

To be a woman...

In Albania, after 1990

Gender, Legislation, Citizenship, Public Policies, Family, and the Media



Gender Alliance for Development Center

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Foreword

This summary of papers is published under the framework of the project: “Analyzing the Status of Albanian Women in the Context of Social Movements and Social Changes After the 1990-s”, which is financially supported from Cordaid – Memisa - Mensen in Nood-Vastenaktie. This activity aims at involving Albanian scholars and gender experts, who live and work both in Albania and abroad. In this way, this publication aims at filling a consistent gap: the lack of literature and academic debates on the way that the social movements as well as transition time have had an impact on the status of women and gender issues in Albania. The papers also have a comparative nature, regarding the status of Albanian women with women in other countries in the region and Western countries. At the same time, it also presents a comparative approach with the status of women before the '90-ies in Albania.

The scholars, who contributed to this publication, represent the Albanian and Western academic authorities as well as the Albanian civil society, such as: Enkeleida Tahiraj, Elona Dhëmbo, Delina Fico, Saemira Pino, Antonia Young, Linda Mëniku, and Aurela Bozo. The articles cover different research areas, such as: the Albanian family in transition, public policies in Albania, representation of gender issues in the written and electronic media in Albania, and gender and citizenship issues.

Gender Alliance for Development Center is a non-profit organization, a well-known in Albania and the region, for her long experience and expertise on gender and development issues, thanks to the numerous events organized since its establishment in 1994. Some of these activities include: analysis, monitoring, and assessment of policies and strategies, training programs, the existence of a pool of trainers at the national level, conferences organized at the regional level, as well as publications in the area of gender and development. This publication aims at contributing to the fulfilment of GADC’s mission: *creating economic between the sexes through, gender sensitive information, studies, research, advocacy, lobbying, and training courses under a gender perspective.*

I wish you an enjoyable reading,

Dr. Eglantina Gjermeni
Executive Director
Gender Alliance for Development Center

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Gender & Social Change in Albania's Transition

May my Wife be Strong and Live Long!

By: Dr. Enkeleida Tahiraj

'Men under shade play and chat, they should die of shame as thanks to women they live'

(Çajupi, Albanian Renaissance poet, 19th Century)

'May my wife be strong and live long! Not longer than me though!'- added Toma, humorously winking at his wife sitting opposite him.

'I swear by God I would have died without her!'(2002)

Abstract

They could be contemporaneous, but nearly a century separates the two opening quotations, authors being men in both statements. The above remarks speak deeply about the position of women in Albanian society - a position, which has changed greatly, however, in those 100 years. More than that they also speak deeply about men! This paper brings certain aspects of the present attitudes to and status of women in Albanian society to bear on the issue of the feminisation of poverty there. It draws upon several findings of empirical research undertaken in Albania during 2002, involving in depth interviews with over 100 respondents from families officially classified as poor, in both rural and urban settings. The paper draws also from existing literature on the feminisation of poverty.

Introduction

The original impetus for this paper came from a friend's question – 'What are men good for? Albanian men in particular!' I have rationalised this to a more academic and rather more polite query. Can the changed importance of the role of men, often deprived of their traditional status as breadwinner since transition, bring anything new to the debate about the feminisation of poverty in Albania?

Many considerations attend this line of enquiry. Of particular concern here is a possible reversion to type in gender roles during transition - one that has undone the gains that state socialism proclaimed to have achieved. Why was women's retreat from work so much more rapid and disproportionately greater than men's, after the initial labour market reforms of the early 1990's? Does this indicate that those equalities, set in policy and implemented by a totalitarian regime, could not effect lasting, deeper social change over a generation and more? If we grant that socialism did achieve great gains in equality, was there still a feminisation of poverty in that system? Can we even talk of feminisation of poverty, given the well-known problem of lack of workable data in Albania? Finally, what then in the way of lessons to be learned from the recent and more distant past, in order to effect policies that better promote women's issues and rights?

Outline and Methodology

This paper is broadly composed of three sections. The first is a brief essay into the academic and scholarly background of the feminisation of poverty. It relates key concepts from the literature to the specific Albanian context, and also considers the characteristic of the phenomenon in Albania past and present.

The second section is designed in the form of a discussion around some findings from my research that took place in Albania in 2002. This study involved over 100 in-depth interviews¹ with men and women from families officially classified as poor in Albania². The research covered urban, rural and the newer 'peri-urban' settlements with geographical coverage ranging from north and central to the south-east of the country. Additional ethnographic research was also undertaken and data generated employing participant and non-participant observation, area visits, focus groups, and media monitoring.

1 To safeguard confidentiality, pseudonyms replace real names in this paper.

2 That is, in receipt of Economic Aid benefit (Ndihmë Ekonomike), covered later in the text.

Without making wild claims for research based on this sample size and set, I hold up my remarks on the basis of moderatum generalisations (Williams, 2003). In other words, they represent aspects of a particular situation, which may be seen as instances of a broader set of recognised phenomena, with appropriate qualification. Finally the paper draws some conclusions in the third section.

Context

The Feminisation of Poverty

A first understanding of the feminisation of poverty is in the way in which poverty methodologies explain the causes, the effects and challenges of poverty on women and the ways these policies need to respond in order to make women confident to stand for their rights. As Glendinning and Millar (1987) write, the feminist critique argues for the breaking down of the conventional dichotomy between the public world of paid work and the private world of the home and family. Such a division, where the former is the domain of men and the latter the domain of women, has been a concern for feminist writers. Parson and Bales (1956) write that the public world of paid work is the focus of public and economic policy. The private world, certainly according to the functionalist sociological theory, is a haven of expressive warmth and emotional support. Although 'housework became distinct from other forms of work with the process of industrialisation' (Deem, 1988: 53), it still 'belongs to women' as a way of showing the different biological, cultural and social standards that distinguish men from women (ibid.). Therefore, this unpaid work that women do in the house must not remain invisible. The feminist critique also emphasises the fact that men and women occupy unequal positions of power within the home as well as in the world outside. Even for the same positions in the world outside, women are paid less than men (INSTAT, 1999; 2001a,b; 2003; INSTAT and WB, 2006).

In trying to deconstruct women's economic status across societies, scholars have focused on the highly debated issue of the feminisation of poverty (Glendinning and Millar, 1987; Lewis, 1992). The central tenet of their approach is that more women experience poverty than men (poverty spread) and that poverty increasingly affects women more than men (poverty depth). It has been strongly argued that this is true for 'all types of society for which a reasonable range of information exists' (Townsend, 1993: 106). However, feminisation of poverty as a process has implications beyond asking whether and why more women than men are poor. It is a critical question whether, or to what extent

the feminisation of poverty plays 'a necessary part in the perpetuation and deepening of poverty' (ibid.: 108). The fundamental lesson from this critique is that the cause of the phenomenon is among others structural, and that the causal explanation requires us to examine discrimination and power structures on many levels in society.

The Albanian Setting within the Literature

In the case of Albania, the general literature on this issue has offered an inconclusive array of treatments and results. Some have stressed that poverty and gender bear little correlation (INSTAT&WB, 1997) or that gender differences in poverty in Albania are not significant (INSTAT, 2004a: 18). At variance with this, it has been acknowledged that women are a vulnerable group at risk of poverty (Galliano, 2001) or that a large segment of them have already fallen into the poverty trap (Republic of Albania, 2003; 2004; 2006). Quite often it is difficult to see change from year to year in the paragraphs of these documents. No doubt however, there has been increasing interest in women's issues in the country, as in the South Eastern European region more widely, spurred on by the interventions of certain International Donor organisations in particular. Perhaps one can sense a whiff of the donor's agenda - of actors creating issues rather than responding to them (Tahiraj, 2007) - or of the wholesale import of gender to the 'issue market' and the adoption of gender issues *en masse*. Still, such possible distortions should not detract, especially when societies default to neglect or ignore gender issues.

This problem directly impacts on our inquiry. What then can meaningfully be said if the data just is not there to support or refute feminisation of poverty? In 2001, data simply were not reflecting gendered differences in poverty (Tahiraj, 2001), while recently, there seem to be an array of articles trying to deconstruct the men-women indicators, focussing on certain aspects of gender, such as gender differences in regard to health and education (Dauti and Lula, 2006) or access to employment (Ekonomi, 2006). The issue following sporadic studies is how comparable those indicators are to enable use to argue for or against feminisation of poverty. Limitations of the Albanian Census 2001 have been recognised in the difficulty of identifying the causes of gender inequality (INSTAT, 2004b:14). Such data become even more important when dealing with a country in transition where their quality and validity need careful examination.

In the Albanian context, one is aware of the difference between what the data suggest and what the reality is when it comes to issues such as the feminisation of poverty. Offensive strategies, which involve people's means of

self-help to exit poverty quite often, are driven by desperation such as in the case of trafficking by choice as an anti-poverty effort and a way of improving living conditions (Gazeta Shqiptare, 2001).

Women and Poverty in Albania

As such it is necessary to investigate poverty as a multidimensional phenomenon, to understand the ways poverty is perceived and experienced and whether it leads us to find out different gendered perspectives of poverty, or indeed should we be expecting the contrary? Should there be no difference in gender perspectives of subjective poverty? In my previous writings I have investigated the varied realities beyond what quantitative data have suggested in the Albanian context, in order to find out whether we are observing a feminisation of poverty can be observed in Albania (Tahiraj, 2003). Currently, in Albania feminisation of poverty would lead us to expect that women bear and have borne more of the cost and burden of the changes of transition than men. How can we test such a hypothesis?

From a policy perspective another concern in investigating this issue in the current Albanian context is how to measure women's poverty when anti-poverty policies target the family as the atomic unit, rather than individuals within it. We could consider family-focused welfare policies to be agnostic to the variety of household compositions, including the way power is distributed. Such policies, perhaps optimistically, implicitly assume household income pooling and either an equal or fair³ share of them among members (Schnepf, 2004). From a feminist perspective, and here we may say this is realistic or pessimistic, this simply will not wash. Such coarse-grained policy approaches reinforce extant gender divisions and inequalities. It is a commonplace that men and women in marriage have different access to resources and a different economic position, most often resulting in women enjoying less financial autonomy within the household economy (Pascall and Manning, 2000).

Some indicators to test the hypothesis that more women than men are affected by poverty may be drawn from data such as the ratio of unemployed registered men and women or health indicators (INSTAT, 1999; 2000, 2001a,b; 2002; 2003, 2005). It is difficult, to disaggregate data that have been based on policies which tackle living conditions directly. In Albania, the only direct anti-poverty policy is the Economic Aid. The scheme entitles households via the head of the family – which is often the man – to receive a monthly cash amount to cover basic needs when income, after deducting all assets and private transfers,

3 Equal and fair as not necessarily being the same.

falls below the poverty line⁴. As such is registered by men (claimants) and is paid to men (official beneficiaries) on behalf of the families. The application of this method takes into account the nature of the Albanian family, assuming that income is shared equally within household⁵. It may be hypothesised that it has also been used by consecutive governments⁶ to justify limited efforts towards the poor, considering that they do not threaten to be a powerful constituency. However, this program, visibly not gender sensitive, fails to respond to the dynamic changes in the culture and social networks in the last 17 years in Albania, witnessing not only overall impoverishment of the households, but also a weakening of the family ties as institutions of coping with poverty.

Women and Family Policies

The construction of the family income unit largely ignores the distribution of resources and needs within those units. The particular status and position of women are therefore hidden. Women are included in the number of the poor only if the family/household income is below the poverty line whether they have equal access to income or not. It might be of help here to recognise that Albania widely operates as an informal society. Yet the family as well as all social networks are undergoing a process of transition, which means an on-going process of shaping and reshaping roles and responsibilities. This has by and large shifted the focus from extended families to nuclear families, with the later still in transformation. However a careful examination of the social assistance official records reveals a tendency for women to constitute the biggest number of those that lose jobs and join the social assistance scheme (Tushi, 1998). Nevertheless, they do not fall under units of poverty, unless the household does.

Other issues deriving from this lead us to consider potential side effects. It may be argued that the use of a household or family as a measuring unit means that, within poor households, all members are assumed to be equally poor. There is no evidence about women's measured living standards or poor women's access to income within rich families. Albania inherits a patriarchal society, where broadly speaking, with reference to the rural areas (where most of the population resides), women's position within the family is well

4 The Economic Aid (EA) benefit is dependent on the composition of the household and additional benefits such as Unemployment Benefit (UB). The maximum EA can be up to 2,5UBs.

5 We are using the term household and family interchangeably, assuming equal value between the two, based also on the unit entitled for benefits which is the family. Considering the nature of living conditions there may be many families within one household, for example intergenerational households. In this paper I refer to them as different households.

6 There has been hardly any difference in policies whether under a socialist or democratic government when it comes to social policy in Albania, thus confusing the ideological difference that should in theory exist between them.

established as a housewife; this again emphasises the high responsibility that falls upon women when doing without and trying to make ends meet within poor families.

Women in and out of Work

In response to the limitations resulting from the welfare approach to poverty, it has been suggested to centre the paid work, unpaid work and welfare and examine how welfare policies relate to these structures in labour market and family (Lewis, 1992; 1997; Sainsbury 1996; Pascall and Manning 2000). Historically, by using marriage as an institution, women are supposed to be protected from poverty as two people living together are less at risk of falling into poverty. This reasoning however fails to include unpaid work as an indicator since once divorce is present women are left in the middle of nowhere.

Lastly, but not less important, the financial dependency of women within marriage is increasingly manifested by the fact that some women have little or no income. I particularly refer here to women whose husbands have migrated while women tend to stay at home and look after the household and/or the elderly, who are quite often her in-laws. These families with the breadwinner abroad, as pointed out from various reports in Albania, tend to be poorer (INSTAT & WB, 1997). In such scenarios women's poverty within families remains hidden and the question of women's independent access to resources is considered important. It is a fact that both independent and government research on disaggregated poverty is missing, and even if there is any initiative, it fails to take systematic account of the main indicators such as the relationship between individual income and expenditure. One would question how much of gender dependent expenditure is targeted to respond to the needs of individual members of to those of the family.

The different experience of poverty is felt also in the breakdown of the existing supporting schemes for families. Transition is often referred to as related to anomic poverty. In this sense, anomie is understood as the sudden breakdown of the system of values, rules and responsibilities. As such people feel poorer due to the sudden change and loss of normality (Merton, 1949). Let us take an example revealed by respondents during one of my previous researches (Tahiraj 2003). Women in Albania are not provided with facilities for childcare to enable them to participate freely in the labour market. Female respondents have felt that there is a strong need for support for mothers in their unpaid work in the house and for child care. Women felt poorer and more tired than prior to 1990 due to lack of a support system which withered away during

transition. Childcare facilities were available to all families during communism. It has been pointed out (Munday and Lane, 1998) that in many countries women have suffered disproportionately from unemployment, and when in work many find that child care facilities previously provided by enterprises have been withdrawn. During communism the all-important right to work was written into the Constitution, applying equally to men and women' (ibid. 5).

The Changing Position of Women

We may argue that perhaps a combination of many factors has led to the repositioning of Albanian women in the family. First, families' shaken income security and the privatisation of childcare meant that families were no longer able to afford child-care. The inaccessibility and dubious quality of such care meant that families did not trust these institutions, or whatever was left of them. Second, major demographic changes have occurred as a consequence of increasing rates of marital breakdown in the last decade or so from 8.6% in 1995 to 14.2 in 2004 (INSTAT, 2005) with an increase in the number of women asking for divorce. Families headed by women are 35 times more likely to be poor than the average household (World Bank, 2002) for reasons such as women benefiting less from employment opportunities while the mother invariably being the disadvantaged carer. These types of family are likely to fall into poverty in the absence of child support programs.

Third, and most important, a change in the family structure – grandparents as educators and care givers⁷ are not always part of the family due to demographic changes. Migration may be affecting families negatively although not necessarily financially (La Cava and Nanetti, 2000), while nuclearisation of the family has also led to women bearing the cost of yet another duty: childcare.

As the socialist system is thought to have encouraged the masculinisation of women (Çuli, 2000) one can argue that perhaps women were not happy taking on men's roles and working night shifts in socialist factories. Can we perhaps speculate by thinking that women choose to withdraw home? Communism achieved emancipation, 'women benefited from good cash and kind services, with work-based child care' (Munday and Lane, 1998:5). But, was that what women wanted? Equally, is the 'familialisation' of women today what they want? (Pascall and Manning, 2000) Are these results of a tacit acceptance, a choice, or an imposition? It is equally of importance to discuss the role of the Albanian women in the family and in the labour market and how each of these has influenced the other.

7 Here grandparents are seen as care givers – for the grandchildren. At the same time, they receive care from members of the family.

Further investigation is required to find out whether their new position was taken because they were glad to leave the workplace and have less responsibilities, it was (passively) accepted, or suffered due to market re-orientation. At this stage we can only hypothesise, since only further research may equip us with the answers. Certainly, the existing idea that housework is no work has made women's position in the family more difficult (Maynard, 1985).

By choice or by default women have withdrawn from the labour market and are considered as a group in need and at risk of falling into poverty (Tushi, 1998), affected highly by the rise in unemployment. It has been suggested elsewhere (Titmus, 1976), that mothers and wives are likely to be affected first by any rise in unemployment. During development and the transformation process 'women and children must adapt to the differing demands of household and market, whereas men's roles remain more resistant to change. Increasing household burdens tend to change women's and children's but not men's allocation of time between home and market production and leisure (King and Evenson, 1983). This statement leads us to see findings in the next section under a different light. While women have adopted themselves to the new roles and needs within households, men tend to stay faithful to their traditional role and allocation of time between home and work. Again, it is not clear, though this time regarding men, whether this is a result of men's choice or an imposition from the society?

Findings

This section draws on some of the findings from my empirical research on poverty and anti-poverty programs. However, I present, and discuss only a few of these findings here. In addition to interviews, I complement the discussion by data generated by other research methods such as participant and non-participant observation, media monitoring and area visits.

