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Electoral Reform and Voting Rights in Albania: A Legal and Empirical Analysis (1991–2025)

Reforma wyborcza i prawa wyborcze w Albanii. Analiza prawna i empiryczna (1991–2025)

ABSTRACT

This article examines the relationship between electoral system design, the effective exercise of the right to vote, and democratic legitimacy in Albania between 1991 and 2025. Following the collapse of communism, Albania progressively redesigned its electoral system, culminating in the adoption of a regional closed-list proportional representation system in 2009. On one hand, these legal reforms significantly reduced disproportionality and wasted votes, enhanced gender representation, and aligned electoral rules with European standards, while improving representational equality. On the other hand, voter participation declined, trust in political parties and Parliament remained limited, and concerns regarding political accountability persisted within an increasingly fragmented digital information environment. The article employs a legal and empirical methodology integrating electoral system theory, constitutional principles, and democratic legitimacy frameworks. It traces Albania's electoral evolution, analyzes trends in disproportionality and turnout, and systematically compares Albania with Kosovo, North Macedonia, and Montenegro to identify lessons regarding preferential voting, voter influence, and political accountability within proportional systems. The findings demonstrate that improvements in electoral fairness alone are insufficient to secure democratic legitimacy and suggest that closed-list proportional representation may reinforce perceptions of distance between voters and elected representatives within environments increasingly affected by digital information disorder. The article argues that electoral systems should be understood not merely as mechanisms for allocating seats but as legal institutions that shape the substantive realization of constitutional voting rights, highlighting how fully open candidate lists, stronger voter choice, internal party democracy, and transparent candidate selection procedures can better align Albanian electoral law with European standards of free and fair elections.

Keywords: electoral systems; right to vote; democratic legitimacy; proportional representation; internal party democracy; Albania

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INTRODUCTION

This paper aims to investigate the connection between the design of electoral systems and the safeguarding and actualization of the right to vote in Albania from 1991 to 2025. The research explores how various electoral frameworks – majoritarian, mixed, and proportional – have influenced political engagement, voter equity, and representation, with a particular focus on the latest reforms that have implemented open-list proportional representation. The goals are both descriptive and normative: to outline the institutional development of Albania, assess its democratic integrity, and provide legal recommendations for electoral reform that are consistent with European Union legal standards and reflect best practices in electoral governance.

This article advances two central claims. First, Albania's transition to proportional representation significantly enhanced representational efficiency but did not restore representational legitimacy. While the reform reduced wasted votes and improved vote-to-seat proportionality, it did not meaningfully reverse declining participation or institutional trust. Second, the interaction between closed-list proportional representation and digitally amplified information disorder contributed to a crisis of perceived accountability. Electoral design and informational ecosystems do not operate independently; rather, they reinforce or undermine one another. In particular, closed-list electoral arrangements concentrate candidate selection within party leadership structures, limiting voters' capacity to reward or sanction individual representatives. At the same time, the rapid expansion of social media has fragmented political communication, facilitated the spread of misinformation and disinformation, and intensified political polarization. Although electoral institutions alone cannot explain declining turnout or public distrust, evidence from Albania suggests that the combination of limited voter influence over candidate selection and an increasingly disordered digital information environment has weakened citizens' perceptions of political responsiveness, accountability, and democratic legitimacy.

The study examines four interconnected dimensions: (1) electoral inclusiveness and representational equality; (2) voter agency, political accountability, and democratic legitimacy; (3) the relationship between electoral system design, party competition, and electoral fairness; and (4) the role of electoral legal institutions in safeguarding the effective exercise of voting rights. Particular emphasis is placed on three principal areas: (1) the constitutional, legal, and institutional framework governing elections in Albania; (2) the empirical effects of electoral system reforms, including closed-list proportional representation, on voter participation, political representation, and public trust; and (3) a comparative assessment of electoral developments in Kosovo, North Macedonia, and Montenegro in order to identify lessons that may inform future electoral reform in Albania, including the potential transition toward a fully open-list proportional representation system.

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Through utilizing academic and policy literature, such as analyses of voter turnout rates,[1] official election results,[2] assessments from the Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and the Venice Commission reports,[3] the findings of this paper suggest that proportional representation in Albania has encouraged pluralism and improved minority participation, while simultaneously reinforced party dominance and diminished the influence of individual voters. The observed drop in voter turnout, which has decreased from over 80% in the 1990s to around 50% in recent elections, signifies a decline in political engagement in Albania.[4]

Among the principal limitations identified in Albania's closed-list proportional representation system is the concentration of candidate selection power within party leadership structures, which weakens voters' influence over the composition of Parliament and may reduce perceptions of political accountability. While the system has improved proportionality and reduced wasted votes, evidence from Albania and comparative experience in Kosovo, North Macedonia, and Montenegro suggests that greater voter influence over candidate selection can strengthen the connection between elected representatives and citizens without necessarily undermining proportional representation.

