

UNEQUAL SOCIAL JUSTICE BETWEEN COMMUNIST LEGACY AND VULNERABLE DEMOCRACY

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Abstract. *In Albania, communism was established after Bolshevik model before the end of Second World War. From its foundation to its fall, thousands of Albanians were killed, imprisoned, and politically persecuted as they opposed the dictatorial ideology within it. The regime's collapse posed the challenge of the transitional justice' implementation, to repair social disbalance legacy. After thirty years, no persecutor was punished, no regrets, no forgiveness is made. The extended period of vulnerable democracy lacked historical truth. Indeed, the most serious risks are the time passing-by and the restoration of social justice coming over. The article reveals the education's role to overcome social division, in post-communist particular context, where other means of transitional justice have failed. Research through a local historical narrative, intertwined with sociology theories, highlights the double decisive role of education in presenting the past and healing of wounds, thus addressing the discrepancies towards social repair. A fragile democracy, built upon the ruins of communism, serves as a case study of how social equality can be fostered through education, thus influencing the international paradigm of social justice.*

Keywords: *Social inequality, social justice, communist crimes, education process, transitional justice, social repair.*

1. INTRODUCTION

The communist regime in southern Europe was established in a particular historical context (Ekiert & Hanson, 2003). The Second World War found in Albania a rural country, without schools, governance and in extreme poverty. Against such a background, bolshevism (Xhaferri, 2024) as a theory and dogma were supported by many people, who made this ideology the banner of their war against Nazism and fascism (Lambourne, 2014). This sociological background paved the way for installing a new governing system, apparently proclaimed as a social, but in reality, a dictatorial one (Këllici, 2020). With the end of war, the People's Republic of Albania came into power, and beyond the political denomination, the core of politics was one and only form of mono-party ruling system (Kaba, 2020). The Constitution of 1946 was established in support of this state political ideology, enshrining the system of leadership, by applying the death penalty for people committing political opposition, agitation and propaganda, or escaping from state borders; closure of churches and mosques (Bezati, 2019); as well as the suppression of private property by returning all property to the state as a sole owner (Fischer, 2010).

Thus, a totalitarian political system was set up, which blocked the movement out of the country, killed the nation's intellectuals, the elites, the clergy, and filled prisons with dissidents and opponents of the system. This situation lasted for almost forty-six

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years, and certainly, the pressure and reprisals against opponents, at best, ended in life imprisonment (Meta & Frashëri, 2018), at worst, with murdering. This situation came to be unchanged, until the fall of Berlin Wall, a moment that signed the break of communist totalitarianism, built in Eastern Europe (Brown, 2015). The day after, many persecuted people closed in camps like Nazi's lager, were set free, without families, homes and properties. Albania was found in the crossroad with a split population politically and ideologically, with the only common ground of starvation from long poverty the communism had carried out. Social inclusion, which would have been possible through transitional justice, to rejoin persecuted with the rest who didn't experienced perpetration out of camps, never came. This process has been impossible, because of a strong legacy with the past and the disruption of a fragile democracy, conditioned by many internal and external factors such as economic and institutional transition, ignorance, concealment of truth, manipulation of history, political influence or interference, and people negligence.

As Erich Fromm mentions in "The Anatomy of Human Destructiveness" everything must be seen in the context of the place and time where facts develop (Fromm, 1973). The Albanian case constitutes an ad hoc paradigm in the theory of transitional justice, because violence and ideological persecution took place in the context of an internal hegemonic conflict.

Indeed, the culture of non-impunity of the past seem to be radicalized, and punishment of the past risks being distrusted, as a way to restorative justice (Subotic, 2013), thus the country has a present-day social division. Albania's experience reveals the dysfunction of the former persecuted class inclusion, through the legal and institutional means of transitional justice, in the context of a post-communist country (Mëhilli, 2021). The only means that still encourages the telling of the truth and reconciliation, so far, is the education. Therefore, the story of almost thirty years of break with the past, has shown that even history could be manipulated, in the transition countries. The two-opponent ruling political parties, which appoint even the simplest history teacher in a village, have influenced to a deeper discrepancy to the social division. There is no unification of school's program regarding the last German' soldier, who left Albania at the end of World War II, either November 28th or 29th, 1944 (Austin & Ellison, 2008).

This reality may sound ridiculous and unbelievable, but it comes as testimony of a wrinkled mentality, and where the issue of reconciliation with the past, seems to leave neither a trace, nor an interest (Austin R. C., 2015). This conclusion comes after a cross-sectional survey included in the methodology, conducted with young students on how they know the communist-past (1945-1991), their views on the regime's political system, elections, freedoms and dissident repression. It analyzes the students' knowledge, perceptions, attitudes, and addresses a gap in understanding young Albanians' engagement with the historical legacy and truth. These outcomes are analyzed under a double perspective that education enhances simultaneously and directly to the social justice process. On one side, it shows that manipulation of curricula, due to political pressure, has created disinformation, influencing a negligence that taken along with other factors, has made-up an insensitive society towards the persecuted history and exclusion.

By analyzing the factors of long-term social harm, where other means of transformation have failed to be implemented in the vulnerable democracy of a small country in the East Europe (Hansen, 2017), the research seeks to undergo the process of social equality through the lens of education. So far, the later constitutes *extrema ratio* for saving the collective memory, for telling the truth and raising awareness over

misunderstandings or misinterpretations. The only pillar where hope remains pending, is that conflicts of the past could be told and make people sensitize, through the process of education (Hysa, 2021). It requires restoring the strength of reason and belief in people, especially the young generation, to make them have an authentic idea and to not get influenced by either family or politics. From the other perspective, education still remains the tool to foster critical engagement with Albania's communist past, and to build bridges of dialogue for reconciliation, thus making social justice functional.

2. LITERATURE REVIEW

2.1. Social justice

The first political uprisings in '45 did not start from nothing, but were a continuum of an ideological conflict between the left and the right since Liberation War (Szczzerbiak, 2015). The crimes of communists (Fischer, 1999) began with the murder of clerics of different faiths and sects (Dervishi, 2016), and ended in 1967 with the official closure of churches and mosques and the prohibition of acceptance and practice of religions. The word God was forbidden (;) (Bezati, 2019). When communism fall in the early 1990s in all countries of the socialist camp, according to data from the Institute for the Integration of Former Politically Persecuted Persons, a total of 42.772 individuals, including their families and relatives, were either shot, imprisoned, died in prison, or were persecuted in camps (Institute for the Integration of Former Politically Persecuted, 2025). So far, in the post-communist countries, the transitional justice aims to put the social equality, by considering it from a threefold perspective: the persecutor-victim relationship; the state-persecuted class relationship and the society-communist crimes-rehabilitation relationship of the persecuted class (Fraser, 2003).