The primary finding is that Albanian women work hard! In rural areas, women worked the land, gathered herbs in the mountain, took care of the animals, worked in the house, fetched water, looked after the children and the elderly (often the in-laws) and did all the cooking. Where were all the men gone? They were 'looking for day jobs' in the town, even though most of the time they came back empty-handed. Respondents were asked whether men were successful in securing income. Answers in most of the cases were negative.

'I can perhaps find jobs one or two days a month...but, one has to keep trying and hoping...so I go there and wait and hope, day after day.' (Shefqet).

The unequal share of work – women doing more duties than men - is mirrored by the unequal perception of its value; a woman's work is not being perceived by the respondents as being as vital as the work of a man who brings cash home (if lucky!). One can understand the value of cash as family needs go beyond the cycle 'we feed the cow, the cow feeds us.'⁸

Such a context draws us to look back at previous studies on the roles of men and women in the family and society and why women have historically borne the majority of common chores. It has been suggested that in hunter-gatherer societies different strategies are used by men and women in the family (Diamond, 1997). The typical men go hunting and women work at home, and while men would be lucky to bring home food at one quarter of the time, women's returns are more predictable instead and vary little from day to day. 'How much starch a women gets depends on how much time she spends pounding it' (ibid.:123). This, however, does not hold true for men – how much cash (meat) they bring home is not in direct proportion of how much time they spend out of the house. Thus it has been suggested that men would be better in the long run if they would stick to the 'unheroic' jobs that women undertake rather than follow the excitement of the chase.

One can see this as a parallel to men wandering in the 'Omonia' centres – the typical places where unemployed men wait to be picked up by some rich businessman for daily jobs such as electrical installation, construction or bricklaying. Yet, one can not help but ask whether families would be better off if men were instead working in the land, farming etc. Relying on the luck of the chase is proving rather challenging, if not emasculating.

But, let's be fair here! Is it all men's fault? The burden men feel on not being able to provide for the family is affecting men's perceptions of themselves as the following quotes reveal:

'There is nothing worse than not being able to provide for your family. I am ashamed, humiliated...Why am I living? (Nik).

'A man would be considered humiliated if he doesn't feed his family, at least he has to keep trying.'(Thoma).

During focus groups in villages, men recognised that rural women worked more than them, humorously mentioning the old poem of Çajupi.⁹ Men praised their wives and accepted their dependence on them. It was even remarked that, in cases when they had offered to help at home, they were told to: *'get out of here, don't stay behind my dress, I can't do work with you around'*.¹⁰ While

8 Field-work notes from group discussions.

9 A fragment of the poem is the opening quote of this paper.

10 The original quote in Albanian: 'Hiqmu qafe, ngele pas fustanit tim! Ik dil me burrat e tjerë se nuk punoj dot me ty nëpër këmbë'.

somewhat funny, such situations put men in a vulnerable position. They are damned if they do, and damned if they don't as the saying goes! Society is important in the roles we play and perpetuate. The issue here as mentioned at the beginning of this paper, is to what extent such roles help in perpetuating the feminisation of poverty. In addition, I would ask to what extent women are primary actors in it?

Women complained that they 'feel tired, exhausted, all the time', counting the range of activities they deal with daily. Yet when asked about the way to free them from some of the work, they asked for more money in projects from Non-Governmental Organisations, for example, investments to bring the water near the centre of the village. None of them even suggested that perhaps had all the men of the village worked together to bring the water nearer the village centre instead of waiting in the city the problem might have actually been solved. Women had neither discussed with the men, nor expected them to jointly carry out this work, as they (men) were busy looking for jobs.

This leads us to the next issue, the definition of the family, as two or more people carrying out joint decisions. On the one hand, we may argue that these different family strategies of men 'waiting to be picked up' irrespective of the outcome and women steadily contributing to the household constitute a form of family construction of joint decision making. Yet, we may challenge our finding by asking whether women actively participate in this process of decision making or simply accept it as a given due to the patriarchal heritage and clear cut roles and expectations of women's position in the household. How much of the contribution is hers in this joint decision making?

In one of the interviews, a woman said that she didn't know how much the salary of her husband was, who being head of the village and living in obviously better conditions than the rest of the families in that area did not need to claim Economic Aid benefits. She considered the income a 'man's matter'. What are the gender differences? Do women expect men to be out all the time? Do they expect men to allow themselves some preferential treatment?

One of the urban female respondents, from a family receiving Economic Aid, hence officially classified as poor, stated that her husband 'likes to have a tippie', even having to borrow money to do so. Feeling powerless to change 'her fate', she blamed stress and poverty as a factor that influenced her husband's behaviour:

'...otherwise he wouldn't be like that. He feels ashamed going out with his friends and not having some money for a drink; I mean he is a man, he needs to go out with his friends; he needs his money. It is different for us women, we don't go out.' (Shpresa).

In most interviews people said that they had nothing to do, had no work, and had little hope or faith that things could change, hence were driven to desperation under the stress of poverty and humiliation. In this context, the perpetuation of traditional gender divided roles, serves as both cause and effect of poverty. Poverty was blamed for the 'drinking habit' of the man who uses his family cash benefit to fulfil his social need, that of being equal among other fellow men.

'If I knew my life would be like this, and if I had a choice, I would wish I wasn't born!' (Jorgji).

Such strong statements remind us of the concept of necessity, which is not only about basic or survival needs - in this case drinking raki is a social need to be equal.

'By necessities I understand not only the commodities which are indispensably necessary for the support of life, but whatever the custom of a country renders it indecent for creditable people to be without.' (Smith, 1776).

The issue is not on how to fulfil the social need, but at what cost of doing so? Because of the pressure to feel equal the poor will sacrifice their resources and run short on other necessities, in our case personal use of EA. At this stage, examination of the influence of individual needs among family members is important? Thus, whose needs count?

This research showed that perceptions and experiences of poverty varied within households and so did needs. When in a participatory exercise people were asked to prioritise their needs, their ranking varied between members of the family. Their priorities reflected their most important needs, which emphasised the multidimensional nature of poverty. While women in the village study sites ranked drinking water facilities in the house, men ranked employment. Both men and women's needs were to improve the family's living standards, hence family oriented in terms of the desired outcome. When unemployed, women from urban areas mentioned their total dependence on their husbands' income, hence a need for more income. In urban areas the dearth of childcare facilities, and the coupled high and rising costs of such services where they existed, made women stay at home. As such, their needs were focused on building support systems.

Men and women within the family have used different ways of trying to get nearer to fulfilling these needs. As mentioned at the first section of this paper, it is often thought that in times of transformations, women and children are the ones who have to adopt themselves to the changing circumstances, while men's roles are less affected. Hence, it is argued that women forgo themselves more for the family than men. The previous example of the wife

that sacrifices her family allowance to let her husband 'have a tippie' may be seen as a sacrifice, that she would not otherwise allow herself. On the other hand, it may be also be interpreted as the imposition of gender roles and its tacit acceptance by her.

Respondents, mostly women, felt that gender can be a factor that leads to different allocation of resources or distribution of income, especially as it is the head of the family, most often (but not always), the husband, who has the right to claim and receive the Economic Aid benefit on behalf of the family. The man in this case still remains head of the family, even when he is unemployed, or uses the family benefit to satisfy his individual social need. So, why do men keep the name of the breadwinner when the actual characteristics of their role have changed dramatically? They do not necessarily bring home the bacon! They are not the breadwinner!

Furthermore, they are consciously dependent on women. One may ask whether the label of the family head stoically held by men is just a facade; while behind each family may be a woman that directs. Here follows one of the many examples from my fieldwork, which supports such claims, where men acknowledge their dependence on women. Such dependency was more evident among the elderly.

'May we (husband and wife) be strong enough to support each other, as for children, they all get married and go away...It is my oldie¹¹ that I need here... when time comes, may we both go at once,¹² we don't want to be a burden to anybody else' (Petrit).

This raises further issues considering the demographic changes that are happening in Albania, the high rate of migration, which has led to old couples being either 'left behind' on their own, or being split, with one of them travelling abroad to take care of the grandchildren (King and Vullnetari, 2006). These coping mechanisms can be viewed as extended family strategies whose gender impact is little known.

¹¹ Referring to his wife.

¹² The quote in Albanian – *në kokë e në gropë* – literally 'on the head and in the hole', means hoping to go immediately when the time comes, without any illness or long-term suffering.

Concluding Discussion

In the typical patriarchal set up, in order to withdraw from the domestic arena, men have traditionally used the excuse of the burden of formal work, which earnings justify and the control of money reinforces. In common with other countries – transitional or not - male roles have been under attack in the conditions of labour market deregulation in the new Albanian market economy. The result has been that long-term economic inactivity, unemployment and underemployment are now commonplace. In the absence of their breadwinner function, looking for work is a full-time occupation. As such, the traditional role of the man bringing home the bacon and of the woman constituting a heaven of expressive warmth and emotional support in the family (Parsons and Bales, 1956) is far from evident in Albania.

Female roles have changed too. In this context, one must consider the concept of the family which consists of a unit within which people make economic decisions about paid and unpaid work in the household and outside of it (Maynard, 1985). Is women's withdrawal from the labour market a democratic and fairly developed family strategy about who will be doing what? One might be linking this with the intervention of the state during post-communism to affect changes in behaviour. As it did not intervene in the family, or the market, it intervened by offering services to allow women to work and benefit by provision of child-care facilities. What can the modern state offer?

While communism eliminated a visible feminisation of poverty by offering services to help women, such a policy was also a state recognition of the existence of feminisation of poverty. Thus, feminisation of poverty, considered from the multidimensional perspective, did exist in communism, and hence intervention was considered necessary in exchange of services. Such an approach did try to reverse the role of women. The fact that now there is a reverse of the reverse making us see some clear gender divisions in all aspects of experiences and perception of poverty, could be said to be due to many transitional factors. But, one has to acknowledge at least a lesson here, that even communism with its strong control did not achieve deep societal change. Even less so, can the actual welfare policies affect positive change in the Albanian family?

Men's position in Albanian society today holds strongly to attached values and roles. Yet, within the family their position is 'softened'. On the one hand it is good that men acknowledge their dependence, yet on the other hand, if feminisation of poverty does exist, it can not be due only to men. Change can be superficial. Individual needs as this research shows, however of different origins, tend to overlap in their expected aim – the improvement of household

living conditions. As such, one can not yet herald the decay of the Albanian family as yet. On the contrary, it is the family that holds the power of change. Welfare starts from there (Boulding, 1972). At the end of this paper one might be optimistic and hope that while men's mindset is accepting change, rather against what the literature might suggest, it may be that, women are not ready yet to allow for such a shift. Women, perhaps have to let men lead the change! Now men could be a hot topic indeed!

Brief note on the author

Dr. Enkeleida Tahiraj most recently lectured at both undergraduate and post-graduate level on International Politics and Social Policy at University College London as well as directing the Nash Albanian Studies program there. She has extensive lecturing experience at other universities in the UK and abroad. She has convened and presented regularly at international conferences at UCL, London School of Economics, University of York, Oxford University and Harvard among others. She also acts as a consultant for international organisations and companies. The core of her research is in poverty studies, but such research necessarily crosses disciplines. She has a particular focus on the region of South-Eastern Europe, but tries to keep a global perspective too. She has published widely on poverty, gender, development, welfare, governance and institutions, global social policy and civil society in many respected international journals. Dr. Tahiraj is currently putting the finishing touches to a book on Social Policy in Transition.

References

- Boulding, K. E. (1972) The household as Achilles heel. Premier Lecture of the Colston W. Warne lecture series. Dallas, Texas: ACCI.
- Coltrane, S. (1996) *Fatherhood housework, and Gender Equity*. New York: Oxford University Press.
- Çuli, D. (2000) *Essays on Albanian Women*. Tiranë: QG.
- Dauti, M. and Lula, E. (2006) Economic growth, social development and social services in Albania: A comparative perspective, in *Gender Mainstreaming in Policies and Strategies*. Tiranë: GADC.
- Deem, R. (1988) *Work, Unemployment and Leisure*. Routledge: London.
- Diamond, R. (1997) *Why is Sex Fun? The Evolution of Human Sexuality*. London: Phoenix.
- Ekonomi, M. (2006) Gender, Statistics and Employment, in *Gender Mainstreaming in Policies and Strategies*. Tiranë: GADC.
- Galliano, E. (2001) *Vulnerability Needs and Institutional Capacity Assessment*. Washington DC: WB.
- Gazeta Shqiptare (2001) Do iki përsëri, 18 Janar. Tiranë: EDISUD.
- Gerson, K. (1993) *No man's land: Men's changing commitment to family and work*. New York: Basic Books.
- Glendinning, C., Millar, J. (eds.) (1987) *Women and Poverty in Britain*. Brighton: Wheatsheaf Books.
- Gupta, S. (1999) *The Effects of Transitions in Marital Status on Men's Performance of Housework Journal of Marriage and the Family, Vol. 61, No. 3. (Aug., 1999), pp. 700-711.*
- INSTAT & World Bank (1997) *Albania Living Standards Measurement Survey 1996*. Washington DC :WB.
- INSTAT (1999) *Men and Women in Albania 1998*. Tiranë: INSTAT.
- INSTAT (2000) *Social Indicators Year Book*. Tiranë: INSTAT.
- INSTAT (2001a) *Labour Market Indicators*. Tiranë: INSTAT.
- INSTAT (2001b) *Women and Men in Albania*. Tiranë: INSTAT.
- INSTAT (2002) *Quarterly Statistical Bulletin*. Tiranë: INSTAT.
- INSTAT (2003) *Femra dhe Meshkuj në Shqipëri*. Tiranë: INSTAT.
- INSTAT (2004a) *Living conditions and inequality in Albania – Population and housing CENCUS 2001*. Tiranë: INSTAT.
- INSTAT (2005) *Vjetari Statistikor 1995-2004*. Tiranë: INSTAT.
- INSTAT and WB (2006) *Shqipëria: Tendencat e Varfërisë dhe Pabarazisë 2002-2005*. Tiranë: WB.
- INSTAT (2004b) *Gender and migration in Albania – Population and housing CENCUS 2001*. Tiranë: INSTAT.
- King, E. and Evenson, R.E. (1983) Time allocation and home production in Philippine rural households, in M.Buvinic (ed) *Women and Poverty in the Third World*. Baltimore: JHUP.
- King, R. and Vullnetari, J. (2006) Orphan pensioners and migrating grandparents: the impact of mass migration on older people in rural Albania, *Ageing and Society* 26, 783-816.
- La Cava, Gand Nanetti, R. (2000) *Albania: Filling the Vulnerability Gap*. World Bank technical paper 480. Washington DC: WB.

- Lewis, J. (1992) *Women in Britain since 1945*. Oxford: Blackwell.
- Lewis, J. (1997) Gender and welfare regimes – further thoughts. *Social Politics*, 4(2), 160-77.
- Maynard, M. (1985) House workers and their work, in R. Deem and G. Salaman (eds.) *Work, Culture and Society*. Milton Keynes: Open University Press.
- Merton, R. K. (1949) Social structure and anomie, in *Social Theory and Social Structure*. Glencoe: The Free Press.
- Munday, B. and Lane, G. (1998) *The Old and the New: Changes in Social Care in Central and Eastern Europe*. Canterbury: European Institute of Social Services, University of Kent.
- Parson, T. and Bales, R.F. (1956) *Family, Socialisation and Interaction Process*. London: Routledge and Kegan Paul.
- Pascall, G. and Manning, N. (2000) Gender and social policy: comparing welfare states in Central and Eastern Europe and the former Soviet Union, *Journal of European Social Policy*, 10(3), pp.240-266.
- Republic of Albania (2003) *Poverty Reduction Strategy Paper Annual Progress Report*. IMF Country Report No.03/164. Washington DC: IMF.
- Republic of Albania (2004) *Poverty Reduction Strategy Paper Annual Progress Report*. IMF Country Report No.04/204. Washington DC: IMF.
- Republic of Albania (2006) *Poverty Reduction Strategy Paper Annual Progress Report*. IMF Country Report No.06/23. Washington DC: IMF.
- Sainsbury, D. (1996) *Gender Equality and Welfare States*. Cambridge: CUP.
- Schnepf, S. V. (2004) The feminisation of poverty in transition countries: evidence from subjective data. Hamburg: University of Hamburg.
- Sentura, K. (1997) *A woman's work is never done: women's work and pregnancy outcome in Albania*. *Medical Anthropology Quarterly, New Series*, Vol. 11, No. 3. pp. 375-395
- Smith, A. (1892) (8th edn.) (1776) *An Inquiry into the Nature and Causes of the Wealth of Nations*. London: Routledge.
- Tahiraj (2001) Mind the gap: feminisation of poverty in Albania in 90+10 – *Women during Post-Communist Transition Period*. Tiranë: OSFA.
- Tahiraj (2003) Feminisation of poverty: the case of Albania, *Journal of Society and Social Policy* 2(3).
- Tahiraj (2007) *Selected findings from Doctoral thesis 'Poverty and anti-poverty in Albania: Social Policy in transition and consolidation'*. York: University of York.
- Titmus, R. M. (1976) *Essays on the Welfare State*. London: Allen and Unwin.
- Townsend, P. (1993) *The International Analysis of Poverty*. London: Harvester Wheatsheaf.
- Tushi, G. (1998) Varfëria si problem social dhe kompleks, *Politikat Sociale*, 4. Tiranë: Ministria e Punës.
- Williams, M. (2003) *Making sense of Social Research*. London: Sage.
- World Bank (2002) *Poverty in Albania*. Washington DC: The World Bank.

Gender Equality Legislation and Policy: Do they Matter?

By: Delina Fico, MA, MS

The UN Conference on Women (1995) inspired a number of local initiatives to introduce policies, programs, and mechanisms that advance gender equality in Albania. Supported by international organizations, government institutions launched in 1999 the Platform of the Government of Albania on Women and in 2003 - 2004 women's non-governmental organization drafted the Law for an Equal Gender Society. But, could these two major documents deliver what they promised? Using the Moser's Gender Planning Framework, the article explores if this was possible from the start. If the planning was based on solid gender planning methodology, they could succeed. Did this indeed happen?

