

**INSPIRED BY THE BRITISH EXPERIENCE? THE
OPPOSITION TO THE ALBANIAN HIGHER
EDUCATION POLICY OF 2014**

By

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Author's Declaration

I, the undersigned Dorina Nini hereby declare that I am the sole author of this thesis. To the best of my knowledge this thesis contains no material previously published by any other person except where proper acknowledgement has been made. This thesis contains no material which has been accepted as part of the requirements of any other academic degree or non-degree program, in English or in any other language. This is a true copy of the thesis, including final revisions.

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ABSTRACT

In 2013, the newly elected Albanian government initiated a series of reforms. Amongst them, a reform on the Albanian higher education system transformed into a controversial and sensitive debate, contested by a number of actors. The inspiration of this project was the “British/English Model” and the intense protests that ensued. The goal of this thesis is to understand and analyze the transfer of some British elements into the new Albanian higher education policy. Additionally, it looks at why this policy encountered opposition. In order to do this, policy transfer literature is reviewed with focus on the Dolowitz and Marsh framework. This thesis applies their framework in its analysis. It argues that there was opposition against the new higher education policy, because the process was considered uninformed, incomplete and mostly inappropriate.

Key words: policy transfer, Albanian higher education policy, policy failure

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Introduction

Albania is a small country situated in the Western part of the Balkans, in South Eastern Europe. After the Second World War, Albania was characterized by poverty and illiteracy, with a need for qualified teachers. The Communist Party came into power and in August 1946, the first educational reform followed. This reform served also as a basis for the establishment of the Pedagogical Institute, signaling initial efforts towards higher education. The University of Tirana was the first university opened in 1957.

In 1991, the transition period towards a democratic regime unveiled the flaws of the educational system in Albania, indoctrinated by communist propaganda. A need to align with Western contemporary textbooks characterized this period. Indeed, the goal of the consecutive Albanian governments was to join the European ‘family’, while undertaking a series of reforms.

An important event that rewarded the efforts of Albania toward the path of European integration was being granted candidate status in June 2014 (EEAS 2014). Despite setbacks, Albania has demonstrated its will to undertake development efforts and continuous reforms in alignment with the EU requirements and values. An essential part of these developments and improvements was the Higher Education (HE) sector, whose historical overview is further elaborated in Chapter 1.

In June 2013, a series of reforms were carried out by the government and Albania found itself in a midst of ambitious policy changes. In particular, the reform on the Albanian HE system was one of the most sensitive and highly contested by several actors. In the media, in speeches, during the debates in the parliament and sometimes in official documents, the reform is described as based on the “Anglo-Saxon model”, “British model”, “English system” or

“British system”. These terms are used interchangeably, though there is an overall awareness that there is no “British model”. This term is frequently used to present the reliance of the new HE policy on some principles, such as autonomy, accountability; as well as on some agencies established under the examples of Undergraduate Courses at University and College, Higher Education Funding Council for England etc. (Gjonça 2015). Because of these debates, the Head of the Commission in charge of this reform explained that they refer to systems and not to models. He defined a system by referring to three features: (i) “HE institutions, public or private, universities or academies, faculties and their departments, pedagogues and students”; (ii) “bodies that finance and administer HE”; (iii) “regulations on the activities and performance of HE institutions etc.”, by explaining that the combining of these three elements reflected the system (Gjoça 2015).

After the presentation of the new HE policy and the draft Law, a series of protests were carried out by academics, professors, students, politicians and various groups of interests. The discussions on the “British/English model” and the intensive protests have inspired this thesis, *in order to seek to analyze the situation and try to understand why the new HE policy in Albania was so highly contested*. These protests and the opposition against the new HE policy reflect a failure of the transfer of the policy, in reference to McConnell who argued that “A policy fails if it does not achieve the goals that proponents set out to achieve, and opposition is great and/or support is virtually non-existent” (McConnell 2010, 356). In the case of Albania, so far it cannot be argued about the achievement of the HE policy goals, as the new Law on Higher Education and Scientific Research is not implemented yet. Even though it was ratified since autumn of 2015, the by-law acts are still absent. However, the interest in this thesis lies on policy transfer process *per se*, as it characterizes policy change in the HE sector, and the great opposition it has encountered.

In 1996, Dolowitz and Marsh presented a review of policy transfer literature with the goal to make it more comprehensible to a larger audience. These authors introduced a definition and raised several questions that would help to understand this process. They defined policy transfer as “...a process in which knowledge about policies, administrative arrangements, institutions etc. in one time and/or place is used in the development of policies, administrative arrangements and institutions in another time and/or place” (Dolowitz and Marsh 1996, 344). This project is built upon this definition.

The Aim of the Thesis and Contribution

Largely, policy transfer studies and literature was developed by western scholars and mainly dealt with the western world, forgetting or underestimating regions outside it such as Arab world, or countries such as former communist states (Stone 1999, 57). Furthermore, it is argued that policy transfer was less explored in relation to developing countries or negative cases (Marsh and Sharman 2009, 285). In addition, the decision-makers transfer a policy with the belief that it will be similarly successful in a different context. However, if the transfer is *uninformed, incomplete, and inappropriate*, failure is more likely (Dolowitz and Marsh 2000).

Therefore, the aim of this thesis is to contribute to the literature on policy transfer, by carrying out the analysis of a negative case of a developing country such as Albania, which incorporated in its new HE policy some elements from the British HE system. This project reflects a new approach of analyzing the opposition of this new HE policy in Albania. It also seeks to contribute to the Albanian academic literature on HE policy transfer, in particular, from a bilateral policy exchange perspective (refer to Chapter 2.4. for more details). An indepth analysis is carried out based on the Dolowitz and Marsh policy transfer framework; first of the process and then of the opposition.

In order to analyze and better comprehend the issues against the new Law, the above-mentioned three factors of policy failure of the Dolowitz and Marsh policy transfer framework are used. Hence, the research question that leads this project is:

How do the failure factors of the policy transfer framework such as uninformed transfer, incomplete transfer and inappropriate transfer influence the transfer process of the new HE policy in Albania?

The main argument is:

The policy transfer failed to be successfully welcomed by several actors, as the process was considered uninformed, incomplete and inappropriate.

Chapter 1 – Albanian HE Historical Overview

After the fall of communism, Albania entered a transition period characterized by many successes and failures. Education in general and HE in particular were fields of interests for political elites and subject to many changes. After 1990s, the number of universities increased and many HE institutions (HEIs) outside Tirana transformed to universities (OpenData 2011). Unfortunately, massification was accompanied by a decrease in quality. An important transformation was expected to occur with the Law on HE in 1999, however it only represented unsatisfactory effort to improve the HE system in “rather incomplete and inconsistent way” (Hatakenaka and Thompson 2006, 4). The Law of 1999 did not offer a satisfactory legal framework for the future of the Albanian HE, in particular concerning autonomy and accountability (34). Hence, further improvements were requested in relation to governance, management and organization of the HE system.

A reform carried out in 2006 aimed at integrating scientific research with teaching, since research was mainly carried out at institutes of the Academy of Sciences and to a certain degree in universities and research centers under some of the Ministries (CHESR 2014, 14). The result was not satisfactory because these institutions lost a degree of their administrative, financial and organizational autonomy, as they could not be “absorbed” easily during the process (Fuga 2014). In this framework, further legal framework modifications were required.

The Law of HE no. 9741, dated 21.05.2007 was a good starting point, as it regulated the administration aspect, the organization and financing of the HEIs with a view toward improving quality in alignment with the European standards. The fundamental principles described in Article 3 of this Law highlight self-governance, increased autonomy and, academic freedom, in reference to the rules and principles of the European Higher Education Area (OPC No 68, 2007). Furthermore, “The Strategy for Higher Education (2008-2013)” was established which set guidelines, objectives, policies and priorities with a clear view to connect autonomy with accountability and internal management.