John Rawls (Rawls, 1971), in his conceptualization of social justice, defines it as a functional normative order that guarantees the equitable distribution of fundamental freedoms and opportunities. Functional democracy after the fall of a totalitarian regime requires, through transitional justice mechanisms, the inclusion of society and institutions in a three-factorial process: recognition of the past, adaptation of new institutions to the multi-party regime and market economy, and above all, the transformation of the inherited social culture, in the sense of moral punishment and ideological separation from the past (Teitel R. G., 2000). In the Albanian context, this mechanism has only partially functioned, due to an ambivalent social approach between the unwavering communist legacy and a vulnerable democracy (Elbasani, 2009).

The concept of social justice has a long theoretical history and the attempt to enter this debate, aims to place the specific case within it, with the aim of expanding the social justice debate. Also related to this conception are the approaches of Iris Marion Young (Young, 2002), and Axel Honneth (Honneth, 1995), who see social justice as a process of uprooting social differentiation and domination, through the creation of relationships of mutual recognition and respect. The experience deriving from post-communist countries, learns that the means of transitional justice, in their particular context, are not all functional. The judicial and institutional approaches seem to be far from reaching a social reparation.

In the context of dictatorial countries, social injustice was created and institutionalized through the war of classes, which produced a harsh climate of disruption and hostility within society. It concurrently served as a means of manipulation for some part of the population and as an instrument of repression toward the remaining part (Kymlicka, 1995). Amartya Sen (Sen, 1992) and Martha Nussbaum (Nussbaum, 2011)

shift the emphasis to justice as the capacity that individuals have to build a life they value as worthy of living. The vulnerable democracy followed, was characterized by a distracted attention to the crimes of communism: on one hand the installation of a harsh market economy and on the other hand, the continuation of the logic of social exclusion, now moving on, in the opposite direction (Arendt, 1951).

This situation in the post-communist transitions has remained “in-between” the past heritage and political culture being negligent toward it (Offe, 2004). Accordingly, the politically persecuted, remained marginalized between the lack of social sensitization and lack of knowledge, remorse or asking for institutional forgiveness. In the meantime, Will Kymlicka (Kymlicka, 2008) and David Miller (Miller, 1999) emphasize the active role of state in guarantying the equality through the consolidated politics of social inclusion (Young, 1990). The case of smal seems to represents, rather what Guillermo O'Donnell (O'Donnell, 1998) has called “accountability gap” (Stan & Scheppele, 2015). In summary, after so many decades, the mechanisms of transitional justice have no positive probability of being implemented (Amy, 2010), excluding the role of education.

The later, not because it has had or continues to have a positive trend, on the contrary, but being the process itself undated and timeless, there is always the possibility of being used in favor of collective memory. Therefore, education enriches the debate, with experiences on how it can deal with the reasons of either social justice or social injustice. The research in fact, is conceived to treat the education pillar, extended over two perspectives. In one aspect, and based on concrete facts, it highlights the dysfunction and also the manipulation that can be done to society, using history, both as a tool of education and knowledge. And in fact, this has happened in Albania for three decades after communism (Beyme, 1996).

From the second perspective, it suggests strategies that can be considered to maintain and use education as the unique mechanism, in a delayed terrain for recognizing and confessing the truth. In the light of concepts of Young and Honneth (Honneth, 1995) the case of Albania represents the typology of states which have created structural barriers of recognition and reconciliation with the past, deepening social inequality in the sense of social restorative justice (O'Donnell, 1998). The possibility to tell the truth through education could be at any time, thus making it the only means of healing the wounds of the past, reconciliation and establishing social equity culture. The only task within it should be the one to learn about the past, without ideological and political influence, as it was really in the socio-political and historical context of the time when it occurred.

2.2. Education between the social justice and transitional justice

Education has a key role, along with other factors of transitional justice. Its role is threefold: firstly, as an indicator of truth about the communist past; secondly, as a preventive tool against the repetition of repressive experiences of the past; and thirdly, as an instrument of social equality, built on reconciliation between victims, on one hand, and persecutors, state and population, on the other hand (Teitel R. G., 2000). According to Pablo de Greiff (Greiff, 2012), education - especially in the Albanian context - represents the only instrument that can sustainably link transitional justice with social justice (Greiff, 2009). Within it, and also beyond in other post-communist countries, education has not only remained the main means of hope for the realization of transitional justice, but by its very nature, also remains the most functional mechanism for *conflict resolution* and *reconciliation*, acting as a form of social repair.

As noted below, in Albania this function has not worked properly. Teachers are often unprepared, due to the lack of a consolidated curriculum over the communist past, while ongoing political influence has directly interfered with the interpretation of historical events (Hayner, 2010). This educational vacuum, which will be demonstrated through the *survey* presented below, constitutes a significant indicator, among others, of why transitional justice has not functioned effectively in Albania. As a result, a deep political polarization regarding the past continues to exist, while the lack of social reconciliation has significantly weakened trust in state institutions (Elbasani, 2018). This reality has direct repercussions on the unequal treatment of former political prisoners.

Therefore, transitional justice has failed to establish the foundations of a restorative social justice, where partial compensation or the delayed opening of files, already manipulated, no longer guarantee real dignity and equality (Godole, 2015). On the other hand, this educational vacuum prevents the development of civic competences to understand, judge and react to social injustices. Education must effectively ensure ideological neutrality and critical functionality, because generations that grow up with distorted historical narratives, construct distorted forms of social justice (Davies, 2004).

In this sense, it aims to increase social cohesion, by making the sufferings of the persecuted part of the collective memory, as well as by restoring the dignity of victims through truth-telling in public discourse. Thus, it directly contributes to the construction of social justice, by analyzing social divisions, explaining their causes and promoting reconciliation processes, even minimally through symbolic forms such as a *public pardon* (Greiff, 2006). Education should ensure *equal opportunities* to understand the past, as a society where generations grow up with incorrect interpretations, cannot build righteous institutions in the future.

3. SURVEY AND METHODOLOGY

The idea of creating and using this survey was to understand what students know about communist crimes and the transitional justice role. The results showed a confuse and weak understanding of both arguments, reason for which, it was constructed this theoretical debate over the correlation between education and transitional justice. For this purpose, the study used a quantitative, cross-sectional survey design to capture a snapshot of Epoka University students' knowledge and perceptions of the communist period in Albania, as well as their views on transitional justice. This design was chosen for its efficiency in gathering data from a relatively large sample (n=230). The research addresses an evident gap in the existing Albanian scholarly literature, where limited research exists on university students' understanding of the communist period and their perspectives on transitional justice (Creswell, 2012).

However, given the study's exploratory purpose, this limitation is not considered significant to prevent its primary aim of providing preliminary insights into students' perceptions. Also, in order to have a more coherent and correct conception, this survey has been taken in a comparative perspective with the data of another survey conducted among a large number of Albanian citizens, about 1200 people, used in the framework of a book on transitional justice by another researcher (Stasa, 2025). The purpose of the comparison was to reveal communalities and differences, in order to make the present research out of any subjective influence. The intersection of both surveys over the lack of school programs, politicization of transitional justice, so far demanding the need to use education, as a means for social justice.