Historical Context

The first attempts to develop the legal and policy framework for advancing women's rights and achieving gender equality in the aftermath of political changes in the early 1990s in Albania are closely related to the UN Conference on Women that took place in Beijing in 1995. Efforts to advance gender equality in an entirely transformed political, economic, and social reality during 1990 - 1995 had already introduced women's rights activists in Albania to the regional and international debates about gender and women's role in society. But, the Beijing Conference marked a milestone in laying out the foundations for all-encompassing policies, programs, and mechanisms for advancing gender equality in the country.

A group of ten representatives of women's NGOs attended the many workshops and events at the NGO Forum of the Beijing Conference that took

place in Huairou, near Beijing, while a governmental delegation attended the conference and witnessed the sometime heated debates that led to the adoption of the Beijing Platform for Action. The Platform became the wider conceptual framework that led all efforts for achieving gender equality in Albania in the late 1990s and the beginning of the XXI century.

Using the Beijing Platform for Action as a basis for developing national platforms or plans of action for achieving gender equality was as much an indigenous effort as it was also a result of the internationally orchestrated actions to push for the implementation of the Beijing Platform for Action at the national level. The UNDP-administered Women in Development program in Albania before and after the Beijing Conference supported and funded the participation of the governmental delegation and the non-governmental organizations from Albania at the Conference; worked to enhance the capacity of governmental and non-governmental institutions to raise awareness about the Beijing Platform for Action; and supported efforts to develop successive national platforms or action plans for implementing the Beijing Platform.

These efforts focused first on establishing a national gender equality mechanism that would be in charge of implementing the Beijing Platform at the national level. The gender equality mechanism was conceived as and continues to be the hub for developing policies and programs on all issues related to gender equality in Albania. For that reason alone, it is important to outline briefly how the scope and name for this mechanism have changed over time. The Sector on Women at the Committee for Labour and Salaries that was established in 1991 was transferred in 1994 at the then Ministry of Labour and Social Protection. Right after the Beijing Conference, this structure was replaced by the Secretariat for Women and Youth at the Ministry of Culture, while in 1997 it moved as the Directorate “Women and the Family” at the Ministry of Labour and Social Protection.

In July 1998 the gender equality mechanism arrived its highest point when it became the Committee “Women and the Family” reporting directly to the Council of Ministers. In March 2001 the name changed to the Committee on Equal Opportunities and the institution focused on mainstreaming gender at the policy level. In 2003 the Committee moved again under the auspices of the Ministry of Labour, Social Affairs, and Equal Opportunities. While in 2004, following the approval of the Law on an Equal Gender Society, the Committee moved up again to report to the Deputy Prime Minister. In spring 2006 the Committee on Gender Equality was dissolved and most of the responsibilities were taken over by the General Directorate for Equal Opportunities in the Ministry of Labour, Social Affairs and Equal Opportunities (Ruci, 2007).

With support by the UNDP Women in Development programme, the initiatives to introduce national documents to implement the Beijing Platform for Action brought about the approval by the Council of Ministers in June 1999 of the *Platform of the Government of Albania on Women* (PGAW). The platform chose four priority areas for Albania from the twelve critical areas addressed by the Beijing Platform; identified main gaps in these areas in terms of gender equality; and provided recommendations on actions that should be taken to address those gaps. PGAW aimed at informing local and international governmental institutions, as well as donors about the priority needs for women's development in Albania and it had a two year mandate, 1999-2000. This platform was followed by the Platform of the Albanian Government on the Equality between Man and Woman (2000 – 2005) and build upon PGAW. Other national platforms and national action plans followed, but, for the purposes of this article, we will look at the process that resulted in the first platform, the *Platform of the Government of Albania on Women 1999-2000*, from the perspective of gender planning theoretical and practical framework.

A second important document for advancing gender equality in Albania is the *Law on an Equal Gender Society*, approved by the Parliament on February 2004. The law was an initiative of Albanian women's NGOs as part of larger efforts in Southeast Europe (SEE) focused on women's political empowerment. These efforts were related to the Gender Task Force (GTF) of the Stability Pact for SEE. The Stability Pact for SEE was established in June 1999 as an EU initiative to strengthen the countries of South Eastern Europe in their efforts to foster peace, democracy, respect for human rights and economic prosperity in order to achieve stability in the whole region. Based on the belief that in all countries in transition, and most dramatically in countries that underwent armed conflict, women's political participation was very low (7% average representation in State Parliaments at the time when GTF was established), GTF called for an equal and active role for women in the development and implementation of the South-eastern European region's stabilization and democratization processes.

Through its partners in SEE countries, GTF worked to have countries ratify CEDAW and/or CEDAW's Optional Protocol, to introduce legislation on gender equality, to establish national gender equality mechanisms, and to raise the capacity of women to use and benefit all these tools and mechanisms. For three years (2000-2003) GTF run a Women Can Do It program training women candidates and elected women politicians at the local and national level. It worked to strengthen women's political networking at the country and SEE level, bringing in also groups of women that had been often left aside from the women's rights groups in the region, such as women from the labour

unions. GTF strived to engage women politicians and women's rights activist in a dialogue among themselves, but also with Parliaments and governments. The introduction of gender equality legislation was then seen as a crucial step towards formalizing this relation and ensuring a solid and enduring legal framework for advancing gender equality in respective countries.

In Albania, GTF worked through the Millennium Women Network. During 2000-2004, the network run Women Can Do It training for grassroots women and women politicians, advocated for a gender-based quota in the Albanian electoral system and within political parties, organized the Parliament of Women as a forum for rallying support for the proposed legislative changes, and drafted the Law on an Equal Gender Society. All these efforts were widely supported and funded by various bilateral and multilateral donors, including GTF and UNDP (See GTF report, 2005). Today, more than three years after the law was approved by the Parliament, the law remains controversial and it is hard to discern at what extent it was implemented. We will look at the process that led to the approval of the law from a gender planning perspective and explore the extent to which this law was set up to succeed or fail. This implies the extent to which the law served or did not serve to advance gender equality in Albania so far.

Gender Planning Methodology

National action plans such as the Platform of the Government of Albania on Women (PGAW) and legal initiatives as the Law on an Equal Gender Society intend to advance gender equality by redressing existing inequalities, as well as by empowering women to benefit from newly created opportunities and fully enjoy their rights. Various conceptual frameworks have been developed for understanding gender planning and the various policy approaches and strategies available. Some of the most used ones are: the Harvard Analytical Framework, Moser's Gender Planning Framework, Women's Empowerment Framework, and Social Relations Framework. I will use Moser's Gender Planning Framework to assess how much PGAW and the Law on an Equal Gender Society could have been effective in achieving what they were committed to. But why use the gender planning theoretical framework and how useful could this framework be to assess the impact of these two important documents? Summarizing Moser's Gender Planning Framework will help respond to this question.

Gender planning became prominent in the early 1990s and developed as a new planning tradition mainly related to development in Third World

countries. Explored thoroughly in the seminal book “Gender Planning and Development: Theory, Practice and Training” (1993) by Caroline O. N. Moser, at the time a senior World Bank specialist, the framework became widely used by international organizations and was studied and refined by feminist researchers and international development specialists (See, among others, Wieringa: 1998, and Ineke: 2003).

Moser’s exploration of the gender planning theoretical framework is placed in the context of the Women in Development (WID) and Gender and Development (GAD) programs that were implemented by bilateral and multilateral donors in developing countries all over the world. Such programs have been implemented in Albania starting in 1994 with the first UNDP-administered WID program. As mentioned earlier, such programs supported the process that led to the adoption of the Platform of the Government of Albania on Women (PGAW) and the introduction of the Law on an Equal Gender Society.

Moser starts her analysis with a critique of the understanding of gender roles by traditional planning methodologies. She highlights the triple role of women (reproductive, productive, and community managing work) as a key concept for understanding that the household, the basic unit for planning methodologies, is not a unified one. Women and men might have different needs and different access to resources and decision-making within this unit. Then she explores the differences between Strategic and Practical Gender Needs as a crucial concern for those who are involved in gender planning. For Moser, Strategic Gender Needs are those that are formulated from the analysis of women’s subordination to men. “Practical Gender Needs, in contrast, are those formulated from the concrete conditions women experience. These derive from their positions within gender division of labour, in addition to their Practical Gender Interests for human survival. Unlike, Strategic Gender Needs they are formulated directly by women in these positions, rather than through external interventions.” (Moser: 1995, p. 40). This distinction is very important in assessing whether the legal and policy documents in question address women’s Strategic Needs and consequently serve to advance the cause of gender equality. The objective of gender planning is to achieve both Strategic and Practical Gender Needs.

Moser defines the key characteristics of gender planning as follows: “First, it is both political and technical in nature. Secondly, it assumes conflict in the planning process. Thirdly, it involves transformative processes. Fourthly, it characterizes planning as a ‘debate’.” (Moser: 1995, p. 87). This has to do with the fact that gender planning is concerned with the transformation of relations between women and men, a process that is highly political by nature and is

assumed to involve conflict. In particular this transformative aspect of the gender planning methodology has resisted critiques and has proven to be one of its strongest points. This transformative vision of gender equality is, according to Squires (2005), particularly apt for conceptualizing the strategy of gender mainstreaming that underlines all efforts for advancing the cause of gender equality in the last two decades.

According to Moser, gender planning goes through the following steps: conducting gender diagnosis, identifying gender objectives, performing gender monitoring, ensuring gendered consultation and participation, and deciding on the gender entry strategy. *Gender diagnosis* is concerned with the identification of particular implications of specific problems for men and women and the relationship between them. Gender needs assessment is the final stage of gender diagnosis. Identifying *gender objectives* means identifying which gender needs are to be selected for the specific gender planning exercise and the strategies to accomplish this. *Gender monitoring* is carried out at various points during the gender planning process and responds to questions on the impact of gender planning on women's productive, reproductive and community managing role, as well as on women's ability to balance the three roles. *Gender consultation and participation* implies the equal and meaningful participation of women in all stages of gender planning. This process is widely affected by what Moser calls the 'process of politicization', which includes a political recognition of gender needs. Women's organizations have a special role to play in this process as they provide a channel for identifying gender strategies and practical gender needs and advocating for planning processes that address these needs. Gender participation ensures negotiation and debate in the planning process. While the *gender entry strategy* defines what is possible for gender planning to achieve in a specific context. Basically, identifying the gender entry strategy ensures that the gender planning agenda will be translated into practice.

The gender planning framework as explored and formulated by Moser provides an effective starting point for assessing the potential for success that the two documents in question, the Platform of the Government of Albania on Women (PGAW) and the Law on an Equal Gender Society had to succeed. If they were developed through a process that encompasses key characteristic of gender planning, than these documents had larger opportunities to contribute in a major way in addressing gender strategic and practical needs in Albania in the first years of the XXI century. But let's see if this is what happened.

Progress and Pitfalls

The *Platform of the Government of Albania on Women 1999-2000* (PGAW) built upon the strategy for achieving gender equality in Albania developed in 1997 by both women's groups and the Directorate "Women and the Family" in the Ministry of Culture, Youth and Women. PGAW choose four areas of concern for women in Albania from the twelve areas of concern that the Beijing Platform for Action had identified. Those four areas were: equality of men and women in power-sharing and decision-making, economy, social issues, and health. PGAW's objective was to identify "a coherent policy taking in consideration country's context and international conventions and lay out the main directions for improving women's situation in Albania" (PGAW: 1999, p. 1). Each PGAW chapter summarizes practical gender needs in the respective area of concern, the interventions by the government and international agencies in those areas, and proposes a set of actions that would address these gender needs.

Although PGAW addresses some of the major concerns for Albanian women at the time, it is clear from its content, but also from discussions with public officials that were responsible for developing the platform, that no thorough gender diagnosis and gender needs assessment took place in preparation for the platform. No gender disaggregated data are included as references in PGAW and few such data were available at the time when the platform was discussed and approved by the Council of Ministers. An analysis of most pressing strategic and practical needs to deal with was also lacking. This led in return to very wide and unspecified gender objectives such as 'the formulation of policies in support of family planning in cooperation with international donors' in the Health Chapter of the platform (PGAW: 1999, p. 16). With objectives like this the platform looked more like a wish list than a time-bound two-year plan to address specific gender needs that would both advance gender strategic objectives and redress existing inequalities in specific areas of concern.

The Committee "Women and the Family" supported by the UNDP Women in Development program organized a series of consultations with women's non-governmental organizations in preparation for PGAW and this helped identify the broader areas of concerns for women at the time. But, there is no evidence that gender monitoring of the impact that the proposed actions would have on women's triple role and their ability to balance those roles took place at any instance of the process for developing PGAW. Lastly, it is unclear what the gender entry strategy was for PGAW. The preparations for the Beijing+5 meeting of the UN Commission on the Status of Women that took place in March 2000 in New York gave momentum to efforts for developing national actions plans for achieving gender equality. Local women's nongovernmental organizations

and international aid programs provided substantial support to the process for developing PGAW. But, there was little strategizing and coordination with other governmental entities that worked directly in the PGAW areas of concern and there was no clear political commitment by the highest levels of decision making to turn the proposed PGAW's actions into reality. The lack of proper financial resources to implement PGAW is one firm proof to that and a major drawback for PGAW from the start.

Four years later women's non-governmental organizations coordinated by the Millennium Women Network engaged in a country-wide campaign to introduce the first law on gender equality in Albania. The initiative for introducing gender equality legislation in the early 2000s in Albania stemmed from the belief that there was a need to have a firm commitment for achieving gender equality at the highest level of political decision-making in the country. The process started with a nationwide discussion on Practical Gender Needs, but we could find no proof that there was a thorough research and analysis of gender strategic needs in Albania at that particular time. This was partly due to the lack of reliable and systematic data collection related to major issues that concern gender based inequalities, a problem that remains true event today. But, this lack of a systematic gender needs assessment that would inform the draft law is also related to the belief that there are generally accepted (by women) gender inequalities and they were to be addressed in their entirety by the new law. This lack of a proper gender diagnosis affected the process for identifying clear gender objectives that the new law would serve to achieve.

The law was later criticized for trying to be everything to all women and this weakened its ability to get implemented and intervene strategically to redress existing gender inequalities in the country. This could become clearer if we look at the process for drafting the law from the gender mainstreaming perspective. The Law on an Equal Gender Society was a major move forwards for mainstreaming gender in political, economic, and social life in Albania. According to Walby, mainstreaming gender in all policy areas would require the need to take into account the complex interaction between different gender regimes and policy areas by considering the specificity of each domain with its particular institutions and gender equality politics and policies "to understand whether changes in one domain are likely, ultimately, to have implications for other domains" (Walby, 2005: 328). In this respect, the law could have benefited from a careful analysis of the existing gender regime in Albania and from identifying specific, instead of all-encompassing, gender strategic objectives that would have made the draft law less overwhelming for the decision-making institutions and increased the possibility for turning the law into one that it is

actually implemented. The process for drafting the law was a very good example of wide and meaningful participation of women. The Millennium Women Network organized a wide information campaign about the effort, as well as meetings with various women's groups that culminated with the organization of Women's Parliament.

In addition to a petition signed by nearly 100,000 citizens, this forum expressed support for the draft law on gender equality and for introducing a gender-based quota in the electoral system. On the other hand, as with PGAW, there is no evidence that gender monitoring of the concrete impact that the proposed draft law would have on women's triple role and their ability to balance those roles took place at any instance of the process for drafting the law. The draft law went through a process of review and changes at the government and Parliament level. Despite the support for the draft law by public officials and parliamentarians who worked on gender issues or were interested in advancing gender equality in the country, there was again no clear commitment by the highest levels of decision-making to turn this law into one that could be implemented. No financial bill was prepared for this law. The commitments were broad and responsibilities not clearly assigned. Lack of commitment for turning this law into a reality is most poignantly displayed by the fact that no secondary legislation was drafted for this law, killing the law from the start. No law, despite its strengths and weaknesses, could ever be implemented without the approval by the Council of Ministers of the secondary legislation.

Concluding Comments

Gender planning has marked significant progress in Albania in the last seventeen years. Initial efforts such as the PGAW and the Law on an Equal Gender Society planted the seeds for developing programs, policies, and mechanisms that are based on a diagnosis of the existing gender regime in Albania, identifying specific Strategic and Practical Gender Needs to be addressed in specific areas, assessing the impact of policy interventions on women's triple in society, and ensuring wide and equal participation of women and men in developing these documents and mechanisms. Despite their shortcomings, PGAW and the Law on an Equal Gender Society were an important exercise in framing efforts to achieve gender equality in Albania in a larger context of political, economic, and social changes that take place throughout society. The most recent initiatives, such as the National Strategy on Domestic Violence and the one on Gender Equality, as well as the new draft Law on Gender Equality have moved forward,

knowingly or not, towards a more comprehensive gender planning framework. It is to be seen if this indeed will make these documents more effective in achieving what they promise to do: redress existing gender inequalities and transforming the relation between men and women in society. Moser's Gender Planning Framework remains an effective and practical methodology to develop and improve further such programs, policies, and mechanisms.

Brief note on the author

Delina Fico holds a Master of Arts in Political Science, New School University, New York, N.Y. and a Master of Science in Nonprofit Management, Robert J. Milano Graduate School of Management and Urban Policy, New School University, New York, N.Y. She is experienced in advocacy, gender issues, institutional and individual capacity development, strategic development, public education, and fund raising. In the last thirteen years, she has worked extensively with local, regional, and international non-profit organizations and agencies in the Balkans and Central and Eastern Europe. Ms. Fico is first woman hired as a diplomat in Albania, by the Ministry of Foreign Affairs, Tirana, Albania, Department for Cultural, Scientific, and Technical Cooperation (1991 – 1994). During 1994-1997, she was the first and only employee launching the Women's Center (former name of GADC) and a Program Coordinator of Soros Foundation, Tirana, Albania.