The findings indicate that electoral system design interacts with broader informational and political environments, including the growing challenges posed by digital information disorder, which can further erode public trust and democratic legitimacy. The article concludes by recommending the adoption of a fully open-list proportional representation system, accompanied by stronger legal safeguards for internal party democracy, electoral integrity, and voter participation, in order to reinforce democratic accountability and more effectively guarantee the constitutional right to vote in Albania.

[1] S. Berglund, J. Ekman, K. Deegan-Krause, T. Knutsen (eds.), *The Handbook of Political Change in Eastern Europe*, Cheltenham 2013.

[2] Central Election Commission of Albania, *Official Election Results and Turnout Data (1991–2024)*, Tirana 2024.

[3] Parliamentary Assembly of the Council of Europe, *Honouring of Obligations and Commitments by Albania*, Doc. 30, Strasbourg 2008.

[4] Central Election Commission of Albania, *Official Election Results…*

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RESEARCH METHODS

1. Research objectives

1. To examine the evolution of Albania's electoral systems since the early 1990s and assess their impact on political participation, inclusivity, and representation.
2. To evaluate the effectiveness of the proportional representation system, including the transition from closed to partially open lists, in promoting voter agency and accountability.
3. To analyze the legal and institutional frameworks governing electoral rights in Albania, focusing on constitutional and legislative safeguards of active and passive suffrage.
4. To compare Albania's experience with other Western Balkan countries (Kosovo, North Macedonia, and Montenegro) to identify regional trends and lessons for democratic consolidation.
5. To formulate recommendations for further electoral reform to strengthen the substantive right to vote, enhance transparency, and align Albania's electoral framework with EU and Council of Europe democratic standards.

2. Research questions

1. How have Albania's electoral systems evolved since 1991, and what legal or institutional rationales guided these changes?
2. In what ways has the proportional electoral system affected voter participation, political pluralism, and representative equality in Albania?
3. To what extent do closed-list structures restrict voter influence and accountability compared to open-list alternatives?
4. How do Albania's electoral reforms and voting rights protections compare with those in other Western Balkan democracies?
5. What legal and institutional reforms could strengthen Albania's electoral integrity and ensure a more meaningful realization of the right to vote?

3. Methodology

The methodological framework consists of four complementary dimensions.

Doctrinal and legal analysis. This dimension explores the constitutional provisions of Albania, specifically Articles 45 and 46, along with the Electoral Code[5]

[5] Electoral Code of the Republic of Albania, Law No. 10019 of 29 December 2008 (as amended in 2025).

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and significant administrative regulations governing suffrage, representation, and election administration. The analysis seeks to interpret the manner in which these legal norms incorporate international democratic standards, such as those outlined in the Universal Declaration of Human Rights,[6] the International Covenant on Civil and Political Rights,[7] and the European Convention on Human Rights,[8] into the framework of domestic law.

Comparative institutional analysis. A comparative framework places Albania's electoral experience in the wider context of the Western Balkans and Europe. By examining case studies from Kosovo, North Macedonia, and Montenegro, this analysis highlights common challenges and creative solutions in the realm of electoral reform. This comparative perspective sheds light on the ways in which institutional design and list structures affect the effective realization of voting rights in comparable post-transitional democracies.

Empirical and policy review. The empirical component of this study is based on a combination of primary and secondary data sources.[9] Primary electoral data were collected from official publications of the Central Election Commission of Albania (CEC), including certified election results, voter turnout statistics, candidate lists, seat allocation reports, and official datasets from the 2009–2025 parliamentary elections. Particular attention was devoted to the 2025 parliamentary elections, for which data were obtained from the final certified results published by the CEC following the completion of the electoral process.

To ensure reliability and validity, electoral data were cross-checked against reports issued by the OSCE/ODIHR, opinions and assessments of the Venice Commission, and monitoring reports of the Council of Europe. Additional contextual evidence was obtained from survey-based research conducted by the Regional Cooperation Council and the Institute for Development Research and Alternatives, particularly regarding public trust in institutions, political participation, and perceptions of democratic governance.

The study employs descriptive statistical analysis to examine voter turnout, electoral participation, gender representation, and the distribution of parliamentary

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[6] Universal Declaration of Human Rights, adopted by the United Nations General Assembly on 10 December 1948, Resolution 217 A (III).

[7] International Covenant on Civil and Political Rights, adopted on 16 December 1966, UNTS, vol. 999, p. 171.

[8] Convention for the Protection of Human Rights and Fundamental Freedoms, Rome, 4 November 1950, ETS No. 005.