4. DATA COLLECTION AND EXTENT OF KNOWLEDGE ABOUT THE COMMUNIST PERIOD

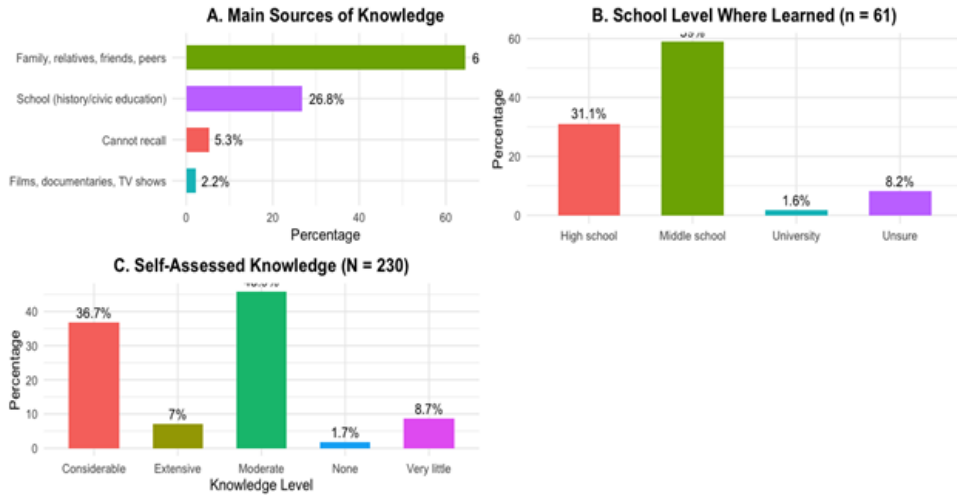
Data was collected in April 2025 via KoboToolbox, a digital platform for data collection. The link was shared electronically among students, and participation was voluntary, with informed consent obtained prior to survey completion to ensure participants understand the study’s purpose and their rights. To adhere to research standards, responses were collected anonymously to maintain confidentiality. A total of 230 complete responses were obtained. Data was exported from KoboToolbox, then cleaned to remove inconsistencies, and analyzed using SPSS. Descriptive statistics (frequencies and percentages) were used to explore participants’ profiles and knowledge sources, and various insights on the importance of addressing the topics under study. On the other hand, Mean and Standard Deviation were used to explore perceptions and attitudes of the constructs under investigation. Inferential analysis was beyond this study’s scope but is recommended for future studies building upon these exploratory findings.

Figure 1. Participants’ Demographic Profile (N = 230)

Variable	Category	Frequency (n)	Percent (%)
Gender	Female	130	62.2
	Male	74	35.4
	Not disclosed	5	2.4
Age group	18-25 years	215	93.9
Region	Central Albania	111	48.3
	Northern Albania	52	22.6
	Southern Albania	44	19.1
Political preference	No preference	96	41.8
	Right-wing	48	20.9
	Prefer not to say	48	20.9

Source: Author’s survey

Data presented in Figure.2 suggest that surveyed students’ knowledge of the communist period primarily comes from informal sources, reporting learning about the regime through family members, relatives, friends, or peers, compared to a small number through school (history or civic education classes). A smaller proportion learned via films, documentaries, or TV shows, while the lowest percentage could not recall their source of information. Among those who learned about the regime through school, many recall receiving this information in middle school, and the rest at other lower levels. When asked to assess their knowledge of the communist regime, students reported different levels and these findings suggest that informal education predominantly shapes students’ understanding, with formal education playing a secondary role, often at earlier school levels.

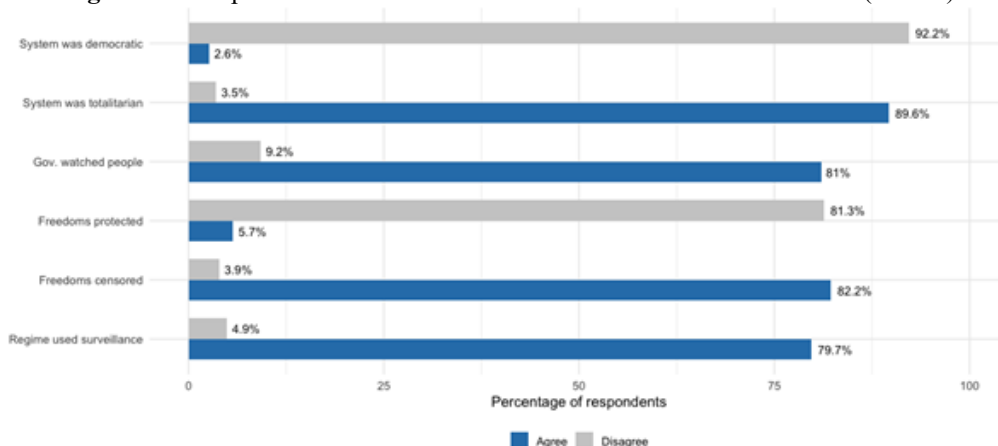
Figure 2. Sources and Self-Assessed Knowledge about the Communist Regime

Source: Author's Survey

Perception of the past and restrictions on individual freedoms

The views and perceptions on the nature of Albania's political system under communism, were assessed through the construct 'Perception of communism among the young generation'. The overall construct yielded a high mean score, suggesting that students generally believed that personal freedoms were heavily limited during the regime, as shown in Figure 3. As per the results of each item, data show that the statement "Freedom of speech, thought, and press were protected and legally guaranteed during the communist regime", suggesting that most students do not believe these freedoms, were protected under the regime.

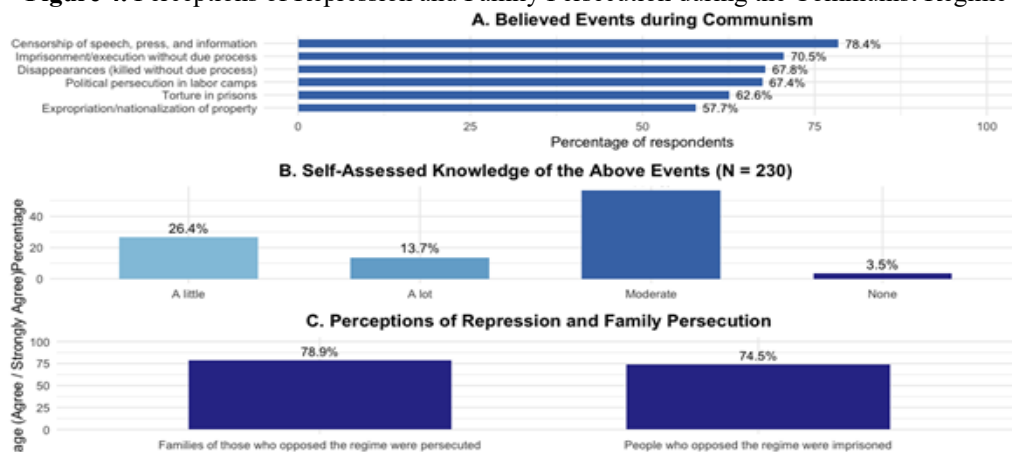
For the statement "During the communist time in Albania, the government watched people to stop them from speaking freely", these findings show that most of the surveyed students believe that the communist regime imposed significant restrictions on individual freedoms, particularly through censorship and surveillance. The low mean score for protected freedoms and high mean scores for censorship and surveillance support this perception. However, the small percentage of students who believed freedoms were protected, highlights a need for better education or awareness efforts to help clarify what really happened during that time.

