

Victimization of Albanian Female Deprived of Liberty by the State Apparatus and Social Mentality During the Monist and Pluralist System in the Republic of Albania



Victimology

Keywords: Albanian Females/Women, Communist Dictatorship, monstrous treatment, suffer, imprison, internment, murder, state, society etc.

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Abstract

The following paper treats the situation in which the Albanian women have experienced during the period of Communism Dictatorship, their monstrous treatment by the investigation, their sufferance in the internment and detention centers.

Also, this paper tackles as well as the manner of collective sentences in the Monist Albania, so the manner how the woman experienced when her husband or someone kin were sentenced to jail. Special attention is paid to the treatment and abuse of the Albanian woman after being imprisoned and the obstacles for their reintegration in the society. In the same line are treated the worst situation of women and females that are facing problems with law, their victimization by the society and by the state and at the end of this paper it is treated the phenomena of females murdering in Albania during the period of transition.

Introduction

Albania, which in 2012 turns a century of being a state, is a society which has experienced several shifts of social systems and governments, but the Communist system turned into a dictatorship one ruled for nearly five decades in the Republic of Albania. It violated the human rights through loss of personality comparable to medieval inquisition!

Persons deprived of liberty in the Republic of Albania were those who suffered the most the burden of the communism dictatorship. Among them were wives of the detainees and prisoners who suffered the most inhuman persecute possible forms. During the communism period, women experienced all forms of victimization such as exile, detain, imprisonment and loss of life in prisons. The role of women in Albanian society has been crucial for the survival of the Albanian nation, facing unprecedented sacrifices in the history of this nation.

With introduction of communism system in Albania, Albanian women, interned and deprived of their liberty, were the most affected through applying inhuman methods by the communist serpents. The burden of dictatorship which weighed on women over a half of century in Albania is one of many crimes and insolences of the communist dictatorship. This reality of Albania Communism does not coincide with the true spirit of Albania, after Albanian people are recognized as a human nation particularly with approach against women, but such crimes were the product of an unbridled imagination of a criminal group that unfortunately had a great impact for a long time.

In this peace of work the victimization forms of women deprived of liberty in the Republic of Albania by the communist regime and democratic Albania will be discussed. The society approach against to these victims and difficulties they face to reintegrate into the society will also be subject of this paper. Thus, this paper addresses fundamental issues where the females deprived of liberty have experienced through the Communism period and the continuation of a state and social mentality in Democratic Albania though in other structure and dimension. Drawing comparison parallels of women deprived of liberty have been treated during the communist and democratic system how, therefore the main purpose of this paper is to discuss how the bitter past that women deprived of their liberty experienced in Albania communist may have influence in improving the women's' treatment in actual system.

Being aware that this paper is quite modest in comparison with Albanian women anguish in Communism prison cells in Albania and the challenges that follow females in Albania's transition, however this topic could play a key role in sparking a light in motivation for suture research in this field and it is certainly could be considered very much important for the society indeed.

Victimization forms of women deprived of their liberty in Communist Albania

With introduction of communism in Albania, the violation of freedoms and human rights was the basic principle of state power of the Communist Party. Many Albanian intellectuals who had studied at Turkish universities and across the Western countries, with their return to homeland had achieved to embed a humanistic spirit in the penitentiary system of the Republic of Albania. Nevertheless, everything was upside down when into the power came Communist Dragon which for nearly a half century denied even its Creator. For the sake of the truth it should be pointed out that at the beginning of the installation of communism in Albania in which there was the spirit of liberation of the country and in the penal legislation, there were also included the most important international clause acts regarding respect of freedoms and human rights. Under the Penal Code of 1952 of the Republic of Albania, section 2 it is stated that "None can not be sentenced regarding one's actions that are not predicted as crimes according to the given laws", well known principle of classic school of the penal right (lat. **nullum crimen, nulla poena sine lege**). Also, such very important principle for the law is sanctioned in Universal Declaration of human rights.

Despite the fact that such acts and principles of justice are not respected by the communist dictatorship, in one form or another they were accepted at first, but after the 1960's, a devastating hurricane of the justice system was launched suppressing even the most basic of human rights. In 1966, under the decision of the Political Bureau of the Central Committee of the Communist Party, the Ministry of Justice and the Ombudsman (defendant) Institution was suppressed arguing that the party in power is more worthy than any other institution in applying the justice. Beginning this year all judgment procedures were conducted without counsel. This was a strong hit against justice and protection of human rights.

