

Ending Mass Atrocities: Echoes in Southern Cultures

Inter-Disciplinary Consultation

**Hosted by The Human Rights Centre,
Law Faculty, University of Pristina**

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Summary Report of Discussions

This report presents a summary of the inter-disciplinary consultation held on the subject of the responsibility to protect and the research project on 'Ending Mass Atrocities: Echoes in the South'. As the meeting was a small and intimate one, it allowed for the lively exchange of views and the airing of widely different perspectives in a short amount of time.

The discussion is presented under the different themes that predominated the exchange of views on the concept of R2P and its applicability in Kosovo's history and culture. These themes are:

- (1) The Role of Religion
- (2) The Pillars of Albanian Culture
- (3) Shaping a New National Identity?
- (4) War, Cultural values, and National identity:
- (5) The Discourse of Intervention: Resistance, Peace and Victimhood
- (6) Should there have been an intervention in Kosovo?
- (7) Observations and Recommendations for R2P Implementation

The views expressed by diverse participants on the same theme are organised accordingly. However, instead of condensing or synthesising different views, this report presents all the different views on each subject proffered by participants. Also, as far as possible the report paraphrases the participants and captures their own language in the first person, in order to maintain the authenticity of their statements and views.

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1. The Role of Religion in Albanian Culture and Identity

For all Albanians religion is not very important. The reason for this is simple: religion is not the main marker of Albanian identity. Hence there is no religious discrimination anywhere in Albania. This is a rare case. You cannot imagine being Serb without being Orthodox, Croats and Slovenians are Catholics, and Bosnians are Islamic. However Albanians are just Albanians, without religious

identity. We are first Albanians and then everything else. Historically, there is a saying: the only religion of Albania is being Albanian.

Religion historically has never had a protective role but rather a destructive and restrictive role. From the perspective of an occupied country for long we had to find new mechanisms for protection. We never had allies or alliances from outside until 21st century.

During communism, religion was totally destroyed in peoples' mind and in society.

In all other countries in the region there are national churches. Albanian identity was not created in any way by any church.

Our religion and identity are a result of our history and geographical position. Our geographic position put us in the middle between Orient and Occident. Albania was a melting pot. That is, this is an Illyrian region where E and W confronted each other and each tried to win. Here fore a new creature emerged that was neither West nor East, but has elements of both sides. Every force or state that came to Albania and tried to control it left something behind. So we absorbed something of all these cultures. It is the same with religion. We absorbed Catholicism, orthodox Islam. We should not be proud of so many religions; it's just a historic product. Seems there is a clash of religions and interest that big powers have. So we shouldn't be proud.

From the intellectual perspective, in Pristina, it is true that religion does not matter to identity. But in reality in the villages it is very different: there is deep religious feeling and a felt sense of religious differences in the villages. Within Islam there are different sects that fight with each other.

In Prizren, it is very particular and unique as three religions co exist and there is high tolerance between them. Although in 2004 the city was burnt down, it wasn't the youth and citizens of Prizren who did that. In 2004 Serbian church was seen as the symbol of Serbian occupation. Recall that in 1999 nobody attacked (Serbian Orthodox) churches, despite the huge suffering that Albanians underwent due to Serbian repression. So why then in 2004 were churches attacked? Something very big must have happened in between for this to change. It was revenge for the bombing of 280 mosques in 1999. It was also because the house of the League of Prizren was destroyed and this is very deeply symbolic for Albanians.

Wahhabism is dangerous for Albanian identity. This is unconscious: people are not aware of it. The challenge is how to coexist in every sense, also from a European perspective. We have to keep in mind these differences. We shouldn't ignore them, but go within in order to analyse the differences. In order to channel or canalise them for Kosovo's course and adapt them to international norms.

This discussion shows the need for debate on religion in Kosovo. This is the problem with Albanians being just Albanians, and not religiously affiliated in terms of the external world.

2. The Pillars of Albanian Culture

There are few key pillars of Albanian culture:

1st language i.e. a unified language with two dialects Geg and Tosk.

People tried to divide us based on these two different dialects, but we forged a common one.

Second are values

Third is Blood. We are different from Slavs, - not just based on race but also connected to blood.

Fourth: 50 years of socialist state shaped our ideas

So, yes, we have our Albanian values such as hospitality, but we are also a socialist state.

The Qanoon or law of Leke Dukagjini is a code of law dating back to the 15th century that unified, condensed and structured many codes existing at that time. (Its founder Lek Dukagjini was catholic). All Albanians whatever their religion followed this code and it is still very prevalent in Albania. Besa is an article in Albanian traditional customary law the Qanoon, which regulates relations among Albanians. This is an ancient Albanian value whereby an Albanian gives his Besa or word of honour and respects it at all costs.

