora, and smaller percentages from other regions including Berat, Dibra, Durrës, Elbasan, Fier, Gjirokastra, Korça, Kukës, Lezha, and Shkodra. With regards to the distribution of respondents in terms of urban and rural areas, the study found that 89.8% of the participants were from urban areas, in contrast to only 10.2% who were from rural areas.

Table 1 Geographic Location Distributions of the Respondents in Frequency and Percentage

Prefecture (In A to Z order)	N	%
<i>Berat</i>	21	2.1
<i>Diber</i>	6	0.6
<i>Durres</i>	77	7.5
<i>Elbasan</i>	88	8.6
<i>Fier</i>	30	2.9
<i>Gjirokaster</i>	12	1.2
<i>Korce</i>	46	4.5
<i>Kukes</i>	10	1.0
<i>Lezhe</i>	9	0.9

Shkoder	40	3.9
Tirane	543	53.2
Vlore	138	13.5
Settlement	N	%
Urban	917	89.8
Rural	104	10.2

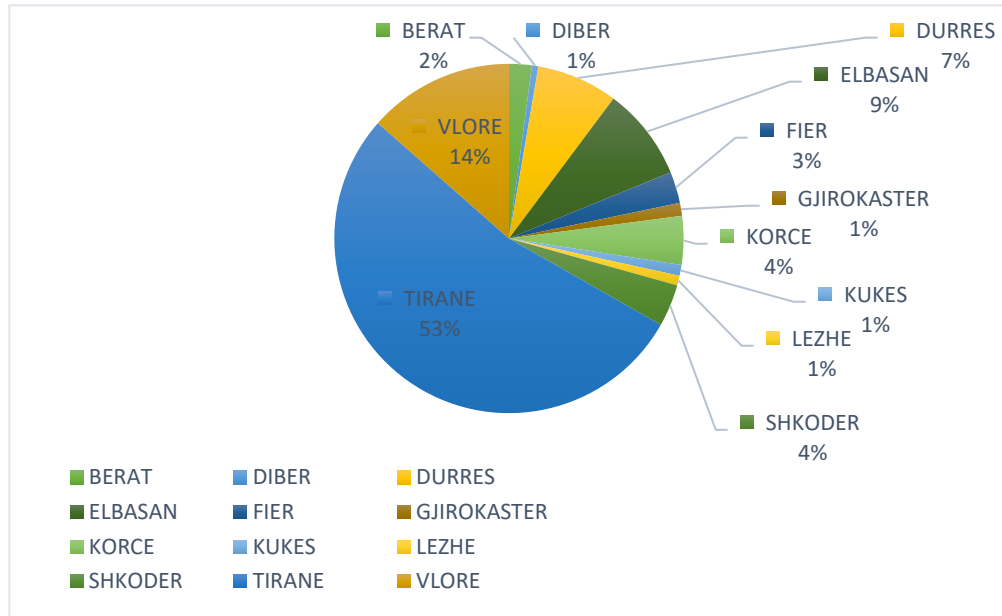


Figure 4: Percentage of Prefecture Distribution

Base: Respondents (N=1021)

The data depicted in the figure reveals that the majority of the respondents, approximately 53%, were from the Tirana Prefecture. The Vlore Prefecture was the second most represented, with 14% of the participants, and the Elbasan Prefecture had a participation rate of 9%. When it comes to the Prefectures of Lezhë, Kukës and Dibër, the number of respondents was quite small, with only 1 percent of the total participants hailing from these regions.

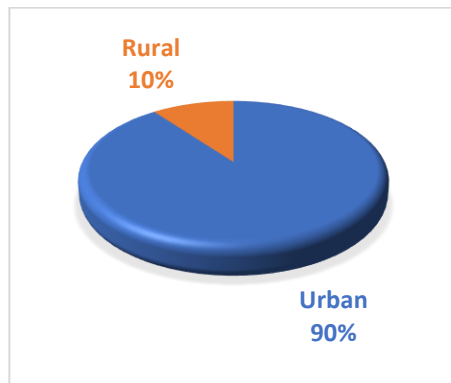


Figure 5: Percentage of Urban-Rural Distribution

Base: Respondents (N=1021)

According to the survey results, the vast majority of the respondents, about 90 percent, were from urban areas, while the remaining 10 percent were from rural areas. Based on the data provided by Statist (2023), it can be stated that the level of urbanization in Albania has reached 62.97% as of 2021. According to the

latest statistics from INSTAT, the population of Albania has reached 2,761,785 inhabitants as of January 1st, 2023. When it comes to accessing the internet and other relevant infrastructure, it is more common for people living in urban areas to have access compared to those living in rural areas. The reasons mentioned make this survey more accessible in urban areas compared to others.

The findings of the survey on public perceptions of transitional justice will be presented in the following section.

The Level of Basic Knowledge of The Albanian Survey Respondents on Transitional Justice

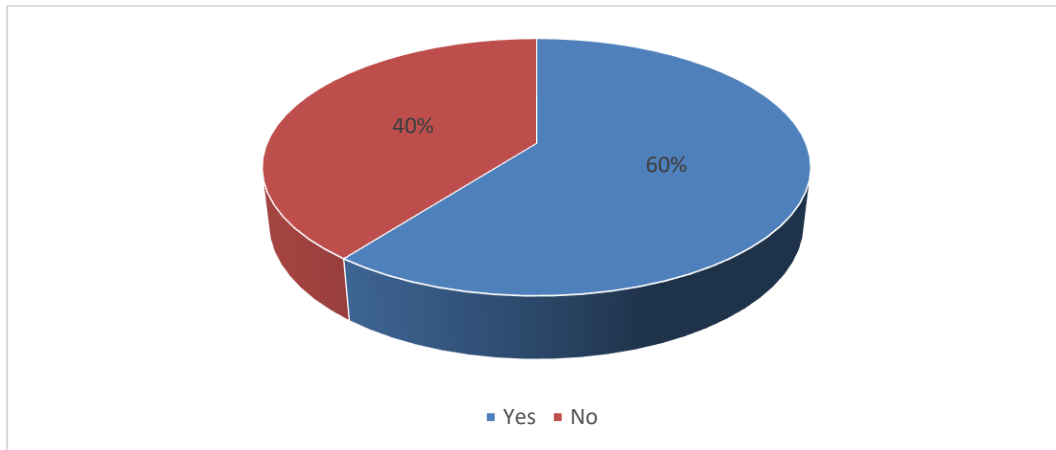


Figure 6: (Question 6) Have You Ever Heard of Transitional Justice? (Percent)

Base. Respondents (N=1021)

The analysis of the statistical data has revealed that out of 1021 respondents, the larger share of 617, representing 60.4%, claimed that they are familiar with Transitional Justice, while the remaining 404 respondents, accounting for 39.6%, have not been exposed to it.

