How Fair is Education Policy in Albania?

Albana Cekrezi
Epoka University
acekrezi17@epoka.edu.al

Abstract

Democracy, although a highly debated concept, preserves its identity in the values upon which it is founded. These values give universality to democracy, are normative and define democracy. Fairness is considered as one of the standard values of democracy. It is seen as justice, social justice and as equality. Fairness is highly discussed from the prospect of distributive justice. As injustice comes from unfair distribution of resources, the criteria over which this distribution is done is important. Three are the main principles based on which fair distribution is conducted: equality; everyone receives the same resource; equity, resource is distributed based on merit, work, talent; need, resource is distributed based on what individuals need. The development of political culture is the bridge that links fairness with citizens. Education stands as an important tool that influences political culture. At the same time, it is one of the spheres where to notice issues of fairness. In education, a top-down analysis of fairness necessitates the examination of

education policy. The driving research question has been to examine how education policy in Albania reflects issues of fairness. It brings results from the analysis of formal documents representing education policy. Content analysis has been used as a method aiming to filter these documents for issues related to fairness.

Keywords: democracy, education, fairness, education policy

1. Introduction

Democracy has been the subject of debate since its genesis in ancient Greece. Mainly, its political and *democratic culture development* aspects are among the discussed categories, even to these days (Kurki, 2010). Recently, the shift of deliberation has moved towards the values democracy promotes. *Values* are pondered over many models of democracy because they reduce the disputation over which democracy has been internationally contested as a concept. Secondly, these values overcome the lack of universality which characterizes many models of democracy as typifying national contexts. Furthermore, values are normative and they uncover the obscure and non-ideal aspects of democracy (Kuyper, 2016). Lastly, values and their embodiment best characterize democracy (White, 1999). The civic virtues of citizens among others define the quality of democracy (Almond & Verba, 1989) (Putnam, 2000). Nowadays, values are part of the civic competence framework next to attitudes, knowledge, and skills (Council of Europe, 2018); (Hoskins, Villalba, & Van Nijlen, 2008). Democratic values represent the 3rd face of democracy, next to popular sovereignty, rights and liberties, and economic democracy (Sodaro M. J., 2004).

Democracy consists of a constellation of key values and *fairness* is among the most important ones. It is considered as one of the standards along with freedom (Munck, 2014) and can be traced to many models of democracy. Justice (Aristotle & Jowett, 1999) guided the Athenian citizenry, even though it was restricted to Athenian adult males (Held, 2006). Fairness characterized democracy in the city-republics with equality of men before God, self-determination, and accountability of the political community only to itself (Held, 2006, p. 34). Laws were to be made by all people (Tierney, 2014) and citizens were encouraged to be *equally* represented in a mixed form of government (Balot & Trochimchuk, 2012). Equality was assured and regulated through the general will, the agreement

among the citizenry and government, in Rousseau`s Social Contract (Wade, 1976). Locke`s understanding of the state of nature was related to the *freedom and equality* of reasonable individuals (Lucci, 2018). Similarly, Mill advocated for equality between genders (Ten, 1969).

2. Fairness

Fairness is one of the main values upon which democracy is constructed. When arguing on fairness, it is inevitable not to mention justice or equality. Fairness, social justice, or simply justice are used to refer to similar ideas. They cover various domains in the political, social and economic life. Social justice is viewed as part of human rights education (Vienna Declaration and Programme of Action , 1993). Justice is connected strongly to reasonableness which consists of some reasonable conditions on which to make a choice, be acceptable and have support (Mandle, 1999).

Nevertheless, the idea of fairness rests in the fair distribution of resources. The *distribution of goods* is at the heart of justice (Reidy, 2010). This distribution is the essence of justice. *Distributive justice* deals with the distribution of goods or resources and concerns three actors: the distributor, the distributed and the observer (Jasso, Törnblom, & Sabbagh, 2016). From Rawls's point of view, distributive justice has to do with income equality and unequal distribution should be applied only to the benefit of the least advantaged ones. The distributed goods are not solely limited to financial goods but include other resources as well such as: positions, influence, knowledge, etc. Miller (1992, p. 559) notes that there are three main criteria to be considered about justice "*desert, equality and need*". These criteria define the way how goods are being distributed and represent the conditions or standards over which decisions are made. The understanding of fairness is guided by these three components. The distribution of goods is

based on these criteria. As a result, their abandonment leads to injustice. For instance, the criteria of equity (desert) stresses effort, work and talent (Rawls, 1971, 1999, p. 32). Equality refers to sameness and need of equal distribution of what individuals necessitate. In education, the just distribution is based on these detailed values or norms: *equality* means offering equal opportunities to all; *need*, offering opportunity based on what the individual, in this case, students need (Resh & Sabbagh, 2016, p. 350); *equity*, offering opportunities according to individual characteristics, like someone`s ability, effort, performance or work (Konow & Schwettmann, 2016).