It is important to mention that during 2005-2013, the government encouraged the private HEIs, in order to meet increasing demand and to supply what the public institutions could not offer. However, concerns increased as quality-related weaknesses emerged (Karameta 2010, 19). Hence, in order to improve the situation, further amendments were carried out through Law No 9832, dated 12.11.2007 and Law No 10 307, dated 22.7.2010.

In June 2013, the Alliance for a European Albania, led by the Socialist Party (SP) won the parliamentary election. Its leader, Edi Rama who became the Prime Minister, launched a series of reforms in the area of finance, health, justice, HE etc. With the goal to carry out a reform in the HE system, in January 2014, a Commission for the HE and Scientific Research was established with order of the Prime Minister, which was led by Dr. Gjonça, a professor in

the London School of Economics and Political Science (LSE) and incorporated several experts of the HE field (CHESR Final Report 2014, 5). The whole process started with the “Green Paper”, which was discussed with the groups of interest and other actors; and completed with the “White paper”, the final scientific report on HE policy and Scientific Research (5). According to this final report, this reform was characterized by some principles such as: “the Albanian HE as a public good and service”; “equal opportunities for all students”; “increased financial, organizational, academic and personnel autonomy”; “all the institutions of public HE are equal for being financed by public funds”; “funding will be based on equality, transparency and performance”; “public universities have a non-for-profit status” etc. (9-10). This was a very ambitious reform, which produced a new Law and attracted resistance, criticism and protests.

This reform and several of the chapters of the new Law were highly contested by various groups of interest, academics, students, political parties and a series of protests followed. Several professors established the Forum for Academic Freedom, and criticized the draft-Law as a threat to the university’s autonomy, full of legal errors, and uncertainties toward the “new future university”, by signing a petition with 211 signatures against it (Myzyraj 2016). In March 25th, 2015, a revised draft-Law was presented in a public ceremony by reflecting only a few of the comments and recommendations of the various actors (Myzyraj 2016.). In July 21st of 2015, the Law passed with 78 votes while the opposition party did not participate in the voting process, in sign of protest (Parliament Record 2015). In case they win the upcoming elections, they threatened to change the HE Law. In August 2015, President Nishani decreed the return of the Law back to the parliament, by describing it as “*étatiste*”- where the state is in the center; as a threat to the autonomy; and not established under the pillars of the Bologna process (Presidential Decree No. 9206).

Despite criticism, in the autumn of 2015, the Law No 80_2015 was approved without reflecting the recommendations of the interested parties. In response, some students attacked the Prime Minister with eggs. After the immediate arrests of the students, representatives from civil society, students and academics protested for their release (OraNews 2015). The academic year 2015-2016 also started with protests, with students asking for a “free public education” (Dervishi 2015). Since autumn 2015, there seems to be a silence and with the by-law acts not drafted yet, it seems that this reform has stalled.

Chapter 2 – Literature Review

The transfer of policies is an old process, whereas academic works on policy transfer have increased more throughout the last decades. Early works and literature on policy transfer originally developed in the U.S. in the field of comparative policy analysis, then it aroused the interest of scholars from international relations, development studies and later on were used to explain processes such as “globalization, Europeanization and policy innovation” (Benson and Jordan 2011, 366). Policy transfer literature was used to study social policy (Dolowitz et al. 2000); the role of international actors in assisting development (Stone 2004); HE policy and resistance (Bache and Taylor 2003); environmental policy (Holzinger and Knill 2008) and many other fields. It transformed into a tool to understand processes of policy change, as well as to guide decision-makers to solve problems.

2.1. Policy Transfer, lesson drawing, policy diffusion etc.

There is confusion sometimes on using these concepts and many times they are used interchangeably. Policy transfer literature is mainly characterized by rational actors; but the process is either voluntary or coercive (Dolowitz and Marsh 1996). Lesson-drawing involves

a program that is already implemented somewhere, and learning might lead to transfer or not (Rose 1993, 24). Policy diffusion is related to interdependent choices; as a government might influence others' choices and others influence its choices (Braun and Gilardi 2006, 299). Furthermore, policy diffusion is more concerned with the spread of innovations between several countries, by taking into account spatial and structural factors; while policy transfer focuses more on "...causes and contents of singular processes of bilateral policy exchange (Knill 2005, 767). Diffusion might also result in policy convergence in a number of countries. The concepts are overlapping and complementary to each other.

2.2. The Dolowitz and Marsh policy transfer framework

David Dolowitz and David Marsh were the first to present a clear definition on policy transfer, as a process where actors borrow policies from a country, to develop programmes and policies to another country (See Introduction; Dolowitz and Marsh 1996, 357). They raised five main questions: (i) "Who Transfers Policy?", (ii) "Why engage in Policy Transfer?", (iii) "What is transferred?", (iv) "Are there different degrees of transfer?", (vi) "What factors constrain policy transfer?" (Dolowitz and Marsh 1996). In 2000, Dolowitz and Marsh established their conceptual framework of policy transfer by also adding the link between policy transfer and policy failure (See Figure 1). The authors admitted that this framework is based on a series of works such as Rose, Bennet and their previous works; however, as the "latest" conceptual framework, it offers a "critical appreciation" of what was done so far (Dolowitz and Marsh 2000, 8).

Figure 1_Dolowitz and Marsh Policy Transfer Framework

A Policy Transfer Framework									
Why Transfer? Continuum		Who Is Involved in Transfer?		What Is Transferred?		From Where		Degrees of Transfer	How To Transfer
Want To	Have To							on Transfer	leads to Policy Failure
Voluntary	Mixtures	Coercive			Past	Within-a Nation	Cross-National		
Lesson Drawing (Perfect Rationality)		Direct Imposition	Elected Officials	Policies (Goals) (content) (instruments)	Internal	State Governments	International Organizations	Copying (Newspaper) (Magazine) (TV) (Radio)	Media
International Pressures			Bureaucrats Civil Servants	Programs	Global	City Governments	Regional State Local Governments	Emulation Past Policies Reports	Incomplete Transfer
(Image) (Consensus) (Perceptions) Externalities		Pressure Groups Political Parties	Institutions Ideologies			Local Authorities		Mixtures Structural Institutional Inspiration Feasibility	(Commissioned) (uncommissioned) Conferences Meetings/ Visits
Conditionalities (Loans) (Conditions Attached to Business Activity)								(Ideology) (cultural proximity) (technology) (economic) (bureaucratic) Language	Inappropriate Transfer
Obligations		Policy Entrepreneurs/ Experts	Attitudes/ Cultural Values					Statements (written) (verbal)	
			Consultants Think Tanks Transnational Corporations Supranational Institutions	Negative Lessons			Past Relations		

Source: Figure from Dolowitz and Marsh 2000, Table1, 9

As far as it concerns the actors involved in policy transfer, they introduced several categories such as officials, political parties, policy entrepreneurs etc. (Dolowitz and Marsh 1996, 345). Later on, they further elaborated on the role of nongovernmental institutions and consultants, whose activities can be used by other actors, either to transfer a policy voluntarily or to force it (Dolowitz and Marsh 2000, 12). Hence, the voluntary or coercive nature of policy transfer is interrelated with the involved actors and their role.

