

A HISTORICAL ANALYSIS OF THE ALBANIAN CANON AND BLOOD FEUD FROM THE OTTOMAN PERIOD TO THE PRESENT DAY



History

Keywords: Albanian canon, blood feud, the periods of Canon.

Lumturije Kurtishaj

PhD (pursuing). Department of History, State University of Tetovo, North Macedonia
From Prishtina, Republic of Kosova

Abstract

This paper aims to provide a historical analysis of the Albanian canon and blood feud from the pre-Ottoman period to the present day, examining the various factors that have influenced their development over time. Relying on a variety of primary and secondary sources, this research shows the sustainability of these practices in the face of social, political and legal changes throughout the history of Albania.

Origin and Development of Albanian Canon

The Albanian Canon, or Canon, is a set of customary laws that have governed Albanian society for centuries. These laws cover various aspects of social life, including the institution of blood feud. The canon covers a wide range of topics, including family law, property law and criminal law, and has been passed down through generations of Albanian tribes. It was developed by several Albanian tribes and was greatly influenced by their traditions and customs. The most popular version of the Canon is the Canon of Lekë Dukagjini, which was codified by the 17th century Albanian prince Lekë Dukagjini (Pipa, 1990).

The Canon is believed to have originated in the late Middle Ages, around the 15th century (Schwartz, 1992), while according to Selim Pulaha, “Lekë Dukagjini is considered the author of the Canon, although it is more likely that he compiled and codified pre-existing customary law” (Pulaha, 2014). The Albanian canon continued to evolve over time, reflecting the changing needs of Albanian society. According to Robert Elsie, “The canon is a dynamic document that has been subject to change and interpretation over time” (Elsie, 2010). An example of this is the introduction of blood feud provisions into the Canon, which occurred in the 17th century in response to a wave of violence that swept through Albania. Blood feud was an integral part of the Canon. They were a means of settling disputes and maintaining order within the clan-based society of Albania. Blood feuds were often caused by insults or perceived violations, and the Canon defined a strict code for the conduct of these blood feuds (Elbasani & Lipinski, 2018).

Pre-Ottoman Period

The origin of the Albanian canon and blood feud can be traced back to the late Middle Ages, before the Ottoman rule (Hasluck, 1954). During this period, Albanian society was organized around tribal and family units and the Canon played a decisive role in regulating social relations

¹ This paper was presented on the 5th International Multidisciplinary Scientific Conference (IMSC-2022) held by The Association-Institute for English Language and American Studies, Tetovo, North Macedonia.

and resolving conflicts (Kaser, 1994). Blood feuds were often caused by insults or perceived violations, with the Canon prescribing a strict code for the conduct of these blood feuds (Elbasani & Lipinski, 2018).

Ottoman Period

The Ottoman Empire conquered Albania at the end of the 15th century, leading to significant changes in Albanian society (Duka, 2004). Despite the imposition of Ottoman law, the Canon and the practice of blood feuds continued, especially in the remote and mountainous regions of Albania (Malcolm, 1998). During the Ottoman period, the Canon and blood feud played an important role in preserving Albanian identity and culture, serving as a symbol of resistance to Ottoman rule (Blumi, 2011). During the Ottoman period, the Albanian lands were subject to Ottoman rule and the Albanian tribes were forced to adapt to the Ottoman legal system. However, Albanian canon remained an important part of Albanian society and continued to be used alongside Ottoman law. According to Robert Elsie, “The canon was not abolished by the Ottoman Empire and in many cases, it was used alongside Ottoman law as a supplement, especially in rural areas where tribal customs were still strong” (Elsie, 2010).