References

- Moser, O.N. Caroline (1995). *Gender Planning Development: Theory, Practice and Training*. Routledge.
- Verloo, Mieke, (Ed.) (2007). *Multiple Meanings of Gender Equality: A Critical Frame Analysis of Gender Policies in Europe*. Budapest: CEU Press Ltd.
- Wieringa, E. Saskia (1998). Rethinking Gender Planning: A Critical Discussion of the Use of the Concept of Gender, in *Gender, Technology and Development*, Vol. 2, No. 3, 349-371. SAGE Publications.
- Van Halsema, Ineke, (2003). Feminist Methodology and Gender Planning Tools: Divergences and Meeting Points in *Gender, Technology and Development*, Vol. 7, No. 1, 75-89. SAGE Publications.
- Squires, Judith, (2005). Is Mainstreaming Transformative? Theorising Mainstreaming in the Context of Diversity and Deliberation, in *Social Politics* 12 (3 Fall): 366–388.
- Walby, Sylvia (2005) “Gender Mainstreaming: An Example of Open Methods Coordination or a Challenge?” in Hussein Kassim, Anand Menon, and B. Guy Peters (eds.) *Coordinating the European Union: Constructing Policy Coordination and Coherent Action in a Multi-level System*. Oxford: Oxford University Press.
- Ruci, Lavdije (2006). “Përse një mekanizëm i fuqishëm shtetëror për gruan?”, in the daily *Korrieri*, July 2006.
- The Stability Pact Gender Task Force (September 2005), Gender Equality in Southeast Europe: Six Years Later (Report), www.gtf.hr
- Platforma e Qeverisë Shqiptare për Gruan dhe Konventa mbi Eliminimin e të Gjitha Formave të Diskriminimit të Gruas (1999), Tiranë.
- Platforma e Qeverisë për Barazinë midis Burrit dhe Gruas (2002-2005), Tiranë.
- Komiteti për Mundësi të Barabarta, Komente mbi Ligjin nr. 9198, datë 26. 2.2004, “Për një Shoqëri Gjinore të Barabartë”, (unpublished report), Tiranë.
- Interview with Mrs. Marjeta Zaçe, Deputy Minister for Labor, Social Affairs, and Equal Opportunities (September 2005 – present).
- Interview with Entela Lako, Gender Expert, Civil Society Focal Point, UNDP in Albania.
- Interview with Mrs. Nora Malaj, former Head of the Committee for Equal Opportunities, (October 2003 – September 2005).
- Interview with Mrs. Lavdije Ruci, former Head of the Committee for Equal Opportunities (July 1997 – September 2003).
- Interview with Etleva Vërtopi, former WID Program Coordinator at the UNDP Mission in Tirana.

Citizenship as a Profoundly Gendered Concept

By: Elona Dhëmbo, MSc

Introduction

Discourses on citizenship often assumed this concept to be a universal one. However, much of the feminist literature, especially the Western one, points to the profoundly gendered nature of citizenship; this in two aspects, the different ways citizenship applies to men and women and as well as to different ways it is accessed and practiced by them. Developments in the East have followed different trends during socialism and this has been reflected also in terms of how citizenship was constructed, perceived, applied, and accessed. A growing number of scholars and writers are currently focusing on the way citizenship is being reconstructed in these countries and its gender nature.

This paper aims to put forward the argument that although during communism citizenship, as known in the West and we know it today in the East, was an inexistent concept, citizenship developing in the transitional former socialist countries, like Albania, is undergoing similar developments with those in the west resulting in a profoundly gendered citizenship concept. I will support my argument by analysing and drawing examples from the three dimensions of citizenship: civil, political and social and the ways gender affects the extent to which each of them applies to women and men.

Citizenship and Gender

The concept of citizenship includes much more than just a nationality written on a passport. In fact, it is a set of relations between the individuals and the state (Yuval-Davis, 1997). While during the communist regime this was not clear in the post-socialist era, with the introduction of a new economic

and political system, citizenship is emerging strongly and as a profoundly engendered concept in these countries.

Citizenship as first introduced by T.H.Marshall (1950) was described as an evolutionary concept including three dimensions, namely, the civil citizenship (which according to him developed during the 18thc), the political citizenship (19thc) and the social citizenship (20thc). However, feminist scholars starting with Pateman (1995) and until recently with Lister (2003) have strongly argued that citizenship and its evolutionary nature, as proposed by Marshall, does not include and apply to women as it does include and apply to men.

The basis of this deeply gendered nature of citizenship is its construction based and biased toward what had been traditionally masculine (Pateman, 1992; O'Connor, 1993; Orloff 1993 etc). As Pateman (1992) and James (1992) have argued, the concept of citizenship was constructed and made stable by excluding what had been traditionally female. According to Marshall (1950) citizenship is a set of right and obligations within a community. In order for someone to be entitled to these rights he/she needs to fulfil some obligations. It is in this context that the women's citizenship paradox emerges. Women were included and excluded from the citizenship on the same bases (Pateman, 1992).

Motherhood is the best example to explain this paradox. Often motherhood was considered a duty to the nation. In the US, for instance, bearing and rearing republican sons was a duty to the nation (Mink, 1995). However, motherhood and care were never equally valued as contributions which will entitle women to benefits as a right on their own. Women accessed benefits and welfare only as dependents, wives, widows or mothers, but not as women, as individuals (Daly, 1994).

Same was the situation in socialist countries where mothers' contribution in bearing, rearing and educating the 'new socialist man' was a duty and a contribution to the state. However, women never benefited based just on this contribution. On the contrary, they had to contribute to the paid labour. Hence, even in the East women's citizenship was assumed to be same with that of men as the system established human norm as man (Grapard, 1997). Apart of the fact that women were forced to enter the 'labour market' they had to bare the double burden of the duties within the house which in fact were never valued the same as the work done outside it. No other value was given to domestic work apart of the moral one.

Currently, little is done to fill this gap and value women's unpaid and caring work in the post-socialist countries. For instance, in Albania, there is a huge lack of data in this respect. Women's unpaid work and caring has not yet entered the political discourse.

Civil Rights

In fact, looking carefully at the evolutionary model of Marshall it can be found that this model does not apply to women same as it does to men. The extension of civil, political and social rights has not been a linear and chronological one. In regard to the civil rights that according to Marshall developed during the 18th century, Walby (1994) and James (1992) argue that these rights were not secured to women even at the end of the 20th century.

Rape, harassment, domestic violence and security of body rights in general are strong evidence that civil rights are not fully extended and secured for women. Physical independence and security influence the access and practice of political and social rights where an independent voice and contribution of your own are essential (James, 1992).

Even today, in the beginning of the 21st century, civil rights of women are still to be guaranteed and this is valid to the former socialist countries, including Albania. In fact, in comparison to the communist/socialist past (when speaking of body rights) civil rights are even less guaranteed in nowadays. In other countries of the former socialist block like Poland, for instance, body rights are put into question (e.g. right of abortion, etc).

Likewise, referring to the high rates of women's and girls' trafficking all over the Eastern Europe, the claim that women's civil rights are less guaranteed than in the past. For instance, in Albania, older generations all find easy to remember and compare how women felt much safer and secure in the socialist past.

Political Rights

The second dimension of citizenship, the political one, does not extend to women at the same level as it does to men (Lister, 2003; Yuval-Davis, 1997). In this sense, women were late comers to the concept of citizenship (Vogel, 1988). Women were franchised later than men in the majority of the countries and they still face problems of quantity, quality and visibility in the political arena (Lister, 2003).

Women account for only 14% if the parliamentary seats in the global level (IPU, 2001). However, this varies from country to country (e.g. the Nordic countries are doing better with an average of 39%) and the situation is better at supranational level such as the European Parliament where 31% are women.

Also regarding this dimension, a regress can be notices in the former socialist countries. All of them have experienced sharp declines in the

quantitative representation of women in politics (see the table below). The system change was accompanied with a dramatic withdrawal of women from the political arena, losing like this at least, if not quality, the numbers and the visibility they had.

Table 1. Percentage of women in Parliament

	Czech- Slovakia	Hungary	Bulgaria	Poland	Romania	Albania
1988	42	26	27	25	52	40
1990	10	8	9	16	8	44
1991	9	7	9	14	4	4
	4		4			

Sources: Klasen (1994) and UNDP (1990, 1991 and 1992).

Lister (2003) argues that more and more people have a citizenship according to Marshall’s definition (living in a community and having some rights and obligations), but only a few have an Aristotelian citizenship in terms of an active political participation. Women are much more active in the informal political sphere and at the local level, but their activism and visibility reduces the higher you go in the political hierarchy and with the formalization of politics where men take over (Lister, 2003; Siim; 2000; UNDP, 1995).

Different scholars have proposed a variety of ways which would help increasing women’s participation in the formal politics as well as increasing their visibility in this sphere. Norris and Luvenduski (1995) identify three main ways: meritocratic, affirmative action, and radical. The applications of the affirmative action have resulted to be successful especially in the Nordic countries. Also France is a good example where when in the local elections this method was first applied, the percentage of women representatives climbed from 22% to 47% (Lister, 2003).

However, it is important to highlight the fact that a ‘critical mass’ of women in the formal politics is needed in order for them not to serve as a smokescreen for politics (Lister, 2003). This will also help in avoiding the ghettoisation of women’s politics (Lister, 2003; Yuval-Davis, 1997).

The current situation in the former socialist countries speaks more of this last one. Based on the current trends of women’s participation in the political life of transitional Albania, for instance, it results that the ghettoisation of women’s politics it’s a sad but true reality. Women’s representation is poor not only in quantitative terms but also in terms of quality and visibility.

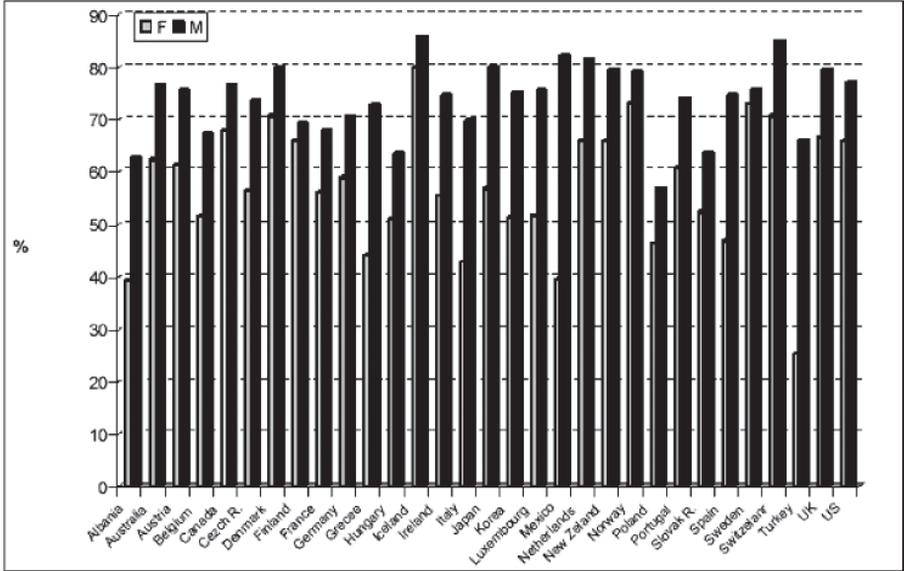
In fact, in many cases, the affirmative actions are not enough. Radical changes to help women enter formal politics are necessary. These include friendly-working hours, childcare arrangements and better links between the informal and formal political spheres (Lister, 2003; Siim, 2000). The last ones will help women harmonise different activities in their lives and easily move from the informal to the formal politics. It is here that the social rights come strongly into play.

Social Rights

Not only the civil and political dimensions but also the social dimension of citizenship does not extend to women as it does to men. Actually, it is in this dimension where the gap of women and men citizenship widens even more, although less visible and noticed.

In Marshall’s concept of citizenship, paid work is one of the main contributions to the society; thus, it is the main obligation which if fulfilled

Graph 1. Women, Men and Employment across Countries



Source: OECD, 2004a

Note 1: Data refers to 2003 except for Iceland and Luxembourg where the data refers to 2002.

Note 2: For data on Albania see INSTAT, 2004d.

entitles people to social rights. But, as it is well-known women's concentration in the labour market is much lower than that of men (Daly and Rake, 2003). This is not only a phenomenon of the west but it is even more a concern of the Eastern countries. In the following table can be easily noticed that women are much less present in the formal labour market, hence are less able to access the social benefits deriving from this status.

Not being employed in the labour market, women have traditionally accessed social rights through their relations with men (Daly, 1994). Their claims for welfare have been primarily as mothers, wives, and widows (Daly and Rake, 2003). This paradox of women not being entitled to welfare on their own right while providing welfare (caring and unpaid work) for the community (Pateman, 1992; Kofman et. al. 2000) should be considered as a puzzle that needs to be solved. Rethinking rights and responsibilities, fairly valuing care and policies that help women reconcile paid work and family will help in further extending the social dimension of citizenship (Fraser, 1997).

Conclusion

This paper presented an outline of the ways in which citizenship is gendered focusing on the way it was first conceptualised and the way it is made accessible and the way it is practiced to different extents by women and men. It also aimed to point out the similarities of this engendering of the concept in the transitional former socialist countries such as Albania. It identified that some civil rights such as body rights are not yet secured to women and are even less secured now than during the socialist era. Women are less represented in the political sphere and paid labour in all countries. This is the main duty entitling citizens to welfare and social rights. In this context, it appears that a truly universal concept of citizenship which accommodates diversity, especially gender differences, is a necessity not only in the west, but strongly in the transitional former socialist countries such as Albania.

Brief note on the author

Elona Dhembo is a fellow at the Department of Social Work, Faculty of social Sciences of the University of Tirana since 2005. She completed her undergraduate studies and was graduated as a social worker from the same department in 2002. From 2005 she is a Master of Science in Comparative Social Policy, title obtained from the Department of Social Policy and Social Work, University of Oxford. Her main areas of interest and expertise include research in social sciences and gender and development issues. Her experiences in these areas include qualitative and quantitative research focused especially on issues related to women, children, family-work reconciliation policies etc.

References

Daly, M., and K. Rake, (2003). *Gender and the Welfare State: Care, Work and Welfare in Europe and the USA*. Cambridge: Polity Press.

Fraser, N. (1997). "After the Family Wage: A Post Industrial Thought Experiment", in her book, *Justice Interruptus: Critical Reflections on the 'Post-Socialist' Condition*. New York: Routledge. Chapter 3.

Grapard, (1997). *Theoretical issues of gender in the transition from socialist regimes*. Journal of Economic Issues, Vol. 31, 1997.

James, S. (1992). "The Good-Enough Citizen: Citizenship and Independence." In G. Bock and S. James (eds), *Beyond Equality and Difference: Citizenship, Feminist Politics and Female Subjectivity*. London: Routledge.

Klasen, S. (1994) "Human Development and Women's Lives in a Restructured Eastern Bloc: Lessons from the Developing World." In *The Economics of Transformation*, edited by Alfred Schipke and Alan M. Taylor. Heidelberg: Springer-Verlag.

Kofman, E., A. Phyizacklea, P. Raghuram and R. Sales. (2000). *Gender and International Migration in Europe: Employment, Welfare and Politics*.

Lister, R. 2003. *Citizenship and Feminist Perspectives, 2nd edition*, New York: Palgrave Macmillan.

Mink, G. (1995). *The Wages of Motherhood: Inequality in the Welfare State 1917-1942*. Ithaca: Cornell University Press.

O'Connor, J. (1993). "Gender, Class and Citizenship in the Comparative Analysis of Welfare State Regimes: Theoretical and Methodological Issues." *British Journal of Sociology* 44: 501-518.

Orloff, A. S., (1993). "Gender and the Social Rights of Citizenship: The Comparative Analysis of Gender Relations and Welfare States." *American Sociological Review* 58:303-328.

Pateman, C. 1995, *The Disorder of Women*, Polity Press, Cambridge.

Pateman, C. (1992). 'Equality, difference and subordination: the politics of motherhood and women's citizenship', in G. Bock and S. James (Eds). *Beyond Equality & Difference* (pp17-31). London and New York: Routledge.

Siim, B. (2000). *Gender and Citizenship: Politics and Agency in France, Britain and Denmark*, Cambridge, Cambridge University Press.

United Nations Development Programme (UNDP) (1990, 1991, 1992, 1995). *Human Development Report*.

Vogel, U. (1988). 'Under permanent guardianship: women's condition under modern civil law' in K. B. Jones and A. G. Jónasdóttir (Eds). *The Political Interests of Gender* (pp135-159). London: Sage.

Walby, S. (1994). 'Is citizenship gendered?' *Sociology*, 28 2, 379-95.

Yuval-Davis, N. (1997). *Gender and Nation*. London: Sage.

T.H.Marshall (1950) *Citizenship and Social Class* Cambridge: Cambridge University Press.

A Missing Debate....

By: Dr. Saemira Pino (Gjipali)

One of the main roots for causing major tensions and conflicts within the family life is the meaningful connection or association between the woman's employment and the homework's division. Despite the fact that such a conflict is not only universal but as well historic, it has only attracted an insignificant amount of our scholars, decision makers or legislators consideration.

This detail in its substance deals with the way that our national culture delivers tasks among its members, assigns responsibilities, and imparts privileges. In every other culture such tasks continue to be assigned based on gender division, however in no country, such assignments are not identical therefore, they evolve as the time goes by. Currently our culture is experiencing the same.

Two are the core common features one can emphasize regarding the Albanian women throughout the entire written history hitherto. One can be that they continue to carry the main load of works within the family and alongside combined with the second characteristic that of preserving the national tradition of marriage and family life appreciation which both live as the two fundamental principles best describing Albanian women.

Family keeps on being the most sustainable institution within the Albanian society. A survey performed in 2000 by the Faculty of Social Sciences of the University of Tirana pointed out that 88% of the interviewers representing all categories of the population, stated that "family is at a high importance for them".

In the meantime analyzing the main results of the Population and Households Registration performed in 2001, "being married" was emphasized as the most "normal" direction of the Albanians life as far as the Albanian adults were concerned. More than 2/3 of the population at the age of 15 and above, was already married, 68% same for women as for men.