Rawls describes justice as an important value with two principles (Bentley, 1973). The first principle deals with the equality of rights/ liberties and duties. The second principle offers inequalities in two cases:1. Inequality related to positions, based on equality of opportunity to all, and 2. (the difference principle) offers economic and social inequalities (income to active members of the society) only to compensate for the least advantaged individuals. Rawls` ideas resonate with the ones mentioned above. In terms of inequalities, they can be applied only to fulfil the principle of need and merit. Offering economic or social support to the citizens in need fulfills the criteria of need. Similarly, offering inequalities to individuals based on their capabilities reverberates with the principle of merit. This is to provide some equality of opportunity. Equality of opportunity includes equal chances given to all in terms of education and culture; open positions and the arrangement of institutions (operating within the context of free market). Additionally, equal opportunities for students despite their class differences (Rawls, 1971, 1999, p. 63). For this principle, he uses two conditions: (1) a just or fair institution (2) the individual that has "*taken advantage of the opportunities it offers to further one's interest*" (Rawls, 1971, 1999, p. 96). Rawls does not directly mention equality of educational opportunities, but he only states that it is a means

in achieving wealth, status, and other social goods (Klees & Strike, 1976) and the state should do more than just provide education of high quality for the least advantaged (Wenar, 2008, 2017). The first steps for the principles of justice deal with the requirements and rules of justice (Rawls, 1971, 1999, pp. 171-176). For this, the achievement of fairness passes through just or fair institutions and the rules or regulations they follow.

3. **Fairness in Policy Documents**

In democracies, democratic values are part of the political culture (Duch & Gibson, 1992). Political culture includes norms that are accepted widely. In democracies, political cultures consist of democratic values (Duch & Gibson, 1992). Political culture never remains static, but changes over time. It is dependent on the source of the values that furnish it and the process through which these values are formed. The source of values gains importance and education, among others, is one of them. The quality of political development is related to the quality of education next to the economy and urbanization (Cutright, 1963). Naturally, the education of a country reflects some sets of values (Hahn, 1999). Schools and education are considered social institutions (Selznick & Steinberg, 1969). These social units may influence one's understanding of politics (Almond & Verba, 1989, pp. 266-267).

From a top-down perspective, the quest for fairness starts with the examination of education policy. Education policy has to do with context, text and implementation (Taylor, Rivzi, Lingard, & Miriam, 1997). In terms of context, the education policy in Albania is oriented towards international and European programs like *European Union's Education Benchmarks for 2020 and SDG4-Education 2030* (UNESCO; IZHA, 2017). The content of education policy is found in the *texts* or *documents* that represent it. For this reason, we aim to

explore fairness as presented and understood through the perspective of education policy documents. Thus, the following research question is posed:

R.Q. How is fairness addressed in education policy documents as concerns their hierarchy of importance*,* the types used to represent these values through the direct and indirect forms and the outlook policy documents have of these values?

1. *What is the hierarchy of importance for these values as found in policy documents?*

2. *What aspects(types) of fairness are found in policy documents?*

3. *Are these aspects referred to directly or indirectly?*

4. *What understanding of fairness do these documents have?*

4. Methodology

In order to answer this research questions, it was seen appropriate using content analysis as a research methodology. Content analysis is a method of inquiry that uses texts or images, symbols etc. to make inferences (Krippendorff, 2004, p. 18). Although content analysis is typically used in a quantitative manner, it can be approached in a less strict manner when including qualitative nuances (Cardno, 2018, p. 633). In such research, Kracauer (1952-1953) suggests more than one-sided quantitative analysis. Qualitative analysis is found in the logical organization of categories, in connections among them, in the interpretation, explanation, analysis and quest for the significance of the results. In content analysis, inferences on the text can help to give answers to research questions (White & Marsh, 2006). Inferences can be made on the significance of the presence or absences of certain entities.