[9] Venice Commission, *Urgent Opinion on Constitutional Amendments in Albania*, Strasbourg 2020; Council of Europe, *Report on National Minorities in Albania*, Strasbourg 2001; Regional Cooperation Council, *Balkan Barometer 2023: Public Opinion Survey*, Sarajevo 2023; Institute for Development Research and Alternatives, *Youth Engagement and Political Participation in Albania: Trends and Challenges*, Tirana 2021.

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seats. Data concerning women candidates and elected representatives were calculated from official candidate lists and seat allocation records published by the CEC. Information regarding minority participation and political inclusion was derived from election observation reports and publicly available institutional assessments.

The calculation of "wasted votes" follows a reproducible methodology commonly used in electoral studies. Wasted votes are defined as valid votes cast for political parties or electoral subjects that did not obtain parliamentary representation in the final allocation of seats. The percentage of wasted votes was calculated by dividing the total number of valid votes received by non-represented parties by the total number of valid votes cast in the election and multiplying the result by 100. This approach allows for the assessment of the extent to which the electoral system converts votes into parliamentary representation and provides an indicator of representational efficiency.

For the 2025 parliamentary elections, the study utilizes official CEC data regarding registered voters, voter turnout, candidate nominations, gender composition of candidate lists, seat distribution, and diaspora voting. Numerical figures reported in the article were verified through comparison with official election reports and publicly available election databases. Where calculations were undertaken by the author, including the estimation of wasted votes and representation indicators, the formulas applied are explicitly stated to ensure transparency and replicability.

The qualitative interpretation of these empirical findings enables the identification of recurring trends in electoral participation, political inclusion, democratic representation, and public confidence in political institutions. By combining official electoral statistics with election observation reports and survey evidence, the study seeks to provide a comprehensive assessment of the relationship between electoral system design, voter behavior, and democratic legitimacy in Albania.

Normative theoretical framework. The research is grounded in the theories of democratic institutionalism and normative electoral design advanced by R.A. Dahl, A. Lijphart, and P. Norris, which emphasize that electoral systems function as mediating institutions shaping the effective political equality of citizens.[10] This theoretical framework guides the assessment presented in this paper regarding the extent to which formal legal structures correspond with, or diverge from, substantive democratic practices. This interpretive methodology emphasizes a profound comprehension rather than mere numerical assessment, focusing on the interplay among legal frameworks, institutional arrangements, and public engagement. Furthermore, it incorporates the notion of substantive suffrage, the principle that the right to vote should not only be enshrined in legislation but also be practically and effectively exercised.

[10] R.A. Dahl, *Democracy and Its Critics*, New Haven 1989; A. Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, New Haven 1999; P. Norris, *Electoral Engineering: Voting Rules and Political Behavior*, Cambridge 2004.

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RESEARCH AND RESULTS: THE EVOLUTION OF ALBANIA'S ELECTORAL SYSTEMS

The evolution of Albania's electoral system provides a compelling case study of how institutional design can shape democratic development, political representation, and electoral integrity in transitional democracies. Since the fall of communism in 1991, Albania has undergone several electoral reforms, wavering between majoritarian, mixed, and proportional systems, each bringing distinct advantages and disadvantages within its socio-political context.

In the immediate post-communist era, Albania adopted a majoritarian electoral system, with two-round voting in single-member districts. The first post-communist vote elected 250 deputies in single-member districts. A new electoral law adopted in 1992 restructured the Assembly to 140 seats and introduced a mixed model: most sources record a combination of single-member/majoritarian districts together with proportional seats (the commonly cited arrangement was a large share elected in single-member districts with a set of seats allocated proportionally).

This system, while initially favored for producing clear parliamentary majorities, resulted in over-concentration of power, especially visible in the 1996 and 1997 elections. As E. Biberaj documents, the Democratic Party's overwhelming victory in 1996 under the majoritarian system sparked opposition boycotts and accusations of fraud, eroding trust in the electoral process.[11] The instability that followed highlighted the inability of majoritarian systems to accommodate Albania's fragmented political landscape and led to calls for electoral reform. This mixed model (majoritarian component + proportional component) was the dominant pattern in the 1990s and early 2000s elections.

In 2001, Albania moved to a mixed electoral system, combining 100 single-member majoritarian districts with 40 seats allocated via national proportional lists. This hybrid design aimed to balance the need for stable governance with fairer representation. However, as A. Elbasani notes, the mixed system produced strategic distortions, such as party manipulation of list candidates and dual candidacies, which undermined its intended benefits.[12] The lack of transparency and the dominance of party elites in candidate selection also weakened accountability.

In 2008, following political consensus between major parties, Albania transitioned to a closed-list proportional representation system with regional constituencies composed of twelve multi-member constituencies. This shift was widely seen as a step toward greater proportionality and party pluralism, in line with European standards. According to the OSCE, the new system significantly improved the

[11] E. Biberaj, *Albania in Transition: The Rocky Road to Democracy*, Boulder 1999.