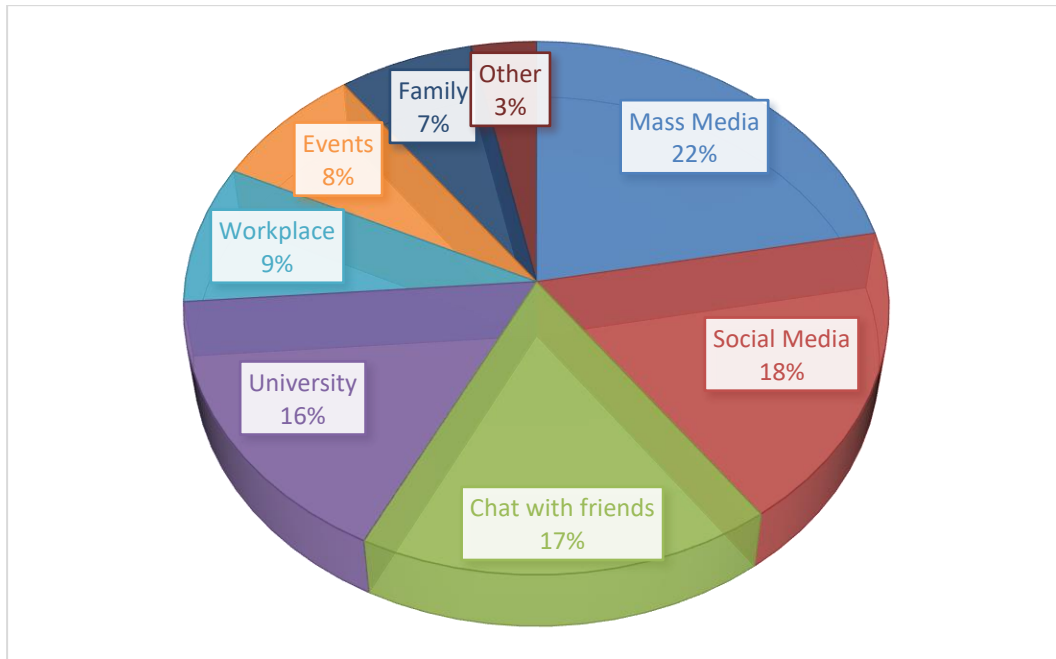


Figure 7: (Question 7) If Yes, Where Have You Heard of Transitional Justice? (Percent)

Base. Respondents (N=617)

Based on the data collected, it has been found that the primary sources through which people have become aware of Transitional Justice are mass media (22%), social media (18%), and conversations with friends (17.4%). The study findings revealed that a higher percentage, 16.4%, of the respondents have reported hearing in universities, followed by 8.4% in work places, 7.7% in civil society events, 6.8% in their families, and 3.3% in other forms.

Understanding Transitional Justice

The respondents were asked to provide their agreements and choices of the given various alternative definitions of Transitional Justice. It was observed that 18.6% of the respondents (287) agreed with the definition of Transitional Justice as a “Field of study that focuses on the crimes committed during the communist regime”. Based on the data collected, it can be concluded that the top three responses with the highest percentage are as follows: the field of study that is closely linked to the examination of crimes committed during the communist regime, which obtained 18.6% of the total responses. The statement that received the lowest percentage (4.7%) in the survey refers to a particular mechanism that can be utilized for establishing truth commissions. This mechanism focuses on disclosing various versions of past events to the public. What we are seeing in these results aligns with our expectations. This is because the problem of private properties confiscated during the communist regime has not been resolved, and the issue of crimes committed during that time has yet to be fully investigated or exposed. One possible explanation for the low rate of acceptance of transitional justice as a mechanism for establishing truth commissions could be the lack of awareness and public discourse surrounding truth commissions in society. The lack of understanding about truth commissions among the public may also be a contributing factor to respondents checking less on this definition.

Table 2 (Question 8) Based on your understanding; how would you define Transitional Justice?

Definitions	N	%
Field of study which is related to the study of crimes committed during the communist regime	287	18.6%
Mechanism to return private property confiscated during the communist regime	253	16.4%
A basket of mechanisms to bring reconciliation and peace within society	242	15.7%
Vetting for all public officials	169	11.0%
Prosecution of those who have committed mass violations of human rights	162	10.5%
Lustration for all public and official persons who held positions on decision-making levels during the communist regime	161	10.4%
Political and social program to rehabilitate survivors of the communist regime	121	7.8%
A mechanism for establishing truth commissions to publicly expose versions of the past	73	4.7%
Other	74	4.8%

Note. Respondents (N= 1021)

Table 2 provides an interesting insight into the results that have been obtained, which makes it worth examining. The responses collected reveal that 18.6% of the participants understand transitional justice as a field of study that deals with crimes committed during the communist regime, which is the highest percentage for this category among all responses. The survey results showed that 16.4% of the participants perceive TJ as a mechanism designed to restore private property that was seized during the communist regime, whereas 15.7% have identified it

as a collection of mechanisms that seek to promote societal reconciliation and peace. The results are not surprising, given that the complexity of the communist past is primarily attributed to private property, which remains a polarizing factor within society. Furthermore, it highlights the need to promote reconciliation and establish a more inclusive society. The percentage of respondents who have been able to grasp the concept of TJ as a “Political and social program to rehabilitate survivors of the communist regime” is only 7.8%, which is relatively low. The study revealed that 4.7% of the respondents interpreted TJ as a mechanism to establish truth commissions, which can publicly expose different versions of the past. The results suggest that individuals who have knowledge of transitional justice view it more as a means to study communist crimes, rather than as a tool for establishing political and social programs aimed at reintegrating survivors of the communist regimes. There may be a reason only a very low percentage of respondents correlate TJ with truth commissions and exposure to the past, and that reason could be the lack of information or debate on truth commissions.