The best argument regarding this issue is that during the communist regime over 6,000 people were executed by the dictatorship in Albanian in prison cells and the main goal of this tragedy was holding power of the communist elite, sowing fear and terror to their people.

First step towards victimization of women in Communist Albania began with the imprisonment of any member of their families, mostly mans. Woman is considered a passive victim of the system and starting from this time, persecution and mistreatment of a family was associated with arresting of only single family member. However, state discrimination continued where in most cases except of imprisoning the head of family, the whole family was subject of persecution as they were interned in different regions across Albania and living in difficult conditions. They were also labelled in worst manners by the local people and the main burden weighed on woman since she takes care for the family. The data given below show that the number of women interned in Albania during the communist dictatorship was very large. According to the statistical data this number reaches at 9190 women who were interned by the communist power⁶⁹. The most terrific fact is that almost all were political victims, so there were not ordinary crimes carried out, but for "crimes" of a communist schizophrenic imagination.

Most of the accusations in Communist Albania are similar in terms of their content. The accused person is usually considered an enemy, while the accusation was based on an unbridled imagination of an investigator or prosecutor who typically accuse the defendant of the propaganda and agitation, where in an easily manner they were used to confirm plea by the judge. Arrested and prisoner women went through inhuman torture by the communist "investigators", where in this context non human treatment came towards them. Only for political reasons during the dictatorship period nearly ten thousand women suffered by the communist government. The way of suffering of these innocent creatures was associated with very serious consequences. The following table reflects the number of women executed, exiled, imprisoned, deported, mentally sick and died in prison. All of them were politically accused by the communist regime.

Categories	Executed	Prisoners	Interned	Sick minded	Died in prison	Banished	Total
Total	90	430	9190	35	6	27	9776

Discriminated women suffering from power continued even after the effects of sentence, being constantly victimized in various forms and methods. In addition to prison suffering, the other sophisticated and cruel form was applied against women after their release. They were deprived from the right of education, employment, to choose their occupation and so forth. Nevertheless, the other heavy form of discrimination was the distancing the rest of society from these victims of the regime. Even going so far, the relatives of victims' family distanced themselves from them as there was a fear of punishment which occurred quite often by the

⁶⁹ Albanian Centre of Rehabilitation of Trauma and Torture, *Politically persecuted women over the dicatatorship comunism period*, Tirana., 2006, pg.12

communist regime. This regime went so far as to separate mother from son, sister from brother, husband from wife, grandmother from grandchild, and so on.

The final form of victimization of these victims was their great hope with the introduction of democracy in Albania. Disappointment was as great as their expectations. The new democratic government unjustly put their suffer of these victims in the drawer of oblivion. Detention by the Communist regime, violation to educate and freely chose their occupation, difficult living conditions, with the advent of democracy in Albania, these innocent beings once again were put in an unequal position in the society. New state and democratic society does not make special attempts for these victims, but a formal pension which in most cases was not even enough to purchase medical drugs. Society and state are obliged to ensure welfare for its population and it can not be met with a verbal recognition and electoral rhetoric but with concrete actions of state and of all the society.

Forms of victimization of women deprived of their liberty in Democratic Albania

Forms of victimization of women deprived of their liberty in Albanian transition period are extremely opposite from the communist regime as well as the methods and the purpose. In communism the conviction was with political purpose only, while in democracy one can not encounter such forms, but mostly in problems of an administrative nature. Regarding methods of victimization, they are incomparable because the communist regime can be compared only with the medieval period.

Women deprived of their liberty in the Republic of Albania faced with many problems, ranging from the moment of arrest and continued after serving the sentence. It is very worrying fact that none of the police stations in Albania were use to have separate rooms for women detainees. Also, there was a shortage of female staff in the police force for treatment of detained and arrested women. For a long time in Albania, double standards against the detention system were applied; some detention centres had been dependent on the Ministry of Interior Affairs, while the rest of them under the Ministry of Justice. Reports from organizations which have closely monitored the prison system in Albania show that in the detention centres under the Ministry of Interior Affairs, the personnel were male; there were no female security personnel for treatment of arrested women⁷⁰.

