

Reforms to the Country Administrative Division in Albania After 1990

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Abstract Political changes after 1990 necessitated the reorganization and functioning of local government in Albania. As it is known, two levels of local government function in our country; the first level includes the communes and municipalities, while the second level includes the prefectures and counties. At the time being 12 counties and 12 prefectures, 36 districts, 65 municipalities, 309 communes and 3020 villages function in Albania. The functioning of local government is based on: Constitution of the Republic of Albania, Albanian legislation since 1990 , especially the law no. 8652 which dates back to July 31, 2000 "On organization and functioning of local government", as well as European charter on local autonomy. Legislation for local autonomy and decentralization of government was drafted on the basis of Article 13 of the Constitution of Albania. Article 7 guarantees the principle of unity and balance of the local government. The development of administrative reforms in Albania has been influenced by these factors: - administrative tradition of the Albanian State 1912 - 2011; - world experience ; - economic and cultural administration level; - interests of political class and Albanian state; - attitude of the people and the local administration. - physical and geographic conditions of the country. Reorganization and administrative division are conditioned by of the demomographic movement of rural and urban population. Although Albanian government and parliament have repeatedly focused on the topic of organization and functioning of local government, administrative reform in Albania is far from being considered complete.

The importance and historical moments of reforms in local government organization legislation

The issue of local government in Albania is considered as one of the fundamental problems of the state and its performance, because local government is the one that conveys to people the results of reforms, management policies and economic trends. The importance of local government function, as the government unit closest to the people, is expressed in all the Albanian legislation, derived from the Constitution of the Republic.

The entire history of the making of states has been filled with reforms of a political, administrative, economic, cultural nature etc., from antiquity to the present day. In Albania it was built on concepts of the political class of the time and has evolved over time. The first ideas were introduced by Sami Frashëri in his "Albania, what has been, what is and what will be" stating the autonomous territorial division of Albania. He pointed out that: "The government should have almost no connection at all with its citizens". As for the local administration, political scientist Giovanni Sartori stated: "The extent to which selfgoverning is applied is in inverse proportion to its intensity" by which he emphasized self-autonomy and local government, governing rather closely not in distance. "

The first acts were ratified by the Government of Vlorë on November 22, 1913. The Convenient Canon of Civil Administration sanctioned in detail the new administrative division of territory that was under control of the government of Vlorë. When you take a look at the documentation of the time you note that power was defined under the Western experience. There is also a clear tendency to leave their turkish ancestral practices, organization was vertical and controlling because we had this structure: the prefecture, subprefecture and commune. Local governments not only recognized the authority of the prefect, vice prefect but also that of the county which consisted of the head of these units, the commander of the gendarmerie, the prosecutor, etc..

"The Convenient Canon" also contained provisions for elections in administrative units. Any resident who had attained the age of 21 had the right of electing provincial council, whereas any senior citizen over 21 had the right to be elected. At the time of governance and reign of Ahmet Zog a number of administrative measures were taken to ensure the administration strength of the Albanian state. A step forward considering the conditions in Albania was the new administrative division, which was based on "On civil administration law".

The country was divided into 10 prefectures, sub / prefectures and communes. A special role was played by elders in the villages. This set up built on the French model of administration.

However until 1944 the Albanian state had failed to achieve the desired decentralization. During the totalitarian period autonomy was an unmentionable issue, let alone local self-government.

Organization of local government after 1990

After year 1990 local government was organized in accordance with the law of international standards of European Charter of local autonomy", the principles of which were converted to basic principles of the Albanian state. According to the Charter the local unit was considered as "one of the main foundations of any democratic regime ". On the other hand, it implied that the right of citizens in the administration of public affairs at local level should be achieved directly through:

- Their representatives
- Communication of citizens with their representatives.
- the expression of will directly to the referendums.

"Law on organization and functioning of local government" no. 8652, which gives shape to the function and organization of local government, was drafted and adopted on July 31, 2000 on the basis of the constitution that we have in force.

Up –to- date achievements

Throughout this longlasting transition up-to-day, local government has consolidated and built on the basis of legal rights. It has gained autonomy in these areas:

- The political leadership, it is independent in exercising its functions directly elected by the people.
- The normative direction, meaning that they issue their commands and commandments enforced within the relevant territory.
- In financial management, being legal entities and having independent budget.

Problems faced presently by local government. Reason for reorganization

- It is noted that local government is charged with financial responsibilities which exceed investment opportunities and normal operation. In this context it should be noted that even among local units there are apparent differences in revenue collection. Disparity in services between urban and rural areas has resulted in migration of population in urban areas
- See the table 1:

Table 1. The movement of population over years in Gjirokaster District

Year	1998	1994	1999	2001INSTAT	2004
1-Urban population	54.455	62.600	69.457	45.350	70360
2-Rural population	106.018	102.480	100.954	67.481	90.300

From the table we note a difference of about 15,000 people moving to urban areas.