In content analysis the following steps were utilized: *unitizing, sampling, coding, representation, inferring, giving results* (Krippendorff, 2004, p. 84). *Unitizing* in this case has to do with the identification of key terms that are central and of interest for this research. In this case they are related to fairness. The direct and inferred terms of this values have been detected from the examination of the theory and literature review. *Sampling* refers to the limitation of the documents to be evaluated. Here, the researcher made use of relevance sampling which refers to the *intentional selection of the possible texts* or documents that serve the purpose of the inquiry. As a result, the documents have been restricted to those dealing with education policy in Albania. Policy document analysis as a method of research has some advantages. Many of these documents are easy to find and reach; they can be managed easily and attained at a low cost. Even though, depending on the nature of policy document, some of them may be difficult to find or they may contain unsatisfactory information.

Four key official documents representing education policy were selected: The Law on Pre-university Education, the Strategy of the Pre-university Education 2014-2020 (Eurydice, 2019), the Curricular Frame and The Curricular Manual for Social Sciences. To begin with, the Law on Pre-University Education enjoys the highest position in rank regarding the legislation on education. The Strategy of the Pre-university Education for 2014-2020 sets out lines on how to develop national education policy. Normally, *strategy* is used to define the way to reach the aims that have been highlighted by policy (UNESCO, 2013). The Curricular Frame is the essential curriculum document which outlines aims, competences, and results expected from students in relation to their skills, attitudes and knowledge (On Pre-University Education System in the Republic of Albania, 2012). It sets in broad lines all what the curricula is about: formal documents, applied

curricula and perceived curricula (The Curricula Framework of the Pre-University Education of the Republic of Albania, 2014, p. 22). The Curricular Frame is part of the curricula documents. It was included in this part in order to be analyzed together with other policy documents because it is the *main* document that mirrors the policies and strategies of development in education (The Curricula Framework of the Pre-University Education of the Republic of Albania, 2014). Curricula only reflects in content the above-mentioned documents. The Curricular Manual for Social Sciences is part of the documents of the curricula and includes standards to be achieved by students in social sciences and lines of themes included in subjects (IZHA, 2010). It is a detailed reflection of the Curricular Frame.

After this phase, the researcher tried to apply computer *coding* through NVivo. Computer coding refers to the usage of software to code words, analyze themes and texts. The usage of computer software and the development of a code list allows for reliability and transparency (DeBell, 2013). In this case, NVivo uses qualitative resources such as text, documents, visuals; analyses them based on pre-determined themes; visualizes them through charts, maps etc. (https://www.qsrinternational.com/nvivo-qualitative-data-analysis-software/home, 2020). Finally, it offers possibility for interpretation of the findings. Before applying computer coding, the researcher developed a coding list. The coding list for this chapter was generated after scanning carefully the literature on fairness. Initially, there were identified the main *direct* and *inferred terms* for the values of fairness. The theory pointed to the key general terms, like the types of fairness. In case there was reference to key words like: fairness, unfairness, justice, equality, need, merit etc. the categorization was *direct terms*. On the other hand, if there was reference to justice based on equality, equity or need indirectly, they were categorized under indirect terms. A list with *key words* related

to fairness found from the literature is presented in the table below.

Table 1. List of key words related on fairness

Fairness	
Direct Terms	**Indirect Terms**
1. **Fairness** 2. **Justice**, social justice, global justice, distributive justice 3. **Equality**, political equality, social equality, equality of policies, equal say, equal voice, equality of votes, equality in access, equality in membership, participation, equal education, equality of opportunity, equal chances, equality of rights/ liberties and duties 4. **Desert, merit, equity** 5. **Need,** Opportunity based on need	**General** reasonableness transparency lack of bias impartiality and consistency just rules, regulations, procedure, structure opportunity, aims, means, society, treatme independent criterion retribution, punishment, apology restoration of relation **Equity** opportunities based on individual characteristics, ability, effort, performance work, sacrifices, contribution, meritocracy **Equality** same opportunities educational inequality diminish the differences *educational achievement inequality* same quality of education decentralization access to information and means inclusiveness, *inclusive practices* **Need** disadvantaged family, background, social class, less/ least advantaged, family incom aspects of injustice, schools in deprived areas, different economic, social and cultural backgrounds individualism, exclusion, ICT violence, hatred, nationalism, corruption, favoritism