Regarding the age group of 35 years old, this figure goes as high as 90%.¹

The debate over the family values is so far old but opened. The interesting moment to highlight is that precisely in the developed countries, and particularly the feminist theoreticians have turned up to the values of the family, distancing themselves from the theoretical starting point where family is seen as the most crucial territory for suppression of women.

Generally one might find it interesting to know the current trend of giving to the family a more realistic consideration although ambivalent, but considering the family in addition supportive and not only suppressing for women.

According to the different consideration of the end of the last century in all the European countries women spent more time to perform their unpaid housework than men.² The rhythms of change for women shifting their attention more towards the paid works are higher than the rhythms of men taking on themselves more responsibilities and tasks in their unpaid housework's territory within the evolution of work and family roles.

The alterations within the family and marriages models as well as within the employment system in all the European countries require a new definition of the lines between family and state responsibilities, which have placed the family more than ever in the focus of the debate for social policies and welfare reforms.

However, which are the ideologies and our realities in need for a change?

Near past, Family and employment were the two fundamental institutions of each society that continue to change. However, the major changes that happen in Albania in the '40-'60 of the XX century as well as during the last decade of this century had the strongest impact on these two institutions.

In the West, this period is stamped by the grandee technological change together with the social ones. One of these developments was the massive employment of women outside of their house, particularly starting from the mid '60, which meets with the so called the second wave of the feminisms movements that included these countries.

In Albania, such development began earlier right after the Second World War. This development was more visible compared to the past. According to the statistics of that time at the beginning of the war, excluding the women working within the agricultural sector, in all other sectors altogether around 668 from about 30 thousand employees total, were women.³ Around 94% of the women were illiterate. The patriarcality although universal, in Albania it

1 People of Albanian 2001 Tiranë, INSTAT pg. 36.

2 D.Kertzner, M.Barbagli Family life in the twentieth century, London 2003, pg. 23.

3 History of Albania, vol.4, Tiranë 1983, pg. 63.

dominated in the most astringent way of the absolutism masculinity until the middle of the XX century.

The absolute masculinity was the spirit that penetrated the unwritten right, conceptualized as the Canon-Kanuni of the people's conscience. Without leaving aside values of "Canon", as an expression of the people's conscience and its role throughout the historical development of the country, regarding the women's position, it is quite difficult to defend the "Canon".

The indwelling towards women referring to their rights, in the summary of Shtjefën Gjeçovi performed to one of the "Canon", is that "... woman has no rights to...." and while many of their rights were denied, tasks and responsibilities assigned to women were quite a lot.

She was a "labour force" obliged to perform the entire house works considered to as her duties. "Women are to work for their home, if they have an abundant time, after performing their house work they may perform their own things".⁴ The well-known English traveler writer E. Durham would pityingly notice "...women's works are quite heavy. They usually never stop working apart from the night sleep".⁵

The Labëria Canon differs just a little from the Northern Canon. The woman cannot participate in any social activity unless her husband gives the permit to do so. "...its spirits constitutes the inequality between men and women in the economic, social and family life".⁶

In the 1929, only with the approval of the first Civil Code in Albania we came across the first efforts for the legal settlement of the family relations, that affirmed the equality mainly regarding the divorce and heritage issues, preserving however the dominative position of the man within conjugal interrelation. "In order to pursue a profession or industry the woman must acquire the man's approval" was constituted by the Canon in its 191 article.⁷

- The post War years were characterized by the inclusion of a massive number of women at work defined so not only by the economic factors but also promoted by the favorizing women state policies. The ascertainment of the working place, equal salaries, the pregnancy remuneration, the establishment of the social and health services, increasing the number of day-care-centers and kindergartens in the beginning in the cities and later on in the villages, assisted mother's with a lot of children, etc. Despite their level of quality at the time, those were considered concrete measurements that had an impact in the improvement of the woman's status, compared with the past heritage.

4 Sh.Gjeçovi. The Canon of Lek Dukagjini, Tiranë, 1993, pg. 17.

5 E.Durham The Balkan's Sorrow and other writings for Albania, Tiranë, 1990, pg. 132.

6 I.Elezi. The Canon of Labëria, Tiranë, 1994, pg. 27.

7 K.Begeja Issues of woman's emancipation, Tiranë, 1969, pg. 126.

- Unlike the tradition a new social mentality was founded which supported the elevation of the woman's personality in the public sphere. The most progressive layers of the society engaged against the patriarchal and conservator heritage, against the maltreatment of women, against the women's bargain, against the arranged engagements of children etc.

In 1989, 47% of the entire labour forces were women, which constituted 78% of the women in age to work.⁸ The highest average salaries included sectors such as the education, culture, health where were mainly women worked there. The majority of women reaching the age of 45 were educated. From 1000 persons eight of them were college students and 234 high school students, where around 50% of them were girls. The education policies did promote the education of women.⁹

The ideology of divided spheres was defeated. The equal remunerations, the increase of the women working and receiving incomes, gave the women the equal responsibility in securing the family's income. However, this percussion was considered to be biased. In a situation of the total absence of the house work mechanism, rationing of all necessary goods, absence of all daily commodity, lack of running water, restricted living settings, the full participation of women in the outside work although per se is a fundamental indicator of equality, its contrary was perceived.

The economy was suffering its lack of re - distribution, people had rights over things, but things were only in their desires. Thus woman entered into a circle of exhausting unless obligations within family and outside family.

In the ideological and politicize society of the time, the attention towards women transformed into a propagandistic routine, whose slogans remained far from the reality. The issue of the proper value of housework never spread in Albania, the care and welfare for the children as well as other house works have been considered as valid tasks for women and never acknowledged as authentic work.

Meanwhile different developments were happening around us. Long laid the demand for remunerating the housework, with the logic that living standards would lower if would be payments for every work done by women. Despite their contribution, the homemakers experienced the privation from the economic beneficiaries such as pension and health insurances increasing so their independency towards their husbands a situation that sometimes became the root for tension and conflicts.

8 Annual Statistics of Albania, Tiranë 1991, pg. 78.

9 Annual Statistics of Albania Tiranë, pg. 99.

Various studies would prove that housework was a heavy burden on women and physically exhausted women in a drastic way together with the timing resources. In Albania, scientific concepts of the field of women's studies never evolved. In this period, there was an absence of the handling the difficulties or the negative phenomenon of the reality, due to the political consequences for the writers. A priori the chance of making mistakes of deficiencies within the official policies or within the social system was excluded.

Family was not perceived as problematical; tradition supported strongly family rules, which was under the full control of the political power. Family had sustainable connection, divorcé generally would proceed based on the guilty of the parties involved, children were under the control of their parents, and the economic situation was that of a stabilized poverty. "The Martinez Paradox", - hold by Dahrendorf this situation, - whereas the revolution transfers the world of abundance for the minority and a world of indigence for everybody".¹⁰

In the beginning of the transition in '90 the euphoria and the illusions were replaced by a harshly reality. Soon enough people understood that the flux of daily goods and those of luxury once very enviable, the abolition of the long rows etc, could not spontaneously increased the living standards. The illusion that a general welfare state was going to be established, or that alongside the private initiative, the option to become rich would be preserved those social rights already achieved, a safe job free education and health care services for everyone and that the inclusion within the new society would both require anymore sacrifices and women's overstrain, blew out.

The myth of the "happy housewife" did not last long. The decline of the women's status proved that also the emancipation process of women had been more of the authoritarian type than based on the right. The actual occurrence of a passivity expressed by women in their political and social movements, the fragmentarisation and the temporarily of their gatherings, the little or non - cognition of the laws by women the tendency to let others to decide for them etc. are the aftermath of this heritage.

The gender equality did not accomplish its legitimacy by the society. Rightly, we noticed that in our late contacts with the democratic societies we understood that the race we thought we had won, it had just started for us.

- Currently the family is heading towards deep changes under the influence of new economic and social factors. The most important factor is the economic one, which deals with the incomes resources, and is compounded by the salary and is no longer the one of the working day within a cooperative. Actually, there are many income resources.

¹⁰ R.Dahrendorf Social Modern Conflict, Tiranë, 1997, pg. 21.

The diminution of the family is the new tendency. A four-person family is the most typical one, which is compounded by a married couple with two children according to the 2001 registration. The family planning policies have now gained the citizenship. An immediate acceleration in the decrease of the birth rates is noticed. Divorce introduces an increasing trend although not a vigorous one. Generally, the changes within the family have influenced in diminishing the men's authority over the women.

Indirect evidence such as that of the high number of women filing for a divorce compared to men proves the changes within the today's family. Two are the trends within the conjugal relation pointed out by the researchers. In one side, the women becoming economically stronger are earning their independency from their wedded and on the other side the unemployed women, those without any income resources becoming more and more depended by the wedded.

However, in the conditions of the labour market's crises the women becoming depended by their wedded predominate. The unemployment rate in Albania currently is one of the highest in Europe. The employed population has decreased by 30% compared to the 1989; meanwhile the unemployment of women has doubled.¹¹ The boundaries between the working hours and family hours have changed. People are spending more of their family hours at their work. Meanwhile the commodities at work are missing (food, services offered for children's care while parents work lack of flexible working schedule for parents with children).

The movement towards the market economy has increased the chance of using equipments with a long-term usage for the daily routine within home environment. The increase of the migrant's remittances is another form of equipment endurance. Actually, the majority of the families have televisions and 74% have refrigerators, only 39% have washing machines.

The differences between cities and villages are small, 9% for television, but for the washing machines the difference is 52%, for the stoves the difference is 36%, for the refrigerators 26% etc. in favor of families living in the cities in a time that families living in villages continues to be many. 47% of the households have running water.

The disproportion village – city is quite large. In the big cities this figure reaches, the 86% meanwhile in the village only 15% of the domiciles are equipped with running water and 20% miss the running water even outside their buildings. Only 2% of the households have central heating mostly in the cities.¹² Many of these absences are translated into more loads for women in the conditions of a traditional unequal division of works.

¹¹ Population registration, 2001, Tiranë, INSTAT pg. 56.

¹² Ibid. pg. 65.

Do women plan their career? Such question cannot be appropriate for all the categories of women in Albania. Women as everywhere are not a homogeneity category. Currently we deal with different categories of women, divided a) into women of the most deep highland areas living and working in more difficult conditions, than b) into women of the urban periphery almost marginalized, c) business women, d) women employed within the private sector e) those employed in the public sector, dh) women working in the NGO, f) women intellectuals with professional, artistic, academic, military or political careers.

Currently women have much more chance to choose – but these choices continue to be a great load for them. From one side women face the increase of the freedom to decide – on the other side they face with less of safety as well as the need to require and find a personal solution overcoming so the inherited models. There is an expansion of the employment specter such as, self-employment, business, private sector, public sector. Women today work in positions and sectors once exclusively known as men positions such as diplomacy, police, and customary duties.

A new occurrence is noticed – men are faced with a new category of women with high incomes in business, leading the administration, in non-governmental sector etc. However, besides the above-mentioned occurrences of development, women face the unemployment, their disqualification due to their discouragement to require work, a vulnerable position in their working place particularly in the private sector, sexual harassment, raping, and prostitution trafficking for exploitation purposes, occurrences those that create the climate of stereotypes about the division of gender roles in the women's disfavor.

A new category although diminutive in number represents the women in politics. The authentic tradition in this field is absence. The women's representation in politics was formal and the role quite limited. Also currently, the spaces are not friendly towards women and their political ambitions. Women face barriers even within their own families. A young woman must raise her children, after raising them it is difficult to get integrated because "she feels latecomer". Meanwhile they constitute probably the most active group interested to change the balance of injustice.

Nevertheless, it seems like the trend of the new educated women is that of integrating the personal career with the family life. The increase of the cohabitation and the preferences for this living style proves that women do not consider marriage and family as the fulfilling of their interests and pleasures. A well known TV journalist, young and successful, during an interview stated that more or less she loved her work and that she felt guilty towards her son for the missing time, however the investment for herself she considered an investment for her son

as well and in addition she clarified that the endurance of the family responsibility is a negotiation and compromise process in between her and her husband.¹³

I think that at the Albanian women it has never existed the mentality of “us” and “their”. Maybe the root is not only the strong tradition, the long isolation of the country but also the lack of a feminism movement and the features of process of achievements of the women rights in Albania.

Today more than ever one faces the new ideas of self-realization, utilitarian individualism that express the moral of the market economy, an ideology that leads to the diminishing of the obligation feeling towards others. This tendency highlights more the importance of resolving and not avoiding the problems within our families with its inequalities. Such problems should not be seen as private, but should be recognized and taken seriously by the society.

Women must not continue to carry others' heavy loads and in addition if they work outside home. Women refuse to be victims of change, but they wish to be promoters and participants in their realizations. A real democratic society is that of a social inclusion and participatory. Those social structures, women's organizations NGO, media should take a stronger approach due to their impact in bringing those necessary changes.

No one can be indifferent against the family and its developments. Every policy should aim for a fair proportion in between development and social justice. We need more policies and applicable laws for harmonizing the family life with that of professional one like for men and women.

This is the reason why we all must raise our consciousness in order to orient the entire social system towards the new culture of gender equality.

This is why we must debate....

Brief note on the author

Dr. Saemira Pino (Gjipali) holds a Doctor in Sciences degree and has considerably contributed as a lecturer at the Faculty of Social Sciences, University of Tirana (Albania), since 1979. In addition, her contribution in women's movement in Albania is achieved through leading one of the main Women's Forums near Political Parties. Moreover, Dr. Pino is well known for her researches and studies in gender studies in Albania, through being published in several empirical publications, projects, and national strategies on gender and development in Albania. Dr. Pino is an elected member of the Steering Committee of ITH, which headquarters are in Vienna, Austria.

¹³ Top Channel, Broadcasting New Day, on 11.12.2007.

The Changing Form of Patriarchy in Northern Albania

By: Antonia Young

Abstract

It may seem trite to comment that changes have taken place in Albania due to the rapid transitions of the last century from a primarily rural economy, through the period of strict Communism to its sudden overthrow. The effects of these drastic and sudden changes are reflected in attitudes to the still prevailing patriarchal society of Northern Albania. There is considerable resistance to change, despite some degree of acceptance. However, patriarchy is a system so deeply entrenched in this society, that the new freedoms offered in the P-C era, particularly in the rural areas, pose such a threat that there is considerable reversion to traditional values.

Keywords: Albania, Patriarchy, and Gender roles

The late Norwegian anthropologist, Berit Backer, in her posthumously published study (Backer 2003), commented that ‘*Albanian society* is usually described as one of the most patriarchal in the world’. She goes on to outline a ‘patriarchal triangle’ pointing out the social elements that kept this structure together: a) patrilineal descent, b) village exogamy and c) inheritance in the male line’ (Backer 2003: 228). Backer’s research was carried out in the 1970’s and written up in the 1980’s focusing on an all-Albanian village in Kosova (at the time Albania was not accessible to foreign anthropologists).

Although the political situation was entirely different in Albania in the second half of the twentieth century, traditional life in this area was only marginally dislocated. In Albania throughout the Communist dictatorship (1945-91), no-one was permitted to leave the country the only migration was that forced by the state. Workers suffered such forced migration, either as part of a workforce needed in some other part of the country, or more ominously when individuals or families considered to be enemies of the state were sent into exile to distant villages or to one of several prison camps. Many men were executed for their religious or political beliefs. Movement even between towns was only allowed with government permits. The case of one woman was described where, adapting to those times, when her husband was imprisoned for his political views, she was not permitted to visit him, and even forced to renounce him. This outcast could not survive alone as a woman, and took on the role and dress of a man.¹

However, education during that period underwent revolutionary change and tremendous strides were made, such that illiteracy was reduced from about 95% prior to the Second World War, to about 5% at the fall of Communism. Furthermore, teachers were highly respected and adult literacy was almost universal due to the setting up of adult night classes. Following the fall of Communism economic and other disruptive crises created the situation where teachers were no longer able survive on their pay which did not increase with the massive inflation and increased prices. In rural areas emigration took two thirds of the population either to the towns or further, abroad. By 1993, 5,000 teachers had left the country (de Waal 2005: 193). Meanwhile many children could no longer attend school: in rural areas it was often considered too dangerous to travel (usually on foot) to school; additionally their labour was needed at home. Many were kept out of school due to ongoing blood feuds. Furthermore, many could not afford the schoolbooks which were newly issued with each new school year. Under Berisha, Albanian history stressed the short period of the nationalist movement of the late 1930's-early 1940s – allowing only one page for Hoxha's 40-year regime, and when the Socialist Party gained power in 1997, history books were again revised (de Waal 2005: 191).

In Albania, family life and extended family life involve particularly strong ties, and family honour is of immense importance. This may account for the fact that social greetings are extremely lengthy, for example “How are you? How is your father? How is your brother? How is your work going? How are your sons? How is your family?”. However, the prohibitive cost of detailed family enquiries has forced the curtailment of such traditional greeting concern.

¹ As such she might have been considered a 'sworn virgin', a phenomenon which will be discussed later.

Gender Roles and the Division of Labour

The Kanun of Lek Dukagjini, an unwritten set of oral laws, codified in the 15th century, was recorded by Shtjefën Gjeçov a century ago. These laws, under which the people of Northern Albania lived for many centuries, gives a detailed description of the rigidly gendered division of labour by which people live in the Northern Albanian Alps. Traditional men's work includes all heavy manual work (chopping wood, scything, mowing, harvesting, protecting animals and property), talking to visitors, drinking and smoking with visitors, making all family decisions, representing the family outside the home, avenging family honour.

Women's tasks include conceiving, bearing and rearing children, cooking and cleaning the house, serving the men and guests (including washing their feet), carrying water and firewood, seeing to dairy production and taking it to market, storing and processing food, processing and weaving wool, washing and mending clothes, manufacturing garments for the family, for trousseaux and for sale, embroidering garments and linen. Additionally, they must do men's work at times of feuds or particular harvests, and they may also be seen spinning or knitting at the same time as performing several of the above tasks. Thus, everyone subconsciously knows their intricately specific hierarchical gender-defined role in society and what has always been expected of them.