3. Shaping a New National Identity?

Today we have the challenge of the return of religion. With the creation of a new state the greatest challenge is will you be a 'Kosovar' or an 'Albanian'? What are we –this question is no longer so simple with the creation of a state.

Our belief was that we are descendants of Illyrians, who are descendants of Tetars and Daudanes. Therefore we are autochthones and have rights. Rugova built our identity on our Ilyric past. (The participant sharing this point had spent five years in villages with the youth Forum of LDIC, and knew what it is like in the villages and how people think).

The power of the state is very important. Living outside the state is not very Albanian. Military service in Yugoslavia was mandatory. Whenever Albanians would meet there was always a sense of group belonging and conviction. They were always considered to be the 'other' by other Yugoslavs.

4. War, Cultural values, and National identity:

In 1989-90 the way we unified ourselves and made for ourselves an identity of united Albanians was through reference to our traditional values. These were *forgiveness, and hospitality*. These were our defining values especially in contrast to Serbs, who were seen as not hospitable. Generous – i.e. we offer our house to guests, always generous to guests. These traditional values are a constant reference to the *Qanoon of Lek Dukagjijn*. In 1989-99 these traditional values were used to keep our cohesion. But as soon as the outside threat

crumbled, these values did too. The strategy of overcoming division and maintaining cohesion ended.

In the 2nd half of 19th century, the Albanian intellectual elite created the idea of a single Albanian nation. They adopted the strategy of reviving national figures such as Skanderbeg who grew up in the Ottoman Empire, created an Albanian state and showed resistance to the Ottomans. Because these strategies recreated the notion of being between Occident and Orient, both a Christian and Muslim name Skanderbeg was symbolic. The notion of being Albanian beyond cultural and religious differences allowed us to challenge the historical problem. Others were fighting us because we were Albanian and (not) because we were Muslim. Therefore we felt it was most important because we reacted as Albanians. For example when 1 million of us were deported from Kosovo we found hospitality in our own Albanian brothers and sisters. This national strategy was very deliberate and an important strategy to create Albanian identity. This was the main driving force.

The war lasted from 1989 to 1999 – not just in 1999 (as the international community thinks of it). ‘Besa’ was a blood related practice. This struggle in 1989 did not involve Besa or blood. It was due to repression and a struggle for emancipation from this repression. 19th century renaissance. 1989 struggle.

During 1980s and 1990s we didn’t have the possibility of getting organized in an armed way to protect ourselves.

The blood reconciliation (that was undertaken in 1988-89) was a preparation for war. I.e. blood feuds were a left over of old tribal issues. Now with the feeling of threat facing the whole nation, there was the need to have cohesion at the national level. Intellectual elites came forward on the grounds that they were respected in society. They went across the whole country and reconciled feuding groups and families – in order to build social unity and cohesion within Albanian society. The same movement then created the KLA. But it also reaffirmed patriarchy - i.e. it said, it is manly to forgive. LDK hijacked the notions of ‘reconciliation’ and ‘civil’.

We are going back to ancient history because we need to build new values. Blood reconciliation of 1989 was not based on Qanoon. Reconciliation was not from the Qanoon but served as basis of wider national reconciliation. Because many of the values of the Qanoon were no longer appropriate but were decadent, and preventing us from evolving. So we needed to evolve beyond the Qanoon.

5. The Discourse of Intervention: Resistance, Peace and Victimhood

We were aware that we lacked power to fight against a much more powerful enemy. Very early we were aware that we were powerless and needed help. The leadership in 1981 confronted huge power discrimination and were killed. Continuity – of dis-empowering. There was a new emerging leadership in 1980s, and many of them were not part of communist ideology.

Kosovars are aware of being powerless and therefore we advocated for help. Within Yugoslavia there was no help or support. So we looked outside for allies

Emancipation. In the struggle for liberation a new word was introduced: peace. So far the culture was only defined by hospitality. There is a distinct idea of 'victim' in Western world i.e. asking for help. 'We are powerless victim'. A person who resists is not a victim. This is very important, as this is a double-edged sword. On one side it's a great strategy, on the other hand it diminished our own ability to fight for ourselves. Because the police could control many villages. I.e. we disempowered ourselves. If you maintain the idea of old ancient values we would still be (fighting?) So a new strategy was adopted – 'peace'.

Historically we were maintaining the idea of power and resistance, and suddenly we became passive.

We tend to sing about heroes. In Afghanistan, Pakistan, every one is a hero. The 'Male' failed in Albanian society. Women faced the main burden because men disappeared – to fight. The figure of the man is a strong one who fights and resists.