After this phase, the selected policy documents were scanned to see if there were other key terms of reference to be added to the code list. The codification of the policy documents was thematic. This enabled the researcher to critically explore the

documents according to the main themes of fairness, their subtypes and the way they were represented by the policy documents. During this process, if the researcher noted different forms of reference from what was detected before from the literature, she added them to the initial list and the result was a more comprehensive list of key terms. So, codification in policy documents has been done based on themes following the list with the key words. During the codification, the researcher found also some terms that were indirectly related to fairness. Eventually, 7 codes were used in NVivo, as presented below under fairness.

Table 2. List of Codes used for fairness in NVivo

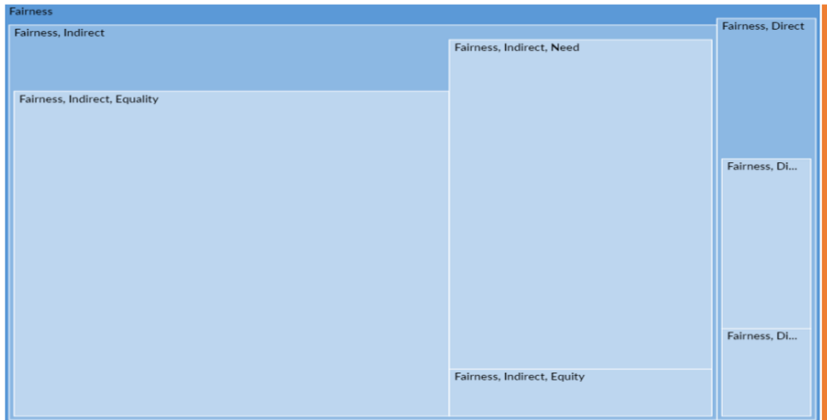| Fairness Themes	
Fairness Direct	Fairness Indirect
Fairness Direct Equality	Fairness Indirect Equality
Fairness Direct Need	Fairness Indirect Equity
	Fairness Indirect Need

5. Results

Figure 1. Hierarchy of Fairness

The hierarchy above demonstrates that fairness in the indirect version occupies more space than the direct version. The indirect form is found coding issues on equality, need and lastly equity.
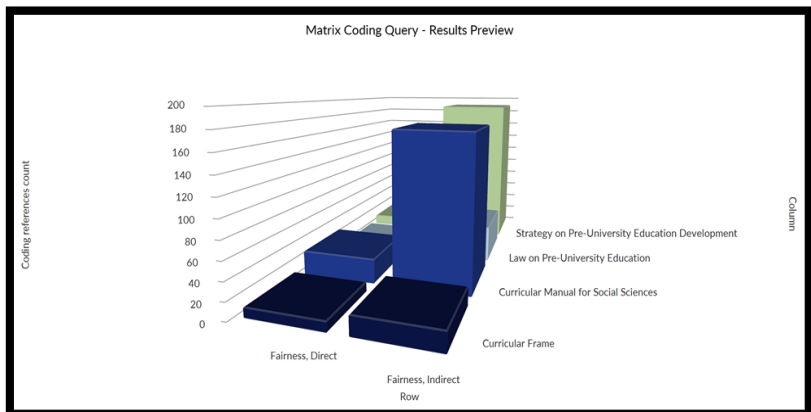

Figure 2. Matrix coding query-Fairness Direct-Indirect relation

In this matrix we observe that the value of fairness is coded mostly in an indirect form compared to the direct version. The documents where it is mostly found are: the curricular manual for social scienced and the strategy on pre-university development.
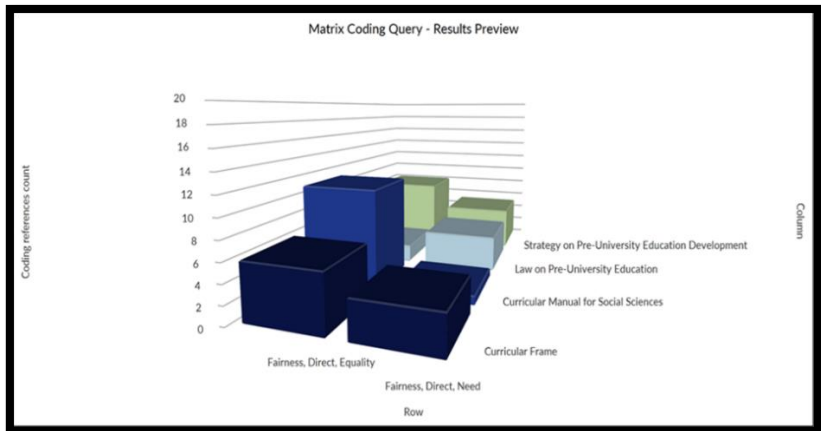

Figure 3. Fairness direct form coded as equality and need.