[12] A. Elbasani, *EU Enlargement in the Western Balkans: Strategies of Borrowing and Inventing*, "Journal of Balkan and Near Eastern Studies" 2008, vol. 10(3).

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inclusiveness and fairness of the elections, though it retained challenges related to internal party democracy and limited voter influence over candidate selection.[13]

Despite its gains in representational fairness, Albania's current proportional representation system is not without limitations. Some scholars argue against the proportional electoral system, claiming that it has distorted democracy in Albania by favoring larger political parties and marginalizing smaller ones, thereby consolidating party leadership power and weakening democratic pluralism.[14] The article argues that the closed-list proportional system has often limited voters' ability to influence which individual candidates are ultimately elected, thereby weakening the direct connection between elected representatives and the electorate. Furthermore, the absence or limited effectiveness of electoral thresholds has, at certain periods, contributed to party fragmentation, making coalition formation more difficult and increasing political polarization within the Albanian political system.

The Albanian case also illustrates the positive effects of gender representation of the proportional electoral system combined with affirmative action for the less represented gender. With the adoption of gender quotas in the Electoral Code and placement mandates on party lists, women's parliamentary representation has increased over the last two decades. Nevertheless, recent UN Women assessments emphasize that, despite significant legal and institutional progress, women continue to face structural barriers to meaningful political participation, including persistent gender stereotypes, unequal access to political influence, and challenges within party structures that affect their effective representation and leadership opportunities.[15]

The 2024 constitutional and electoral reform, shifting from closed to partially open-list proportional representation, was a progressive change. It enabled voters greater influence on candidate selection within party lists, improving voter agency and accountability. While the shift from majoritarian to proportional systems in Albania has improved representation and legitimacy, persistent challenges related to party centralization, gender equity, and electoral integrity remain. The Albanian experience reinforces the broader scholarly consensus that no electoral system is inherently perfect, and that context-specific institutional design, legal safeguards, and democratic culture are crucial to electoral effectiveness.

[13] Organization for Security and Co-operation in Europe, *Republic of Albania Parliamentary Elections: Final Report*, Warsaw 2009, p. 12.

[14] A. Rakipi, *Albania Twenty Years After*, "Tirana Times" 2010.

[15] United Nations Albania, *Country Gender Equality Profile: Albania*, Tirana 2025.

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EMPIRICAL RESULTS: ELECTORAL PERFORMANCE IN ALBANIA AND INTERPRETATION

The empirical and comparative analysis of Albania's electoral development between 1991 and 2025 yields four central results that quantify the system's impact on voting rights and democratic participation.

Improved proportionality and reduction of wasted votes. The official results from the CEC of Albania demonstrate a marked enhancement in electoral fairness following the adoption of proportional representation in 2009. Under the majoritarian and mixed systems (1991–2005), wasted votes averaged 15–20%, reflecting the exclusionary effects of single-member districts and high thresholds. The transition to a regional proportional representation system in 2009 reduced wasted votes to 10.09%, and subsequent elections under this model saw further improvements, to 3.59% in 2013, 2.59% in 2017, and just 2.11% in 2025. This consistent decline confirms that proportional representation significantly increased vote-to-seat conversion efficiency, minimizing the democratic distortion inherent in majoritarian rules.

Declining voter turnout and political engagement. Despite these structural improvements, electoral participation declined sharply, from 89.1% in 1992 to approximately 46% in 2021.[16] Survey data attribute this to growing disillusionment with party-controlled candidate selection and limited voter agency under closed lists. According to the Western Balkans Democracy Initiative, youth disengagement is particularly pronounced: only 10% of citizens aged 18–30 report active involvement in political life.[17] This decline parallels findings in other post-communist societies where proportional systems failed to translate inclusion into participation, as P. Norris suggests for these societies.[18]

Persistent party dominance and elite control. The closed-list structure continues to consolidate power within major political parties, notably the Socialist Party and the Democratic Party. Empirical indicators, including limited candidate turnover and centralized list management, suggest that intra-party democracy remains minimal. The operation of the electoral system in Albania has often reinforced the influence of party elites over candidate selection and electoral competition, limiting opportunities for meaningful competition among candidates within party lists. Furthermore, this paper argues that electoral reforms adopted since 2008 have been driven primarily by negotiations among political elites rather than by broad-based

[16] Central Election Commission of Albania, *Zgjedhjet për Kuvendin 2021 – Rezultatet dhe Pjesëmarrja*, Tirana 2021.

[17] Western Balkans Democracy Initiative, *Young People and Politics in Albania*, Westminster 2019.

[18] P. Norris, *op. cit*.

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citizen participation. This dynamic has raised concerns regarding the inclusiveness, legitimacy, and democratic responsiveness of the electoral reform process.