In relation to the reasons why actors engage in policy transfer, it is important to review the debate between policy transfer and lesson-drawing. Rose, well-known in lesson-drawing literature, considered the whole transfer process as lesson-drawing by defining a lesson “...as *a program for action based on a program or programs undertaken in another city, state, or nation, or by the same organization in its own past*” (Rose 1993, 21). In the framework of a voluntary process, rational actors draw lessons from one country, in order to apply them in their own country. On the other hand, Dolowitz and Marsh argued that lesson-drawing is not policy transfer *per se*; but policy transfer process includes both lesson-drawing/voluntary transfer and coercive transfer (Dolowitz and Marsh 1996, 346). The voluntary aspect of the transfer relates to the idea that the decision-makers in one country transfer from another country with the aim that the policy will be equally successful in the importer country (Stone 1999, 52). Moreover, the literature suggests that there is dissatisfaction with a current policy or there is a “perception” of a policy failure (Dolowitz and Marsh 1996, 347). Nevertheless, Dolowitz and Marsh admit that this is a very subjective process, as failure or dissatisfaction might be personal or biased (347). On the other hand, the coercive transfer involves two forms: direct and indirect coercive transfer. A direct form of it is when a government obliges another one to implement a certain policy (347). Indirect coercive transfer relates to interdependence between two countries, where factors such as technology, world economy, competition or pressure to join international community lead toward policy transfer (348-349).

In regards to the transferred elements, Dolowitz and Marsh identified: (i) “policy goals, structure and content”, (ii) “policy instruments or administrative techniques”, (iii) “institutions”, (iv) “ideology”, (v) “ideas, attitudes and concepts”, and (vi) “negative lessons” (350). Therefore, there might be cases when institutions could be transferred, but also simply ideas or principles might be adopted.

In reference to the different degrees of transfer, the authors relied mainly on Rose’s work. Rose listed five potential ways of drawing a lesson: (i) “copying”; (ii) “emulation”/ “adaptation”; (iii) “hybridization”; (iv) “synthesis”; and (v) “inspiration” (Rose 1993, 30). The different degrees of transfer are closely related to the situation, actors and the stage of policy making process when transfer occurs. The following figure illustrates the above-mentioned processes.

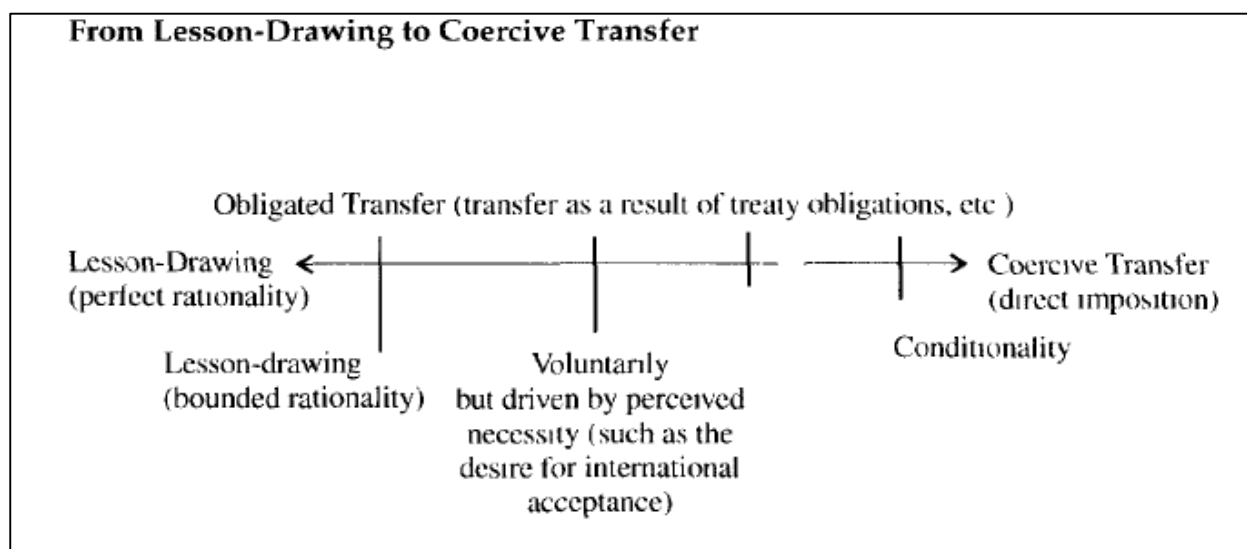
Figure 2_Degrees of Transfer

ALTERNATIVE WAYS OF DRAWING A LESSON	
1. COPYING	Enacting more or less intact a program already in effect in another jurisdiction.
2. ADAPTATION	Adjusting for contextual differences a program already in effect in another jurisdiction.
3. MAKING A HYBRID	Combining elements of programs from two different places.
4. SYNTHESIS	Combining familiar elements from programs in a number of different places to create a new program.
5. INSPIRATION	Using programs elsewhere as an intellectual stimulus to develop a novel program.

Source: Figure from Rose 1993, Table 2.1, 30

Following the degrees of transfer, they presented a continuum of the policy transfer, as frequently it is not clear whether it is a rational transfer or influenced by other factors. Below, figure 3 illustrates the continuum presented by them.

Figure 3_Policy Transfer Continuum



Source: Figure from Dolowitz and Marsh 2010, Figure 1, 13

Next, the authors tried to explain “From where are lessons drawn?” and they initially started from the history or the past of a country (Dolowitz and Marsh 1996, 351). They also mentioned the problem of subjectivism, as the past and the history is sometimes part of subjective interpretations (352). Later, in their conceptual framework, they described three levels of governance (i) international, (ii) national, and (iii) local – from where actors draw lessons (Dolowitz and Marsh 2000, 12).

The last question in their first article related to the factors that constrained policy transfer. They referred to several hypotheses formulated by Rose, which related to important factors to incentivize or constrain policy transfer, such as elements of a program, its structure, resources, values and so on (Rose 1993, 141). Besides these hypotheses, they emphasized the importance of past policies, institutional and structural constraints, political system, ideological differences, bureaucratic size, economic resources etc. (Dolowitz and Marsh 1996, 353-354). All these elements are closely related to another question introduced many years later when they established their own framework.

Finally, the authors added the link between policy transfer and success or failure, by acknowledging that is very difficult to establish what success or failure means. However, they conceptualized it by taking into consideration "...the extent to which policy transfer achieves the aims set by a government when they engaged in transfer, or is perceived as a success by the key actors involved in the policy area." (Dolowitz and Marsh 2000, 17). They listed three factors as having substantial effect on policy failure:

"...insufficient information about the policy/institution and how it operates in the country from which it is transferred...*uninformed transfer*";

"...crucial elements of what made the policy or institutional structure a success in the originating country may not be transferred, leading to failure...*incomplete transfer*";

"insufficient attention may be paid to the differences between the economic, social, political and ideological contexts... *inappropriate transfer*." (17)

Hence, a caveat accompanies the transfer process; it is important that the policymakers should not fall prey of prevalent trends and models, as sometimes a policy cannot be translated into another context (Stone 1999, 54).

It is essential to acknowledge that there are disputes on what policy failure represents. Policy failure lacks clear concepts, and there are several "... methodological difficulties, such as multiple goals, failure for whom, and not least varying perceptions." (McConnell 2015, 2). Frequently, in the study or analysis of single cases, scholars take for granted that it is a policy failure case, therefore they do not try to operationalize the concepts or try to define it (3). There is a degree of subjectivity and judgment on measuring policy failure. Therefore, there is a common solidarity and understanding between scholars that "...there are shades of grey, where judgment is needed ..." (8).