Those survey respondents who constitute the 4.8% in the ‘Other’ section of this table have expressed their perceptions as follows:

- The field of study that concerns itself with examining and addressing issues that pertain to the way the past is treated and the violation of human rights in societies that are undergoing a transitional period. In order to address the issue, it is important to take measures such as bringing the responsible persons to justice, democratizing the institutions, compensating the victims, and more.
- Transitional justice is the term used to describe the transfer of responsibilities and competencies from one institution to another.
- The justice system has undergone significant changes and transformation since the communist regime, and Transitional Justice is a part of this evolution.
- From my understanding, transitional justice pertains to the aftermath of war and involves addressing the violation of human rights, dignity, and integrity, which calls for compensation and accountability for victims and their families.
- In my opinion, transitory justice is a form of justice that is fundamentally flawed because it lacks true justice. Transitory justice is not primarily focused on its output. Due to its transitory nature, it won’t last for long.
- The justice system and society of a country must recognize, investigate, punish, and provide compensation for the crimes committed during a period of mass violations of human rights and freedoms.
- The field that deals with the criminal prosecution of individuals who have committed human rights violations in the past is an important aspect of ensuring justice.
- An approach which, on the one hand, recognizes and compensates for the damages caused to the victims of a system and on the other hand, it transforms the system that has been at the root of the abuse.
- The justice legislation that was previously in place and aligned with the socialist social order is now being transformed into justice legislation that is aligned with the capitalist order. The change that needs to be made in the social order must be done within a decade.
- The field that focuses on how to address past human rights violations in societies in transition has been given a crucial role in democratization efforts by

international organizations. This is because it has been proven to be a highly effective facilitator of reconciliation and post-conflict stabilization.

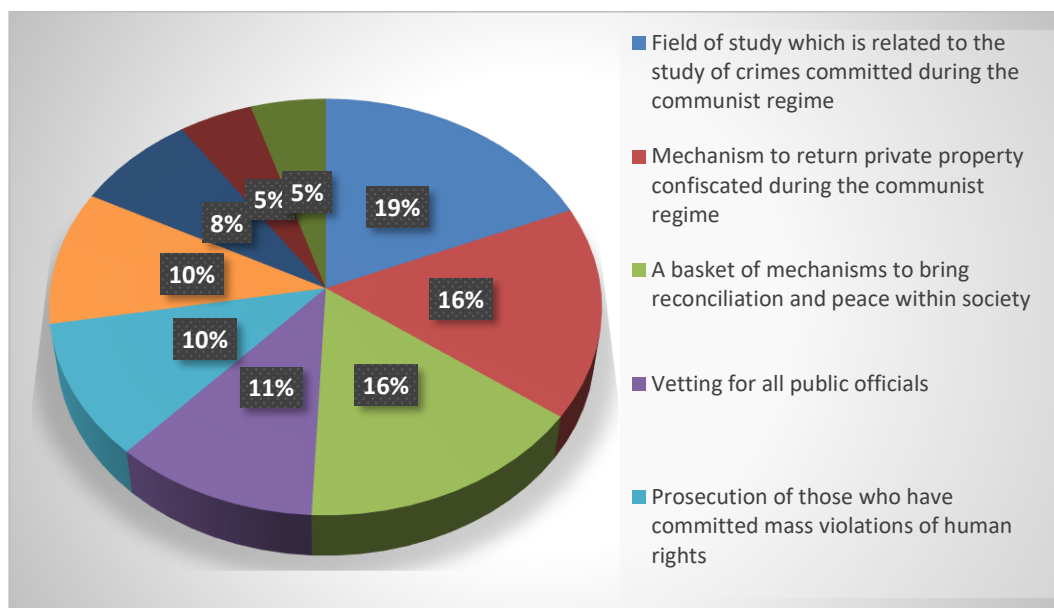


Figure 8: Agreement levels on Layers of Definitions of Transitional Justice (Percent)

Note. Respondents (N=1021)

If Albania were to implement any form of Transitional Justice mechanism, what would be the primary outcome of such implementation?

The survey results have revealed that 17.2% of the participants have expressed that the most suitable option for any Transitional Justice mechanism in Albania would be to establish a new level of accountability and impunity among the political elite. Out of all the respondents, 15.4% believe that the application of any TJ mechanism would cause the most immediate outcome of building trust in institutions. 7.2% of respondents would think of “to affect the integration process towards the European Union membership”; 7.0% would think of “To create foundations for the rule of law”, 2.1% of respondents would think of “To help build peace and reconciliation between divided groups or discriminated sections of society” and 5.1% of respondents think of other outcomes.

Table 4 (Question 10) Alternatives of Outcomes if any TJ Mechanism Were to be implemented

	N	%
To set a new standard on accountability and impunity among the political elite	575	17.2%
To build trust in institutions	516	15.4%
To build a new relationship between citizens and the justice system	495	14.8%
To stimulate the democratization process in Albania	435	13.0%
To educate the younger generations on democracy and human rights	312	9.3%
To help in opening / developing the system of political parties in the country	294	8.8%
To affect the process of integration into the European Union	242	7.2%
To create foundations for the rule of law	233	7.0%
To deliver peace and reconciliation between divided groups or discriminated sections of society	71	2.1%

Other	171	5.1%
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Note. Respondents (N=1021)

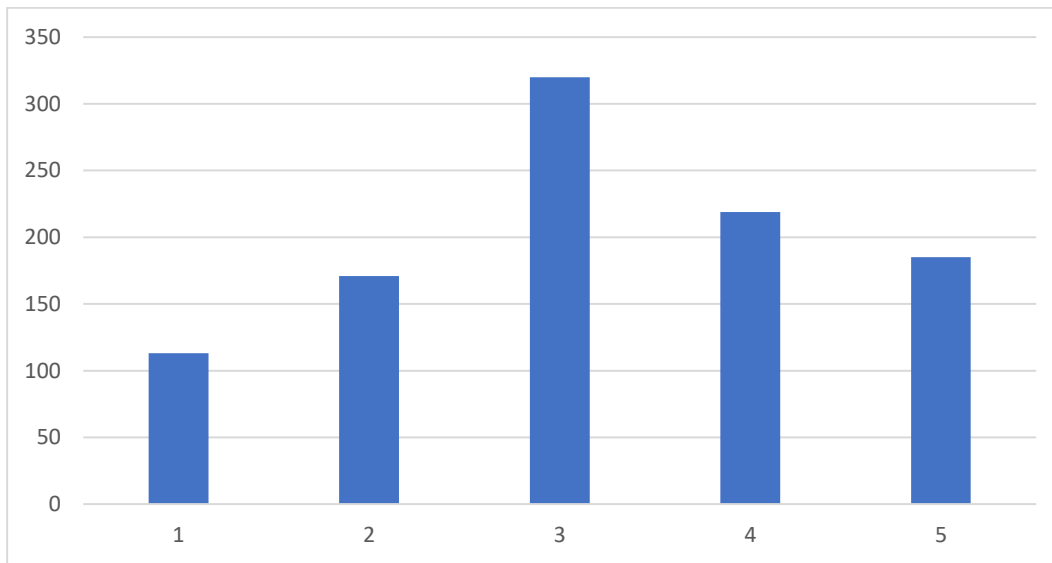


Figure 9 (Question 12) Are You Aware of the Number of Communist Regime Victims? (Frequency)

Note. Respondents (N=1008). Not at all aware (N=113); Slightly aware (N=171); Somewhat aware (N=320); Aware (N=219); Fully aware (N=185).