Incremental gains through open-list reforms (2020–2025). The introduction of preferential voting in the 2020 Electoral Code amendments has begun to reverse these trends. Preliminary data from the 2025 elections indicate that open-list features modestly enhanced accountability, evidenced by the lowest recorded share of wasted votes (2.11%) and increased correlation between individual vote preferences and seat allocation.[19] Although limited, these changes mark a concrete improvement in electoral responsiveness.

Reduction of wasted votes, declining voter turnout, and party dominance. In summary, the data confirm a strong correlation between system design and representational equality, but a weaker connection between proportionality and participation. The Albanian experience emphasizes that quantitative improvements in vote efficiency must be complemented by qualitative reforms promoting voter trust, candidate accountability, and genuine electoral choice. Another critique pertains to the system's susceptibility to wasted votes. Votes that are cast for candidates who do not win in each constituency fail to influence the overall makeup of the legislature, thereby making them insignificant in terms of representation. G.B. Powell emphasizes that this phenomenon dissuades voter turnout and limits the breadth of democratic engagement, especially in secure districts where competition is scarce.[20]

Table 1 summarizes the "wasted votes"[21] in Albania's parliamentary elections from 1991 to 2005. Throughout this timeframe, a mixed electoral system was employed, primarily characterized by its majoritarian aspect (100 majoritarian seats + 40 proportional seats). The term "wasted votes" refers to the votes cast for parties or candidates that did not achieve representation on a national level, either due to their inability to secure a seat in a majoritarian district or their failure to surpass the national proportional threshold. This paper computes "wasted votes" as the sum of votes cast for parties/independents that did not obtain any parliamentary seat in that election (i.e., votes that did not produce a mandate). I use the official published results tables from the CEC of Albania.

Due to the regional nature of the electoral system, this paper methodologically calculates the wasted votes for each region and subsequently aggregates the national total from the twelve regional constituencies that constitute the Albanian electoral landscape. Political parties that have been able to guarantee a seat on a national level in any of the twelve electoral districts were excluded from the count of wasted

[19] Venice Commission, *Final 2024 Plenary: Key Opinions Adopted*, Strasbourg 2024.

[20] G.B. Powell, *Elections as Instruments of Democracy*, New Haven 2000.

[21] "Wasted votes" are votes for lists/parties/independents that finished the count with zero seats. I summed the vote counts shown in the official result tables for every party/list/independent that was assigned zero seats. This is a common operational definition for "wasted" in proportional representation systems.

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votes. Since the elections of 2009, Albania has been segmented into twelve multi-member electoral regions, which align precisely with the country's twelve administrative counties. Each region is responsible for electing a specific number of deputies to the Parliament, which consists of 140 members.

The allocation of seats for each region is proportional to its population, as established by the most recent census and revised prior to each election. Within each region, the total valid votes for parties are counted. Seats are distributed proportionally among parties using the d'Hondt method, a highest-average formula that slightly favors larger parties. The d'Hondt method is a mathematical formula used widely in proportional representation systems, although it leads to less proportional results than other systems for seat allocation such as the Hare–Niemeyer and Sainte-Laguë/Schepers methods.[22] Moreover, S. Kotanidis notes that the d'Hondt method tends to increase the advantage for the electoral lists that gain most votes to the detriment of those with fewer votes.[23] However, the scholar also notes that this system is effective in facilitating majority formation and thus in securing parliamentary operability. As a matter of fact, the d'Hondt method is used by sixteen EU Member States for the elections to the European Parliament.

It is more accurate and meaningful to calculate wasted votes in Albania at the regional level and then aggregate the national total because the country's electoral system operates on a regional proportional representation model, where parliamentary mandates are allocated separately within each of the twelve multi-member constituencies corresponding to the country's administrative regions. In this system, the d'Hondt formula is applied independently in each region to distribute seats according to the votes cast there, without any national-level seat correction or redistribution.

As a result, a vote's effectiveness or "wastage" depends entirely on its influence within the boundaries of its own region. For example, votes cast for smaller parties that fail to meet the effective threshold in one constituency are wasted in that region, even if the same party gains substantial support elsewhere.

Calculating wasted votes regionally allows this paper to capture localized disparities in electoral competitiveness, district magnitude, and political fragmentation, all of which shape how proportionally votes in Albania are converted into seats. Only by summing these regional results can one obtain a realistic national figure that accurately reflects the functioning and representational efficiency of Albania's regional proportional system.

[22] S. Kotanidis, *Understanding the d'Hondt Method: Allocation of Seats in the European Parliament*, Brussels 2019.

[23] *Ibidem*, p. 5.

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For each parliamentary election year 2009, 2013, 2017, 2021, and 2025, I have computed wasted votes per county (twelve electoral constituencies) and summed them to a national wasted-vote total.