Such situation is completely against the law; it is also morally unacceptable for victims, their families as well as for the society. Living allowance in detention centres and prisons were too much unpleasant. It is very worrying fact that throughout the territory of Albania there is only one detention centre for women and it is located in Tirana. Given the difficult economic situation of these women and their families, this negatively circumstance affects their mobilization for a decent safeguards. Referring to some reports which have been obtained through a survey of imprisoned women in Albania show that 64.4% of respondents were not able to meet with an attorney due to

⁷⁰ Albanian Committee of Helsinki, *Taking into Consideration of Human Rights in Detain Centres*, Tirana, 2007., pg.44

financial issues, while 8.2% of women who have had the chance to meet with a lawyer stated that such meetings were performed in the presence of a companion (Policeman) and their conversation was recorded. Such action is illegal because meetings with counsel may be observed, but never recorded. Also, 16.6% state that they were subject of a penalty by the authority under their inhuman tortures primarily for the purpose of obtaining the information. What it makes more reliable in this report is that from the survey of 40 prison staff women, 27.3% reported that they were aware of the use of torture in their institution⁷¹. Considering the fact that Albania has accepted and ratified all the International Treaty Acts referring to freedoms and human rights, therefore such actions are illegal and in contravention with all of such International Acts.

In this research, in the detention centre in Tirana called "Jordan Misja" has been encountered a very specific characteristic. Most of the women said to be judged were accused of commit a murder, particularly they were accused for murder of their spouse. From thirty-seven detained women in Albania (in 2007), nine of those were accused of murder, mostly as murders of their spouse⁷². Women accused by the state apparatus declare that psychological and physical violence by the law enforcement and justice has been systematically performed against them. Such state instruments did not manage their duty in protection of citizen rights. Police force and investigation mechanism following complaints of these women abused by their spouses recommend closing down these cases As a result of state neglecting some of these victims receive "justice" in their hands ending up hopelessly.

Due to such phenomenon, Prime Minister of Albania, on 29 December 2010, requires that through the law to deny the forgiveness of those who impose violence in their families, particularly to women, with intention not to benefit from the given pardon in the end of the year or during the various celebrations⁷³. To a certain extent this is a reasonable step, but not enough to protect victims from violence in families in which due the lack of support from the state and society "justice" it is offered through weapons. Lack of state and social justice in relation to women who are serving a sentence in Albania is a continuing process. Given the fact that some of these women are accused of murder, they unjustly are deprived of their right to meet with their children and this barrier mainly comes from the husband's relatives, who revenge against these women in denying the crucial human rights. In such cases we have a flagrant violation of freedoms and human rights because such actions are not based on law and there is no court decision which deprives them from this right, but these actions are performed by using the lack of law enforcement in the country and situation in which these victims are standing to.

After serving the sentence and gave freedom, this category again struggled with different problems, and the state is almost indifferent in relation to their concerns. Social conservative mentality in the field of financial issues, lack of family support and state welfare against these

⁷¹ Albanian Centre for Rehabilitation of Trauma and Torture, Albanian Prisons, a special analyze, QRSHT edition., Tirana 2007., pg.47

⁷² These data have been taken from the "Jordan Misja" Detain Centre, Tirana.

⁷³ "Top News" report from one of the national Television channels of Albania, 29 December 2010 (11:00 pm)

victims after serving their sentence are key factors that have extremely influence and make re-socialisation difficult for this group of the society.

Responsible bodies of state power and society have a moral and legal obligation to treat in the most dignified way these women who are politically victimized by the communist regime; ultimately these were victims belong to a democratic society. Albania, on the other side, now is a pluralistic system that is obliged by national laws and with the most important international acts to protect and provide legal safety to all citizens regardless of gender.

Victimization of woman by the social Albanian mentality and the negligence of the state apparatuses.