We notice that forms that have been coded as fairness based on equity are missing. Fairness based on equality, direct version is found to concentrate on issues like: equality, equal education for all, equal opportunities, gender equality, curricula that enables equal opportunities, equal protection, equality of understanding, equal and active participation, equality in education etc. Fairness based on need, direct reference addresses issues like: the curricula have to respond to needs, adapting the curricula according to needs, students with special needs, students of families in need, depending on the needs of the school community, identifying needs, accreditation of programs based on needs etc.
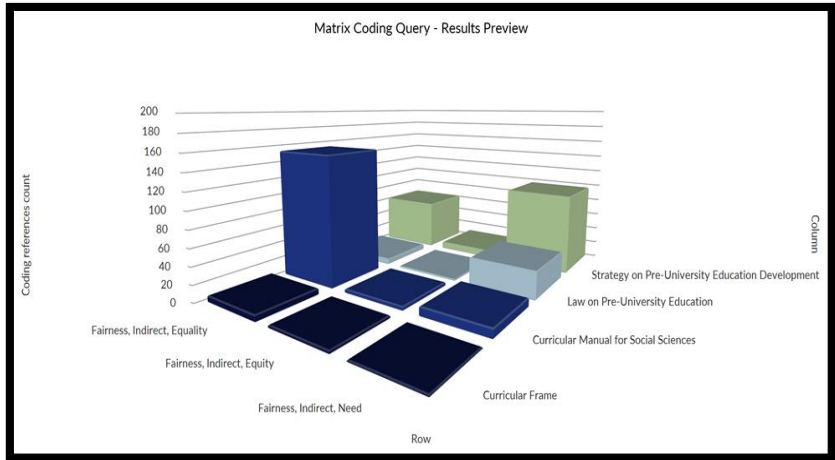
Figure 4. Fairness indirect version

Fairness in the indirect version has been coded from the policy documents as addressing equality, equity and need. Most of the codes relate to fairness as based on equality, followed by need and less by equity. This is inclusive for all the 4 education policy documents. This may be interpreted as: fairness is mostly understood as equality in education policy documents. A more detailed explanation is given below.

Fairness has been coded more as based on equality, indirect form**.** Education policy documents address issues related to lack of fairness and equality indirectly such as marginalization, discrimination or poverty in general. Policy documents address issues such as: each person has the right to education, each student can be successful, learning chances for all, each student should be given the chance to demonstrate himself. Additionally, it should be mentioned that topics related to law, respect for law, breaking the law, the aim of the law and constitution are common as well.

It is important to show that fairness is not solely given in the light of equality. Fairness, according to education policy documents includes a wide range of cases that represent need and equity. For instance, in the light of fairness based on need (indirect reference) there are cases coded such as: protection for minorities, differentiated tasks, respect for the developmental characteristic of students, the usage of a variety of assessment forms, disabled students, students with learning difficulties, support for disabled, institution of special education, home schooling , education in prison, psycho-social service, education for minorities, education for the children of the migrants, scholarship, meeting the educational needs of the community, refunding school texts, lack of infrastructure etc. , Al these point to awareness of needs.

Fairness based on equity is found only in the indirect version**.** Some of the references addressing equity are: depending on the availability of students; possibility for extra courses; differentiated tasks[1], project; according to the interest of students; refinement of knowledge based on students` interest; appropriate assessment of students; based on performance; scholarship; successful students etc.

6. Discussion

The development of political culture is the bridge that links fairness with citizens. Education stands as an important tool that influences political culture. At the same time, it is one of the spheres where to notice issues of fairness. In education, a top-down analysis of fairness necessitates the examination of education policy and education policy documents are the starting point of this examination.