The Likert response scale used to construct the question includes a range of values from 1 to 5, with 1 representing “not at all aware” and 5 representing “fully aware”. In the survey, the participants were questioned about their level of awareness regarding the number of victims of the communist regime. Out of 1008 responses, it can be observed that the majority of 31.7%, which equals to 320 respondents, reported being in the middle. Out of the 1008 responses received, it was reported that 18.4 percent of them were fully aware of the number of victims, whereas only 11 percent claimed to have no information.

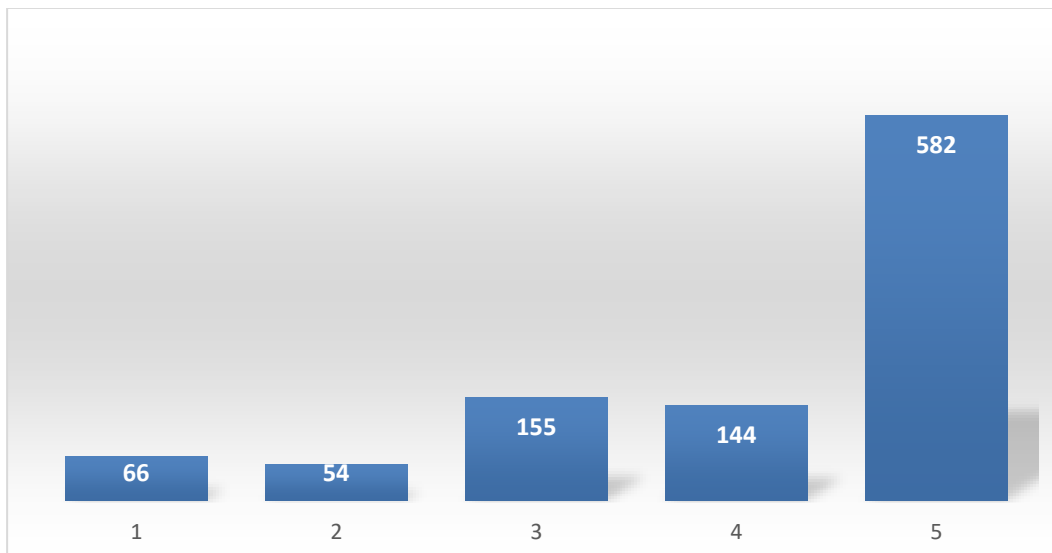


Figure 10: (Question 13) Agreement Level with The Statement of ‘Albania Has Responsibility to Deal with its Communist Past’

Base. Respondents (N=1001). Totally disagree (N=66); Disagree (54); Neutral (155); Agree (144); Totally agree (582).

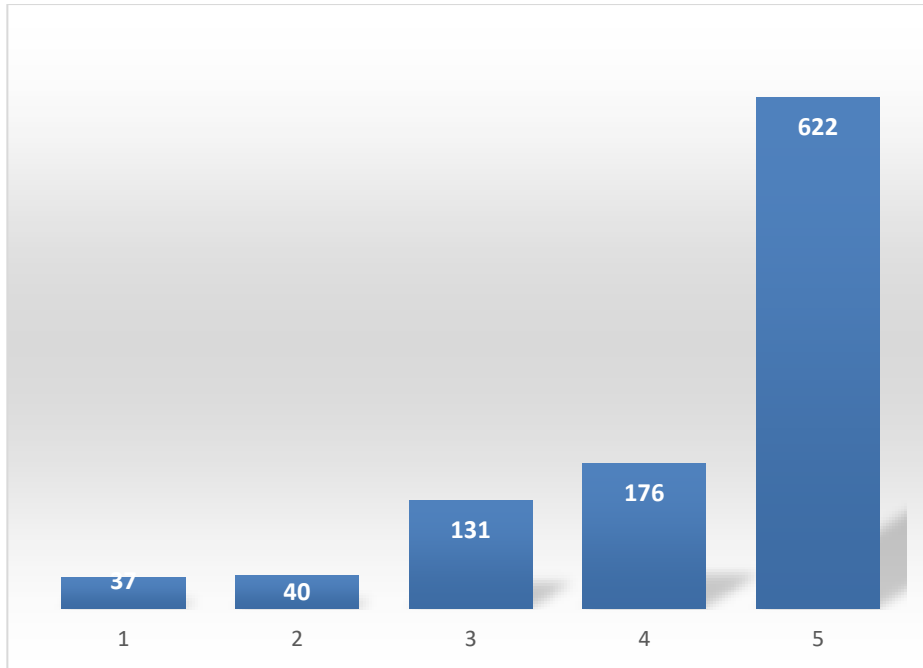


Figure 11: (Question 14) How Important Do You Consider Dealing with the Communist Past? (Frequency)

Base. Respondents (N=1006). Not at all important (N=37); Slightly important (N=40); Somewhat important (N=131); Important (N= 176); Very Important (N=622).

Among the 1006 respondents, 622 of them emphasized that dealing with the communist past is very important, while 176 respondents stated it is important. The data that has been gathered indicates that despite the regime falling a long time ago, over half of those who participated in the survey still believe that it's important to address the past. As indicated in Figure 3.10, 582 out of 1001 respondents believe that it is Albania's responsibility to address communist crimes, which aligns with the percentage mentioned earlier. It is interesting to note that only a small number of the 1001 respondents, specifically 120, showed disagreement or total disagreement with the statement, while the rest remained neutral or in agreement.

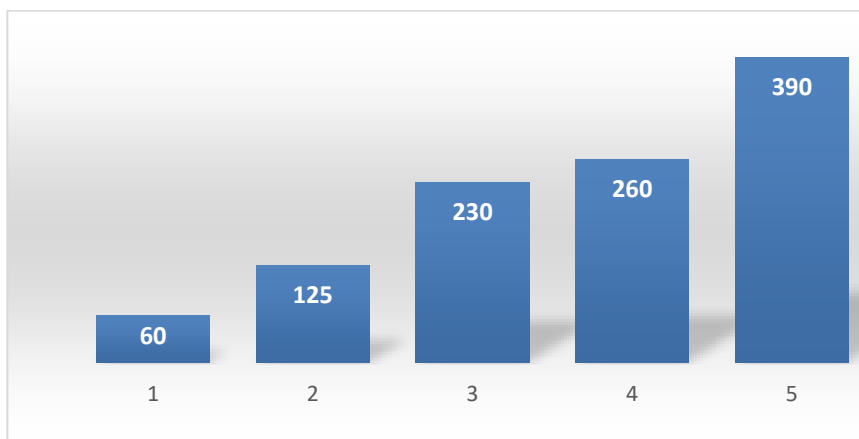


Figure 12: (Question 15) Do You Discuss Communist Regime in Your Family? (Frequency)

Base. Respondents (N=1011). Very rarely (N=60); Rarely (N=125); Occasionally (N=230); Frequently (N=260); Very frequently (N=390).