-Small comenes have difficulty in achieving further decentralization of services and local revenue, consequently they hinder joint projects.

- Small comenes are unable to afford certain services due to the financial and staff insufficiency.
- The table shows that 70% expenditure of the budget is spent only by the local unit.
- Although criteria for social assistance for people with minimal income have been defined they often do not go to people in need. It is noted an increasing number of people in need. Social assistance is estimated under 2000 lek per month.
- Another issue of importance is investment. If you visit nowadays comenes you will see that almost 60% of villages lack infrastructure with many roads being unpaved. Communes themselves do not have so much financial power. Looking at the funds used by communes to date we will notice that investments end up just laying a road with ballast.
- Businesses are in difficulty because of the infrastructure, which is detrimental to the community to create jobs.
- Another problem is water supply in many rural districts, 70% do not have running water, but they get it using primitive tools. Even in those few case when investment has been made, people have abused with it. This is an unjustified irresponsible attitude displayed by the local and central government.

-Given that the structure of administration is ratified by the council, it is puffed and spends most of the revenue itself, thus reducing the level of services and investment in the respective communities, regardless of the fact that central government limits the extent of conditional grant use to the amount of 40%.

Case study: analysis of advantages of reorganization of two local units

Given the emerging weaknesses and factors affecting administrative and territorial reorganization I have studied two neighboring communes in Tepelena district, Qesarat and Krahës. These communes have shared the same historical, social, cultural, economic affiliation before 1944, prior to the process of collectivization, they were in the same administrative unit which has historically been called Krahës locality.

Some factors that affect administrative and territorial reorganization of local governments are:

1 - population demographic movement. In many rural areas a considerable part of the population has moved. This makes us think of a change in administrative division according to the laws in force.

Table 2. Population of the communes

No.	Commune	County	Year 1992	Year 2012
1	Krahës	Tepelenë	4925	4150
2	Qesarat	Tepelenë	3414	2603
	Amount		8339	6753

As noted, the population of two communes is 6753 inhabitants. The number has decreased in 1572. Joining them will improve the quality of the services.

2. Social ties, cultural traditions will be further strengthened by being included in the same administrative unit, there will be much more opportunities for organizing various social and cultural activities.

3. Economic factor. The joint the two local units would bring about these differences:

Following in the respective charts for each commune are revenue and expenditure.

Table of revenue, commune of Krahës, Tepelene

No	TYPE OF REVENUE	Amount lek
1	Tax revenue	2.449.000
2	Tariff revenue	2.435.000
3	Unconditioned grant	13.167.000
4	Indipendent Budget	18.051.000

Table of expenditure, commune of Krahës, Tepelene

No	TYPE OF EXPENDITURE	Amount lek
1	Expenditure	14.234.000
2	Investment	3.117.000
3	Other expenditure	700.000
4	Indipendent Budget	18.051.000

Table of revenue, commune of Qesarat, Tepelene

No	TYPE OF REVENUE	Amount lek
1	Tax revenue	2.417.000
2	Tariff revenue	115.000
3	Unconditioned grant	6.828.000
4	Indipendent Budget	11.813.000

Table of expenditure, commune of Qesarat Tepelene

No	TYPE OF EXPENDITURE	Amount lek lek
1	Expenditure	7.788.000
2	Investment	1.397.000
3	Other expenditure	2.128.000
4	Indipendent Budget	11.813.000

- Analyzing the data we notice that in the commune of Qesarat only to maintain the local unit are spent 7.788.000.leke. This amount could be used in communal domestic investment.

- If the two communes join that will lead to the reduction of staff which does not have a university degree, because today 50% of staff who work in the communes lack proper education. That will increase productivity at work.

- Independent budget will reach the amount: 29,864,000 leke. This is considered a significant increase that will improve the finances, services and investment.

An example for this case study is the joint of civil registry office of the two communes, which has shown that it has faced no problems regarding the workload.

4 – Based on the discussions we had with inhabitants themselves and on research we carried out we concluded that inhabitants are not satisfied with the level of public services and are in favour of joining the two units.

These problems are the same in all district and other areas of Albania, which can be studied more specifically by local and central government.

The map of administrative division of Gjirokastra District

The area in red indicates the reorganized commune, administrative and territorial restriction



Gjirokastra district has 26 communes and 8 municipalities, but the chart of population movement, the fact that we have today communes that reach less than 2000 inhabitants and other phenomena show that it is a real problem that affects public services improvement. I hope that in the future citizens themselves and interest groups will give a better solution to this problem in accordance with the Constitution and law "On organization and Functioning of Local Government". No. 8652 passed on July 31, 2000.

References

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