



Old laws and morals in the beautiful mountains of Albania

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Summary

Although Albania has had more than a decade of democracy following a severe Communist regime, the transition has been a difficult one. There is a lack of democratic traditions, and only a few people, mainly politicians, have flourished. Tourism has a huge potential, but it is severely hampered by poor infrastructure. Most of all, according to the author, the old tradition of blood feud has resurged. Blood feud dates from the very early years of Albanian history and is detailed in the *Kanun/Canon (Code of Customary Laws)* of Lek Dukagjin, a feudal ruler of the 15th century in the north of Albania. The *Kanun of Lek Dukagjini*, as it is called, was enforced over a large part of Albania for almost six centuries.

Today, there are three main versions of the code in northern Albania -- the *Kanun* of Lek Dukagjini, the *Kanun* of Skanderbeg, and the *Kanun* of the Mountains. According to Ismet Elezi, a law professor at Tirana University, the lack of state control and clearly laid-down laws in recent times has forced many Albanians to resort to the *Kanun* and its guidelines on blood vengeance. Elezi adds, however, that despite the *Kanun's* sanction of vengeance, its rules are strict about how it is to be extracted. For example, the *Kanun* firmly prohibits the retribution killing of women, children, and the elderly. It also limits the types of weapons that can be used, as well as the period of isolation that male relatives of a revenge killer must undergo. Whereas, in the past, male family members were isolated for a week after a blood killing, now entire families are forced into isolation for months and even years at a time.

Blood feuds were born in the Middle Ages out of the desire for domination; one clan would use the concept of the blood feud against another to gain

territory and power. As time went on, the predominant conflicts occurred between families. According to the *Kanun*, the relatives of the person killed must avenge the victim by killing the murderer or one of his male relatives. To escape the killing, the endangered people were obliged to stay closed in until the problem was resolved. So a solution could be that somebody from the killer's family was killed or that the killer's family was forgiven.

When King Zog came to power in 1928, Albania had for the first time a modern written constitution, which contributed to the gradual limitation of the blood feud. After the Second World War, the Communists took over and suppressed all old *Kanun*. As a result, blood revenge almost came to a complete stop until the new democratic changes of 1991.

Some of the reasons for the revival of this tradition were:

- the revival of old conflicts that remained hidden during Communist times,
- ownership conflicts dominated by land redistribution after 45 years of Communism,
- the weight of the old traditions,
- the lack of solid state police structures and a weak justice system,
- poverty and the lack of security, and
- the lack of order led to an increase in organised crime, including the enforced prostitution of women and the trafficking of organs.

As a result of these factors, many people continue to be victims of blood feud even today. Although the phenomenon has deep roots in the mountainous areas, many people in big cities still follow the old rules, particularly in the city of Shkodra. Between 1965 and 1990, there was only one case of a blood-vengeance murder. But between 1991 and 1995, nearly 10% of murders in the country were related to revenge. The figures soared during the 1997 anarchy to nearly 30% of all murders in Albania

In cases of blood feud, all males of non-reconciled families live under self-imposed house arrest and suffer the consequences of this isolation. The economic situation of 'closed in' families quickly deteriorates. The old law exempts females from participating in the feud, but does not prevent them from suffering. Women have the sole responsibility of earning livelihoods for the family, and their male children cannot attend school. The result for Albania is greater illiteracy and greater social problems.

A part of the problem, according to some experts, is that Albanian legislation currently treats blood vengeance as a lesser crime than murder. Thus, many murders committed in the name of blood vengeance may be invoking family honour as a pretext and using the *Kanun* as a way of escaping stricter punishment. It is difficult to envisage a quick end to the suffering caused by this in Albania, plagued as it is with other pressing problems such as high unemployment, low national production scale, deficient public services, and



trafficking, among others. The author reiterates that Albania is a beautiful country with a great potential for tourism hampered by the tradition of blood feud, poor infrastructure, and the weak rule of law.