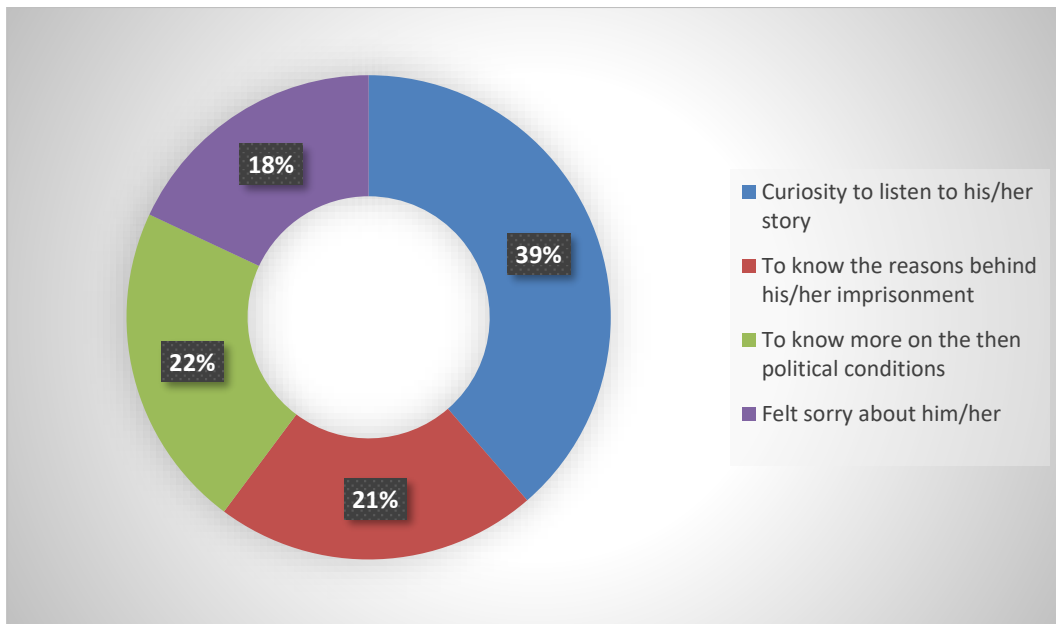


Figure 13: (Question 16) Reasons and Feelings About Talking with a Former Political Prisoner (Percentage)

Base. Respondents (N=840)

Out of the total 1021 respondents who participated in the survey, a significant majority of 840 individuals reported that they have had the chance to meet a former political prisoner in their lives.

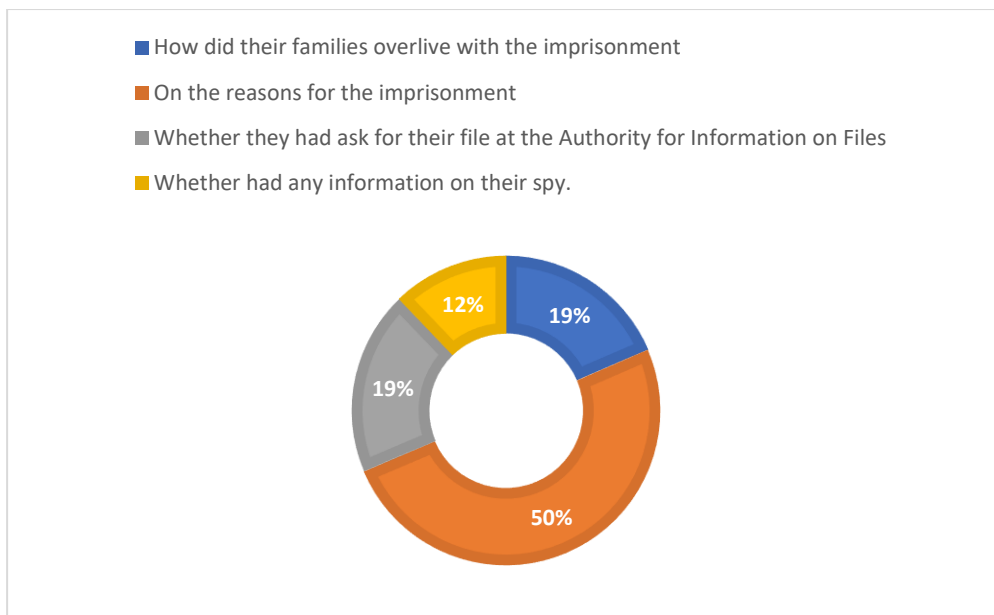


Figure 14: (Question 17) What Did You Ask for The Former Political Prisoner? (Percent)

Note: Respondents (N=820)

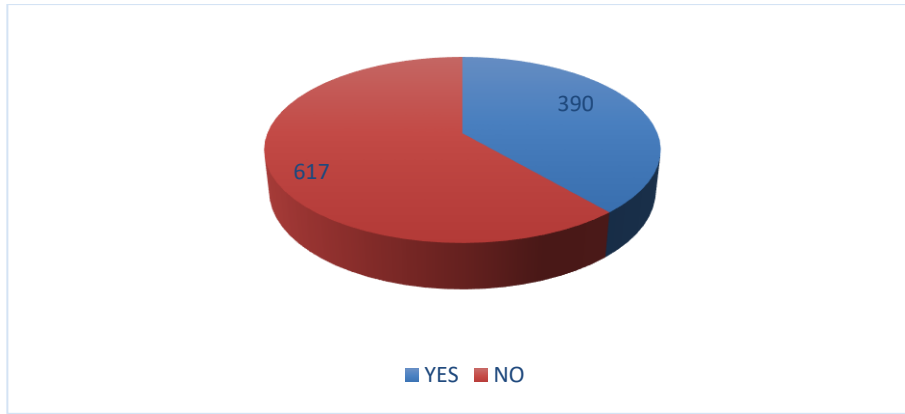


Figure 15: (Question 18) Have You Ever Attended any Event Organized in Memory of Communist Regime Victims? (Frequency)

Base: Respondents (N=1006)

Comparative Analysis of The Survey Results

In the context of questions about Transitional Justice, a comparison can be made between respondents who have heard about Transitional Justice and those who have not. This comparison can shed light on the differences in opinions, attitudes, and knowledge between these two groups. For instance, respondents who have heard about Transitional Justice may be more likely to have a deeper understanding of the concept, its importance, and its potential impact, and therefore, may express more informed and nuanced opinions about it. On the other hand, respondents who have not heard about Transitional Justice may have less knowledge and interest in the topic, and therefore, may express more neutral or uninformed opinions. By comparing these two groups, researchers can identify the factors that influence knowledge and attitudes towards Transitional Justice and develop strategies to increase awareness and engagement with this crucial topic. The statistical test Independent Sample T-test was utilized to perform the analysis.