Figure 3. Perceptions of the Past and Restrictions on Individual Freedoms (N=230)

Source: Author's Survey

Perceptions of repression and family persecution during communist regime

The results illustrated in Figure 1, show that they believed censorship of speech, press, and information occurred, followed by imprisonment or execution of regime opponents without due legal process. Additionally, they acknowledged the disappearance of individuals killed without due legal process, also recognized political persecution in forced labor camps, noted torture in prisons and believed expropriation and nationalization of private property, took place. These findings suggest that students believe severe human rights violations were widespread during this period, indicating strong awareness of the regime's authoritarian practices.

Figure 4. Perceptions of Repression and Family Persecution during the Communist Regime

Source: Author's Survey

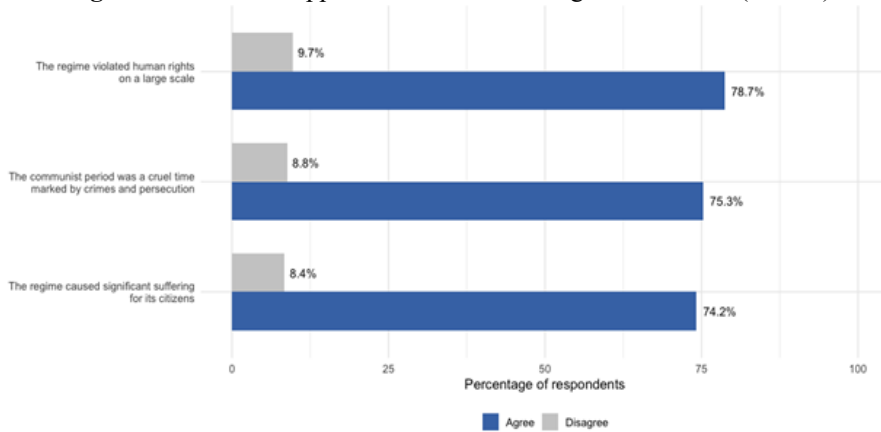
Even though these findings suggest that more than half of the students believe they have a moderate understanding, it is important to interpret this carefully, since it is a self-assessment, which may not always reflect their actual level of understanding. Nonetheless, the group of students-nearly 30 percent, who reported limited or no knowledge points, again points to a notable gap in awareness, highlighting areas where

further educational efforts may be needed. Students' perceptions of repression and persecution during communist regime were assessed through two statements (Figure.4). The statement "People who opposed the regime were imprisoned" and the statement "Families of those who opposed the regime were politically persecuted".

Perceived oppression and human rights violations

Students' perceptions of oppression and human rights violations were assessed through the construct "Perceived oppression and human rights violations during the communist period", composed of four items. The overall score indicated a strong perception of oppression and violations. This finding suggests that students strongly perceive the communist period as oppressive, with a construct mean of 3.17 (SD = 1.08), and 74.2 percent to 78.7 percent agreeing or strongly agreeing across statements that the regime was cruel, caused significant suffering, and violated human rights on a large scale.

Figure 5. Perceived Oppression and Human Rights Violations (N=230)

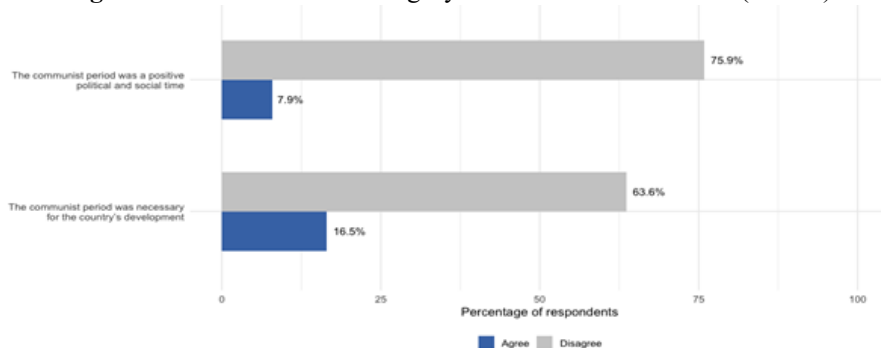


Source: Author's Survey

Perceived positive legacy of the communist period

Students' perceptions of the positive legacy of Albania's communist period were assessed through the construct "Perceived positive legacy of the communist period". The overall construct indicated a generally negative perception of the regime's legacy.

Figure 6. Perceived Positive Legacy of the Communist Period (N=230)



