

Perek 19- Cities of Refuge

## **Albania: Blood Feuds -- 'Blood For Blood'**

From <http://www.rferl.org/>

By Jolyon Naegele

In Albania, one of Europe's poorest countries, the centuries-old tradition of blood vengeance has seen a resurgence over the past decade. The law-and-order vacuum created by the collapse of communism has sent many Albanians back to the oral common laws of their tribal roots -- laws that include the right to murder to avenge an earlier killing.

Tirana, 12 October 2001 (RFE/RL) -- In a broad valley in northern Albania circled by mountains, a medieval hilltop fortress, and a NATO radar station, Ndoc Kapsari and his wife Gjovana take turns standing guard on the roof of the garage where they live. Armed with a hunting rifle, they scan the surrounding cornfields and vineyards for any sign that someone may be coming to kill them.

The Kapsaris have lived this way for 10 years. Blamed for a fatal accident that both Ndoc and police investigators say was none of his doing, he and his wife have become the permanent target of a family seeking "gjakmarrja," or blood vengeance. Forced into a life of complete isolation, Ndoc Kapsari describes himself as "the most unfortunate man in the world."

He isn't alone. There are an estimated 2,800 Albanian families living in self-imposed isolation, trying to avoid becoming victims of blood vengeance. In the years since the collapse of communism, Albania has seen law and order crumble in many parts of the country, replaced by the ancient social codes of the "kanun," the unwritten customary laws used by centuries of Albanian tribes to determine everything from standards of dress to marriage to the resolution of disputes. The renewed interest in the kanun has been especially strong in the north of the country, where Albanians maintain close ties with their extended families, clans, and tribes. But even in the capital Tirana, at least three published versions of the kanun are widely available in book kiosks.

Ismet Elezi is a professor of law in Tirana. He says the kanun may date back as far as 2,000 years to the Illyrians, widely believed to be the ancestors of today's Albanians. Today there are three main versions of the code in northern Albania -- the Kanun of Lek Dukagjini, the Kanun of Skanderbeg (named after two medieval Albanian heroes), and the Kanun of the Mountains. Passed orally from generation to generation for centuries, the kanuns were not transcribed until between the mid-19th and mid-20th centuries.

Now, Elezi says, the current lack of state control and distinct laws has sent many Albanians back to the kanun and its guidelines on blood vengeance. "The kanun sanctions the principle of blood for blood, which means the murderer must be killed."

But Elezi adds that despite the kanun's sanction of blood vengeance, it is strict in its rules on how such revenge can be carried out. 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. In the past, male family members were isolated for a week after a blood killing took place. Now, Elezi says, entire families are forced into isolation for months and even years at a time.

"Isolation was a phenomenon thought to be a manner of resolution to the extent that those involved in blood vengeance [otherwise] had no security for their lives and nowhere to

go. The problem of [blood vengeance] continues because the state structure is not working so well."

Ndoc Kapsari says the state offers him little hope of ever being rescued from the isolation he and his wife live in -- despite the fact that investigators and prosecutors three times pronounced him innocent of the death that sent him into hiding.

In 1991, Kapsari, a carpenter, was standing in line for eggs. Two young men began pushing him and trying to take his place. Kapsari stood his ground, but says that after he left the store, the two men attacked him with knives and iron bars. Kapsari describes what happened next: "The two young men fled. One of them was on a bicycle, and he crashed into an electric power pylon and died on the spot. When I saw he was dead I went straight to the police."

Kapsari was jailed during each of the three investigations into the young man's death. But after authorities pronounced him innocent for the third and final time, the dead man's family posted a \$15,000 bounty on his life, insisting he should be killed on the principle of "blood for blood." Kapsari says he likewise turned to the kanun for guidance.

"After I was released from jail, I decided to proceed according to the kanun of Lek Dukagjini. I went to church and swore before the priest that I was innocent. The father of the dead man then said he wanted to forgive me but that his wife and surviving children wouldn't let him. They said, 'As long as you're alive, we will try to kill you.'"