This is not true. Besides other elements, we had a liberation army in Kosovo. This attracted the attention of the international community and they talked to each other. So KLA had its contribution.

The concept of peace is not the same as peaceful resistance. Peaceful resistance – what was new? From 1945 on there was a resistance movement. The internal national struggle was organized around students as the epicentre. It was a left leaning movement with Marxist hints, with Albania as the motherland as its main motivation. With LDK it was different: this was a liberal movement, therefore more rightist in leaning. And it was different from the left movement of revolutionaries before. This was in order to gain support from the West. So the question was how to use the revolutionaries who are leftists – how to pacify them? People's movement of Kosovo was a leftist movement, which organized the KLA. US intervention came and seized control of the KLA. It pacified them and turned them into Rightists. It was an external emancipation of the political elite. The PM was leftist.

Peace wasn't alien to us, as it was embedded in our culture and Qanoon. The head of the family has the duty to protect. You don't hurt women and children. You don't take revenge on women and children. At funerals you suspend blood feud during the period of mourning.

We did not start any war.

6. Should there have been an intervention in Kosovo?

‘There is no dilemma whether there should have been intervention but it should have been earlier.’

If the discourse of international community was one of peace and stability and prosperity why aren’t you intervening?

Woodrow Wilson talked of self-determination in 1920s. This saved Albania as a state.

The intervention should have had an avowed political goal and not only a humanitarian one, and it should have occurred already in 1989 not just in 1999.

There is a connection between Kosovo and the failure of the international community in Bosnia. The fear was, ‘what if Bosnia happened again, i.e. another failure of the international community?’ President Clinton said that you couldn’t accuse us of not helping Muslims because we are helping Kosovo. (I.e. portraying Kosovo as if we were Muslims) So it was the events of Bosnia that led to intervention in Kosovo.

The International community is still needed in Kosovo, or it would be a big mess again. Now the question is this; the intervention happened and fulfilled mission, but what will happen next.

NATO is a protected area. Bosnia and Kosovo are still vulnerable.

7. Observations and Recommendations for R2P Implementation

When the events of Kosovo happened, the hope was to change international law. Otherwise we were back on the old track of UN Security Council, back to its being the obstacle to preventive action. This target was lost at the altar of international law that protects states.

I am for intervention, but who decides when and where and for whom? What are the arguments for intervention? E.g. Iraq, which happened after Kosovo, was misrepresented. The misuse of intervention is a real danger.

‘We should say we are lucky that we are in Europe – and after Bosnia. Today everything is subject to economic interests.

There is a problem if we call ourselves lucky. All countries where there has been an intervention are now a mess. Does it mean you replace one regime with another regime? We are no longer being killed but we are listening to what others tell us to do. This raises the question of protection. *How to protect?*

Intervention is one thing and the mission that follows thereafter is very different. *I am for intervention, but I am not for continuity beyond the intervention.*

It is important and necessary to change the type of intervention. It should not be political elite but intellectual elite that are supported. This intellectual elite should have a fund to collaborate and build the basis (for a new sustainable state). Unemployment today is a sore in society. If the international force really wants an emancipated Kosovo, they should support forces that are able to build a new society. The Political elite is not able to build and emancipate the country.

LIST OF PARTICIPANTS

Mr. Qerkin Berisha	Lawyer	Programme Manager, Center for Human Rights
Prof Enver Baftiu	History	Head of Dept of Preservation of Historical and Cultural Monuments
Prof Luljeta Vuniqi	Gender studies	Professor of Gender studies and Sociology University of Pristina
Ms. Nita Luci	Anthropologist	Lecturer in Anthropology, University of Pristina
Prof Anton Berisha	Sociology	Professor of Sociology, Head of Department, University of Pristina
Mr. Glauk Konjufca	Philosophy	Founder-member of <i>Vete Vendoci</i> – activist Self Determination Movement
Mr. Albert Heta	Artist Political critic	Founder of Stacion Gallery Forum for political debate
Mr. Alban Bokshi	Political Scientist	Albanian Civil Society organization for democratisation
Ms. Franceska Ndoni	Political Science	Graduate student University of Sarajevo and Intern at Centre for Human Rights
Ms. Eriola Shaka	Sociologist (Translator)	Intern, Center for Human Rights, Graduate Student University of Sarajevo
Ms. Vjollca Maxhera	Researcher	Center for Human Rights
Dr. Rama Mani	Project Director	GCR2P and University of Oxford CIS

ANNEXE:

Additional Discussion on History, Culture and Philosophy and R2P in Albania (with Prof Baftiu, Alban Bokshi, Eriola, Glauck over lunch).