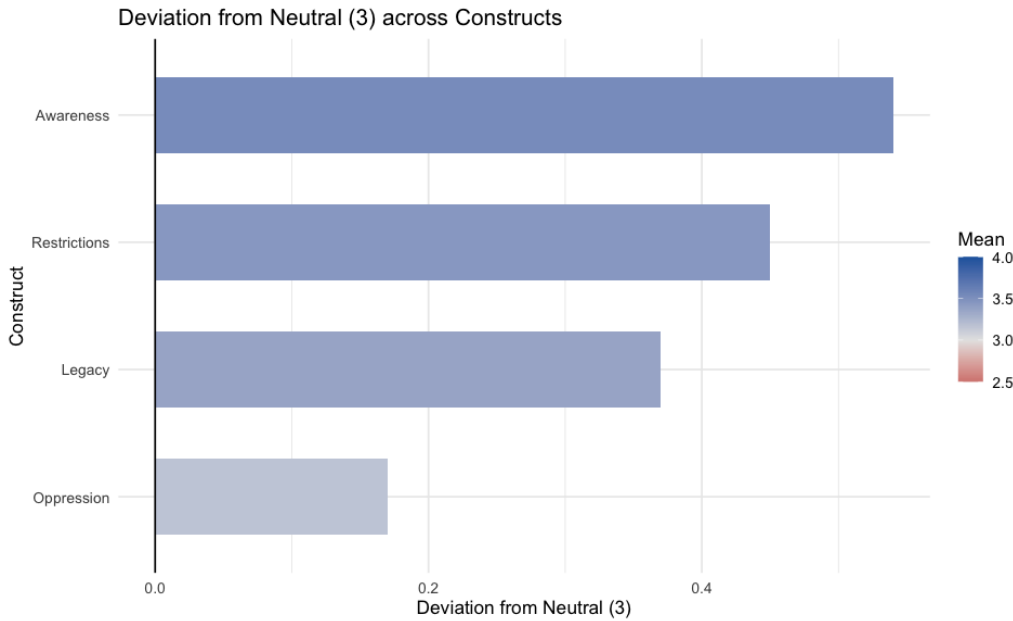
Source: Author's Survey

Perceived importance of addressing crimes from the communist regime

When asked how important it is to address the crimes committed during communist period, the majority of students expressed a clear sense of moral and civic urgency. Over seventy percent (70.6%) of respondents ($n = 161$) considered this process *very important*, while 17.1 percent ($n = 39$) found it *somewhat important*. Only a small fraction viewed it as less relevant: 6.6 percent ($n = 15$) deemed it *not very important*, 2.2 percent ($n = 5$) considered it *not important at all*, and 3.5 percent ($n = 8$) were *unsure*. The overall findings point toward four recurring patterns shaping students’ understanding of transitional justice:

- *Superficial and contradictory knowledge of communism’s crimes, suggesting fragmented historical awareness.*
- *Reliance on subjective, family-based narratives as primary information sources.*
- *Absence of structured educational programs in the communist period across school levels; and*
- *Lack of an institutional curriculum or pedagogical framework dedicated to studying the past and introducing reconciliation strategies for younger generations.*

Figure 7. Deviation from Neutral (3) across Constructs.



Source: Author’s Survey

Perceived concept of transitional justice and the level of education

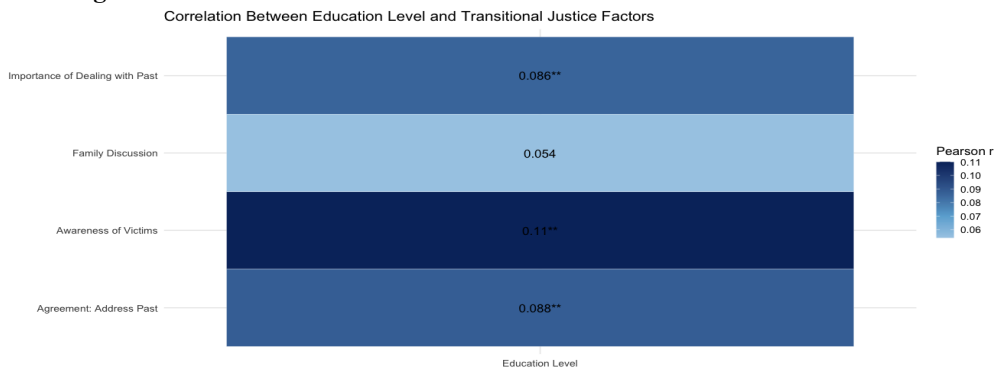
Through this analysis, there can be significant differences between respondents of different levels of education and their awareness of the number of victims of the communist regime in Albania, whether Albania should address the past, how important they consider this process, and whether they have any communication with the family about communist past. The analysis was performed through a one-way statistical test.

Perceived level of education and other factors

Source: Author's Survey

Through correlation analysis, the author measured the relationship between the level of education of the 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 Transitional Justice that Albania should address the communist past”? etc. In this case, the Pearson correlation was applied, where, according to the results, a significant correlation was found in almost all cases between the education level and the questions.

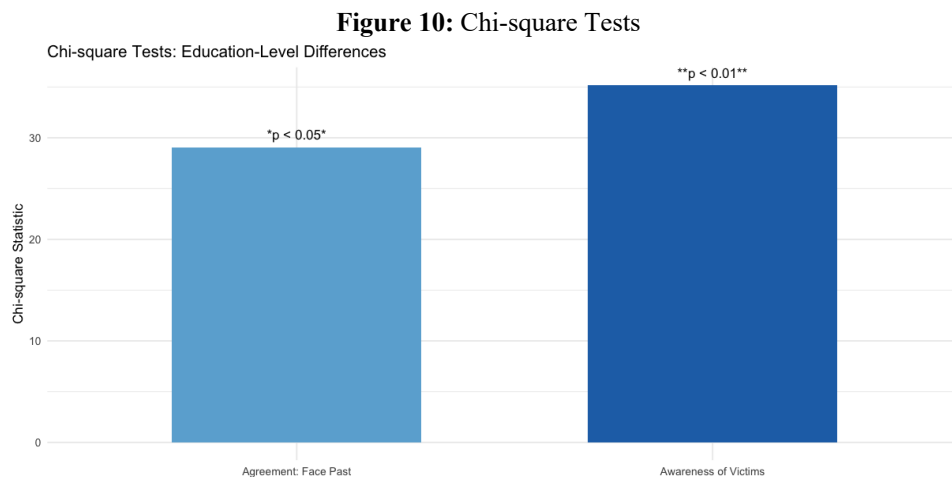
Figure 9: Correlation between Education Level and Transitional Justice Factors



Source: Author's Survey

The questions correlate with education level. Are you aware of the number of victims during communist regime in Albania? For questions like: “Are you aware of the number of victims during communist regime in Albania?” and “Do you agree, in your understanding of transitional justice, that Albania dealt with the communist past?” In the first question, the difference is significant between respondents holding a Master’s Degree, who have reported having more information on the number of victims, and respondents belonging to other levels of education. Chi-square = 35.189, P value = 0.004. In the second question, the results show that respondents with Bachelor’s

and Master's Degrees are more likely to report they agree that Albania should face its communist past. Chi-square = 29.065, P value = 0.024



Source: Author's Survey

5. CONCLUSIONS

Concerning the survey's outcomes and reflections (Sharp, 2018), it seems that the key problem, for the non-disruption with the communist past, is the unsaid truth. The little information received is not provided by the school, but mainly by the family and a small number of participants confirmed it by the films of that period (Sooka, 2006), which are still broadcasted. This understanding reflects that the country is far from the philosophy for implementing the main mechanisms of transitional justice (Balas, 2010). The issues are both political as well as organizational, and finally and mostly, due to the lack of people's general sensitivity (Vukaj, 2020). There was not an interest for the files to be released (Horne, 2017), reason for what they were classified as secret since 1991 under the protection of the National Intelligence Service, to be disposed of by the Files Authority only a few years ago (Horne, 2015). From an organizational point of view, in terms of an educational strategy, there has been no clear policy on which subject and in which age group the intervention should be made to equip students with accurate knowledge of the communist period (Knabe, et al., 2023).