Albania, which in 2012 celebrated the 100th anniversary of statehood, is a state and society, which leaves much to be desired in protecting the lives of citizens and respect for his rights. But fewer categories protected by state and more vulnerable to social mentality is Albanian women. Albanian woman standing democratized Albania is very serious. This is proved by the fact that in 2012 in Albania were killed in the most inhumane 27 females and women⁷⁴. This statistic is quite negative indicator for the state and the Albanian society. For more than 40 years of dictatorship in Albania have been executed more than 90 women by the state apparatus, while in 2012 so barbaric have been executed 27 women and females from society, from their relatives, an absolute majority of their family. Reference data on women deprived of their liberty, which have fallen against the law can be seen clearly that the majority of women suffer punishment and charged for the murder of husbands. So here can be seen the state and society's inability to offer them adequate protection in this category, forcing either to become criminals or becoming victims

The list with the names of the females and women that have been killed in Albania during 2012⁷⁵.

Name and surname	Date the year of the crime conducted	Mother with children	Relationship of the victim with perpetrators
Eleni Basho	on 2 February 2012	2 children	Suspect- Husband
Megi Jokiçi	on 2 February 2012		NN
Naime Abazi	on 3 March 2012	4 children	Husband
Arze Biba	on 11 March 2012	4 children	Husband
Lule Cara	on 22 March 2012		By accident, brother and father
Lahe Sina	on 11 April 2012		Husband
Shqiponja Miza	on 27 April 2012		Brother
Rajmaonda Sota	on 11 May 2012		Husband
Thëllënza Lelaj	on 31 May 2012		Husband
Marie Çuku	on 14 June 2012		Revenge, neighbour of the victim

⁷⁴ <http://www.poltitzen.com>

⁷⁵ <http://www.panorama.com>

Alma Gjata	on 4 July 2012	2 children	Husband
Dane Prendi	on 14 July 2012	1 child	Brother
Pranvera Muslika	on 28 July 2012	3 children	Husband
Manjola Koxhaj	on 2 August 2012	2 children	Husband
Marjanë Bregu	on 1 August 2012		Father
Fatbardha Tafaj	on 7 August 2012	2 children	Robber
Fatjona Sula	on 12 September 2012	2 children	Boyfriend
Miranda Shtjefani	on 24 Septemebr 2012	1 children	Neighbour
Eliverta Çoçka	on 30 Septemebr 2012		Boyfriend
Rolanda Doku	on 6 October 2012	1 child	Husband
Ajshe Vata	on 11 October 2012	Pregnant	By a pedophile, her abuser
Lime Dedaj	on 19 October 2012		Husband
Azbie Myftari	on 26 October 2012		Co villager
Vergjinushe Hasani	on 12 September 2012	1 child	Husband
Manushaqe Qeliku	on 10 December 2012	2 children- pregant	Husband
Ahsinije Krytha	on 12 December 2012	2 children	NN
One is missing			

The data presented in this table show clearly the gravity of the situation in which Albanian women and for the failure of the state and society for their protection. So domestic violence is a challenge of modern societies, and this phenomenon is open to challenge society and country alike. Referring to the report the victims and perpetrators of crime, can be seen clearly that these crimes are mostly wives of the victims or their close family members. Here emerges the failure of the state and society who have not been able to offer you support victims.

Factors which lead to the growth of this phenomenon are numerous, but the main ones are:

- The patriarchal family,
- Weak economy,
- Unemployment, in particular women,
- Poverty,
- Economic dependence of women
- Culture for non-punishment of those who kill women and minimum penalties.

This is proved by the fact when a father kills his daughter and for this father sentenced to 17 months in prison, while the court refers to the Kanun of Lek Dukagjini⁷⁶. So this is a stimulating case where the state is through crime stimulant factor punitive policies inadequate to perpetrators of these crimes.

Therefore, reference to the above mentioned problems, is human and humane obligation of the society, the social environment and families to provide adequate assistance categories threatened by the possibility of being a victim of this category. Just as it is constitutional and legal obligation of state authorities to provide adequate legal protection you these victims. So is the last time that the state and society reflected and to provide these victims deserved protection, as it has an obligation to punish so merit the perpetrators of these crimes.

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4. These data have been taken from the “Jordan Misja” Detain Centre, Tirana.
5. “Top News” report from one of the national Television channels of Albania, 29 December 2010 (11:00 pm)

Internet sites

1. <http://www.poltitzen.com>
2. <http://www.panorama.com>
3. <http://www.politzen.com>

⁷⁶ <http://www.politzen.com>