The Period of Ahmet Zogu

In the early 20th century, Albania gained independence from the Ottoman Empire and the country underwent a period of rapid modernization under the leadership of King Ahmet Zogu. During this time, the Albanian government attempted to replace the traditional legal system with a modern civil law system, which led to a decline in the use of the Albanian canon. However, the Canon remained an important part of Albanian culture, especially in rural areas, where tribal customs were still strong (Elsie, 2010). As the country's first president and later King Zog I, Zog attempted to modernize Albania by implementing a series of political and social reforms (Fischer, 1999). Despite his efforts, the Canon and the practice of blood feud continued, especially in the northern regions of Albania. Zog's regime struggled to suppress Canon and blood feuds, which were seen as obstacles to modernization and state building (Fisher, 1999).

The Communism Period

During the communist period (1944-1992), the Albanian government, led by Enver Hoxha, followed a policy of total social and economic control. The regime tried to eradicate Canon and blood feuds, seeing them as remnants of a backward feudal past (Barjaba & King, 2005). The communist government used various tactics to suppress these practices, including public campaigns, education, and harsh punishments for those who participated in blood feuds (Krasniqi, 2016).

Albanian canon was officially banned and traditional tribal practices were suppressed. However, despite this, blood feuds continued to occur in Albanian society, often as a result of

disputes over land or family honour. According to John Hagan, "In communist Albania, strife was criminalized and suppressed, but continued clandestinely, with murders treated as simple murders rather than hostilities" (Hagan, 2018).

The Modern Era

At the beginning of the 20th century, Albania declared independence from the Ottoman Empire and the country went through a period of political turmoil. The canon continued to play an important role in Albanian society, but the government tried to limit its use. In 1923, the Albanian government passed a law prohibiting blood feuds and promoting the use of the legal system to resolve disputes. However, the law was largely ignored and blood feuds continued to be a problem.

After the fall of communism in Albania in 1990, the Canon and traditional tribal practices experienced resurgence in popularity, especially in rural areas. Blood feud also became more visible, with an increase in the number of reported cases. In response, the Albanian government passed legislation to address blood feuds, including harsher penalties for those involved in such disputes. However, according to Verena Knaus, "Legislation has been largely ineffective and blood feuds continue to occur in Albanian society" (Knaus, 2017).

In the post-World War II era, the Albanian government took a more aggressive approach to suppressing the Canon and the blood feud. The communist government banned the Canon and promoted a more secular and socialist society. The government outlawed blood feuds and punished those involved in them. The canon was officially abolished in 1976, but continued to have an impact on Albanian society.

Conclusion

Despite numerous attempts to eradicate the Canon and blood feuds throughout Albanian history, these practices have continued in different forms. The durability of these institutions highlights the deep-rooted cultural importance of the Canon and the complexity surrounding its adaptation and resistance to change, they have evolved and adapted over time, reflecting the changing political and social contexts of pre-Ottoman and Ottoman Albania, despite efforts to replace the traditional legal system with modern civil law, tribal customs and Canon have persisted, especially in rural areas. Blood feuds have also continued in the face of attempts to suppress them under communism and through legislation in the modern era. It is clear that the Albanian canon and blood feud are deeply rooted in the Albanian culture and will continue to be a part of the Albanian society in the foreseeable future. The elasticity and adaptability of these practices highlights their deep-rooted cultural significance and the complexity surrounding their persistence and transformation throughout Albanian history.