This is so true that, as a result of the questionnaire developed, the majority of the minority who learned about communism from school did so at the middle school level (Knabe, et al., 2023). Also, this intervention has been focused on a target group of pupils, unclear both for political and historical concepts, and at the same time, lacking the necessary maturity to understand and judge that period objectively (Elbasani & Lipinski, 2013). The teachers of history throughout the country were not able to unanimously establish the dates, which means, still gaps in ideology (Gready & Robins, 2014). Regarding the indifference related to communist crimes, it must be said that for many people, even politically neutral, the start of transition was an utterly unclear future. Yesterday's perpetrators appear to have been rehabilitated even by public opinion, while the goal of cause of the persecuted today, probably more than in early days of democracy, is at a crossroads, threatened by strong legacy of the past.

When students were asked for the preferred methods for educating young people about communist regime, results show that the majority were in favor of educational means, such as school, history, museums etc. For the first time in Albania, a center of excellence for transitional justice studies has been established at the Master's level, but apparently, enrollment remains extremely low. In fact, in a market economy, it is almost acceptable that studies on transitional justice will not attract interest (Teitel R. G., 2014). This indicator sustains the researchers' supposition that the narrative of truth would be much more functional with extracurricular programs (Bell & Bryman, 2007). Reference is made to the testimonies of victims and human pain for the experiences lived during that period of time. This form creates the possibility of recognition and at the same time that of touching the conscience and human sensitivity of young people. More or less, in a way, the model was made in South Africa, where, similarly to Albania, a past full of violence, blood and murder is experienced.

The aim is not to judge, since sensitivity is worth more than any other lesson, but to recognize mistakes and convert them into lessons of democracy and mechanisms to prevent violence (OSCE, 2016). The same narrative will also create an example of peacebuilding and mechanisms that can prevent the repetition of history and its consequences. Thus, the long-term goal is cultural transformation on tolerance and peace, as well as on the language of communication and coexistence. The analysis of the situation in Albania shows that even if legal remedies were efficient, the ideological, moral, and social division continues to be very strong, and thus removes the purpose and objective of transitional justice (Skaar, Malca, & Eide, 2015).

Its experience teaches that integration of these values can be enabled by focusing more on the model of creating institutions by civil society, by an educational mandate, with a school program focused only on narrative, history, and education, which can make the objective of transitional justice achievable (Quinn, 2017). It can influence the universal debate on social justice, firstly by demonstrating that delay in the involvement of mechanisms will lead to denied justice, and secondly, the role of storytelling outside of political control and involvement could be most efficient means that will fulfill the ideal of transitional justice. The research and analysis of this case argues that transitional justice, in the context of post-communist countries, should not be seen, nor can it function as a limited legal or institutional process. It cannot be approached only from the perspectives of criminal punishment, opening of files or financial compensation, which in the case of Albania, are anyway partial.

The goal it must fulfill, and it is precisely the construction of a restorative social justice, must be conceptualized and realized in the framework of a long-term project. Analyzing the issue from this perspective, education appears as the most sustainable transitional justice mechanism, although less apparent. It thus acts simultaneously as an instrument for telling the truth, as a guarantee for the non-repetition of past crimes, and as a means of symbolic reparation. Unlike other mechanisms, which are often politicized, education can resist this direct influence, especially if sustained by civil society organizations. The legal tool of transitional justice, taken alone, to preserve collective memory and to make it an integral part of the collective conscience (Teitel R. G., 2014), could not be enough. In some way, this kind of positioning sustains the thoughts of critical authors towards transitional justice mechanisms, who are of the opinion that these mechanisms are not very clear from a legal perspective, or are not effective in their implementation.

In fact, it is worth mentioning Judith Shklar's skeptical position on "legal morality" (Shklar, 1986), also the critical approach of David Kennedy (Kennedy, 1986) concerning the liberal universalism contained in the transitional justice. Also, the position of Rosalind Shaw (Shaw, 2002) about the imposition by narratives for reconciliation (Kennedy D., 2004), has demonstrated and then impacted the limitations of classical models of transitional justice. The counter-argument exactly focuses here, as such critiques are rather focused on legal and institutional mechanisms, leaving behind exactly the role of education as a linking bridge between justice and society. In this regard, it is worth the opinion of Pablo de Greiff, who argues specifically in harmony with the purpose intended to be achieved by this paper. The failure of transitional justice in Albania was not basically caused for non-compliance with normative objectives, but due to its non-integration with social and educational policies.

Based on the specific experience of a post-communist country, where impunity, recycling of elites and politicization of collective memory have led to non-functioning of transitional justice, it transpires that education is not an option associated with legal mechanisms, but an indispensable and structural requirement for its functioning (Greiff, 2006; Greiff, 2009). In this line, education remains the only probably non-manipulable instrument enjoying legitimacy to build a transparent narrative and to reconcile the parties to conflict (Davies, 2004; UNESCO, 1995). The case of Albania, as a post-communist country, has shown what Nancy Fraser has articulated with regard to social justice. According to her, lack of knowledge and of symbolic representation of victims constitutes an unavoidable form of injustice (Stan, 2009).

The role of education, in this context, is the restoration of victims' dignity, making the past publicly known. Thus, its contribution is to the moral equality of social groups (Fraser, 2003). The Albanian case clearly illustrates two components, firstly, because education remains the only tool, probably less influenced by politics, especially when it can be supported by non-governmental authorities. Secondly, because it is a clear paradigm of the fact that, when education is not introduced as an instrument of transitional justice, it leads to social oblivion and sustainable social inequality (Godole, 2015). In fact, transitional justice has remained formally applicable, but really and materially is failed.

Therefore, in conclusion, the purpose of this study is precisely a new way to conceptualize transitional justice in post-communist countries, focusing no longer on legal and institutional mechanisms, but on education, proposing it as a tool that leads to sustainable social processes. Education is worth emphasizing as a linking bridge between three factors, historical truth, moral reparation and the construction of social justice. Through education, which remains the most valuable form of integration, it can be achieved to overcome the gap of injustice, aiming to achieve social justice. Likewise, the transition process, whether political or ideological, will not be a simple historical phase with its concerns, but a real emancipatory process, with social inclusion (Elster, 2004).