The analysis conducted has revealed that there are noteworthy dissimilarities between participants who responded positively and indicated that they have heard of Transitional Justice and those who responded negatively and claimed that they have not heard of it. Although there are individuals who are aware of the number of victims of the communist regime in Albania, the differences among them are significant. Additionally, those who believe that Albania should address its past also exhibit differences among them.

The analysis was conducted using the Independent Sample T-test statistical test. The study analyzed the independent variable of survey respondents' statements, "Yes" or "No," concerning Transitional Justice. The dependent variables investigated were questions such as "Are you aware of the number of victims during the communist regime in Albania"? (interval 1 - not at all aware - 5 fully aware); "Do you agree, in your understanding of Transitional Justice, that Albania deal with the communist past? (interval 1-strongly disagree to 5-strongly agree); "How important do you consider dealing with the past"? (interval 1-not at all important to 5- strongly important); "Do you discuss the previous regime in your family"? (interval 1-never to 5-very often).

When asked if they are aware of the number of victims during the communist regime in Albania, it is seen that respondents who claimed to have heard of Transitional Justice have an average of 3.35 and std = 1.19, compared to those

who stated that they have not heard of Transitional Justice. with an average of 2.95 and std = 1.28, with an average difference of 0.400 p-values = 0.000 which is significant at 0.05 of the margin of error. By this, we understand that respondents who have claimed to have heard of Transitional Justice are more likely to have better knowledge of the number of victims during the communist regime in Albania.

As for the question: “Do they agree on Albania’s dealing with the past”, the results show that respondents who have claimed to have heard on Transitional Justice have an average of 4.23 and std = 1.19, compared to the other group who have an average of 3.95 and std = 1.29, with an average difference of 0.277 and p-value = 0.001 which is significant at 0.01 of the margin of error.

There are also significant differences when respondents were asked:”How important do you consider dealing with the past”, it is observed that respondents who have claimed to have heard on Transitional Justice were more likely to report that dealing with the past is important, with an average of 4.35 and std = 1.05, compared with the other group having an average of 4.21 and std = 1.10, while the average difference is 0.142 and p-value = 0.043 which is significant at 0.05 of the margin of error.

There are shown significant differences when asked whether they discussed this topic in the family, data show that in the first case, respondents who had heard on Transitional Justice have an average of 3.87 and std = 1.21, compared to the other group who have an average of 3.53 and std = 1.29, with an average difference of 0.340 and p-value = 0.000.

Table 5 Independent Sample T-test statistical test

	Yes/No	N	Mean	Std. Deviation	Std. Error Mean	Mean difference	P-value
Are you aware of the number of victims during the communist regime in Albania?	Yes	615	3.35	1.19	0.05	0.400	0.000
	No	393	2.95	1.28	0.07		
Do you agree, in your understanding of Transitional Justice, that Albania should deal with the communist past?	Yes	613	4.23	1.19	0.05	0.277	0.001

The results of the study show that there are significant differences between the responses of participants who reported having knowledge of Transitional Justice and those who reported being unaware, particularly with their understanding of the number of victims affected. p-value <0.05.

Comparison of Respondents Within Age Groups and Their Knowledge on Transitional Justice.

Throughout this analysis, there are observed significant differences between respondents within levels at age groups and their awareness about the victims of the communist regime in Albania, Albania’s dealing with the past, the importance of this process, and level of communication with the family about the communist past. The analysis was performed through the statistical test Anova one way, while the independent variable is ‘age group’, and the dependent variables are questions such as : “Are you aware of the number of victims during the communist regime in Albania”? (interval 1 - not at all aware - 5 fully aware); “Do you agree, in your understanding of Transitional Justice, that Albania deal with the communist past”? (interval 1-strongly disagree to 5-

strongly agree); “How important do you consider dealing with the past”? (interval 1-not at all important - 5- completely important); “Do you talk about the previous regime in your family”? (interval 1-never - 5-very often).

According to the following results, it is seen that in the first three questions, there are significant differences between the age groups, while the main difference is made by older age groups. In the response of the first question, asked on their awareness on the number of victims during the communist regime in Albania, we have $df = 1006$ cases, test $F = 6.723$, and $p\text{-value} = 0.000$, which shows that there are significant differences between the age group and their awareness on the number of victims during the communist regime in Albania.

Regarding the second question, asked whether they agree Albania deal with the communist past, it can be seen significant differences, $df = 999$ cases, the test $F = 7.595$ and $p\text{-value} = 0.000$, which is significant at 0.01 of the margin of error. Similarly, asked whether they consider important that Albania deal with the communist past importance of facing Transitional Justice, it can be seen a degree of freedom of 1004, $F = 4.075$, and $p\text{-value} = 0.001$ which is significant at 0.01 of the margin of error.

Based on the data presented, it can be observed that there is a notable distinction between the level of awareness of different age groups regarding the number of victims of the communist regime. Specifically, the older age groups tended to report being more aware compared to the younger respondents. The study found that when asked about the significance of dealing with the past, the older age groups were more likely to report agreeing with the importance of doing so.

Table 6 Independent Sample T-test statistical test

	Age	N	Mean	Std. Deviation	Std. Error	Df	F	P-value
Are you aware of the number of victims during the communist regime in Albania?	16-25	240	2.93	1.152	0.074	1006	6.723	0.000
	26-35	299	3.03	1.254	0.073			
	36-45	263	3.4	1.203	0.074			
	46-55	143	3.47	1.288	0.108			
	56-65	54	3.33	1.289	0.175			
	Over 65	8	3.75	0.707	0.25			
	Total	1,007	3.19	1.238	0.039			
Do you agree, in your understanding of Transitional Justice, that Albania should deal with the communist past?	16-25	235	3.71	1.411	0.092	999	7.595	0.000
	26-35	299	4.15	1.2	0.069			
	36-45	260	4.33	1.107	0.069			
	46-55	141	4.27	1.146	0.096			
	56-65	56	4.32	1.081	0.144			
	Over 65	9	3.89	1.364	0.455			
	Total	1,000	4.12	1.238	0.039			
How important do you consider dealing with the past?	16-25	238	4.07	1.158	0.075	1004	4.075	0.001
	26-35	297	4.3	1.049	0.061			
	36-45	262	4.48	0.985	0.061			
	46-55	143	4.36	1.038	0.087			
	56-65	56	4.3	1.159	0.155			
	Over 65	9	3.89	1.054	0.351			
	Total	1,005	4.3	1.073	0.034			
Do you discuss the past regime in your family?	16-25	238	3.62	1.232	0.08	1009	2005	0.076
	26-35	300	3.63	1.293	0.075			