2.3. Criticism and the Future Research

Policy transfer literature has attracted several critiques. Critics have targeted (i) the overlapping meanings as “obscuring” many other theories could be otherwise directly accessed such as rationalism, institutionalism etc.; and, (ii) the connection on how a process might influence the results (James and Lodge 2003). In addition, critics consider it as focused more on lesson-drawing between developed countries (Evans 2006, 482). In addition, it is suggested that the criteria referred to policy failure or success should be carefully taken into consideration (Marsh and Sharman 2009, 270).

In response to criticism and while discussing the future of the policy transfer research, Dolowitz and Marsh argued that they did not intend to invent a theory of policy transfer, mentioning that “...a heuristic does not reify a ‘reality’; rather it offers a way of approaching a subject that can provide a basis for empirical investigation” (Dolowitz and Marsh 2012, 343). Their goal was to develop a helpful framework to guide empirical research. Even though their definition and framework is criticized, it remains the most used and cited, with an increasing number of published articles since 1996 (Benson and Jordan 2011, 368).

2.4. Situating the Albanian Case in this Literature

There are two main reasons why the Dolowitz and Marsh policy transfer framework is used in relation to the Albanian case. First, as previously mentioned, the aim of this project is to contribute to the policy transfer literature with a negative case study from a developing country, transferring elements from a developed country. Secondly, because this project aims to contribute to the HE policy and the Albanian policy transfer literature. There are several works focused on HE and the Bologna process (Canaj 2012; Alimehmeti and Hysa 2012); HE and globalization (Rexhepi 2013); HE and vocational training (Vucaj 2015); Europeanization and the role of epistemic communities (Dhima 2011); HE reforms, funding and massification

(Kajsiu 2015); HE and quality standards (Hoxhaj and Hysa 2015); HE and scientific research (Treska 2013); HE and internationalization (Dobi 2011), while the policy transfer literature in Albania is not well explored. For example, there are some studies such as on policy transfer and policy learning on skills development policy on technical vocational education and training and the role of the involved actors (Dibra, Llaci and Tabaku 2009); small and medium enterprises development strategies (Xheneti 2011); and, aid supported public service reform (Karini 2013).

The Dolowitz and Marsh policy transfer framework represents a coherent framework that helps to advance the understanding of the process of transfer in Albania. By looking at the actors involved and the degrees of transfer, it is understood whether this process refers to a voluntary transfer or there are nuances of indirect coercive transfer. Then, by looking at when this transfer occurred in the policy cycle and why it occurred, it is helpful to understand whether it is pure inspiration, an imitation or a mixture. Furthermore, by looking at the three factors related to policy failure, the opposition against the new HE policy is analyzed. This thesis does not aim at a synthesis of the literature, it seeks to contribute to this literature and to rely on their framework in order to analyze the process of transfer and failure. In addition, this thesis aims to serve as a blueprint for future research following the implementation period in Albania.

Chapter 3 – Methodology

This project is built upon the policy transfer framework of Dolowitz and Marsh (2000) and as mentioned previously, this framework is used in order to understand the process of transfer and the opposition against the new Albanian HE policy. As Dolowitz and Marsh explained, policy transfer is used both as a dependent and independent variable, but first, it is

important to describe it as a process and then use it as an explanatory variable in regards to policy outcome (Dolowitz and Marsh 2000, 20-21). In this thesis, their framework is first used to describe and understand the policy transfer *per se* and then analyze the three factors of policy failure in order to understand why this policy failed to be welcomed by several actors.

For this project, a qualitative approach is used with the aim to describe and analyze events. Qualitative research may vary according to the purpose and aims of the research, the involved participants, the position of the researchers and their approach toward the social world. Nevertheless, there is a general agreement that “qualitative research is a naturalistic, interpretative approach concerned with understanding the meanings which people attach to phenomena (actions, decisions, beliefs, values etc.) within their social world” (Snape and Spencer 2003, 3). Hence, in order to investigate and explore the opposition of the transfer process, it is important to receive the views of the involved actors.

Policy transfer literature generally relies on qualitative research and detailed analysis, while exploring “small-N qualitative case studies” (Marsh and Sharman 2009, 275). This thesis relies only on one case study- the Albanian case. Beside familiarity with the language and personal interest on the ongoing HE reform, the Albanian case is selected for two main reasons. First, as previously explained, one of the main goals of this thesis is to contribute twofold to the policy transfer literature by (i) looking at a developing country inspired by a developed Western country, such as Britain, and (ii) focusing on a negative case, as this new HE policy encountered immense contestation by a number of actors. Secondly, Albania is chosen (i) in order to contribute to the Albanian literature on policy transfer processes in the Albanian HE field.

In this case, the fieldwork designing strategy was very organized as it relied on the policy transfer framework of Dolowitz and Marsh. Based on this framework an interview guide

was drafted before the fieldwork (See Appendix 2). Five face-to-face interviews were carried out in Albanian, during the first week of May 2016. The data were retrieved from semi-structured in depth interviews, because of the profound concentration on interviewees (Lewis 2003, 58). It is essential to mention that some approaches are quite flexible and sometimes what is called semi-structured interviewing for other researchers might be in-depth interview or not-structured (Arthur and Nazroo 2003, 111). For this case, interviews were deemed essential to be used, in order to focus more on experts' views, receive a better clarification, and to investigate the policy transfer and failure from their own perspective, in particular as it is a sensitive and complex issue.

The profile of interviewed experts is of extreme importance to this research. It is essential to emphasize that all the interviewees have been recorded with their consent and all of them agreed to use their names. For this project, the sample size was not randomly selected, because their profile and experience is of a great importance. Hence, the sample units are chosen because they have these particular characteristics, such as experts in HE, or involved in different ways with the reform, either as supporters, opponents or groups of interest. Their views are useful to the understanding of the central themes of this research, such as the transfer process and opposition against the new HE policy. Hence, one of the interviewees is a representative of the opposition party against the new HE Law; one is a member of the Commission that has drafted the new HE policy; one is a representative of a group of interest and former Director of National Agency for Education; one is a former official of the Ministry of Education and an expert in the education field; and the last one has over 15 years of experience in the HE field and quality assurance (See Appendix 1 with the full names and profile description).

In regards to sampling and for ethical reasons, it is imperative to mention that the preliminary list of the interviewees was longer from the actual list, however, many of them could not be reached because of other engagements. In particular reaching experts from the Ministry of Education resulted to a serious challenge. After a long correspondence with an official from the Ministry, feedback was not received on time, so unfortunately her views are not included in this thesis. For this reason, it was adopted a flexible approach by using “opportunistic sampling” for “...taking advantage of unforeseen opportunities as they arise during the course of fieldwork...” (Ritchie, Lewis and Elam 2003, 81). I acknowledge that a larger sample would have enhanced the analysis of the categories of failure and would have improve the validity of this research. However, the interviewed experts have expertise or experience in the HE field, and are representatives of different groups and actors.

Analysis is a stage which requires organization and creativity. After the interviews, the material was transcribed, reviewed, labelled and organized. After that, data was placed under the respective sections following the framework of Dolowitz and Marsh. In order to analyze the interviews, thematic analysis was used, a process which involves themes, “a pattern found in the information that at minimum describes and organizes the possible observations and at maximum interprets aspects of the phenomenon” (Boyatzis 1998, 4). Furthermore, these themes may derive from raw data, “inductively”; or derive from theories and previous research “deductively” (4). Information was used in a systematic manner in order to understand and interpret observations about circumstances, people, events and so on, by using codes to relate to these data (5). The theory-driven approach is simpler and “comfortable” as the work begins from what other scholars have developed first (29). In the case of theory driven approach, the indicators and elements of codes derive from the hypothesis and the theory (33). In this thesis, a deductive approach was used, as the themes derive from the Dolowitz and Marsh framework and the codes are developed in relation to the policy transfer literature.