---

[1] This has been coded both for need and equity as it may be a course addressing needs, or a course for further refinement of knowledge addressing equity.

Education policy documents in Albania reflect fairness from the perspective of equality, equity and need. Fairness as equality is understood in the equality between genders, equality in opportunities, equality in education, and in equal rights for students. Fairness from the specter of need, addresses issues related to protection of individuals, students in need, focus on students with learning difficulties, with disabilities, education for special groups (minority, migrants) and importance of infrastructure. Fairness understood as equity is found in the emphasis of the interest of students, reward given based on performance, stimulation through scholarship and promotion of successful students.

Education policy documents recognize students in need, recognize merit and talent. However, mostly, fairness is equalized to equality. It occupies more space with references such as: each person has the right to education, each student can be successful, learning chances for all etc. Fairness based on equity has only been addressed indirectly. Even though, education policy covers the three main criteria of distributive justice, these findings need to be investigated further in order to examine how policy is applied in schools.

References

Almond, G. A., & Verba, S. (1989). *The Civic Culture-Political Attitudes and Democracy in Five Nations.* Newbury Park, California: Sage Publications, Inc.

Aristotle, & Jowett, B. (1999). *Politics.* Kitchener: Ont: Batoche Books.

Balot, R., & Trochimchuk, S. (2012). The Many and the Few: On Machiavelli's "Democratic Moment". *The Review of Politics, 74*(4), 559-588.

Bentley, D. J. (1973). A Theory of Justice. *University of Pennsylvania Law Review, 121*(5), 1070-1078.

Cardno, C. (2018). Policy Document Analysis: A Practical Educational Leadership Tool and a Qualitative Research Method. *Educational Administration: Theory and Practice, 24*(4), 623-640.

Council of Europe. (2018, April). *Reference Framework of Competences for Democratic Culture.* Retrieved from Council of Europe: https://www.coe.int/en/web/campaign-free-to-speak-safe-to-learn/reference-framework-of-competences-for-democratic-culture

Cutright, P. (1963). National Political Development: Measurement and Analysis. *American Sociological Review, 28*(2), 253-264.

DeBell, M. (2013). Harder Than It Looks: Coding Political Knowledge on the ANES. *Political Analysis, 21*(4), 393-406. Retrieved from https://www.jstor.org/stable/24572671

Duch, R. M., & Gibson, J. L. (1992). "Putting Up With" Fascists in Western Europe: A Comparative, Cross-Level Analysis of Political Tolerance. *The Western Political Quarterly, 45*(1), 237-273.

Eurydice. (2019, 28 March). *Legislation and Official Policy Documents-Albania*. Retrieved from Eurydice: https://eacea.ec.europa.eu/national-policies/eurydice/content/legislation_en

Hahn, C. L. (1999). Citizenship Education: An Empirical Study of Policy, Practices and Outcomes. *Oxford Review of Education, 25*(1/2), 231-250.

Held, D. (2006). *Models of Democracy.* Cambridge and Malden: Polity Press.

Hoskins, B., Villalba, E., & Van Nijlen, D. (2008). *Measuring Civic Competence in Europe-A Composite Indicator based on IEA Civic Education Study.* Luxembourg: Institute for the Protection and Security of the Citizen, Centre for Research on Lifelong Learning (CRELL).

https://www.qsrinternational.com/nvivo-qualitative-data-analysis-software/home. (2020, March). Retrieved from https://www.qsrinternational.com: https://www.qsrinternational.com/nvivo-qualitative-data-analysis-software/home

IZHA. (2010). *Curricular Frame-Social Sciences.* Retrieved from ascap.edu.al: https://ascap.edu.al/Biblioteka/6Udhezues%20te%20Pergjithshem/Shkencat-Shoqerore-Shkenca-Shoqerore.pdf

Jasso, G., Törnblom, K. Y., & Sabbagh, C. (2016). Distributive Justice. In C. Sabbagh, & M. Schmitt, *Handbook of Social Justice Theory and Research* (pp. 201-218). New York, Heidelberg, Dordrecht, London: Springer.

Klees, S. J., & Strike, K. A. (1976). Justice as Fairness: Coleman's Review Essay on Rawls. *American Journal of Sociology, 82*(1), 193-201.

Konow, J., & Schwettmann, L. (2016). The Economics of Justice. In C. Sabbagh, & M. Schmitt, *Handbook of Social Justice Theory and Research* (pp. 83-106). New York, Heidelberg, Dordrecht, London: Springer.