With regard to women, the *Kanun* declares acts that make women untouchable – she is only required to give birth to children, serve them and the other members of the family, and do housework. According to the *Kanun*, the woman is a breathing object; she is a property and as such cannot be respected by male members of the family. The *Kanun* states that men have the right to beat and publicly humiliate their wives if their wives disobey them. If the wife does not conduct herself with respect to husband, the man is expected to “cut off his wife’s hair, strip her nude, and expel her from the house in the presence of relatives, driving her with a whip through the village.” Under certain conditions, a man may kill his wife with impunity for two acts (she can be shot in the back or abandoned) – for adultery and for the betrayal of hospitality. For these two acts of infidelity, the husband can kill his wife without requiring protection or truce and without incurring a blood feud.

Fifty years of Communist rule was not able to eradicate the patriarchal attitude inherent in the *Kanun*. Many women still view their social position as defined by these customary laws. The *Kanun* has often been cited as the main cause for the discrimination against women in Albanian society. This proposition, however, requires further analysis and must consider other factors such as the low level of socioeconomic development, poverty, lack of political stability, lack of a democratic culture, the low level of education, and lack of movements for emancipation, among others. Some of these factors are as follows.

- The inferior position of women within the Albanian cultural tradition
- The lack of safeguards in Albanian legislation to protect women, and the non-enforcement of existing laws
- The unfavourable economic and social conditions of women
- The political situation in the last ten years which has discouraged women from participating in the decision-making process
- The community’s encouragement of certain forms of violence against women in instances
- The view that domestic violence was considered a domestic problem rather than part of a wider social problem
- The high level of unemployment, especially among women

Despite the significance of the *Kanun*, young men have little idea of what it is about, and today, the *Kanun* does not correspond to reality and has become totally twisted. Women living in closed families have to carry out all the housework. They must not only mind their children but their husbands and male children. The only source of entertainment is television and radio, and that too only for few as most live in acute poverty. People come together only for two occasions – marriages and funerals.

Many have tried to challenge the *big dragon* of blood revenge. A number of peace and reconciliation associations have been formed for the reduction and elimination of the phenomenon. One is the League of Peace Missionaries, a local Albanian association created since November 1991 with branches in all the districts of the north and in some parts of the south. It mediates cases of misunderstanding and conflict, trying to reconcile existing blood feud factions, making efforts to prevent them in future. Many of their activities are in co-ordination with clerics, representatives of the local authorities, police and justice structures, students, pupils, and so forth. According to the information provided by the head of the League of Peace Missionaries, Emin Spahia, the mission has reconciled 1,370 families and freed 27,000 people locked in since 1999.

CAFOD Albania, whose mission is to *"help people who are trapped in poverty, deprived of resources and those who suffer problems because of disability, social stress and injustice,"* began its activities in Albania in 1993 as an initiative of CAFOD (Catholic Agency for Overseas Development of England and Wales). It has taken an increasing interest in the blood feud phenomenon, seeing it as a serious obstacle to the alleviation of people's suffering and progress. CAFOD Albania has supported many initiatives to end blood feuding for the sake of a peaceful society.

The League of Peace Missionaries (LPM) is the local partner directly involved in the reconciliation process, while CAFOD Albania has assisted with its expertise and knowledge. A massive campaign was organised to raise awareness, and many open meetings were conducted, with the appeal to abandon the practice of closing in the innocent relatives of the person who committed the crime. A meeting was organised by LPM in Kelmend village in March 2002, attended by local authorities, police, clerics, media, CAFOD Albania, and the community to raise awareness among community members and other actors on the importance of law enforcement, abandoning old practices, and contributing to a peaceful future. A march through the streets of Shkodra was organised on the occasion of the 10th anniversary of the foundation of the League of Peace Missionaries. Thousands of children and adults supported the work of the peace missionaries. Reconciliations took place directly after this march, and 20 families were liberated from being closed in. CAFOD Albania has also assisted the organisation of peace missionaries by donating basic equipment such as desks, shelves for files, computer, fax machine, TV set, and video, to help facilitate the work of the League.

Conclusion

Finding an immediate solution to ending blood feud in Albania is not possible, but things can change for the better if, aside from the work of the peace missionaries, the attention of state structures and citizens is brought to bear on this problem.