Chapter 4 – Analysis of Data: Applying the Dolowitz and Marsh policy transfer framework

In order to analyze the categories of failure in reference to the Dolowitz and Marsh policy transfer framework, it is important to first shed light on the policy transfer process *per se*. Both desk research and the interviews are used in order to explain the process. For some questions, such as “what are the elements” and “from where are lessons drawn”, secondary data such as articles, media sources and speeches are used as the answers are already known. Primary data was generated through the use of interviews conducted for the purpose of this research. The gathered data was mainly used to analyze the categories of policy failure. For ethical reasons, the interviewees are referred to as numbers (See Appendix 1). The following sections are organized based on the questions of the framework by Dolowitz and Marsh (See Figure 1).

4.1. Policy Transfer, the Albanian HE case

4.1.1. Who transferred?

To better understand this process, it is essential to introduce the actors responsible for the transfer. The literature presents several categories (See Chapter 2), but in the case of Albania, the elected officials hold the main responsibility for the reform; altogether with the Commission’s experts, who established the policies that served as a basis for the drafting of the new Law on HE and Scientific Research (See Chapter 1). It is important to notice that during the process, a number of actors such as professors, groups of interests, or European experts participated in order to comment on the reports or to present suggestions / recommendations (Ministry of Education 2015). However, the decision to initiate a reform was undertaken by the Prime-Minister; and the Commission was the one responsible for the

establishment of the new HE policy that incorporated the elements taken from the English system.

The interviewees were also asked whether there was any other influence from other entities or other actors involved. All of them admitted and confirmed that there was no direct external influence. This transfer involved a political decision undertaken by the Socialist government in order to carry out a reform in the HE system. The member of the Commission confirmed that the political elite decided to establish the Commission (Interviewee no. 2 2016). Everything was derived from the policies of the government, of the Prime Minister Rama, who requested a reform in the HE system (Interviewee no. 5 2016). It was also argued that bodies such as the EU could not have influenced this process as it does not coincide with selecting the English system (Interviewee no. 1 2016). In the view of Interviewee no. 1, this is because most European countries do not rely on the English system and, because of the Bologna agreement. In his opinion, Albania has to respect the principles of the European HE area, which match with the English system, but also have their differences. While started from government and it is a product of the Commission, there were also other actors involved during the discussions and consultations of the drafts. The draft Law was consulted with the interest groups and over 600 comments were received, even though in the final Law very few of the recommendations were reflected. (Interviewee no. 3, 2016).

In conclusion, all the interviewees admitted that this process was a decision undertaken by the newly elected government in order to reform the Albanian HE system. Following these statements, and while determining who was involved in this process, important concerns and queries arose on the degree of transfer and the degree countries chose on their own to be involved in this transfer; issues that will be further analyzed below.

4.1.2. Why transfer?

According to the third chapter of the Final Report of the Commission, the situation of HE in Albania was very problematic (CHESR Final Report 2014). In this chapter the HE development was considered as “deformed” and “non-harmonized”, the non-public system as fragmented, the quality of both HEIs and study programs was not yet subject to external evaluation or accreditation, no clear criteria and strategic planning policies were established, the curricula were not harmonized at national level, scientific research was at unsatisfactory levels, low internal quality and lack of external inspection characterized the system and so on (16-17). In relation to governance, organization and accreditation of the HEIs, a series of problems were found such as incorrect application of the Law, accentuated and vertical centralization of decision-making and, absence of autonomy (21-22). Therefore, reform was needed and the Commission, established by order of the Prime-Minister, was responsible for that. Hence, the new government launched a reform to deal with a dissatisfaction or what they considered a “failure”.

In response to the debates as to why these elements were transferred from the English system, the Head of the Commission presented the following arguments: (i) the success of the British system, translated in the number of scientific research works, as well as because of some successful diploma in the world; (ii) autonomy and responsibility that characterize this system; (iii) scientific research is integrated with teaching; and (iv) it has remained public (Gjonça 2015). Therefore, the English HE system was considered a good example and plausible solution for the problematic situation of HE in Albania.

In order to have a better understanding as to why this transfer occurred, the interviewees were also asked about the reasons. The interviewees differed in their responses, some of them had a clear answer and understanding of the process, and the rest were unclear. Overall, they

admitted that the current situation of the HE in Albania was problematic and needed change, however, they differed on the meanings of change and the solutions.

Most interviewees viewed this transfer from Britain in light of the success this system has and as the best solution for HE current situation. The member of the Commission declared that they chose the English model because it was a successful model and, other countries in Europe were referring to a certain extent to this model (Interviewee no. 2 2016). He also declared that it was because of its principles such as autonomy and accountability. Another supporter of the reform also claimed that the Law was a common good and necessary for the Albanian HE system, which in his view was of a lower quality than that before '90s (Interviewee no. 5 2016). Furthermore, this reform was assumed to bring order in many aspects such as discipline the university market, the doctoral programs, the masters' programmes and the academic titles (Interviewee no. 3 2016). Even the representative of the opposition party, admitted that the aim of the policymakers was to implement a successful scheme in the reorganization of the HE system, by emphasizing the fact that the commission was led by a professor of LSE (Interviewee no. 1 2016).

Suspicious about the necessity of a new Law were also expressed specifically in relation as to why particularly elements from the English system were used (Interviewee no. 4, 2016). Interviewee no.4 admitted that the situation of HE education was not satisfactory; however, the Ministry did not offer any arguments why the previous Law of 2007 was rejected, taking into consideration that it was amended only in 2010. He considered the problem to be related to the incompetence of the Ministry to deal with the situation, as well as to the inappropriate implementation of the previous Law (Interviewee no. 4 2016).

In reference to the above statements and in order to understand why a transfer occurs, it is necessary to refer to the policy transfer literature. The case of Albania does not represent

a coercive direct transfer, meaning it does not involve any direct imposition or conditionality. As explained previously, the Albanian government was not forced to adopt the respective elements neither from another government, or any other actor. Overall, the interviewees agreed that the situation of the HE in Albania was not satisfactory and the English system was seen as a model of success and, if implemented in Albania it would improve the situation.

However, by taking into consideration the literature, sometimes it is difficult to draw clear lines between rationality and indirect coercive transfer. In the final report of the Commission, it is mentioned that analyses, reports and evaluations were taken into consideration from entities such as the World Bank, UNDP, UNICEF etc. (CHESR 2014, 21). Moreover, the Head of the Commission played an important role in the process. It can be concluded that the process is overall rational, with some nuances of influences from other factors. For a better analysis, it is necessary to look at the policy transfer continuum.

4.1.3. The Policy Transfer Continuum

As illustrated in Figure 3, the policy transfer is better understood by analyzing it along a continuum, from lesson-drawing involving perfect rationality, to coercive transfer- direct enforcement. Sometimes voluntary adoptions might be accompanied by influences from external factors. It can also happen that something that has started as a voluntary process, changed later on and transformed into a coercive process; actors are seldom perfectly rational (Dolowitz and Marsh 2000, 14). In the Albanian case, the actors involved would be initially considered to act within the limits of “bounded rationality” and led by their “perceptions of a decision-making situation” (14). Due to the problematic situation of the Albanian HE system, the government perceived that a decision was needed and transferred a few elements from the British system in order to provide a decent solution. Later on, more actors were invited to reflect together with foreign actors such as European experts and entities such as the World

Bank (WB). For instance, the WB offered recommendations on the establishment of the new HE management structures and administrative procedures necessary for the proper implementation of the new Law (World Bank 2015, 4). In addition, this reform received major support from the British Ambassador to Albania, Mr. Cannon who claimed during a conference on HE funding that:

“I am pleased that British partners have been able to offer advice on three of the new institutions, the Agency for Quality Assurance in Higher Education, the Educational Services Centre and the National Agency for Higher Education Financing...We are certainly not trying to impose a “British model” on the Albanian university sector. We want to see an “Albanian model” reflecting the needs of the country.” (GOV.UK 2016).