De Waal was interested to find that sixth Grade Albanian education books on civic education discuss the Kanun. Furthermore many final year students argued for the Kanun's retention. Although even discussion of it under Communism, was forbidden, as were all forms of religious practise, both survived, she asserts this was ensured because three-generational families lived at very close quarters. The author found further support for the Kanun's laws regarding arranged marriages, among young women in Mirditë, and not only from *fanatic* (very traditional) families; they felt that it preserved their honour. De Waal even found some who had married as late as the 1980s without formal family arrangement, still regarded locally as shameful. In line with the Kanun's intricately detailed value system, De Waal notes that at one wedding she attended, the host was very obviously making a written record of the exact sums given by each guest (De Waal: 176)

Whilst urban life adapts and changes fast, poor physical access to rural mountainous Northern Albania has ensured that the transition is very slow. There is actually evidence to show that traditional values are strengthened in the post-Communist period, for example there is no longer the employment in rural co-operatives taking women out of the home. Education, especially in the countryside has declined due to several factors: extremely poor pay for teachers, migration of

the educated both abroad and to the towns and importantly increased danger especially for young girls, of kidnapping for trafficking. Additionally there is an increased need by families for their children to be working to supplement meagre incomes. With the lowering of educational standards comes an increased dependence on traditional values. Blood feuds, sparked by poverty, the shortage of resources and especially a lack of clarity over landownership have also contributed to a resort to the traditions of male dominated society and to the centuries' old Kanun laws (banned under Communism).

On the other hand, there is a filtering of more quickly adapting urban lifestyles and fashion, such that it is no longer extraordinary to see young girls wearing jeans, even in the villages. However, the concern to ensure that young women are seen to be pure, that there can be absolutely no possibility for cause for gossip, makes it essential that they may never be seen alone outside their homes. This practise remains the norm in all rural areas, but is less strictly adhered to in the towns. I was fascinated to observe recently, in the village of Thethi, a newly married girl return to her family there for a 2-week visit. She wore jeans during this period. Conforming to the tradition of dressing in her smartest attire during the first period of her married life, this *nuse* (new bride) with lavish make-up donned her a bright pink ankle-length dress and climbed into a battered old van which was to take her back to her new home. Thus she felt appropriately dressed to return to her husband and his family in Shkodra (a 7-hour bumpy dusty ride away).

Albania's transformation from Europe's strictest Communist state to a 'democratic' one has brought with it extreme contrasts. This can be symbolized for example by the man on the donkey transporting a satellite dish to his remote mountain village, where glimpses of MTV must seem like another planet in regions with no running water and where reaching an earth-closet may require forcing a path through a herd of sheep.

Town life, and in particular life in the capital, Tirana, seems centuries away from such rural difficulties. Tirana as a relatively new capital city soon wake up from a sleepy traffic-free town to a buzzing metropolis, benefiting from international organizations and the many working in them, and many more hoping to reap some of their benefits. Migration from the rural areas caused the doubling of Tirana's population in the last decade of the twentieth century. However, most of these migrants built shoddy homes on poor land without permission and hence without utilities (water, electricity, etc.).

It only took a few years to shake off the drabness of mass produced utility clothing. Despite an average wage of \$30 per month in the first few years following the fall of Communism, it was not long before fashion took hold of

many of the young people living in the capital. These young people looked to the culture of the West, spurning centuries' old traditions of their homeland.

However, with the dramatic changes of the early 1990s, many women found themselves back in the role of a simple housewife, not permitted to go out to work. In any case their employment opportunities dwindled throughout the 1990s.² In northern Albania blood feuds resumed, some continuing from grudges held over the 50 years. Traditions may have been suppressed, but women heading households were as rare as they ever had been. The blood feuds which have returned, affect whole families, even whole villages, many caused by land disputes when no clear ruling had been made as to how to redistribute land when the state relinquished its total claim (in 1991).

It is perhaps this clash of new dilemmas on traditional society which has bolstered the patriarchal society of northern Albania, even where men have left for the urban centres or even abroad in search of work, putting even greater demands on women remaining to care for children, elderly and home.

But now, at the beginning of the 21st century, women's roles everywhere are changing dramatically. International influences can clearly be observed in Tirana, the capital of Albania, and increasingly even in the northern town of Shkodra. However, as the contemporary Albanian sociologists Ines Murzaku and Zyhdi Dervishi comment, "Women's status is made more vulnerable under the contradictory pressures of traditional, communist and 'Western-style' value systems" (Murzaku and Dervishi 2002: 8). They even go so far as to say that women's lives are harder than they were under Communism; "in contemporary Albania, the majority of the adult population, especially young women, considers marriage as their main focus in life ... and ... the main function of marriage to be reproduction" (Murzaku and Dervishi 2003: 231). They also note that "many Albanian women continue living with their abusive husbands for fear of retribution on the part of the public", and that "there is a tendency in Albanian society to discriminate against divorced women. Traditional Albanian thinking considered it to be a grave insult to a man if his wife filed for divorce" (Murzaku and Dervishi 2002: 9-10).

In the last decade, there is an evolution concerning the importance given for a male to head the family in Northern Albania, due to the upheaval caused following the fall of Communism. The situation had remained in place for centuries, but curiously, although suppressed by Communism, little in traditional rural life had changed during its half century of dominance with respect to the felt need for a male family head.

² Nicola Nixon, "Absence of Gender: Albania's National Strategy on Migration", *Albanian Journal of Politics*, vol. II, 2006, p. 44.

Sexuality

In these societies, sexuality is seen from a very different perspective than that familiar to contemporary Westerners. In rural northern Albania, a women's sexual activity is seen to have a solely procreative function. Western curiosity with sexuality, and belief in its universalism would be considered to be greatly exaggerated, even obsessive. Sexual activity is strictly confined within marriage. While boys are given preferential treatment in all matters by their families, girls are strictly guarded/chaperoned to protect family honour; they are forbidden to associate with boys upon reaching adolescence, since a girl "could not be trusted 'to guard her own virtue'" (Prifti 1975:112). Ian Whitaker notes of the Northern Albanians that they: "seem to be highly restrained in the overt expression of sexual emotion... indeed chastity provides one of the key concepts in the chain of rights which made up the ideal of family honour, on which the bloodfeud rested "(Prifti 1989:199).

In the extraordinarily unusual situation of a single woman bearing a child it would probably be hidden either by being brought up by relatives or (much less likely) by the mother finding some means to emigrate. The shame brought to a family by a daughter bearing an illegitimate child is so extreme that fathers and brothers in many cases feel compelled to kill such mother³. This extreme response can also be applied to a young woman found to have any sexual relationship before marriage, even if the young couple hope to marry, or if the relationship is forced²⁹. Although this is a major concern of the Women's Movement in the West, a more crucial one in Albania is to move towards an understanding that newly-weds wish to form their own living unit, breaking from tradition whereby a new bride is brought into her husband's paternal home and there expected to perform all the family's most menial tasks. There is still considerable resistance to the youthful desire to move out of the extended family home as it results in the disruption of traditional care for the elderly and the continuation of their homes and families.

Even though there has been mass migration of men, it is usual for the nearest male relative to incorporate any family left without a head unless there is a woman prepared to take the role of a man. Traditionally such persons would become a 'sworn virgins' in order to transform their lives from being female objects with no rights or powers to a person with social empowerment concerning legal and cultural rights and duties.

³ This may sound too extreme to merit belief, but it is actually common also in other parts of the world. For a recent example, see Suzanne Goldenberg's report "Crime puts Iraqi women under house arrest", *The Guardian*, 11 Oct., 2003, where she analyses the strength of 'honour' and finds that there had been "50 suspicious deaths of women last month, victims of rape as well as 'honour killings'".

⁴ Serving as an Expert Witness for the legal profession internationally, several cases have come to my attention where young Albanian women have been abducted, forced into prostitution, and because their reception if returned home would be so dire, they have been granted asylum in the West.

There are a number of circumstances in which this status may be legitimately chosen. Under Kanun law, women do not inherit, they barely even have a name; from birth they are “daughter of ...” and once married they are known first as *nuse* later as “the young wife of ---”, “the wife of ---” and finally “the old woman of ---” (Hasluck 1981:33). A high proportion of men in the area suffer early violent deaths through feuding; Carleton Coon, writing of his findings in Northern Albania in the 1920s, estimated the proportion of male deaths through feuding as high as 30% (Coon 1950). Although feuding was virtually stopped throughout the Communist period, it resumed again with as much force in the 1990s.⁵

In traditional patriarchal society in the southern Balkans, there has long been an option providing male heirs where none actually exist: a girl or woman herself, or her parent even at birth, may declare that she has become a male. In these cases the female thenceforth dresses as a boy/man, performs male tasks and mixes socially as a male. With the change she swears virginity and may never revert to her birth gender. In this way inheritance of a family home is assured. This possibility is also open as an honourable way for a girl to refuse to marry a specific man who has been chosen as her future husband. “Sworn virgins” still live in Northern Albania.⁶

Albanian patriarchy allows a leeway for women to change their gender where there is a social need in order to maintain a household, since women traditionally can neither own property nor head a family. Despite the fact that national law does allow women to own property, women in the northern remote regions may be unaware of this, but even if aware, would not dare to assert their right, nor would they succeed if they tried. However, by taking the role of a man: ‘Sworn virgins’, as such women have been termed, entitles them to dress as men, socialise with men and thus become completely accepted as men within this patriarchal society. Such ‘men’ may still be found, but current Westernisation is bound to affect decisions to take on such a role in the future. It was years before I spoke to anyone in Tirana who could even comprehend the phenomenon of ‘sworn virgins’, much less believe that such a “backward” phenomenon still existed in their own country.

It was claimed that traditions such as the swearing of virginity for the sake of leading the life of a man, and following all the articles of the Kanun, had been abandoned. It was therefore surprising to find, on taking up my research on

5 For example a report by Slovenian journalist, B. Jolis, “Honour Killing Makes a Comeback”, Guardian, (14 Aug. 1996), translated from his article in Delo, indicates that as many as 50,000 people were involved and 5,000 killed by 1996

6 In adjoining rural Western Kosova, there have also been ‘sworn virgins’. Completing the book *Women Who Become Men: Albanian Sworn Virgins* at the time of the 1999 Kosova War (when 11,000 men were killed or were otherwise unaccounted for), the speculation was made that this was likely to cause a revival of the tradition in that adjoining, Albanian very patriarchal region. Evidence of this has been observed, but not yet been researched.

my return to Albania in the early 1990's, that many cases of 'sworn virgins' still existed, and were in fact so fully accepted in northern Albania that inhabitants of that region did not acknowledge the unique character of the phenomenon.

Several travel writers visiting the area in the nineteenth and twentieth centuries up to the Second World War, noted the phenomenon of 'sworn virgins' and recorded details concerning those they had met (Gordon, J. and C.J. 1927: 238-39; Newman 1936: 260-61; Durham 1928: 194, 211). Amongst these visitors were such well-known figures as Lord Byron and Edward Lear (1988). All these writers referred to the Kanun, and many to 'Albanian virgins'. (Allcock and Young 1991; Duka 1994; Lane 1923; Mema 1987). Dickemann describes these women as "transgendered individuals who are genetic females [who] become social men living masculine lives ... they customarily swore lifelong celibacy and chastity when assuming masculine identity" (1997: 248).

Ian Whitacker wrote on the subject of 'sworn virgins', but was limited to using only published references. His startling title: "A Sack for Carrying Things: the Traditional Role of Women in Northern Albanian Society", helped to bring attention to the subject (Whitacker 1981: 146-56). This very widely quoted article refers of course to the Article no. 29 of the Kanun of Lek Dukagjini: "A woman is a sack, made to endure as long as she lives in her husband's house" (Gjeçov 1989: 38), in other words she is the womb which brings her husband's sons into the world, but she has no rights herself, not even over her own children.

By contrast, 'sworn virgins' are completely respected in their male roles within their tight knit societies. This phenomenon actually supports the strict patriarchal system, still in place in northern Albania, though ambiguously, allowing subordinated females a way to a freer life. This legitimate gender change gives access to power and social control in the community. When there is a need for a woman to become a household head she may swear to celibacy and take over that role. However, the oath may never be reversed. Traditionally the oath is made in front of 24 witnesses and binds the 'sworn virgin' to life as a celibate man, though the custom of swearing is now rarely observed. The option is also open to any woman who wishes to refuse her pre-arranged marriage without incurring the dishonour which in other circumstances would be certain grounds to initiate a blood feud.

All decision-making is taken by household heads (who must be defined as male). Duties of the household head differ from those of other men in the family. They are the decision makers (even for such matters as household purchases and the education of all the children), they are the controllers of the family, taking responsibility for the honour of the family, they represent the family at village meetings and they manage the property. A father of several daughters and no sons may decide to bring up one of his daughters, probably the youngest, as male

from birth in order to prepare her for the necessary future role of household head. One such young woman is Medi who was the youngest daughter in a family with three daughters and no sons. At the time of our meeting, her father was a retired policeman. She was brought up as a boy from the time that her parents did not expect to produce more children, but as long as her father was living she took the role of a boy/man, and would only become household head on his death. This actually gave her a better preparation than had some of the others who only took on the role when they were unexpectedly found to be the only person within the family capable of taking on its leadership. Furthermore she was following her father's footsteps and left her own small town to train as a policeman in Tirana (at a time when there were no women policemen in Albania) (Young 2002: 88-89).

'Sworn virgins' wear men's clothing, smoke and drink alcohol and sometimes carry knives and/or guns (none of which women do) and take on any responsibility for maintaining honour in time of feud. They adapt their own speech and mannerisms such that many would not tell their true sexual identity. Others relate to them as men, usually using male pronouns both in addressing them and in speaking of them. The film director, Srdjan Karanavic, maker of the film, *Viridzina*, asserts that "a 'sworn virgin' is not a man in terms of sexuality, but in terms of social power"⁷.

The carefully considered choice to become a man or to turn a daughter into a son is made as a great tribute, and the subject earns status and respect. There is no concept here of denial of sexuality, as this in itself is of little importance. What is at stake is honour: to be a man is honourable, whereas to be a woman is sub-human. Such honourable gender-change is not open to many, for acceptance by men is only given where this is seen to be needful, most usually where there is no man to head a household. This is actually an area in which I do see change. In very recent years, I've become aware of a kind of blurring: some women are asserting their independence by dressing as men. Anila of Thethi explains that it not only gives her freedom to wander around the village, but also that it gives her protection against the danger of kidnapping.

There should be no confusion concerning the phenomenon of 'sworn virgins' and lesbianism. Ian Whitaker and Tom Parfitt both clarify their conclusions that such a consideration would be quite beyond the comprehension of the societies in which 'sworn virgins' live (Young 2001: 67 footnotes 21 & 22). Homosexuality for men was illegal in Albania until 1995 (for women it was not considered to be an option at all); and is still treated with extreme hostility although in Tirana (if in no other town) homosexuality is gaining some acknowledgment, though certainly not acceptance.

7 In the film *Pashke and Sofia*, Director Karin Michalski, 2003.

As 'sworn virgins' they are entitled to greater freedom as they can leave their homes whenever they wish, socialize with the men of the village and even travel at will. With these rights they fully accept their duties concerning work tasks. In my book I have outlined case histories of several such women still living at the turn of the 21st century (Young 2001: 69-95).⁸

More than a decade after the fall of Communism, currently in Albania, besides those headed by 'sworn virgins', there is some increase in female-headed-households, but these do not receive the same community respect that is so strongly sought and nurtured generally in society. Massive emigration, primarily of men seeking work abroad, has drastically affected the situation for women. However, this has not necessarily led to more women living alone, or even heading families. Not only would they be flouting tradition, but they would face the very real danger of being kidnapped and taken for prostitution in Italy or elsewhere. With this same very real fear in mind, many young girls are being prevented from attending school (Quin, 2003).

Lula

I first met Lula in 1994. On visiting Lula and her family, we were ushered into the oda (a room set aside for male receiving visitors), where we were graciously received and served drinks by Lula's nieces. Lula was in complete command of the whole situation which she dealt with in keeping with her role as head man of the household. At the time, Lula showed me photographs of herself as a young man: driving tractors and trucks - her occupation since the age of fourteen - and attending weddings in smart masculine attire, as 'best man'. It was particularly her firm, assertive stance that stood out for me, as an observer well accustomed to seeing women wearing pants. This trait seemed especially exaggerated alongside the comparatively reticent behaviour of the village women and their feminine attire of headscarves, long skirts and aprons.

Lula was the tenth child in a family of eleven. After seven daughters, her mother gave birth to twin boys, one of whom died shortly after. Pjeter, the surviving twin, was thoroughly spoiled and would not accept his responsibilities as the only son in a family with nine daughters. Lula had always behaved as a boy as long as she can remember. She always knew she didn't want to marry: "I used to run away when I was a child if I heard that anyone was coming to try to arrange my marriage". It became increasingly obvious that Pjeter was incompetent to become the head of the household and representative at village

⁸ Following publication of the book, Women Who Become Men, at least two television films have been made on the lives of individuals from the book: one by Associated Press, "Roving Report no. 134" in 2001; another on the National Geographic Channel as the first in their series of films on "Taboo", 2002.

meetings “and in any case he had always accepted me as an older brother”, said Lula. On the death of their parents only a year after Pjeter had married, Lula naturally took the household leadership. Thus she became head of a household which increased to at least ten persons: her invalid (thus unmarriageable) sister, her brother, his wife and their ten children (though only six of these were still alive at our first meeting in 1994). At the time, besides managing their small-holding, she also ran a small business with her own welding machine.

Asked whether she missed having a sexual relationship and her own children she replied that she never regretted her choice: “I wouldn’t have it otherwise ... here I am in control and I have a large family”. She assertively dismissed the possible pleasure of a sexual relationship commenting that “five minutes of pleasure is no compensation for the resultant babies and mess”.