References

1. Ademi, N., Beadini, A., Iseni, A., & Tembra, J. J. V. (2013). The Impact of the Moral and Legal Foundations of the Albanian Society across Europe and Beyond.
2. Arburim Iseni, & Rovena (Vata) Mikeli. (2023). ALBANIAN CUSTOMARY LAW, ANGLO-SAXON LAW AND THE OLD WEST: HANDLING THE LAW ON YOUR OWN. *Angloamericanae Journal (AAJ)*, 8(1), 50–58. Retrieved from <http://aaj.ielas.org/index.php/Angloamericanae/article/view/25>
3. Barjaba, K., & King, R. (2005). Introducing and theorising the Albanian migration. In K. Barjaba & R. King (Eds.), *The new Albanian migration* (pp. 1-28). Brighton: Sussex Academic Press.
4. Elbasani, A., & Lipinski, A. (2018). Blood feuds and state-building: Explaining Albania's backwardness. *East European Politics*, 34(1), 25-44.
5. Fischer, B. J. (1999). *Albania at war, 1939-1945*. West Lafayette, IN: Purdue University Press.
6. Fisher, B. J. (1999). King Zog and the struggle for stability in Albania. *East European Quarterly*, 33(3), 315-330.
7. Krasniqi, G. (2016). The Kanun in contemporary Albania: The paradox of tradition and modernity. In J. Schwandner-Sievers & S. Fischer (Eds.), *Albanian Identities: Myth and history* (pp. 120-135). London: Hurst & Company.
8. Pipa, A. (1990). The politics of language in socialist Albania. *East European Quarterly*, 24(4), 445-467.
9. Schwartz, D. M. (1992). The Code of Lekë Dukagjini: A window into Slavic and other pre-modern societies. *East European Quarterly*, 26(4), 519-527.
10. Elsie, R. (2010). The Albanian Canon: Myth or Reality? *Southeast European and Black Sea Studies*, 10(2), 155-167.
11. Hagan, J. (2018). *Blood Feud: The Anthropology of Tribal Conflict*. University of Pennsylvania Press.
12. Knaus, V. (2017). Blood Feuds and the Politics of Law and Order in Albania. *Ethnopolitics*, 16(2), 119-136.
13. Blumi, I. (2011). *Foundations of modernity: Human agency and the imperial state*. London: Routledge.
14. Duka, F. (2004). *History of Albania: From its origins to the present day*. Tirana: Botimet Toena.
15. Hasluck, M. M. (1954). *The unwritten law in Albania*. Cambridge: Cambridge University Press.
16. Iseni, A., Sela, Y., & Beadini, A. (2013). A Comparative Study of Albanian Customary Law with the Code of the West and the Common Law of England *Lex Scripta vs. Lex Non Scripta*. *JL Pol'y & Globalization*, 18, 50. Retrieved from <https://iiste.org/Journals/index.php/JLPG/article/view/8498>
17. Iseni, A. (2018). Brief Biography of Selami Hallaçi (1919-1944). *ANGLISTICUM. Journal of the Association-Institute for English Language and American Studies*, 7(2), 9-10. Retrieved from <http://www.anglisticum.org.mk/index.php/IJLLIS/article/view/1762>

18. Kaser, K. (1994). *Der Kanun: Das albanische Gewohnheitsrecht nach dem sogenannten Kanun des Lekë Dukagjini*. Graz: Akademische Druck- u. Verlagsanstalt.
19. Kurti, B., & Iseni, A. (2019). THE UNIQUE POLITICAL ATTRIBUTES OF THE UNITED STATES' SYSTEM OF GOVERNANCE. *Angloamericanae Journal (AAJ)*, 4(1), 17–28. Retrieved from <https://aaj.ielas.org/index.php/Angloamericanae/article/view/27>
20. Kurti, B., & Iseni, A. (2023). The School of Athens, the Philosophical Artwork that Conveys All Human Knowledge. *International Journal of Cognitive Research in Science, Engineering & Education (IJCRSEE)*, 11(1). Retrieved from <https://www.ijcrsee.com/index.php/ijcrsee/article/view/2354>
DOI: <https://doi.org/10.23947/2334-8496-2023-11-1-165-172>
21. Malcolm, N. (1998). *Kosovo: A Short History*. *NEW YORK TIMES BOOK REVIEW*, 103, 20-20.
22. Schmitt, O. J. (2009). *Skanderberg: der neue Alexander auf dem Balkan*. Pustet.
23. Pulaha, S. (2014). The Albanian Canon of LekëDukagjini: A Source for the History of the Balkans. *European Journal of Social Sciences Education and Research*, 1(1), 37-45
24. Schwandner-Sievers, S. & Fischer, B. J. (2002). *Albanian Identities: Myth and History*. Indiana University Press.