36-45	263	3.84	1.226	0.076			
46-55	144	3.81	1.213	0.101			
56-65	56	4.04	1.334	0.178			
Over 65	9	4	1	0.333			
Total	1,010	3.73	1.254	0.039			

Comparison Among Respondents Based on Their Level of Education and Knowledge on Transitional Justice

Through this analysis, there can be seen significant differences between respondents of different levels of education and their awareness on the number of victims of the communist regime in Albania, whether Albania should deal with the past, how important do they consider this process, and whether they have any communication with the family about the communist past. The analysis was performed through the statistical test Anova one way, while the independent variable is the level of education, and the dependent variables are questions such as “Are you aware of the number of victims during the communist regime in Albania”? (interval 1 - not at all aware - 5 fully aware); “Do you agree, in your understanding of Transitional Justice, that Albania should deal with the communist past”? (interval 1-strongly disagree with 5- strongly support); “How important do you consider dealing with the past”? (interval 1-not at all important to 5- completely important); “Do you talk about the previous regime in your family”? (interval 1-never - 5-very often).

When comparing the level of education of citizens and their level of knowledge about the number of victims of the communist regime in Albania, the results show that we have a degree of freedom of 1007, test F = 4053 and p-value = 0.003 which is significant at 0.01 of the margin of error. There are also significant differences with respondents strongly supporting that Albania deal with the past, where we have a free degree df = 1000, test F = 2788, and p-value = 0.025 which is significant at 0.05 of the margin of error. Even in the case of the question on the importance of Albania’s dealing with the past, there are found significant differences between the level of education and their opinion on this importance, with a degree of freedom df = 1005, test F = 2864, and p-value 0.022. In this case, it can be concluded that significant differences lie between the level of education of citizens and their opinion on the number of victims of the communist regime in Albania, Albania’s dealing with Transitional Justice, and the importance of this process.

Table 7 Independent Sample T-test statistical test

		N	Mean	Std. Deviation	Std. Error	Df	F	P-value
Are you aware of the number of victims during the communist regime in Albania?	Elementary	7	3.43	1.813	0.685	1007	4053	0.003
	High School	102	2.96	1.312	0.13			
	Bachelor	243	3.04	1.279	0.082			
	Master	562	3.23	1.196	0.05			
	PhD	94	3.55	1.179	0.122			
	Total	1,008	3.19	1.239	0.039			
Do you agree, in your understanding of Transitional Justice, for Albania to face the communist past?	Elementary	7	3.43	1.397	0.528	1000	2788	0.025
	High School	100	3.97	1.432	0.143			
	Bachelor	238	4.07	1.281	0.083			
	Master	562	4.12	1.211	0.051			
	PhD	94	4.46	0.98	0.101			
	Total	1,001	4.12	1.238	0.039			

How important do you consider dealing with the past?	Elementary	7	3.71	1.113	0.421	1005	2864	0.022
	High School	102	4.14	1.126	0.112			
	Bachelor	242	4.29	1.107	0.071			
	Master	562	4.29	1.068	0.045			
	PhD	93	4.59	0.888	0.092			
	Total	1,006	4.3	1.073	0.034			
Do you talk about the past regime in your family?	Elementary	7	3.14	1.676	0.634	1010	1207	0.306
	High School	103	3.65	1.319	0.13			
	Bachelor	244	3.71	1.277	0.082			
	Master	563	3.73	1.243	0.052			
	PhD	94	3.95	1.139	0.118			
	Total	1,011	3.73	1.254	0.039			

Correlation

Correlation Between Level of Education and Other Factors of Transitional Justice

Through the correlation analysis, I measured the relationship between the level of education of respondents as an independent variable and other dependent variables such as “Are you aware of the number of victims during the communist regime in Albania”? “Do you agree, in your understanding of Justice Transitional, that Albania should deal with the communist past”? “How important do you consider dealing with the past”? and “Do you discuss the past regime in your family”? In this case, Pearson correlation was applied where, according to the results, a significant correlation was found in almost all cases between the education level and questions.

<i>Correlations</i>		
		Education level
Are you aware of the number of victims during the communist regime in Albania?	Pearson Correlation	0.110**
	Sig. (2-tailed)	0.000
Do you agree, in your understanding of Transitional Justice, for Albania to face the communist past?	Pearson Correlation	0.088**
	Sig. (2-tailed)	0.005
How important do you consider coping with the past?	Pearson Correlation	0.086**
	Sig. (2-tailed)	0.006
Do you discuss the past regime in your family?	Pearson Correlation	0.054
	Sig. (2-tailed)	0.089

Note: ** Correlation is significant at the 0.01 level (2-tailed).

The above results show that there is a correlation between the level of education of respondents and their knowledge on the number of victims during the communist regime in Albania ($r = 0.110$ **, $p\text{-value} = 0.000$) $p < 0.05$, support that Albania deals with the communist past ($r = 0.088$ **, $p\text{-value} = 0.005$) $p < 0.05$, the importance of this process ($r = 0.086$ **, $p\text{-value} = 0.006$) $p < 0.05$ as well as the fact that they discuss past ($r = 0.054$ **, $p\text{-value} = 0.089$) $p > 0.05$. These results show a clear association between the level of education of the survey respondents, their knowledge about the number of victims of the communist regime, their support for Transitional Justice, and the importance they attribute to it. $p\text{-value} < 0.05$.

CHI-SQUARE Analysis

“ Have you ever heard of Transitional Justice “?”

When cross-tabulating the question “ Have you ever heard of Transitional Justice” with variables such as “Are you aware of the number of victims during the communist regime in Albania”; “Do you agree, in your understanding of Transitional Justice, for Albania to deal with the communist past? “; “ How important do you consider dealing with the past” and “Do you talk about the past regime in your family” it can be seen that significant differences are found between respondents who have heard and those who have not heard of transitional justice.

In the first question, it is seen that respondents who have heard of Transitional Justice are more likely to have information on the number of victims of the communist regime in Albania. Chi-square = 31,312, p-value = 0.000.