Therefore, the transfer process shifted toward the center of the continuum by allowing some external influence coming from other bodies.

4.1.4. What is transferred? From Where?

These two questions are discussed together as they are interrelated, and in order to avoid repetition. Following the presentation of reports and the fierce debates on where the Commission was based for the reform, the Head of the Commission explained that they referred to the British HE system, to some principles, the macro-organization, the organization (administration and the structure of HEIs) and the status of the future HEIs (Gjonça 2015). For a better understanding, the arguments of Dr. Gjonça are organized and illustrated in the following schematic representation:

- ✓ Principles borrowed from the British system:
 - Autonomy;
 - HE as a public good, state as the main financer, HE produced by the public and private sector;
 - Institutions following the example of “Charitable Organizations”;
 - HE as a non-for-profit activity;
 - Increased competition;
 - Accountability.
- ✓ Macro Organization:
 - Agencies borrowed from the British experience:

- QSHA (Center for Educational Services)- a version of “Undergraduate Courses at University and College” (UCAS) (with additional responsibilities in the Albanian case);
- AKFAL (National Agency of Higher Education Funding) is considered to operate as “Higher Education Funding Council for England”, HEFCE (with the same responsibilities);
- AKKSH (National Agency of Scientific Research) is considered to operate as the “Economic and Social Research Council”, “General Medical Council” etc. (only 1 agency in Albania).

✓ The Organization _Administration and Structure of HEIs

- Separation between academic decision-making and the financial administrative one of the HEIs (1980 in Britain –separation of functions between the Senates and Councils);
- Decision-making at the Department level;
- Introduction of the Commissions with participation of the academic staff and student’s government;
- The establishment of the internal and external mechanisms on quality control in each institution.

✓ The Independent Public Institution of HE

- Charitable organizations (in Britain-Royal Charter; Parliamentary Act)

(Gjonça 2015)

From the above-mentioned scheme, principles, ideas, institutions and, attitudes concerning organization, administration and operation of the future Albanian HE system are transferred from the British system. However, debates emerged concerning the way these principles, ideas, institutions etc. would be implemented in the Albanian context, which is highly related to the different degrees of transfer.

4.1.5. Degrees of Transfer

As mentioned previously, there are different degrees of transfer (see Figure 2). By referring to Rose, Dolowitz and Marsh combined hybridization and synthesis to one, and described four types: (i) “copying, which involves direct and complete transfer”; (ii) “emulation, which involves transfer of the ideas behind the policy or program”; (iii) “combinations, which involves mixtures of several different policies”; and (iv) “inspiration, where policy in another jurisdiction may inspire a policy change, but where the final outcome

does not actually draw upon the original” (Dolowitz and Marsh 2000, 13). It is important to take into consideration the actors involved in the transfer and where this transfer occurred in the policy-making process. In the literature, copying and emulation are seen as part of a coercive transfer and frequently associated with processes such as Europeanization (Bulmer and Padgett 2005). For the Albanian case, the Head of the Commission mentioned that “Systems are not copied, but implemented in compliance with the specific conditions of each country, and in this light, the university tradition in Albania was respected and embodied in the draft-Law” (Gjonça 2015). This statement and the above-mentioned definitions show the process as a combination between elements of the British system and the Albanian system.

The new Law on HE adapted some of the recommendations, by differing slightly from the initial policy that was reflected in the first drafts. In fact, one year later, a member of the Commission declared that “This draft was necessary and it was not copying from the British Law, but inspiration from the reforms which are carried out not only from the UK, but Europe and the US as well.” (Balkanweb 2015a). Therefore, the new HE policy promoted as significantly relying on the British system, with time turned out to be an inspiration from different systems and countries. It is important to mention here that academics have contested this new HE policy as not relying on the British system. Sometimes, it has been referred as based on other systems, such as the Chilean or the Portuguese one (Balkanweb 2015b). This is further elaborated upon Chapter 4.2.2., while analyzing the incomplete transfer factor.

4.1.6. Constraints on Transfer

There are many factors that could constrain the policy transfer. “Complexity”, “institutional feasibility”, “ideology”, “cultural proximity” and other factors are considered as obstacles for the successful transfer of a policy (Dolowitz and Marsh 2000, See Figure 1). A number of obstacles and reasons against this reform were introduced from the interviewees,

and in order to avoid repetition, these factors are elaborated upon in detail in Section 4.2.3., when the third factor of failure is discussed. Briefly, in this section, two main constraints are discussed from the view of a policymaker, Interviewee no. 2. First, a main obstacle is the resistance by the academic personnel, while in the view of policymakers, the new HE policy or the Law "... was maybe misunderstood or intentionally misunderstood". Secondly, another obstacle is "politics", as the Commission produced the new HE policy, but the "politics" adopted the Law in the parliament, which also brought some changes to the original text. He argued that the constitution grants power to "the politics" to produce policies, therefore, contesting the Law with the argument of budget or funding is misleading. For instance, he mentioned that approximately 0.3, 0.4% of the GDP was invested in HE, which was very low and should at least be doubled (Interviewee no. 2 2016). Therefore, policies reflect proposals; policies cannot enforce the executive body to set a budget, instead the executive body can directly affect the reform on HE.

Following these statements, the politics and the resistance from the academics are seen as constraining factors for a successful implementation of the reform in Albania. In the view of the interviewee no. 2, the new HE policy and the reform were necessary and very useful. This is even though the government is the one to decide how to carry out this policy and decide on issues such as the budget. Nevertheless, other important constraining factors are elaborated in Section 4.2.3.

4.2. Policy Transfer and Policy Failure

The following three policy failure factors are discussed in order to analyze the opposition against the new HE policy in Albania. The analysis is focused on the failure of the transfer process and not the outcome of the policy *per se*, as this has to be carried on at a later stage following the implementation period. Subsequently to the implementation stage, these

factors can be examined in terms of whether the government has achieved its established goals or not.

4.2.1. Uninformed transfer? Too much confidence on the success of a foreign example

This first category relates to the information policymakers had before drafting policy reports on HE. It is important to know whether they had sufficient information on how these principles or institutions operated in England. Interviewee no. 2, as one of the policymakers declared that the English system was selected as the best example, after the commission reviewed all state statistics that related to the HE and scientific research in the Albanian HEIs. Therefore, this process was characterized by preliminary analysis of data and statistics.

Despite this, the other interviewees raised several concerns and suspicions about this aspect. For instance, the new HE policy was considered as heavily influenced by the fact that the former Deputy Minister of Education had studied in England and the Head of the Commission came also from England. Furthermore, the drafts of the Commission were criticized by academics, precisely because proper preliminary study was not carried out and, their opinion was not taken into account (Interviewee no. 4 2016). In fact, Interviewee no. 4 labeled the reform as a “rescue boat” and the whole process carried out in the framework of searching for good models and good reputation rather than a well-informed process. Moreover, the whole process was criticized as only during the political debates, the party defending the draft-Law offered in its defense the argument that the new Law was based on the English model (Interviewee no. 1 2016). Interviewee no. 1 argued that inquiries carried out by the opposition do not show enough research was carried out and not enough literature was consulted. This brought the fluidity of implementation of certain elements from the English system in the new Law (Interviewee no. 1 2016). By only referring to the success of the British system without

proper study, an attractive idea was passed directly into a new Law (Interviewee no. 3 2016). Finally, as the process mostly derived from “high politics,” the time and the situation was not conducive to a proper study (Interviewee no. 5 2016). Interviewee no. 5 declared that the only positive aspect was that the drafts had some hearings in several institutions.