BIBLIOGRAPHY

- Abdurrahmani, B. (2015). Communist past and Albania in 25 years of transition. academia.edu.
https://www.academia.edu/31120054/E_KALUARA_KOMUNISTE_DHE_SHQIP%C3%8BRIA_N%C3%8B_25_VITE_TRANZICION

- Amy, L. E. (2010). Re-Membering in Transition: The Trans-national Stakes of Violence and Denial in Post-Communist Albania. *History of Communism in Europe*, 207-224.
- Arendt, H. (1951). *The Origins of Totalitarianism*. Harcourt Brace,.
- Austin, R. C. (2015). Transitional justice as electoral politics. In *Post-Communist Transitional Justice: Lessons from Twenty-Five Years of Experience* (pp. 30-50). Cambridge University Press.
- Austin, R. C., & Ellison, J. (2008, May 1). Post-communist transitional justice in Albania. *East European Politics and Societies*, 22(2). <https://doi.org/10.1177/0888325408315768>
- Balas, V. (2010). Albanian lustration act, its constitutional and international law pros and cons. *Czech Yearbook of International Law*, 170.
- Bell, E., & Bryman, A. (2007). The ethics of management research: An exploratory content analysis. *British Journal of Management*, 18(1), 63-77.
- Beyme, K. v. (1996). *Transition to Democracy in Eastern Europe*. Palgrave Macmillan.
- Bezati, V. (2019, August 28). How Albania Became the World's First Atheist Country. *Balkan Insight*. April 30, 2025 from <https://balkaninsight.com/2019/08/28/how-albania-became-the-worlds-first-atheist-country>
- Biberaj, E. (1999). *Albania in Transition: The Rocky Road to Democracy*. Routledge.
- Brito, A. B. (2001). Truth, Justice, Memory and Democratization in the Southern Cone Alexandra Barahona de Brito and others (eds), *The Politics of Memory: Transitional Justice in Democratizing Societies* (Oxford University Press 2001) 119. In A. B. Brito, C. G. Enriquez, & P. Aguilar, *The Politics of Memory and Democratization* (pp. 119–160). Oxford Academic.
- Brown, B. (2015, April 8). Transitional Justice in Eastern Europe: Present Dilemmas of the Communist Past. *Journal of E-International Relations* 2015. May 25, 2025 from <https://www.e-ir.info/2015/04/08/transitional-justice-in-eastern-europe-present-dilemmas-of-the-communist-past/>
- Bufi, Y. (2016). *Në fillimet e tranzicionit: Qeveria e stabilitetit, një marrëveshje politike apo një kompromis i perkohshëm?* (A. Krasniqi, Ed.) UET Press.
- Creswell, J. W. (2012). *Educational Research: Planning, Conducting, and Evaluating Quantitative and Qualitative Research* (4 ed.). Pearson Education.
- David Miller. (1999). *Principles of Social Justice*. Harvard University Press.
- Davies, L. (2004). *Education and Conflict: Complexity and Chaos*. Routledge.
- Davies, L. (2004). *Education and Conflict: Complexity and Chaos*. Routledge.
- de Greiff, P. (2011). *Transitional Justice, Security, and Development : Security and Justice Thematic Paper*. World Bank. From <http://hdl.handle.net/10986/9245>
- Dervishi, K. (2016). *Internimi dhe burgimi komunist në Shqipëri : të gjitha vendet në të cilat diktatura komuniste persekutoi dhe shfrytëzoi punën e të burgosurve dhe të internuarve*. 55 Shtëpia Botuese.
- Ekiert, G., & Hanson, S. E. (Eds.). (2003). *Capitalism and Democracy in Central and Eastern Europe: Assessing the Legacy of Communist Rule*. Cambridge University Press.
- Elbasani, A. (2009). Democratization in Albania: Institutional Reform and the Legacy of Authoritarianism. *Communist and Post-Communist Studies*, 42, 243–261.
- Elbasani, A. (2018). Memory Politics and Transitional Justice in Albania. *East European Politics and Societies*, 32(2), 410-415.
- Elbasani, A., & Lipinski, A. (2013). Transitional Justice in Albania: Historical Burden, Weak Civil Society and Conflicting Interests. In O. Simić, & Z. Volčič (Eds.),

- Transitional Justice and Civil Society in the Balkans* (pp. 105-121). Springer.
https://doi.org/10.1007/978-1-4614-5422-9_7
- Elster, J. (2004). *Closing the Books: Transitional Justice in Historical Perspective*. Cambridge University Press.
- Fischer, B. J. (1999). *Albania at War, 1939-1945*. Purdue University Press.
- Fischer, B. J. (2010). *Enver Hoxha and Stalinist Dictatorship in Albania*. Albanian Institute for International Studies.
- Fraser, N. (2003). Social justice in the age of identity politics: Redistribution, recognition and participation. *Redistribution or recognition? A political-philosophical exchange*, 7-11.
- Fraser, N. (2003). Social Justice in the Age of Identity Politics: Redistribution, Recognition and Participation. In *Redistribution or Recognition? A Political-Philosophical Exchange* (pp. 23-29). Verso.
- Fromm, E. (1973). *The Anatomy of Human Destructiveness*. Holt, Rinehart and Winston.
- Godole, J. (2015). *Historic Memory and Albanian Transition*. UET Press.
- Gready, P., & Robins, S. (2014). From transitional to transformative justice: A new agenda for practice. *International Journal of Transitional Justice*, 8(3), 339.
- Greiff, P. d. (2006). *Justice and Reparations*. Oxford University Press,.
- Greiff, P. d. (2009). The Role of Education in Transitional Justice . In P. d. Greiff, & R. Duthie (Eds.), *Transitional Justice and Development*, (pp. 23–25). Social Science Research Council.
- Greiff, P. d. (2012). Theorizing Transitional Justice. In M. S. Williams, R. Nagy, & J. Elster (Eds.), *Transitional Justice: NOMOS LI* (pp. 31–34). NYU Press.
<https://doi.org/10.18574/nyu/9780814794661.003.0002>
- Hansen, T. O. (2017). The Time and Space of Transitional Justice. In C. Lawther, L. Moffett, & D. Jacobs (Eds.), *Research Handbook on Transitional Justice* (pp. 34-51). Edward Elgar Publishing.
- Hayner, P. B. (2006). Truth Commissions: A Schematic Overview. *International Review of the Red Cross*, 88(862), 295–309.
- Hayner, P. B. (2010). *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions*. Routledge. <https://doi.org/10.4324/9780203867822>
- Honneth, A. (1995). *The Struggle for Recognition: The Moral Grammar of Social Conflicts*. The MIT Press.
- Honneth, A. (1995). *The Struggle for Recognition*. Polity Press.
- Horne, C. M. (2015). The timing of transitional justice measures. In L. Stan, & N. Nedelsky (Eds.), *Post-Communist Transitional Justice* (pp. 123-147). Cambridge University Press.
- Horne, C. M. (2017). *Building Trust and Democracy: Transitional Justice in Post-Communist Countries*. Oxford University Press,.
- Hysa, B. (2021). Drejtësia tranzitore dhe edukimi historik në Shqipëri. *Studime Shoqërore*, 4.
- Institute for the Integration of Former Politically Persecuted. (2025, April 30). *Statistics*. From Institute for the Integration of Former Politically Persecuted:
<https://ishperndjekurit.gov.al/en/statistika/>
- Institute, L. I. (n.d.). *Nullum crimen sine lege*. From Cornell Law School – Wex:
https://www.law.cornell.edu/wex/nullum_crimen_sine_lege
- Kaba, H. (2020). Albanian Communism: similarities and peculiarities with other communist countries of Eastern and Central Europe (1944-1948). *Denied by the*

Regime: Prisons, the Internment-Deportation System and Forced Labor in Albania 1945-1990. AIDSSH.