For whether they agree Albania deal with the communist past, the results show that respondents who have reported that they have information on Transitional Justice are inclined to agree with the opinion that Albania must face its communist past. Chi-square = 15.853, p-value = 0.003.

A significant difference was also found when asked whether they discuss the communist regime in their families. It is seen that respondents who have expressed that they have information about the Transitional Justice are inclined to talk more about the past regime. Chi-square = 18,085, p-value = 0.001.

Table 8 Chi -Square Test

Are you aware of the number of victims during the communist regime in Albania?	YES	NO	Pearson Chi-square	P-value
Not at all aware	51	62	31.312	0.000
Little aware	84	87		
Neutral	207	113		
Aware	147	72		
Fully aware	126	59		
Do you agree, in your understanding of Transitional Justice, for Albania to face the communist past?	YES	NO	Pearson Chi-square	P-value
Strongly disagree	37	29	15.853	0.003
Disagree	26	28		
Neither agree nor disagree	80	75		
Agree	87	57		
Strongly agree	383	199		
How important do you consider dealing with the past?	YES	NO	Pearson Chi-square	P-value
Not at all important	21	16	8.672	0.070
Not important	23	17		
Neutral	75	56		
Important	94	82		
Completely important	401	221		
Do you discuss the past regime in your family?	YES	NO	Pearson Chi-square	P-value
Very rarely	29	31	18.085	0.001
Rarely	65	60		
Occasionally	132	98		
Frequently	125	81		

Very frequently

266

124

CHI-SQUARE analysis

AGE

Significant differences are found between the four questions asked about Transitional Justice and age groups.

When asked “Are you aware of the number of victims during the communist regime in Albania”, the results show that respondents belonging to younger age groups report that they have more information compared to older age groups, chi-square = 51,124, p-value = 0.000.

When asked “Do you agree, in your understanding of Transitional Justice, that Albania deal with the communist past”, age groups between ‘16-45 years old’ are more likely to report they agree compared to older age groups, chi-square = 46,448, p-value = 0.001.

When asked “How important do you consider dealing with the past”, the results show that respondents belonging to age groups between ‘16-45 years old’ are more likely to deal with the past, compared to the older ages. Chi-square = 35.057, p-value = 0.020.

When asked “Do you talk about the past regime in your family”, the results show that respondents belonging to age groups between ‘25-35 and 36-45 years old’ are more likely to report that they talk in their families compared to other age groups. Chi-square = 31.483, p-value = 0.049.

Table 9 Chi -Square Test

Are you aware of the number of victims during the communist regime in Albania?	16-25	26-35	36-45	46-55	56-65	Over 65	Pearson Chi-square	P-value
Not at all aware	44	21	13	7	0	44		
Little aware	52	37	19	6	0	52		
Neutral	100	78	41	14	3	100	51.124	0.000
Aware	57	69	28	16	4	57		
Fully aware	46	58	42	11	1	46		
Do you agree, in your understanding of Transitional Justice, that Albania deal with the communist past?	16-25	26-35	36-45	46-55	56-65	Over 65	Pearson Chi-square	P-value
Strongly disagree	28	19	11	6	1	1		
Disagree	22	10	11	7	4	0	46.448	0.001
Neither agree nor disagree	42	51	31	21	8	2		
Agree	40	45	35	16	6	2		
Strongly agree	103	174	172	91	37	4		
How important do you consider dealing with the past?	16-25	26-35	36-45	46-55	56-65	Over 65	Pearson Chi-square	P-value
Not at all important	11	10	9	4	3	0		
Not important	15	9	7	6	2	1	35.057	0.020
Neutral	40	45	19	18	7	2		
Important	52	52	41	21	7	3		

Completely important	120	181	186	94	37	3		
Do you discuss the past regime in your family?	16-25	26-35	36-45	46-55	56-65	Over 65	Pearson Chi-square	P-value
Very rarely	13	23	12	6	6	0		
Rarely	33	42	29	19	1	1		
Occasionally	65	63	63	29	9	1	31.483	0.049
Frequently	47	68	45	33	9	4		
Very frequently	80	104	114	57	31	3		

Conclusions

The following finding was extracted from the survey questionnaire conduction in Albania to understand public perception, awareness and understanding of TJ in Albania.

- i. 617 out of 1021 respondents report that they have heard about Transitional Justice (60.4%), while 404 of respondents have not (39.6%).
- ii. When asked where have they had heard about Transitional Justice, respondents reported that 22% of them had heard on mass media means, 18% in social media posts, and 17.4% through conversations with friends.
- iii. When asked how they would agree more with the definitions of Transitional Justice, 18.6% of respondents agree with the definition of Transitional Justice as a “Field of study which is related to the study of crimes committed during the communist regime”; 16.4% of them understand TJ as “Mechanism to return private property confiscated during the communist regime”; 15.7% as “A basket of mechanisms to bring reconciliation and peace within society”.
- iv. 17.2% of respondents say that the most appropriate alternatives in case of the application of any Transitional Justice mechanism in Albania would be “To set a new standard on accountability and impunity among the political elite”; 15.4% of respondents think that by applying any TJ mechanism, the most immediate outcome would be “To build trust in institutions”; 14.8% of respondents think of “To build a new relationship between citizens and the justice system”.
- v. 18.4 percent of 1008 responses reported they are fully aware of the number of victims and only 11 percent reported that they have no information at all.
- vi. When asked whether Albania should deal with its communist past, interestingly, 58.1 percent of 1001 respondents ‘strongly agreed’.
- vii. When asked about the level of importance of dealing with the past, 61.8 percent of 1006 responses reported considering it as ‘very important’; 17.5 percent as ‘important’ and 3.7 percent of total responses reported as ‘not important at all’.
- viii. When asked how frequently did they discuss the past regime in their families, 38.6 percent of 1011 responses reported talking ‘very frequently’; 20.4 percent talked ‘frequently’; 22.7 percent talked ‘occasionally’ and only 5.9 percent of the total respondents said that they did ‘rarely’ discuss the past regime in their families.

ix. Not surprisingly, 61.3 percent of 1006 responses said that they had never been in an event organized in memory of communist regime victims and only 38.7 percent said that they had been in a such event.

x. Significant differences exist between men and women when it comes to their knowledge of the number of victims during the communist regime in Albania, wherein data show men are more likely to be aware compared to women.

xi. Older ages are more likely to report that they have more awareness on the number of victims of the past regime compared to younger respondents, as well as when asked about dealing with the past and its importance, the older aged respondents are more likely to report that they agree and that consider it as more important.

The higher the level of education of surveyed respondents, the higher the knowledge on the number of victims of the communist regime, the more support they give to deal with Transitional Justice and the more they consider it as important.

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