Based on the above statements, there are two views of the new HE policy. The first looks at it as an informed process and the other considers it as uninformed. On the one hand, the reform is served by policymakers as an informed process, because statistics and literature were consulted. Also mentioned in the policy report, the Commission reviewed many statistical data, documents that reflect legislative changes and studies carried out by former governments or international bodies, in particular literature related to the British HE (CHESR Final Report 2014, 6-7).

On the other hand, the opposition to this Law considered this reform as an uninformed one, for the following reasons. First, the policymakers had a short period of time to draft the new HE policy and time did not allow for any visits or consultations outside the country, nor for detailed research. Second, this model was selected based on some political decisions, rather than careful and in-depth studies. Certainly, the Head of the Commission and the experts had a certain degree of knowledge about the institutions and the principles they wanted to take from the British system. However, these elements were mainly taken as best examples, rather than derived from careful research, which required more time and consultations with academics and groups of interest within the country and abroad. Therefore, policymakers had some information on the elements from the British system, in light of the success this system enjoys, but not complete information on the set-up of these elements and how they operated in Britain, and how they would be expected to operate in Albania.

4.2.2. Incomplete transfer? The “evolution” of the British elements in the Albanian case

The second category -incomplete transfer- relates to disregarded elements of significant importance that might not have been transferred in Albania. In other words, these elements that could have contributed towards the success of the policy in Britain, but not transferred in Albania could cause the policy transfer to fail. It is not easy to discuss this category in relation to the case of the Albanian HE policy. This is because it was never meant to be a whole transfer, and also because the “British elements” were contested. The “British elements” were contested as not being “really” British and changed over time, a part which is highly debatable and highly related to the degree of transfer.

The whole process was never meant to be an imitation of the British HE system. Even the policymakers did not expect the system to operate exactly as in Britain within a short time. It was important that the “soul” of the British HE system to be installed in the Albanian HE system, even though the political systems of the two countries differed (Interviewee no. 2 2016). Hence, Interviewee no. 2 clearly argued that the policymakers did not “copy-paste” the English system, but referred to a number of elements that would help the new Albanian HE system to reflect a degree of autonomy away from the state’s influence.

Next, it is important to mention that the new HE Law was also seen as a “mixture of different elements”, where elements from the English system could be found merged with the Albanian or other elements (Interviewee no. 5 2016). While mentioning the agencies, the funding scheme and the new status of the future universities as related to the British system, Interviewee no. 5 claimed that there were also other elements, such as the voucher system, that related mostly to the Chilean reform.

Besides the mixture aspect, and in contrast to the party who claimed that these elements were taken from the British system, some of the interviewees declared that the policymakers played with the terminology. Many academics and groups of interests argued that these agencies were not taken from the English system; only their names were changed, but remained as the same institutions (Interviewee no. 4 2016). The appearance and terminology of the new HE policy referred to the English system; but the functioning of the institutions remained in the most classical Albanian form while the Ministry gained more control over the educational system (Interviewee no. 1. 2016). Nevertheless, Interviewee no. 1 admitted that the real problem was never the English system *per se* or the elements that were aimed at being implemented in Albania, but the way they were implemented in the Albanian context. His arguments are arranged in the following lines:

- (i) the National Agency of Higher Education Funding was assumed to be equal with the Higher Education Funding Council for England, but instead, the agency described in the Albanian Law depends on the Ministry of Education and it is regulated both in its structure and management by a Decision of the Council of the Ministers. Furthermore, this agency would allocate funding depending on several “subjective parameters” as it remained under the Ministry of Education.
- (ii) the duality between the Board of Administration and the Senate was assumed to derive from the English system; however, in the English system the competences of the Board and the Senate are “entangled”, whereas in Albania are separated. This Board also received more competences than it should and in composition, it was dominated by the Ministry level representation.
- (iii) Chapter 12 of the Law, the independent public HEIs, and the transformation into foundations, by referring to the British universities was a very unclear process. The whole process seemed to be a way to help the non-public universities rather than the public universities, with the aim to equalize them in relation to the state funding, once receiving the public status.

(Interviewee no. 1 2016)

Overall, it seems that the policymakers have used terminology in order to promote the new policy and later the new Law, whereas the operation of these institutions or structures were different from the lender country.

This view is also supported by several academics who claimed that everything was done to suit the reform that “high politics” requested (Interviewee no. 4 2016). Concerns arose as to why the government should establish the minimum threshold for student entry into universities, and on why the government should be involved in the appointment of the administrators; issues that undermine the assumed autonomy. Interviewee no. 4 considered the private universities as the “winners” in these circumstances. He argued that this is a way of politically influencing universities “as they are considered to be a safe shelter for employing, profiting and corruption”, a model far away from the HE British system. He declared that the elements intended to implemented in the Albanian system belong only to the English system (Interviewee no. 4 2016).

Unfortunately, very important instruments from the British context were neglected by the policymakers. The Albanian circumstances are different from the UK, where “there are legal and juridical-political instruments, which make possible to avoid the conflict of interest” (Interviewee no.3 2016). In relation to the not-for-profit status of the HEIs, Interviewee no. 3 illustrated a potential scenario that might happen in the future. He described the case when a private university transformed into a non-for-profit institution, and the same founder, or owner remained while assigning himself a salary of 60,000 Euro a month. Hence, the same person remains “who does the same rules of game”, and the situation was not improved (Interviewee no.3 2016).

In order to better understand this failure category, it must be taken into consideration the degrees of transfer. As mentioned before, this policy transfer was not a “copy paste” process. It started as a combination of elements, by referring to the British system, as well as by taking into consideration the Albanian context; and then the British system was seen as a source of inspiration. No one from the interviewees expected that everything was going to

operate in the same way as in England and everyone perceived a degree of adaption to the Albanian context. On the one hand, some of them saw elements such as autonomy or accountability, or the funding aspect to be motivated by the British example, while others claimed that this was “playing” with the terminology, and the way these elements would operate in Albania differed a lot from the borrowing country. There was an overall reference to the new HE Law as an Albanian production, with an English “spirit” on it. However, from the debates on whether these elements derived from the English system, and uncertainties on the operating manner in Albania, a picture of an incomplete transfer was the result. Hence, the appearance is not enough, and if the elements were transferred from the English system in exactly the same way they operated in Britain, maybe the actors would not contest this transfer. Lastly, as mentioned above, there are “legal and juridical- political” instruments in Britain that are absent in Albania, which leave space to political influence, corruption and conflict of interest.

4.2.3. Inappropriate Transfer: Different mindsets, different economies, different history

Inappropriate transfer is related to a situation when transfer occurs without taking into consideration the different economic, social, political and ideological contexts between countries (Dolowitz and Marsh 2000). This category relates to many on-going debates. The interviewees frequently mentioned a number of factors throughout the interview that targeted the reform and its elements as very inappropriate in the Albanian case. The only one who did not see any reason why these transferred elements or the new HE policy were inappropriate or would not be successful in Albania is the member of the commission (Interviewee no. 2 2016). In his view, this Law supports those students who cannot afford the tariffs, but deserve to continue their studies; as well as different scholarships are offered in order to encourage students to apply in fields that the state has established as priorities. In addition, he perceived

the protests as a great misunderstanding or encouraged by politics. This is because policies are fundamental, but the executive body is in charge for the further development and the proper implementation of these policies. Finally, the reform is a continuous process and the Law might be changed with time; some articles might be edited, in order to be improved and others might be deleted (Interviewee no.2 2016).