- Këllici, K. (2020). European Gulag: Work and concentration camp regime in Albania, Eastern Germany and Bulgaria, 1946-1950 in AIDSSH (ed), (2020) 30. *Denied by the Regime: Prisons, the Internment-Deportation System and Forced Labor in Albania 1945-1990.* AIDSSH.
- Kennedy, D. (2004). *The Dark Sides of Virtue: Reassessing International Humanitarianism.* Princeton University Press.
- Kennedy, D. W. (1986). Critical Theory, Structuralism and Contemporary Legal Scholarship. *New England Law Review*.
- Knabe, H., Hoeres, P., Straßner, V., Viebach, J., Brodsky, R., Metekia, T. S., . . . Merwe, H. v. (2023). *After Dictatorship. Instruments of Transitional Justice in Post-Authoritarian Systems.* (P. Hoeres, & H. Knabe, Eds.) De Gruyter Oldenbourg. <https://doi.org/10.1515/9783110796629>
- Kymlicka, W. (1995). *Multicultural Citizenship.* Oxford University Press.
- Kymlicka, W. (2008). Multiculturalism, Social Justice and the Welfare State. In T. B. Gary Craig (Ed.), *Social Justice and Public Policy: Seeking Fairness in Diverse Societies* (pp. 53–76). Cambridge University Press.
- Lambourne, W. (2014). Transformative Justice, Reconciliation and Peacebuilding 1. In S. Buckley-Zistel, T. K. Beck, C. Braun, & F. Mieth (Eds.). <https://doi.org/10.4324/9780203465738>
- (2015). *Ligji nr.45/2015, datë 22.5.2015 "Për të drejtën e informimit për dokumentet e ish-sigurimit të shtetit të Republikës popullore socialiste të Shqipërisë".* Kuvendi i Republikës së Shqipërisë.
- Mëhilli, E. (2021, March 23). 1945 and Communist Albania in an International Perspective. *Tirana Observatory*. May 30, 2025. <https://tiranaobservatory.com/2021/03/23/1945-and-communist-albania-in-an-international-perspective/>
- Meta, B., & Frashëri, E. (2018, December 13). On prison system, internment and forced labor during communist regime in Albania. AIDSSH. <https://www.undp.org/albania/publications/framework-study-prison-system-internment-and-forced-labor-during-communist-regime-albania>
- Miller, D. (1999). *Principles of Social Justice.* Harvard University Press.
- Nussbaum, M. C. (2011). *Creating Capabilities: The Human Development Approach.* Harvard University Press.
- O'Donnell, G. (1998). Horizontal Accountability in New Democracies. *Journal of Democracy*, 9(3), pp. 112–126.
- Offe, C. (1996). *Varieties of Transition.* Polity Press Cambridge.
- Offe, C. (2004, September). Capitalism by Democratic Design? Democratic Theory Facing the Triple Transition in East Central Europe. *Social Research*, 58(4), 865–892.
- OSCE . (2016). *Citizens understanding and perceptions of the Communist past in Albania and expectations for the future.* Organization for Security and Co-operation in Europe.
- Quinn, J. R. (2017). The development of transitional justice. In C. Lawther, & L. Moffett (Eds.), *Research Handbook on Transitional Justice* (pp. 11-34). Edward Elgar Publishing Limited.
- Rawls, J. (1971). *A Theory of Justice.* Harvard University Press,.
- Sen, A. (1992). *Inequality Reexamined.* Oxford University Press.

- Sharp, D. (2018). *Rethinking transitional justice for the twenty-first century*. Cambridge University Press.
- Shaw, R. (2002). *Memories of the Slave Trade*. University of Chicago Press.
- Shaw, R. (2005). Rethinking Truth and Reconciliation Commissions: Lessons from Sierra Leone. *United States Institute of Peace Special Report*(130), 3-6.
- Shklar, J. N. (1986). *Legalism: Law, Morals, and Political Trials*. Harvard University Press,.
- Skaar, E., Malca, C. G., & Eide, n. T. (2015). *After Violence: Transitional Justice, Peace and Democracy*. Routledge.
- Sooka, Y. (2006). Dealing with the past and transitional justice: Building peace through accountability. *International Review of the Red Cross*, 88(862), 311-325.
- Stan, L. (2009). *Transitional Justice in Eastern Europe and the Former Soviet Union*. Routledge.
- Stan, L., & Scheppele, K. L. (Eds.). (2015). *Post-Communist Transitional Justice: Lessons from Twenty-Five Years of Experience*. Cambridge University Press.
- Stasa, I. (2025). Transitional Justice in Albania as a Post-Communist Country. In I. Stasa, *Transitional Justice in Albania, Kosovo, and North Macedonia* (pp. 55-102). Springer.
- Subotic, J. (2013). Bargaining Justice: A Theory of Transitional Justice compliance'. In S. Buckley-Zistel, T. K. Beck, C. Braun, & F. Mieth (Eds.), *Transitional Justice Theories* (1st ed.). <https://doi.org/10.4324/9780203465738>
- Szczerbiak, A. (2015). Explaining late lustration programs: Lessons from the Polish case. In L. Stan, & N. Nedelsky, *Post-communist transitional justice* (pp. 51–70). Cambridge University Press .
- Tarifa, F. (2008, October). Albania's road from communism: Political and social change, 1990-1993. *Development and Change*, 56(1), 133 - 162.
- Teitel, R. G. (2000). *Transitional Justice*. Oxford University Press.
- Teitel, R. G. (2005). Transitional Justice as Liberal Narrative. *Harvard Human Rights Journal*, 18, 69-71.
- Teitel, R. G. (2014). *Globalizing Transitional Justice*. Oxford University Press.
- Thoms, O. N., & Ron, J. (2007). The Globalization of Transitional Justice. *Human Rights Quarterly*, 29(1), 79–95.
- Thoms, O. N., Ron, J., & Paris, R. (2010). State-Level Effects of Transitional Justice: What Do We Know? *International Journal of Transitional Justice*, 4(3), 329–354.
- UNESCO. (1995). Education for Peace, Human Rights and Democracy. 18-22.
- Vukaj, E. (2020, September 5). *Debate on former Kinostudio films*. The Institute for Media, Democracy and Culture. From The Institute for Media, Democracy and Culture: <https://www.idmc.al/en/debate-on-former-kinostudio-films/>
- Xhaferri, M. (2024, April). The Perception of Fascist and National Socialist Ideologies During the Second World War in Albania. *Interdisciplinary Journal of Research and Development*, 11(1), 49-54.
- Young, I. M. (1990). *Justice and the Politics of Difference*. Princeton University Press. <https://doi.org/10.2307/j.ctvcvm4g4q>
- Young, I. M. (2002). *Inclusion and Democracy*. Oxford University Press.