Work has always been the most important thing in Lula’s life, though she admitted missing the company of her workmates from the days when she was a tractor driver. Pjetër’s wife confirmed the need for Lula to head the household and commented: “I did find the situation odd when I was first married, but I soon got used to it, and now Lula is like a brother to me”. Pjetër does little to help in the family, who all look to Lula for both outside income and family decision-making. Lula does all the chopping, planting and mowing to produce the animal feed they sell.

In subsequent years I have visited Lula several times. As the children grow up they are leaving home: one of the boys left for Italy (in search of employment), it is a hard time to find suitable marriage partners for the girls as there has been such widespread emigration of young men. On visiting in 2001, Lula complained that her welding business had fallen on bad times, she was taking work outside the home whenever she could find it.

Pashke

By comparison, Pashke is a ‘sworn virgin’ from a much remoter region. I first met Pashke in 1993, the first of several ‘sworn virgins’ whom I have met over the past decade (Young: 2001: 77-79). At this first meeting, she was heading her small household of herself and her sick elderly uncle. She had been living the life of a man for a few decades; their life pattern was slow, repetitive and simple. Although she had never met a ‘sworn virgin’, she knew of the tradition and felt it was her only option when her uncle was taken to hospital in Shkodra. As a woman alone she would not have been able to travel to visit him. She also knew that the tradition demanded that the change of gender was irreversible (she advises those who may consider this option to think long and hard before making their decision).

When her uncle returned, and until his death, with little transportation from their remote village, she rarely visited Shkodra. Now she has taken to travelling frequently between her home in the magnificent Thethi Valley and Shkodra. Under Communism, Thethi was a better sustained community with a medical clinic and a bustling school with ten classes of primary school children (it now has three small classes and only one teacher). Pashke enjoys the livelier environment of the town of Shkodra where she has several relatives and friends. She has made a very respected name for herself throughout the region. On the street, Pashke would pass as a man, passers-by would not find her remarkable. That she travels alone is another aspect of her masculine life. Co-incidentally both Pashke and Lula are devout Catholics, though others are Muslim.

Conclusion

The Albanian inhabited lands (Albania, southern Montenegro, Kosovo/a, and Western Macedonia) are still home to a very traditional way of life. Although Westernizing transformations are rapidly affecting the major towns, they are far less intrusive in the remote rural areas where there is a strong resistance to condoning women as household heads (unless they take the life changing step of declaring themselves to be men). As Albert Doja notes “In Albanian village society, the main characteristic of the social status of women, and their only function that meets social approval, is based on their aptitude for procreation and motherhood ... the Albanian child is first and foremost a son, who will succeed his father, inherit from him, guarantee the continuity of his lineage and honour his ancestors” (Doja, 2005).

At the same time, in the towns there is an idealization of Western ways; young people are demanding more freedom; it is now not uncommon for young couples to live together before marriage, but it is usually managed in secret and seen as a “pre-marriage arrangement, as time needed by both partners to get to know each other, or as a preparatory period for marriage, when people get to know the private life of the person to whom they are going to commit for life” (Murzaku and Dervishi 2003: 246-47). This in turn is likely to bring greater acceptance to non-traditional family groupings, but it will be a long time before single mothers will be considered acceptable in Albanian society.

Shkodra, only 120kms. North of Tirana, once a major capital of a region of the Ottoman Empire, by contrast to Tirana, preserves its traditions, including a return by many to religious practices as well as multi-religious tolerance. But even here, most people will tell you that it is not safe to go (50 kms.) into the

mountains. Certainly the roads which lead there are far from safe: they are untarmacked and poorly maintained, cut off by floods and snow for as much as half the year, creating stonefalls into precipices as the snow and ice melts. Add to this the poor condition of many of the vehicles and the fact that so many drivers had no driving experience before 1990.

So how have conditions changed for women? This is a question which, as head of the Ethnographic team of the Shala Valley Project,⁹ I posed during eighteen family interviews in the summer of 2005. The overwhelming response was that their lot was greatly improved: now they were permitted to join in the conversation of men, and some may even sit to drink coffee with their menfolk on occasions when they entertain visitors (whereas custom dictates that women always serve food and coffee, and retire from the room, eating their own meal later from the remains).

The strength of traditional conformity in rural areas, along with the high value of honour and an extreme lack of privacy, ensures that there is little deviation from traditional mores and the sexual relationships are confined within marriage. The situation in the towns is where changes are more evident.

Brief note on the author

Antonia Young holds a Bachelor Degree in Anthropology, from the University of California in Berkeley (1968) as well as a Social Work Certificate from Edinburgh University (1958). Ms. Young has closely collaborated with Bradford, University, Bradford, U.K. and has served as Honorary Research Fellow in the Department of Peace Studies, Research Unit in South-East European Studies. She also was a consultant for Office of Intercultural Resources, Colgate University. For almost 18 years, Ms. Young has contributed to radio and TV interviews, lectures, talks, and introductions to documentary videos set in Albania and Bosnia, presented at in several universities in the U.S.A., U.K., Albania, Italy, Macedonia, Kosovo, Japan, Spain, and Slovenia. In addition, Antonia Young is a well known researcher on the status of Albanian women due to her studies and field trips in Northern Albania. Ms. Young is the author and co-editor of several publications in gender issues and conflicts in the former Yugoslavian and Balkan countries.

⁹ This is a 5-year landscape archaeological research project being conducted in the Valley of Thethi, Northern Albania, headed by Professor Michael Galaty of Millsaps College, Jackson, Mississippi, and linked to the First Balkan Peace Park.

References

- Allcock, J. and Antonia Young, eds. 1991. *Black Lambs and Grey Falcons: women travellers in the Balkans*, Bradford: Bradford University Press; and 2000, Oxford and New York: Berghahn Publishers
- Backer, Berit, 2003. *Behind Stone Walls: changing household organization among the Albanians of Kosova*, edited by Robert Elsie and Antonia Young. Pejë, Dukagjini Publishing House.
- Coon, Carlton, 1950, *The Mountains of Giants: a racial and cultural study of the North Albanian mountain Ghegs*. Cambridge, Massachusetts: Harvard University. Papers of the Peabody Museum, vol 23, no.3.
- Doja, Albert, 2005, "Dreaming of fecundity in village society", in *Folklore*, vol. no.
- De Waal, Clarissa. 2005. *Albania Today: A Portrait of Post-Communist Turbulence*. London: I.B.Tauris/The Centre for Albanian Studies.
- Dickemann, Mildred, 1997. 'The Balkan Sworn Virgin: a traditional European Transperson' in Bullough, V. and B. and Elias, J., (ed.s), *Gender Blending*, Amherst, New York. Prometheus.
- Duka, Valentina, 1994. 'Albania as viewed by English travellers of the nineteenth century' in *Bradford Studies on South Eastern Europe*, Occasional paper (2), University of Bradford, Bradford.
- Durham, M. E, 1909, 1986, 1987. *High Albania*. London. Edward Arnold. Republished and edited by John Hodgson, London. Virago; Boston, Beacon Press.
- Durham, M. E. 1928. *Some Tribal Origins, Laws and Customs of the Balkans*. London. George Allen and Unwin Ltd.
- Gjeçov, Shtjefen, 1989. *Kanuni i Lekë Dukagjinit (The Code of Lek Dukagjini)*. New York. Gjonlekaj Publishing Co.
- Gjergji, Andromaqi, 1963. 'Gjurmë të matriarkatit në disa doke të dikurshmë të Jetës familjare' (Traces of matriarchy in some former customs of family life). *Buletini i Universitetit të Tiranës (Shkenca Shoqërore)* (2:284-292).
- Goldenberg, Suzanne, 11 Oct. 2003. 'Crime puts Iraqi women under house arrest', *The Guardian*.
- Gordon, J. and C. J., 1927. *Two Vagabonds in Albania*. New York. Dodd Mead. London. John Land, The Bodley Head.
- Grémaux, René, 1989. 'Mannish women of the Balkan mountains' in J. Bremmer, ed. *From Sappho to de Sade: moments in the history of sexuality*. London: Routledge.
- Grémaux, René, 1994. 'Woman becomes man in the Balkans in Gilbert Herdt, ed. *Third Sex, Third Gender*. New York: Zone Books.
- Hasluck, Margaret, 1954. *The Unwritten Law in Albania*. Cambridge: Cambridge University Press. Reprinted Westport, Hyperion, 1981
- Karanovic, Srdjan, 1991. (film) "Virginia", Yugoslavia.
- Kaser, Karl, 1992. 'The origins of Balkan Patriarchy'. *Modern Greek Studies Yearbook* (8).
- Kaser, Karz, 1994. 'Die Mannfrau in den patriarchalen Gesellschaften des Balkans und der Mythos vom Matriarchat' (Woman as honorary man in the patriarchal societies of the Balkans and the myth of matriarchy). *L'Homme Zeitschrift für Feministische Geschichtswissenschaft*. (5:1).
- Lane, Rose Wilder, 1923. *Peaks of Shala*. London; New York: Harper & Bros.

Lear, Edward, 1988. *Journals of a Landscape Painter in Greece and Albania*. London: Hutchinson.

Mema, Shpëtim, 1987. *Albanica I, Albanica II*. Tirana: Bilioteka Kombetare, Sektori i Albanologjisë.

Michalski, Karin, 2003. *Pashke and Sofia* (film).

Murzaku, Ines A. and Dervishi, Zyhdi, 2003, 'Albanians' First Post-Communist Decade: values in transition: traditional or liberal?'. *East European Quarterly*, XXXVII, no. 2, pp. 231-56.

Murzaku, Ines A. and Dervishi, Zyhdi, 2002, 'Values in Transition: the divorce dilemma among Albanian women'. *Analysis of Current Events*, vol. 14, no. 2, pp. 8-11.

Newman, B., 1936. *Albanian Backdoor*. London. Jenkins.

Nicola Nixon, "Absence of Gender: Albania's National Strategy on Migration", *Albanian Journal of Politics*, vol. II, 2006, pp. 44-61.

Ortner, Sherry B. 'Gender Hegemonies' in *Making Gender: the politics and erotics of culture*. Boston. Beacon Press.

Prifti, Peter R. 1975. 'The Albanian Women's Struggle for Emancipation'. *Southeastern Europe*, vol. 2 part 2, p. 109-29.

Pritchett Post, Susan, 2000, *Women in Modern Albania*. Jefferson, North Carolina, McFarland.

Quin, David, compiler, Sept-Oct. 2003, 'Trading in Misery', *IWPR report*, republished in *Illyria* 1279-1282.

Whitaker, Ian, 1981. 'A sack for carrying things: the traditional role of women in northern Albanian society'. *Anthropological Quarterly*. (54).

Whitaker, Ian, 1989. 'Familial roles in the extended patrilineal kingroup in Northern Albania in J. G. Peristiany, ed. *Mediterranean Family Structures*. Pp. 195-203.

Young, Antonia, 2001, 2002, *Women Who Become Men: Albanian Sworn Virgins*, Oxford, New York: Berg.

Allcock, J. and Antonia Young, eds. 1991. *Black Lambs and Grey Falcons: women travellers in the Balkans*. Bradford: Bradford University Press.

Analyzing Media Discourses on Women's Trafficking and Violence Against Them

By: Linda Mëniku, MA

Abstract

The aim of this article is to analyze the prevalent discourse within the Albanian media when handling the matter of women's trafficking and violence used against them. The ambition is the analysis of the link among social issues and the use of language in the media, within a society that for about fifteen years faces the concern of women's trafficking and violence against them. The academic substratum on which the analysis of the written Albanian media will be lying on is the Critical Discourse Analysis (CDA). The data corpus analyzed for this article includes daily Albanian journals.

The Academic Substratum

According to Teun Van Dijk (2006, pg. 118) the Critical Discourse Analysis (CDA) is simultaneously "a cognitive, social and political analysis which it focuses more on the discourse's role within local and global level as well as within a society and in its fabric". The Critical Discourse Analysis is a theory as well as a technique based on the analysis of the individual's manners when using a language. The overall ambition of this theory is to "connect the linguistic analysis with the social analysis" (Woods and Kroger, 2000, pg. 206).

The CDA's focus lies considerably on "the social issues" and particularly on the impact of the discourse while producing and reproducing the abuse with coercion and prominence (Van Dijk, 2001, pg.96, quoted by John Richardson, 2007). Such

theory handles the modalities with which a language is used aiming at the discovery of the role of a discourse during the reproduction of the social inequalities.

Generally, the CDA tries to point out the discursive aspects of the social issues taking the side of the helpless ones. Studies performed in the frame of this theory consist mainly on political, institutional, gender and media discourses where one can publicly identify the discord inside the society.

The Analysis of the Media Discourses

The studies on media performance have focused primarily on the media's impact and on the media being influenced by the relationship within a social system including also the relationship in between different class, genders, and ethnics as well as in between special groups such as politicians and the population. As well, the way of presenting the forms of social exclusion and discrimination together with the forms of violence and maltreatment can be handled in the framework of different theories and perspectives that attend different problems of the society trying to give a response.

Thus, Van Dijk tries to break down the discourse's message used within media in connection with the context, in order to look onto details the realization way of social relations and processes within the "micro" level. The "microstructures" of the message's discourse have been analyzed based on the semantic relations: the relations cause-effect etc. In addition, in the context of the analysis of the message's discourse Van Dijk has engaged also in the lexical and syntactic analysis.

According to Fairclough (1995), the linguistic analysis is one of those analyses that need to be applied in the massmedia together with other forms of analysis such as that of the content and the sociological and cultural one. The linguistic codification of events requires a selection of models (processes and participants) which the grammar of the sentences enables forms the foundation on which lay on discourses studies in media.

The general argument used, is that such a transformation in the text's surface like the naming transfers, the situation from a process towards a condition. Another form of transformation is the transition from active forms in non-active forms of the verb within a sentence. According to the CDA such transformation may be an ideological motivation because through them the main acting (agent) of the sentence's structure is left out of this structure.

Generally, important linguistic categories such as the modality, the time, and the aspect support the media discourses analyses. According to the Fairclough (1995; 27) the critical linguistics emphasizes also the selection role of the used vocabulary in the medias within the categorization processes. For example, the studies of the “gender discrimination reporting in the media can explore the manipulations within the used vocabulary when referring to males and women leads people towards the categorization systems that already exists and have a strong ideological character”.

The Media’s Discourse Studies in Relation to the Women’s Trafficking and Violence Against Them

The aim of this article is to focus on the discourse within the written media in Albania. This is the reason why the selected materials are mainly informative articles and news in relation to those events and phenomenon concerning women’s trafficking and domestic violence. Such articles have been acquired within daily Albanian journals like Shekulli, Metropol, Panorama, Koha Jonë, and Gazeta Shqiptare.

Based on the theory of the CDA we will try to answer some of the hereinafter questions:

- Does media describe the victims based on their gender/sex division, or on their social role?
- How it describes/labels males committing the crime?
- Who is considered the guilty person for committing the crime and how does he/she is introduced as far as the linguistics is concerned?
- Are there differences in between the language used to describe the acts relating to the violence against women and those related to the women’s trafficking?

The linguistics analysis that will be used in order to analyze the collected data will be based on the following elements:

a) **Denominations** – the words used to refer to the victim and to the person committing the crime (particularly names, or adjectives) which may have a strong impact in the way a message is passing through readers, shaping so the society’s opinion.

b) Level crossing of the verbs/acting forms and non-acting forms – Mills (1995,pg.143-144) argues that “studying the level crossing of the verbs has to do with the way that actions are presented, what kinds of actions are introduced in the text, **who** is performing those and who endures”.

c) Verbs – identify the verbs and how many times those specific verbs selected to describe the crime already committed persist within the same text.

It is important to emphasize that the analysis of the Media's discourses bases on some concepts considered to be more helpful for the analysts and to fulfil its goal. Such concepts usually apply to different levels of the discourse. Thus, the discourse within this article will be analyzed based on these concepts starting from the first level: **word/phrase level**.

Like Richardson states (2007), “the words transmit the society's impression together with the values judgmental.....the way of how they are named may have a great impact on the way how they are perceived”.

Analysis in the Word/Phrase Level

The argument of Wodak is that “the strategy of refereeing to a denomination lives by means of the establishment and representation by social actors {...}. There are a number of means to achieve such phenomenon such as: the mechanisms of membership, categorization within a group including so the reference by tropes, naturalization, metaphors and those of depersonalization and metonymy, as well as by synecdoche”.

The way of denominating social actors by the media discourse is also an indicator of the relation existing in between the media and the person/persons being denominated perpetrating so as a strong ideological mean with a great influence on reader's opinion”.

The strategies used to establish the referring processes are to denominate positively or negatively the social actors. The different names used for the same object represent the different ways of perception concerning the same object (Clark, Kate; 1987).

In order to understand the Albanian media's perception and the process of transmitting the message along to its readers we will initially analyze the means by which the media denominates the person committing a crime/ the crime author in relation with women's trafficking, and use of violence against them.

The journalists have the option of selecting the language they want to use within their own writings. Thus, in denominating the person that has committed

the act of violence or the crime, the author has the chance of incriminating the author in a direct way by using terms such rapist/killer etc (in the case when the police itself has issued the information that the denominated person is exactly the person that committed the act), or to denominate this person by terms such as those of social rationality (address, age, profession etc).

In the Albanian media, one often can identify the denomination of the crime author referring so to the listing of information that relates to the 1) name 2) age 3) or its profession. The hereinafter examples will serve to make the referring system more visible and understandable.

1. **Selami Trashani** stroked with a knife his 38 year old wife, Afërdita that lie in Shkodra hospital in grave conditions (Shekulli, 21.04.2007).

2. The reported episode happened two days ago in the **Street “Gjergj Legisi in Tirana**, right when the **18-year old** Denis Nuredini suspected for raping the fourteen year old E.D. in his own residence (Shekulli, 28.06.2006).

3. **The Policeman** murders his own wife: “my son moved my arm” (Koha Jonë, 23.08.2002).

In most of the cases, the way a denominating a person of committing a violation act relates to his social status (single/not married, married, widow) and also to the fact whether or not this person is a parent himself.

4. **A father** murders his own wife and his fifteen years old daughter (Panorama, 14.06.2006).