The most debated issue of this transfer is actual selection of the British system. Interviewee no. 5 argued that maybe the best system to be applied in Albania was something similar to the Croatian or Slovenian HE systems. He claimed that although the English system is very successful, Albania is more related to the Balkans' typology and culture. He argued that Albania, Slovenia and Croatia have common a communist past, and efforts to further develop. In his view, these countries have stabilized educational systems and high quality universities. He recommended that these systems should have been taken into account as these countries are more similar to Albania as mentality and in manner of development (Interviewee no, 5 2016).

Another argument as to why this model was inappropriate related to "structural reasons" and the economic context. Interviewee no. 3 claimed that the public-private partnership is very important to countries such as the UK or the US; the Board of Trustees are important to these systems; universities operate as nonprofit units, and are highly funded by donations, alumni and private businesses. On the other hand, Interviewee no. 3 discussed a recent survey of INSTAT (National Institute of Statistics) and argued that it is very suspicious that donations will be generated by the Albanian businesses due to some "structural reasons". According to this survey 89% of Albanian businesses were small and family businesses with approximately 4 persons (INSTAT 2013, 11). He doubted which of the big businesses could finance the universities, in case there are less than 4% of the businesses that have more than 50 employees (Interviewee no. 3). Therefore, in his view, in regard to the funding aspect, all these

elements do not allow the British system to be feasible in practice in Albania. Overall, Interviewee no. 3 considered the process an inappropriate transfer, in the view of different economic context and structural impediments.

This transfer was considered inappropriate also due to differences in “the historical, traditional character” and “because of the mentality and psychology” of the two countries (Interviewee no. 1 2016). Britain has always been different from the rest of continent and in particular to the South-Eastern Europe, in regard to the “psycho-social aspect”. In his opinion, there was no need for a “pompous Law” but:

“More flexible models should have been found ... that have quicker and tangible impact and results on the products of HE that relate to the knowledge transmission, the diploma, and the effects in the scientific research” (Interviewee no. 1).

Hence, this reform was inappropriate, because of different mentality/ psychology and history of two different societies; a very ambitious transformation.

The social and economic context is essential for the contestation of this new policy, as a hundred-year-old tradition of England in the field of HE is difficult to be implemented in Albania (Interviewee no. 4 2016). In particular, as there is a lack of infrastructure, training and qualified human resources to ensure the success of this reform. He argued that (i) apart from debates, the infrastructure in Albania is problematic; and (ii) important financial sources from donations and income from the tariffs coming from the students are absent. In his view, this reform was very inappropriate and the students are going to be negatively impacted by these tariffs, in particular the poor.

In general, these incorporated British elements in the new HE policy and later on, Law in Albania, were seen as inappropriate due to the differences between the two countries. The new Law was perceived as very ambitious and inappropriate due to the economic, social, psychological/mentality and historical/traditional context in Albania. Challenges related to the

private businesses or donations that are going to finance universities, the credits for the students, the fees for students and a lack of human resources to adapt to this reform and these elements. The inappropriateness of this transfer is mentioned more often than all the other categories and frequently used to support their arguments against the reform.

Conclusion

This thesis illustrated and analyzed the policy transfer in the Albanian HE system which was transformed into a controversial issue and contested by several actors. The debates on the “British/English model” and the intensive protests inspired this project. In order to understand and analyze the transfer of these elements in the new Albanian HE policy and the opposition against it, the Dolowitz and Marsh policy transfer framework was applied. Qualitative approach was carried out by gathering primary data. The new HE policy in Albania was launched by the newly elected government as a necessity to solve the problematic situation of the HE system. Later on a series of actors were involved by shaping the whole process. The English system was seen as a model of success, that if implemented in Albania would improve the HE situation. This new HE policy encountered great criticism and opposition.

The process was considered uninformed, incomplete and mostly inappropriate. The whole process was considered as mainly uninformed as careful, in-depth studies and experience were absent. Next, the transfer process was targeted as incomplete, not only because some principles and institutions were adapted, but they operated differently from the borrowing country. In addition, legal and political instruments in Britain were absent in Albania, which left space for conflict of interest and corruption. Finally, and the most frequent critique related to the argument that this transfer was inappropriate. The new HE policy and Law were

perceived as very ambitious and inappropriate due to the economic, social, psychological/mentality and historical/traditional differences between the two countries. For these reasons, the Albanian HE policy failed to be transferred successfully.

Limitations

This thesis illustrated and analyzed the policy transfer process and the opposition from several actors. It serves as a reference for future research, after the by-law acts would be implemented and following the outcomes of this policy. It is not easy to analyze a significant and controversial reform in 12000 words. Moreover, due to time constraints, the selected sample differed from the original, and I acknowledge that it could have been bigger. From the translation of the interviews from Albanian to English, certain data might be considered as lost, due to interpretation. Finally, hopefully, this study has opened up questions and issues to be further discussed and researched.

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Appendix I

List of the interviewed experts:

Interviewee no. 1: Dr. Luçiano Boçi, Deputy in the Albanian Parliament, Member of the Parliamentary Commission on Education and Public Information Tools; Former Rector of the University “Aleksander Xhuvani” in Elbasan; Representative of the opposition against the new HE Law. (04/05/2016)

Interviewee no. 2: Prof. Aleksandër Xhuvani, Member of the Commission in charge for the HE reform; member of the State Council for HE and Science; Director of the French Institute of Management in Tirana, Polytechnic University. (06/05/2016)

Interviewee no. 3: Dr. Ilir Kalemaj, Lecturer at New York University in Tirana; Former Director of National Agency for Education, Vocational training and Qualifications; active opinionist, writer and commentator in different media. (04/05/2016)

Interviewee no. 4: Dr. Ndriçim Mehmeti, pedagogue in the Albanian University; expert in education field; former senior official of the Ministry of Education. (04/05/2016)

Interviewee no. 5: Dr. Çlirim Duro, pedagogue at the European University in Tirana (UET), with 15 years of experience in the area of quality assurance and accreditation system; and working for various national and international agencies on issues related to HE and quality assurance. (04/05/2016)

Appendix II

Interview Guide

Policy Transfer Framework of Dolowitz and Marsh

1. Who was involved in this policy transfer?
(Politicians? The Commission? The EU or any other organization?)
2. Why it was needed a transfer/borrowing of elements from another system/ country?
(Rational Choice/ Political Decision? Influence from another body/institution/ Bologna Process/ OECD?)
3. What was transferred? (Principles, institutions- Known, Refer to Gjonca 2015)
4. Are these elements copied from the British system or they are adjusted to suit to the Albanian context? (Are these principles and institutions going to be implemented as they operate originally in Britain or are there modifications?)
5. From where are lessons drawn? (Known?)
6. What Factors Constrain Policy Transfer?

Categories

1. Uninformed Transfer?

- Did policymakers have information about the principles and institutions and the way they operated in England?
- Did they visit any of these institutions? Did they meet or consult with any representatives/academics etc. discussing on the operability and functions of these institutions?
- How did they carry out their research for this Law?

2. Incomplete Transfer?

- Why they chose to take these elements?
- Why some of the institutions are considered to operate exactly as in Britain and others have only some of the responsibilities?
- Do you think they have missed some important elements to transfer?

3. Inappropriate Transfer?

- What are some constraints or obstacles that this reform based on these elements faces?
- Do you think that the countries' contexts have been taken into consideration?