Kapsari and his family, then living in the town of Shkodra, were forced to remain at home day and night, year in and year out. During the wave of anarchic unrest that swept the country in 1997, Kapsari's carpentry workshop was torched and the family's apartment was destroyed. Kapsari says he fled the apartment in a hail of gunfire, flagged down a car and drove 10 kilometers south to his native hamlet of Plezha. A neighbor brought his family, and friends hastily built a garage in the middle of the Kapsaris' field, complete with a surrounding three-meter-high wall.

The Kapsaris have been there ever since. Their lifeline to the outside world is a cellular phone. They have a refrigerator, a washing machine, a stove, and a tape deck, as well as some couches and chairs, all donated by villagers emigrating to Italy. They receive newspapers and own two books -- the Bible and the kanun. Ndoc has assembled a circular saw and is able to cut timber, using carpentry work to survive.

After two attempts by the rival family to murder their son when he was just five years old, the Kapsaris have sent all three of their children to live elsewhere. Ndoc says the attacks continue: "Certainly they are out there. They come at night. They move on foot along the walls, throwing stones in our direction. Who in the hell would come at night just to make the dogs bark?"

Emin Spahia is the chairman of the All-National Albanian Reconciliation Mission, created in 1991 to help maintain a sense of order following the collapse of communist rule. He spends much of his time driving his Mercedes-Benz over the pot-holed roads of northern Albania, trying -- but not always succeeding -- to help families find peaceful resolutions to blood disputes. He has been working with the Kapsaris for five years.

Spahia says the strongest obstacle to reconciliation in the Kapsari case are the women in the rival family who refuse to give up the feud. He says, "Going on like this, victimizing a person for so long, is illogical." But, he adds, the kanun alone is not to blame for the Kapsaris' plight.

"The kanun, in fact, is the least of the evils we face at present. Currently, not even the kanun has any application. [The rival family] is violating God's law, the state's law, and the kanun -- all three. The only thing Albanians know how to do well now is rape, murder, deal in prostitutes, and loot. That's the tragedy of Albania."

Spahia adds that many Albanian families like the Kapsaris are suffering from a "total absence of human rights" because the state refuses to take seriously the growing problem of blood feuds. Last spring, the government promised to help the Kapsaris secure new identities and emigrate to Canada. But for now the family continues to wait, desperate to escape a way of life that seems to spring straight from the Dark Ages.

"I'm innocent," Ndoc Kapsari says. "Everyone is convinced I'm innocent, including the state. I look for help but no one is lifting a finger and this really surprises me. This is a democracy? What sort of rights do I have?"

# Family vows revenge for shooting

By Jesse Hogan

From <http://www.theage.com.au/>

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The victim's uncle Mohammed Chaouk, third from right, and other relatives remonstrate with police at the scene of the shooting.

Family members of a man shot dead in a police raid in Brooklyn this morning have made a very public vow to avenge his death.

As police and reporters waited outside where he was shot, a man stopped his car in the right lane of the Geelong Road, directly opposite the house.

He shouted obscenities at police from his car before speeding off and turning around, parking his car just behind the police barrier.

The man was later revealed as Mohammed Chaouk, the victim's uncle.

Mr Chaouk ducked under a police cordon and stormed towards his nephew's house, about 30 metres away.

He grappled with three police officers, who stopped him from going further.

The officers pushed Mr Chaouk to the ground and handcuffed him after he continued to struggle.

"You f----- killed him, you dogs," Mr Chaouk screamed.

"You take one of us and I'll take 10 of you."

Mr Chaouk's brother arrived soon after and was similarly combative, pushing officers as he attempted to get through the police cordon.

Both men, and their wives, repeatedly screamed at police, vowing revenge.

Veteran homicide squad detective Charlie Bezzina calmed both men down, and Mr Chaouk was released without arrest.

Mr Chaouk later said he had been watching news of the shooting on television this morning and recognised the house.