Table 1. Wasted votes in Albanian parliamentary elections, 1991–2005

Election year	Electoral system	Wasted votes (% of total votes)
1991	majoritarian (two-round system)	~15–18
1992	mixed (100 majoritarian + 40 proportional)	~10–12
1996	mixed (115 majoritarian + 25 proportional)	~20–25
1997	mixed (100 majoritarian + 40 proportional)	~12–15
2001	mixed (100 majoritarian + 40 proportional)	~17–20
2005	mixed (100 majoritarian + 40 proportional)	~13–15

Source: Central Election Commission of Albania.

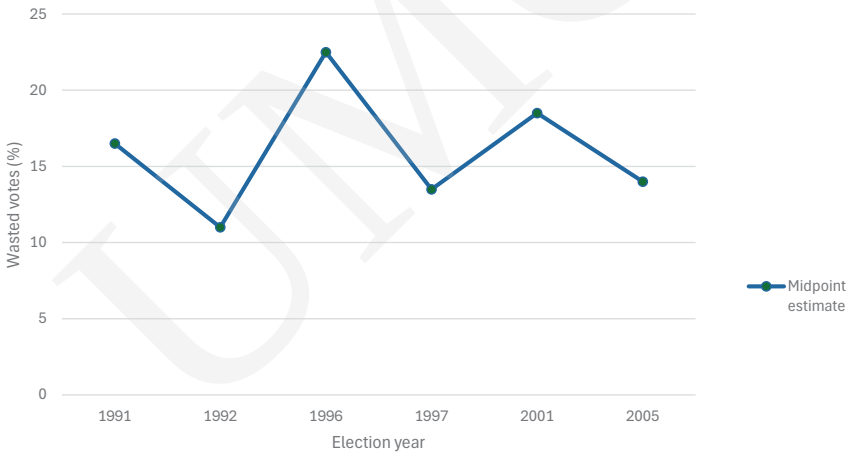


Figure 1. Estimated wasted votes in Albanian Parliamentary Elections, 1991–2005 (%)

Source: Central Election Commission of Albania.

Table 2 presents the concept of "wasted votes" in Albania's parliamentary elections, from 2009, when the proportional electoral system was first implemented, to the most recent parliamentary elections in 2025.

Table 2. Data on wasted votes, 2009–2025

Election year	Total number of valid votes	Number of wasted votes	Percentage of wasted votes
2009	1,367,347	138,081	10.09
2013	1,760,162	63,281	3.595
2017	1,576,373	40,915	2.59
2021	1,661,176	127,842	7.69
2025	1,607,347	34,051	2.11

Source: Central Election Commission of Albania.

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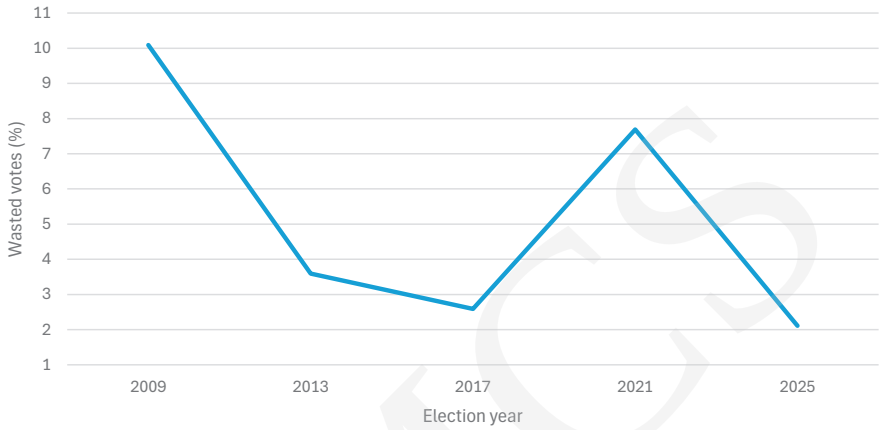


Figure 2. Percentage of wasted votes over elections (2009–2025)

Source: Central Election Commission of Albania.

DISCUSSION

The findings of this study suggest that the relationship between electoral system design, democratic legitimacy, and political participation is more complex than a simple cause-and-effect model. Although the introduction of proportional representation substantially reduced wasted votes and improved representational fairness, the available evidence does not demonstrate that electoral system design alone determines voter turnout or public trust in democratic institutions. Rather, the Albanian experience indicates that electoral rules interact with broader political, institutional, and informational factors that collectively shape democratic participation.

One of these factors is the increasing importance of digital political communication. The expansion of social media platforms has transformed electoral competition throughout Europe, including Albania. In an environment characterized by misinformation, disinformation, and political polarization, citizens often evaluate political institutions through highly fragmented information channels. The evidence presented in this study suggests that the closed-list proportional system may reinforce perceptions of distance between voters and elected representatives because citizens possess limited influence over candidate selection. However, the findings support an associative rather than strictly causal relationship. Declining turnout and reduced confidence in political institutions are also influenced by economic conditions, government performance, corruption perceptions, and broader levels of institutional trust.