Kracauer, S. (1952-1953). The Challenge of Qualitative Content Analysis. *The Public Opinion Quarterly, 16*(4), 631-642.

Krippendorff, K. (2004). *Content Analysis-An Introduction to its Methodology.* Thousand Oaks, London, New Delhi: Sage Publications.

Kurki, M. (2010). Democracy and Conceptual Contestability: Reconsidering Conceptions of Democracy in Democracy Promotion. *International Studies Review, 12*(3), 362-386.

Kuyper, J. (2016). *Global Democracy-The Stanford Encyclopedia of Philosophy.* Stanford : Metaphysics Research Lab, Stanford University.

Lucci, D. (2018). Political Scepticism, Moral Scepticism, and the Scope and Limits of Toleration in John Locke. In *Yearbook of the Maimonides Centre for Advanced Studies* (pp. 109-143). De Gruyter.

Mandle, J. (1999). The Reasonable in Justice as Fairness. *Canadian Journal of Philosophy, 29*(1), 75-107.

Miller, D. (1992). Distributive Justice: What the People Think. *Ethics, 102*(3), 555-593.

Munck, G. L. (2014). What is Democracy? A Reconceptualization of the Quality of Democracy. *Democratization, 23*(1), 1-26.

On Pre-University Education System in the Republic of Albania. (2012). *Law nr.69/2012 On Pre-University Education System in the Republic of Albania*. Tirana, Albania.

Putnam, R. D. (2000). *Bowling Alone-The Collapse and Revival of American Community.* New York: Simon and Schuster.

Rawls, J. (1971, 1999). *A Theory of Justice- Revised Edition.* Massachusetts: Harvard University Press.

Reidy, D. A. (2010). Rawls's Religion and Justice as Fairness. *History of Political Thought, 31*(2), 309-343.

Resh, N., & Sabbagh, C. (2016). Justice and Education. In C. Sabbagh, & M. Schmitt, *Handbook of Social Justice Theory and Research* (pp. 349-367). New York, Heidelberg, Dordrecht, London: Springer.

Selznick, G. J., & Steinberg, S. (1969). *The Tenacity of Prejudice: Anti-semitism in Contemporary America.* New York: Harper and Row.

Sodaro, M. J. (2004). *Comparative Politics-A Global Intruduction- Second Edition.* New York: McGraw-Hill.

Taylor, S., Rivzi, F., Lingard, B., & Miriam, H. (1997). *Educational Policy and the Politics of Change.* London and New York: Routledge.

Ten, C. L. (1969). Mill and Liberty. *Journal of the History of Ideas, 30*(1), 47-68.

The Curricula Framework of the Pre-University Education of the Republic of Albania. (2014). Retrieved from https://ascap.edu.al/: https://ascap.edu.al/wp-content/uploads/2017/03/Korniza-Kurrikulare.pdf

Tierney, B. (2014). Marsilius of Padua. In B. Tierney, *Liberty and Law* (pp. 122-141). Washington, D.C: Catholic University of America Press.

UNESCO. (2013). *UNESCO Handbook on Education Policy Analysis and Programming-Education Policy Analysis.* Bankok: UNESCO.

UNESCO; IZHA. (2017). *Albania-The Analysis of Education Policy-Issues and Recommendation.* Paris: UNESCO.

Vienna Declaration and Programme of Action . (1993, June 25). Retrieved from OHCHR: https://www.ohchr.org/Documents/ProfessionalInterest/vienna.pdf

Wade, I. O. (1976). Rousseau and Democracy. *The French Review, 49*(6), 926-937.

Wenar, L. (2008, 2017, January 9). John Rawls. In E. N. Zalta, *The Stanford Encyclopedia of Philosophy.* Stanford, California, U.S.A: Metaphysics Research Lab, Stanford University. Retrieved from Stanford Encyclopedia of Philosophy: https://plato.stanford.edu/entries/rawls/#TwoGuiIdeJusFai

White, M. D., & Marsh, E. (2006). Content Analysis: A Flexible Methodology. *Library Trends, 55*(1), 22–45.

White, P. (1999). Political Education in the Early Years: The Place of Civic Virtues. *Oxford Review of Education, 25*(1/2), 59-70.