He conceded his nephew may have been involved in criminal activity, but said the shooting was totally wrong.

"No one gets shot for nothing (but) they (police) can arrest him, they can do anything."

Relatives said the victim was Mahammed Chaouk, 29, who lived at the house. They originally believed the victim was his younger brother, Ali Chaouk, 24.

Two younger members of the family arrived soon after and continued the threats.

A cousin, also named Ali Chaouk, said of the dead man: "He was a really good guy. He had a kind heart and wouldn't hurt anyone."

Despite seemingly having calmed down, Mr Chaouk twice returned to the police barrier to repeat the threats.

"We are family. We have to do these things," he said.

Mr Chaouk and his brother were eventually led away by their younger relatives and left the scene.

Soon after, a number of police went to their cars and put on bulletproof vests.

Another relative, who asked not to be named, said Mohammed Chaouk's threats should not be taken literally.

"He was obviously speaking out of emotion," the man said.

"He is devastated. Who wouldn't be devastated?"

The man said the extended family were unsure of exactly what had happened this morning.

The brothers were eventually led away by their younger relatives and left the scene.

The New York Times

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# In Albanian Feuds, Isolation Engulfs Families

By DAN BILEFSKY

SHKODER, [Albania](#) — Christian Luli, a soft-spoken 17-year-old, has spent the past 10 years imprisoned inside his family's small, spartan house, fearful he will be shot dead if he walks outside the front door.

To pass the time, he plays video games and sketches houses. Since he is unable to attend high school, Christian's reading level is that of a 12-year-old's. A girlfriend is out of the question. He would like to become an architect, but he despairs of a future locked inside, staring at the same four walls.

"This is the situation of my life. I have known nothing else since I was a boy," Christian said, looking plaintively through a window at the forbidden world outside. "I dream of freedom and of going to school. If I was not so afraid, I would walk out the door. Living like this is worse than a prison sentence."

Christian's misfortune is to have been born the son of a father who killed a man in this poor northern region of Albania, where the ancient ritual of the blood feud still holds sway.

Under the Kanun, an Albanian code of behavior that has been passed on for more than 500 years, "blood must be paid with blood," with a victim's family authorized to avenge a slaying by killing any of the killer's male relatives. The Kanun's influence is waning, but it served as the country's constitution for centuries, with rules governing a variety of issues including property ownership, marriage and murder.

The National Reconciliation Committee, an Albanian nonprofit organization that works to eliminate the practice of blood feuds, estimates that 20,000 people have been ensnared by blood feuds since they resurfaced after the collapse of Communism in 1991, with 9,500 people killed and nearly 1,000 children deprived of schooling because they are locked indoors.

By tradition, any man old enough to wield a hunting rifle is considered a fair target for vengeance, making 17 male members of Christian's family vulnerable. They, too, are stuck in their homes. The sole restriction is that the boundaries of the family home must not be breached. Women and children also have immunity, though some, like Christian, who physically matured at an early age, begin their confinement as boys. Family members of the victim are usually the avengers, though some families outsource the killing to professional contract killers. Blood feuds have been prevalent in other societies, like mafia vendettas in southern Italy and retaliatory violence between Shiite and Sunni families in Iraq. Appalachian bootleggers in the 19th century also took up arms to defend family honor.

But the phenomenon has been particularly pronounced in Albania, a desperately poor country that is struggling to uphold the rule of law after decades of Stalinist dictatorship.

Blood feuds all but disappeared here during the 40-year rule of Enver Hoxha, Albania's Communist dictator, who outlawed the practice, sometimes burying alive those who disobeyed in the coffins of their victims. But legal experts in Albania say the feuds erupted again after the fall of Communism ushered in a new period of lawlessness.

Nearly a thousand men involved in feuds have escaped abroad, some of them applying for asylum. But even then, dozens of people have been hunted down outside Albania and killed by avenging families.