A comparative perspective further strengthens this conclusion. Kosovo, North Macedonia, and Montenegro all employ proportional electoral systems but incorporate stronger preferential voting mechanisms than Albania does. In Kosovo, voters

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may express preferences for individual candidates within party lists, creating greater incentives for candidate accountability. North Macedonia similarly combines proportional representation with opportunities for stronger voter influence over political representation. Montenegro has also undertaken reforms designed to improve electoral competitiveness and transparency. Although these countries face many of the same challenges as Albania, including political polarization and concerns regarding democratic governance, their experiences suggest that proportional representation can coexist with greater voter influence when candidate selection is less centralized.

The principal lesson for Albania is therefore not the abandonment of proportional representation but the strengthening of voter influence within proportional frameworks. Comparative evidence suggests that open-list systems may improve perceptions of accountability by allowing citizens to participate not only in the selection of parties but also in the selection of individual representatives. Albania's partial open-list reform introduced in 2020 represents a step in this direction, although the continued dominance of party leaderships over candidate ranking limits the full realization of this objective.

The findings also have important constitutional and legal implications. Article 45 of the Constitution of Albania guarantees citizens the right to elect and be elected through free, equal, and periodic elections. While proportional representation has enhanced equality of representation by reducing wasted votes, the constitutional principle of effective political participation requires more than the formal counting of votes. Democratic representation also requires meaningful opportunities for citizens to influence political outcomes and hold elected officials accountable.

This issue is closely connected to party-list regulation and internal party democracy. The Electoral Code grants political parties significant discretion in determining candidate rankings and nominations. Consequently, party leaderships exercise considerable influence over which candidates ultimately obtain parliamentary mandates. The Venice Commission and OSCE/ODIHR have repeatedly emphasized the importance of transparency, inclusiveness, and democratic procedures within political parties as essential components of electoral integrity. European standards on free and fair elections extend beyond election-day administration and encompass broader principles of political competition, equal opportunity, accountability, and voter choice.

From this perspective, the Albanian case demonstrates that electoral reform should be evaluated not only according to representational outcomes but also according to its impact on democratic responsiveness. Future reforms could further strengthen preferential voting mechanisms, enhance transparency in candidate selection, and promote internal party democracy. Such measures would be consistent with constitutional guarantees of political participation and with European democratic standards developed by the Council of Europe, the Venice Commission, and the OSCE/ODIHR.

Ultimately, the evidence suggests that proportional representation has substantially improved electoral fairness in Albania. However, strengthening democratic legiti-

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macy requires complementary reforms aimed at increasing voter influence, enhancing accountability, and ensuring that citizens perceive a meaningful connection between their vote and the representatives who exercise political power on their behalf.

CONCLUSIONS

The findings of this study provide a comprehensive answer to the central research questions concerning the relationship between electoral system design, the effective exercise of the right to vote, and democratic legitimacy in Albania between 1991 and 2025. The empirical evidence demonstrates that the transition from majoritarian and mixed electoral systems to proportional representation substantially improved representational equality. Wasted votes declined significantly, proportionality increased, and opportunities for the representation of women and smaller political actors expanded. Consequently, the first research question can be answered affirmatively: electoral system design has had a direct and measurable impact on the effectiveness of electoral representation in Albania.

At the same time, the research demonstrates that improvements in representational efficiency have not automatically strengthened democratic participation or public trust. Voter turnout has steadily declined, confidence in political parties remains limited, and public perceptions of political accountability continue to be affected by increasing polarization and digital information disorder. The second research question is therefore answered by concluding that institutional fairness alone is insufficient to secure democratic legitimacy. Electoral systems may improve the translation of votes into seats, but they cannot independently guarantee citizens' trust in democratic institutions.

From a legal perspective, these findings must be understood within the framework of the constitutional guarantee of the right to vote contained in Article 45 of the Constitution of Albania. The right to vote is not limited to the formal act of casting a ballot; it also requires that citizens possess a meaningful opportunity to influence political representation. The persistence of predominantly closed party lists has restricted voter influence over candidate selection and has concentrated significant decision-making authority within party leadership structures. As a result, the practical effectiveness of the constitutional right to vote may be diminished even where electoral procedures satisfy formal standards of legality.

The study further demonstrates that electoral law reform cannot be assessed solely through measures of proportionality or electoral administration. Party-list regulation and internal party democracy are equally important components of electoral rights protection. When candidate selection remains opaque and highly centralized, voters are deprived of meaningful influence over who ultimately represents them. The findings therefore suggest that strengthening internal party democracy,

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increasing transparency in candidate nomination procedures, and expanding voter choice through more open-list mechanisms would better align electoral practice with constitutional principles of political participation and representative accountability.