Albanian Identity: To claim that we are descendants of Ilyrians makes no sense because we were at the crossroads and there was a lot of mixture of blood, We can't claim that we belong to only a single group of ancestors.

Herodotus during Roman rule, before the arrival of Christianity, was pagan. Every family had our own grape, sun and snake as symbols. Even today there are remnants of this pagan ancestry – there is the symbol of the sun on the cradle of babies. After the arrival of the Romans and of Christianity, we adopted Christianity and then became Catholic. Illyria accepted Catholicism. Then the empire of Byzance – which was Orthodox. Finally in medieval times, the Serbian empire took power and was Serbian orthodox.

Culture: The Qanoon or law of Leke Dukagjini is a code of law dating back to the 15th century which unified, condensed and structured many codes existing at that time. (its founder Lek Dukagjini was catholic). All Albanians whatever their religion followed this code and it is still very prevalent in Albania. Besa is an article in Albanian traditional customary law the Qanoon, which regulates relations among Albanians. This is an ancient Albanian value whereby an Albanian gives his Besa or word of honour and respects it at all costs.)

The deepest meaning of the Qanoon is the establishment of absolute individual and group identity. But this has a positive and negative function. On the positive side, it has a humanitarian function – it says first protect human beings whatever the price. On the negative side, cooperation could not be found due to identification on the basis of small tribes. Also, all occupiers used and abused the Qanoon. Therefore despite its humanitarian benefits, I would say for political and social reasons it is harmful to Albanians. There is a need to reform the Qanoon – to keep the positive but to remove the negative aspects of it. Just as the French discarded the old monarchical law after the revolution.

Language is more important. Human values define us more than blood. When Lord Byron visited Albania he had a very good impression of Albania. All Albanians opened their doors to him and he fell in love with the people and land. The concept and practice of BESA is often mis-interpreted.

Our neighbours misused Besa against us. The Serbs misused the concept and used it against us. Albanian soldiers gave Besa, ie their word to Serbs and therefore we had to protect Serb interests, even when it worked against our own. *This concept has to be kept – but we need to watch out and adapt how it is used.* (Baftiu)

Ilyrians Greeks and Romans had the same customs. Then Greeks and Romans distributed around Europe and assimilated with others. But the Albanians were primarily in the mountainous regions. That is why customary law still survived. Albanians could not be Islamicised for a very long time.

In 1920 an American anthropologist Rose Wider Lane wrote the Peaks of Shala about the Qanoon and its prevalence in the high mountains. It still influences our behaviour today without being consciously aware of it. Eg the way we distribute property.

Religion:

The breakdown of the population of Albanians (across boundaries) is:
15% Orthodox 10% Catholic 75% Muslim
in Kosovo: 95% Muslim 5% Catholic
(today 0% orthodox as they have all left to Serbia)

However the Orthodox Christians in Albania were more influenced by the Greek orthodox church than the Serbian. The Bishop was traditionally Greek, although there is now an independent church.

There was an attempt during our national renaissance to establish one of the sects – the Bektashi sect, as a common religion for all Albanians in general. This was the proposal of the Brothers (Sami Frashëri and Naim Frashëri?). (governors of Ottoman empire who wrote Ottoman Encyclopedia of Science) . Abdi Frashëri was a diplomat and leader of the Prizren League. That is why we should not be proud of having three religions. We could have had a single unifying religion but the idea did not pass.

Prizren League: 10th June is the anniversary of the League of Prizren. It did not demand independence but autonomy within Ottoman empire.

The demands of the Albanians were: a unified territory; independent education, language, law according to their own Qanoon. Though it was led by modern educated elite, they realized the importance of the Qanoon.

Guns were very important for the Albanians. Ottoman empire realized this. They controlled the territory but did not take guns away from Albanians. Ottomans accepted the Qanoon.

History: The founder of Albania is considered to be Ismail Qemali, in 1912. He was a great intellectual. He said, the faith of small states goes through the doors of big states/powers. Skanderbeg created a State but did not harm other states.

Albanian Philosophy: We were always colonized so we were not able to develop an independent Albanian philosophical tradition as in Germany etc. We have no great figures like Hegel. Until 1908 we had no written language. There were popular proverbs, highlander epics and an oral tradition but without a written language it is difficult to have philosophy. What is passed on orally becomes legend. It does not have the rigour of philosophy.

Protection: After WWII, the UN was created in order to protect populations.

As an individual I am obliged to protect every person.

As an Albanian it is my honor to protect somebody because I am a member of a nation which never violated the rights of other nations. We were never occupied (or rather we never occupied others??). We were also forced to protect ourselves. This happened even if we were occupied.