Ismet Elezi, a professor of criminal law at the University of Tirana, who advises the government and the police on how to tackle the problem, said recent changes to Albania's penal code — including sentences of 25 years to life in prison for those who kill in a blood feud and stiff penalties for individuals who threaten to retaliate — had helped diminish the practice. Yet he noted that some still gave greater credence to the Kanun than to the criminal justice system, often with devastating social consequences.

"The younger generation is no longer looking to the older generation's codes of behavior," he said. "But blood feuds are still causing misery because the men stuck inside their homes can't work, the children can't go to school and entire families are cut off from the outside world."

Alexander Kola, a mediator who works to resolve blood feuds, said the most common cause of feuds was disputes over property or land. He noted that feuds could also erupt from seemingly minor affronts. He recalled a recent case in

which a dozen men had been forced indoors after a male family member killed a shopkeeper who refused to sell his child an ice cream cone. In another case, a feud exploded when a sheep grazed on a neighbor's land, precipitating a deadly fight.

Sociologists here said the feuds had inverted traditional gender roles in rural Albania, as the women became the breadwinners of the family while the men were forced to stay home and do the housework.

Christian's mother, Vitoria, 37, said she had ordered him to remain indoors from the age of 7 after her husband and his brother killed a man in their village following a drunken argument. She said her other son, Klingsman, 7, was attending school but would soon be forced to join his brother's life of confinement. Her husband and brother-in-law are serving 20-year prison sentences for murder.

"I live in constant fear and anxiety that Christian will be killed, that they are hunting my children," said Ms. Luli, who relies on charity to support her, the two boys and their two sisters. "I just wish the other family would kill someone in our family so that this nightmare would finally be over."

She said she had sent a mediator to try and seek forgiveness from the other family, but to no avail.

The family of the victim, Simon Vuka, declined to comment. But Mr. Kola, who is mediating the case, said that the family was not prepared to forgive the feud because the victim had two young sons who had been left fatherless. "Many victims' families feel that imprisoning all the men in the killer's family inside their homes is a better revenge than killing them."

Mr. Kola, a former gym instructor who studied conflict resolution in Norway, said he tried to reconcile feuds by identifying influential friends or relatives of the victim who could implore the family to forgive and forget. He said the plea for forgiveness was often accompanied with an offering of gold coins or other gifts from the killer's family. "I tell the families of the victims that forgiveness is more important than revenge," he said.

Christian, lanky and stoic with a maturity beyond his years, said he blamed his father, his uncle and an outmoded code of behavior for destroying his life. He said it was unfair that he was being punished for the sins of his relatives.

His only contact with the outside world comes once a month when a group of nuns who do charity work in the community form a protective circle around him and whisk him into a car for a 30-minute trip to a nearby community center. He



said he fantasized about escaping Albania, but his family was too poor to send him abroad. He could arm himself and flee, but he fears that the risks could be deadly.

“The Kanun is full of idiot rules for another age,” he said. “It is totally unfair and senseless.”

Blood feuds have affected the young as well as the aging members of the Albanian population, some of whom go without adequate health care because they cannot leave their homes.

Sherif Kurtaj, 62, has been forced to live with an untreated back tumor and rotten teeth because he has been trapped inside his house for the past eight years, ever since his two sons killed a neighbor he said ridiculed the boys because they were planning to emigrate to Germany. He said he needed life-saving surgery, but feared that if he went to the hospital, he would die from an avenger’s bullet.

Mr. Kurtaj said his two sons, both of whom face 16-year prison sentences, had been on the run since the killing. Even if they turned themselves in, he lamented, he would still be forced to remain indoors.

He said his friends were too afraid to visit for fear of being accidentally shot. He said the feud had made him completely dependent on his wife. “I am a Kanun man, and I was raised to be the man of the house. But now my wife is everything to me.”

Mr. Kurtaj could file a complaint under Albanian law against the family of the victim for threatening to kill him; such an offense carries a prison sentence of up to three years. But Mr. Kurtaj said he was afraid it would only bring reprisals.

“The Kanun must be obeyed,” he said. “The blood needs to be avenged.”