The analysis also confirms the relevance of European standards governing free and fair elections. Principles developed through the jurisprudence of the European Court of Human Rights, recommendations of the Venice Commission, and OSCE/ODIHR electoral standards emphasize not only procedural integrity but also genuine political competition, voter choice, transparency, and equal opportunities for participation. While Albania has achieved substantial progress in improving proportional representation and reducing wasted votes, further reforms are necessary to ensure full compliance with these broader democratic standards.

The 2020–2025 reforms introducing partially open lists represent an important step in this direction. The available evidence suggests that greater voter influence over candidate selection may strengthen accountability and improve citizens' perceptions of political responsiveness. Comparative experiences from Kosovo and North Macedonia further support the conclusion that more open electoral arrangements can coexist with proportional representation while fostering stronger links between voters and elected representatives. Future electoral reforms should therefore focus not only on preserving proportionality but also on enhancing voter agency and strengthening mechanisms of political accountability.

The principal contribution of this article to legal science lies in demonstrating that electoral systems should be analyzed not merely as technical mechanisms for allocating seats but as legal institutions that directly shape the realization of constitutional voting rights. By combining doctrinal legal analysis with empirical electoral data, the study contributes to a deeper understanding of how electoral design influences the substantive effectiveness of democratic rights. It further highlights the importance of examining electoral law, party regulation, and information environments as interconnected elements of constitutional democracy.

Ultimately, the Albanian experience demonstrates that democratic resilience depends upon both institutional fairness and meaningful political participation. The reduction of wasted votes from approximately 25% in the mid-1990s to just above 2% in 2025 represents a significant achievement of electoral reform. Nevertheless, declining participation and continuing concerns regarding accountability indicate that electoral legitimacy requires more than proportional representation alone. The long-term protection of the constitutional right to vote will depend upon continued electoral reform, stronger internal party democracy, greater transparency in candidate selection, and sustained adherence to European standards of free and fair elections. In this respect, the study confirms that the future development of Albanian electoral law must focus not only on how votes are counted, but also on how citizens are empowered to shape political representation in a meaningful and effective manner.

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ABSTRAKT

W artykule przeprowadzono analizę związku między ukształtowaniem systemu wyborczego, rzeczywistym wykonywaniem prawa do głosowania oraz legitymacją demokratyczną w Albanii w latach 1991–2025. Po upadku komunizmu Albania stopniowo przebudowywała swój system wyborczy, czego zwieńczeniem było przyjęcie w 2009 r. regionalnego systemu proporcjonalnego opartego na zamkniętych listach wyborczych. Z jednej strony reformy te w istotny sposób ograniczyły dysproporcjonalność i liczbę głosów zmarnowanych, wzmocniły reprezentację kobiet oraz dostosowały reguły wyborcze do standardów europejskich, poprawiając zarazem równość reprezentacji. Z drugiej strony obniżyła się frekwencja wyborcza, zaufanie do partii politycznych i parlamentu pozostawało ograniczone, a wątpliwości dotyczące odpowiedzialności politycznej utrzymywały się w warunkach coraz bardziej rozdrobnionego cyfrowego środowiska informacyjnego. W artykule zastosowano metody właściwe dla nauk prawnych oraz metody empiryczne, łączące teorię systemów wyborczych, zasady konstytucyjne i koncepcje legitymacji demokratycznej. Prześledzono ewolucję albańskiego prawa wyborczego, przeanalizowano tendencje w zakresie dysproporcjonalności i frekwencji, a także dokonano systematycznego porównania Albanii z Kosowem, Macedonią Północną i Czarnogórą w celu wskazania wniosków dotyczących głosowania preferencyjnego, wpływu wyborców oraz odpowiedzialności politycznej w ramach systemów proporcjonalnych. Wyniki badań wykazały, że poprawa uczciwości wyborów sama w sobie nie wystarcza do zapewnienia legitymacji demokratycznej, a system proporcjonalny oparty na zamkniętych listach może utrwalać poczucie dystansu między wyborcami a przedstawicielami w środowisku coraz silniej dotkniętym cyfrowym nieładem informacyjnym. W artykule postawiono tezę, że systemy wyborcze należy rozumieć nie tylko jako mechanizmy podziału mandatów, lecz również jako instytucje prawne kształtujące materialne urzeczywistnienie konstytucyjnego prawa do głosowania, zwracając uwagę na to, że w pełni otwarte listy kandydatów, wzmocnienie możliwości wyboru przez wyborców, wewnątrzpartyjna demokracja oraz przejrzyste procedury selekcji kandydatów mogą skuteczniej dostosować albańskie prawo wyborcze do europejskich standardów wolnych i uczciwych wyborów.

Słowa kluczowe: systemy wyborcze; prawo do głosowania; legitymacja demokratyczna; system proporcjonalny; demokracja wewnątrzpartyjna; Albania