5. **The father of a child** got arrested in the moment when he was publicly raping a high school graduated student from Dibra with whom he had performed the same act also one month ago (Shekulli, 27.05.2007).

While in the Western media the reference towards the person committing the act of violence based on his/her social status may be considered as a social rationality, not the same conclusion can be made about the Albanian media reference level. The Albanian society is highly sensitive if the person who carries out such act is a family person and especially with a child. According to the Albanian expectations, such acts should not occur because no one may handle them they happen to their own families.

One might emphasize that the majority of these cases the information released for the name, address and the profession of the person being directly suspected as the responsible person for the committed act, lead to the straight denomination of him as the author of the crime. For example, pimp, rapist, and killer.

6. The stance in Italy lasted only 5 months, while another girl from the Malësia e Madhe prostituted by the 38 years old **pimp** denounced him (Shekulli, 12.04.2006).

7. Two **rapists** were stopped (Metropol, 10.06.2005).

8. At last the mentioned person didn't accept in any moment to be his wife's **murder** (Metropol, 14.06.2006).

From the analyzed materials, a sense of journalist's empathy is noticeable in the cases of violence against children or adolescents as well as towards the crime already committed. The cruelty of the person committing the act is reinforced by the use of language with specific terminology such as monster, paedophile, criminal, sexual maniac etc.

9. **The monster** Luan Elezi was arrested last night by the blue uniforms after the denunciation of the parents of his child victim (Panorama, 06.06.2003).

10. **The paedophile** that abused on the 8 year old girl was handcuffed (Panorama, 06.06.2003).

11. The **sexual maniac** could not run for more than some meters when two police officers caught and let him inside the van (Shekulli, 27.05.2007).

In the analyses of the male violence against women reports of the "Sun" journal, Clark (1987) considers the use of the personal details in denominating the victim as a mean of "labeling" the victim. The way to identify the victim is by releasing such information that relates to her name, age, look, profession, status and to the fact whether or not she is a mother.

While in the denomination analyses of the victim within the Albanian media is obvious that the referring moment for the victim based on her age is a normal phenomenon but it does not serve to "label" the victim.

One can say that in terms of mentioning the victims' age by the media, it calls for the attention of the readers, which are concerned to know whether the victim is a child or a young person. Such fact aggravates the violence act that is perceived as a horrible act by the readers.

12. **The minor**, hostage and victim of prostitution (Shekulli, 26.04.2007).

13. **The minor** was invited by the adolescent to his house to consume a discussion (Shekulli, 28.06.2006).

14. **The 14 year old girl** was raped at the "Myslym Shyri" school (Shekulli, 28.06.2006)

15. An orgy of the soldiers with the **16 year old girl** (Shekulli, 11.12.2003).

In addition, the referring to the victim's profession seems to be more in the victims favour. Presumably from the hereinafter examples the journalists emphasize the victims profession in those cases when they want to take her side, or to highlight the dimensions of phenomenon's such as trafficking.

Thus the title (13) selected carefully by the journalist minimizes the “fault” of the victim.

16. Handcuffed, forced to prostitution of his **milk woman** (Shekulli, 22.10.2002).

From the analyzed data one can understand that in those cases of violence against women instead of selecting the denomination of the victim based on her age, with the intention to push to the guilt of the author, it is selected the denomination based on the profession and social status of the women victims. As Clark emphasizes (1992) through such denominations the aim is to prove the innocence of the women. Such can clearly be read in the hereinafter examples.

17. The classmates raped the **girl student** (Shekulli, 14.06.2006).

18. **The high school graduated student** gets raped publicly (Panorama, 28.05.2007).

19. Police authorities said for the newspaper that Zdrava was arrested based on the denunciation of the 30-year-old N.F. **mother of four children**, the oldest one 12 year old (Koha Jonë, 12. 02.2005).

Previously, mentioned that in those cases when the author of a crime is directly considered guilty, his/her denomination comes based on the type of the crime committed such as for example: pimp, rapist, murder, etc.

In addition, the words used to denominate the victims of such crimes are the same with the exception of those words expressed only in the form of a nominative adjective.

20. He was hidden behind some bushes and appeared only when I approached, - indicated the **raped woman** (Metropol, 5. 01. 2004).

In cases of domestic violence apart from the person committing the violation, it is stressed the family relations between the two persons: victim and the person committing the violent act.

Often one may meet such denomination such as those in the following examples: husband, father, son, etc.

21. Crime within the Albanian family, **husband** murders his own pregnant wife (Koha Jonë, 09.03.207).

22. Suspicion, **father** murders his own daughter, keeps his promise after the abandon (Koha Jone, 02.10.2005).

23. Crime in the family: **Brother** murders the sister (Shekulli, 27.03.2001).

Whosoever the type of act that occur the fact that such happen within the family bears quite a heavy load not acceptable by the readers. Leaning towards the family relations makes the act heavier than it is.

The Active and Inactive Forms of Verbs

According to the Fairclough (1995), analyzing the transfer of verbs within a text aims at the highlighting the idea whether or not that specific text favours processes, actions or specific representatives.

Mills (1995 quoted by Richardson in 2007) argues that “the studies over the transfer of verbs has to do with the means of actions representation, what kind of actions are being introduced in the text who does what to whom. In this way, the transferring of verbs within a text not only describes the action occurred, but also the acting persons and what’s most important their relevant roles”.

In addition, the selection of a verb in active forms or not reflects the author’s attitude regarding the reflex ion of the incident/ action/process. Prior to begin with the analysis of the discourses within the Albanian media we must emphasize that Albanian language distinguishes within the acting and inactive forms.

The verbs in an inactive form divides within passive voice, medial and reflexive. The categorization of verbs in acting voice is done based on the idea whether or not the action is performed by the grammatical subject or something else”.

As a flexion language, the use of the personal pronoun in a phrase it is not necessary and for this reason this personal pronoun may not be used. To go back to the analysis of the discourse it will make sense that in a sentence with a verb in the passive voice, the emphasis will apply to totally to the person performing the action; it will apply to the author. However, from the data we analyzed one can notice that the passive voice is not the sole carrier of the principal role of emphasizing the author of the crime/violence or the act itself. In addition, the presence or the absence of the grammatical subject in a sentence emphasizes the same thing.

From the scrutiny of the materials, it is obvious that in a sentence with a verb in an active form if the grammatical subject is missing than the emphasis does not lay on the person that acts but it lies on the action itself. In the hereinafter sentence (24) the presence of the grammatical subject and the fact that the verb is in the active form enables the author to impute the fault to the person committing the crime. Meanwhile, the absence of the grammatical subject in the (25) sentence emphasizes the crime/rape and not the person committing the crime, despite the fact that the verb is actually in the acting form.

24. The armed man rapes the 18 year old girl (Panorama, 2.05.2004).

25. Rapes a 19 year old girl and is arrested in flagrancy (Shekulli, 28.05.2007).

The structure of the (25) sentence is quite similar for its verbal form which is passively where the importance goes to the action happening and to the person that committed such action.

Usually, in the building of the passively form of the process the grammatical subject may not be used in the form of a sentence with a preposition (from + grammatical subject). Yet referring to our data, we acknowledged that the presence or the absence of the grammatical subject within the passively form it changes the emphasis switching from the person that committed the crime towards the crime itself.

In this way each one of these versions, the one of the passively with the subject in the form of a sentence with a preposition (from + subject), or the sentence that has only one passive verb carries in itself the important information in relation to the journalist strategy in this discourse. The two following sentences (26) and (27) are in passive form but, the use of the preposition group (from the classmates) it gives the second part of the sentence the role of transmitting the guilt to those persons that have committed the act and does not focus only on the crime like in the case of the sentence (27).

26. The student gets raped by her classmates (Shekulli, 14.06.2006).

27. The Italian vendor is raped (Koha Jonë, 12.04.2004).

The written media acknowledges many regular cases of the use of sentences in the active form but with the missing grammatical subject and those of sentences with passive voice. Another missing component but worth mentioning is the tendency of using the passive voice or verbs of active forms to describe the raping act but with no grammatical subject. While describing the murdering acts, one can easily notice the use of verbs of active forms.

28. Crime in the Albanian family, husband **murders** his own pregnant wife (Koha Jonë, 09.03.2007).

29. Divorces from her husband, but **gets murdered** by her son (Gazeta Shqiptare, 20.05.2005).

30. A father **murders** his wife together with his 15 year old daughter (Panorama, 14.06.2006).

The active form sentences are not always simple sentences with a grammatical subject/predicative/object, or expressed differently the person committed the act/the act occurred/the person undergoing the act. Often emphasis is put on other components that relate to the way the crime was committed, the location or the circumstances where and how this crime was committed.

In such way the sentence's emphasis is displaced and through it the attention of the readers moves towards these in formations. In the example of the (30) sentence, the equipment with which the crime was committed captures the attention, while in the example of the (32) sentence the attention of the readers goes to the circumstances in which the crime took place and in the example, (33) the attention goes towards the cause of this crime.

31. Husband **stabs** his wife (Korrieri, 10.01.2005).

32. Bulqizë, murders his wife **in front of the children** (Shekulli, 29.05.2007).

33. Behead his wife **in the name of the jealousy** (Korrieri, 20.03.2004).

In order to understand the way a sentence is structured hereinafter we will show the titles of four daily journals writing for the same incident. Four of these titles are structured as passively sentences. However, if in the first and second case the grammatical subject is present, in the other two sentences this element is missing.

The presence of the grammatical subject in the example number (33) and (34) loads the responsibility directly onto the author of the crime (husband/ Asqeri Kullolli), meanwhile the absence of the grammatical subject within the two other sentences, avoids referring to the person that committed the crime. Although the motivation why this crime was committed is included within the two sentences (33) and (34), only the sentence (34) seems to be more neutral and to play just an informing role.

The reference made to the arm used to commit the crime within sentence (33) emphasizes precisely this element adding so speculation dosages to this incident, for media tic reasons. It is for sure that the attention of the readers will be attracted more and more when mentioning the word "scythe". On the other side, by comparing the sentences (35) with (36) one can identify that the addition if the circumstances in which the crime took place aggravates so much the more and normally the incidents grow into something more ghoulish to begin with.

Referring to the fact the crime was committed in front of the children, gives the sentence (36) strong emotional load compared to the other three previous examples.

34. Hassle because of jealousy, husband murders the wife with a **scythe**.

35. Elbasan, Asqeri Kullolli murders his wife **for jealousy reasons**.

36. Murders wife with a scythe.

37. Murder with a scythe **in the presence of the children**.

Brief note on the author

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References

- de Beaugrande, R.A. and Dressler, W.U. (1981) *Einführung in die Textlinguistik*, Tübingen: Niemeyer.
- Clark, K. (1992) *The linguistics of blame*, M. Toolan (ed.) *Language, Text, and Context*, 208-224, London: Routledge.
- Fairclough, N. (1989). *Language and power*. London: Longman.
- Fairclough, N. (1992). *Discourse and social change*. Polity press.
- Fairclough, N. (1995 a). *Media discourse*. Hodder Arnold.
- Fairclough, N. (1995 b). *Critical discourse analysis*, Longman.
- Fairclough, N and Wodak, R. (1997). *Critical discourse analysis*, In T. van Dijk (ed.) *Discourse as social interaction*. Sage.
- Fowler, R. (1991). *Language in the news*. Routledge.
- Halliday, M.A.K and Hasan. R. (1976). *Cohesion in English*. Longman.
- Searle, J. R (1969), *Speech Acts: an essay in the philosophy of language*. Cambridge University Press.
- van Dijk.T. (ed.) (1985) *Handbook of discourse analysis*. 4 vols. Academic Press.
- van Dijk.T.(1986) *Racism in the press*. London: Arnold.
- van Dijk.T.(1987) *Communicating Racism: Ethnic Prejudice in Thought and Talk*. Newbury Park, CA: Sage publications, Inc.
- van Dijk.T. (1991 a) *News as discourse*. Erlbaum.
- van Dijk.T. (1991 b) *Racism and the press*. London: Routledge.
- van Dijk.T. (1997a) *Discourse as structure and process*. Sage publications Inc.

van Dijk.T. (1997b) *Discourse as social interaction*. Sage publications, Inc.

Wodak, R. (1989) *Introduction*, R. Wodak (ed.), *Language, Power and Ideology*. Amsterdam: Benjamins.

Wodak, R., de Cillia, R., Reisigl, M., and Liebhart, K. (1999) *The discursive construction of National Identity*. Edinburgh: Edinburgh University Press.

Wodak, R. (1996) *Critical linguistics and critical discourse analysis*, J. Verschueren (ed.), *Handbook of Pragmatics*. Amsterdam: Benjamins, 207-210.

Wodak, R., and van Dijk. T.A (eds) (2000) *Racism at the Top. Parliamentary discourses on Ethnic Issues in Six European States*. Klagenfurt: Drava.

Wodak, R., and Meyer. M (2001) *Methods and critical discourse analysis*, Sage publications Inc.

Gjuha letrare shqipe për të gjithë (1976)

The Coordinated Efforts: A Challenge Among all Actors Working to Address Domestic Violence

Lessons Learned from the Exchange of Experiences in
New York

By: Aurela Bozo

Introduction

The Constitution of the Republic of Albania is the highest legal act that sanctions the equality and non-discrimination as the main principle and essential component that addresses our national legislation.¹ The international norms covered by this principle influence strongly in the legal system and the policies of our government. Despite the development of the rights and the policies towards the approximation with the international standards, the de facto gender inequality within the social, economic, and political fields remains a reality. Such reality feeds the domestic violence against women.

Domestic violence is a form of gender discrimination that violates the fundamental rights and utters the men's power over women within all life aspects. It is the family environment where women, despite their hope to find peace, serenity and understanding, in a high percentage they get physically, morally, psychologically, sexually, socially, and economically assaulted. An

¹ Based on the article 122 of the Albanian Constitution, the International Agreements ratified by the Albanian government, after being published in the Official Bulletin, become part of the inner legal system. These agreements are immediately implemented, except for the cases when their implementation requests the approval of a law.

extreme degree of violence one can identify in those cases when a woman decides to end a marriage or cohabitation. The gender inequality can be considered as the main pillar which eases the assaulter's reaction.

Violence against women within the family environment becomes extreme in those cases when she decides to break the silence and to report the violence to the proper structures. The pursued violence constitutes a feedback to the preservation and consolidation of the inherited inequalities.

Despite various efforts by different actors of the civil society and those of the respective state structures, domestic violence remains a disturbing, concerning issue with which Albanian society continues to face. Has there been any achievement in this course so far? On of the main obligation of the Albanian Government remains the reference of this issue that derives from the entire ratified treatise primarily those ratified after the '90-s.

The CEDAW Committee (in its 28-th session dated as of 13 – 31 January 2003) after considering the first and second periodic country report appealed to Albania the need to approve the necessary national legislation in order to address domestic violence and to assure that violence against women ought to be seriously tracked down and penalized with the proper velocity.

The approbation of a special legislation is an obligation deriving from the defined norms of the CEDAW Committee, especially in the article 24 of the general recommendation no. 19. The approbation and validation of the Law "About Measurements Against Domestic Violence" presumes an achievement of the Albanian society in addressing this phenomenon, an important step that proudly will be presented in the regular report that Albania will forward to the CEDAW Committee.

Taking into consideration the fact that violence against women within family relations derives from gender inequalities and that women result to reach the highest percentage of victims of violence within their families it is expected that this law will have explicit influences on women.² Raising the women's issue remains one of the most actual prevailing topics of the feminism. If we would be to ask this question naturally, the following questions will generate:

- What are the expected impacts that the Law "About Measures Against Domestic Violence" will have for women?
- Does this law assure the effective legal measures aiming at the protection of women from violence?

² According to the Ministry of Interior reports (March 2006), 80% of domestic violence cases are committed by men.

- Will the implementation of this law inflict more security for violated women and girls?
- Will the implementation of this law bring to the justice the responsible violators?
- Have the proper and necessary implementation structures been established?
- Will there be an efficient coordination of efforts made by different actors with aim to prevent and protect the victims of domestic violence?
- Are the justice professionals and others well prepared to implement this law?

The Role of the Professionals in Addressing Domestic Violence

The professional's role must go along with the metamorphosis of the traditional culture concerning this role. *Let us examine the prosecutor's role.* It is recommended that the prosecutor's role in the process of prosecution those penal acts related to domestic violence, reported by the defective, straight forward to the court should be more active. The prosecutor's role should not be conditioned by whether or not the victim accepts to cooperate or not, despite the importance of this fact in the process of prosecution of all the acts related to domestic violence.

From the analyses of the investigated lawsuits during 2000-2004, performed by the Citizen's Legal Initiative Center results that a number of dismissed cases motivation was the drawn of complains from the victim or the denunciator (CLI, 2005).

Types of experiences I came across in the Prosecutor's Office in Kings, U.S.A.

The prosecutors dissatisfied with the issue of dismissing the cases due to the lack of cooperation of the survivors of domestic violence, (the cooperation of the domestic violence survivors is very important as a result of the family environment, where such acts usually take place) began thinking of new options and new ways.

In the context of short-fall of the domestic violence survivor's cooperation, the prosecutors began introducing new facts such as phone calls of domestic violence victims to the women's and girl's counseling centers, police reports, and certified documents from medical centers, etc.

When the magistrate thought of dismissing some cases, the prosecutors got organized and showed that they were ready to change the existing culture, to convince the judge and the jury that indeed other facts already acquired by the prosecutor's (though there were cases of lack of cooperation from the victim's side even in some other cases the victims were testifying in favor of the assault), needed to be investigated.

"There is a delicate balance that prosecutors must strike in making a decision about whether or not to precede with a case without the victim's consent." (Cronin, 2005, p.189). Some cases also were dismissed due to the lack of sufficient evidences. However, this approach indicated the beginning of an important change of the methodology of prosecution for all the cases. Such involvement came from the prosecutor's part and raised the consciousness of all the professionals addressing this matter.

The Law "About Measurements Against Domestic Violence" anticipates the prosecutors' role as the key component in the entire combat against domestic violence. Its role legitimates the prosecutor to introduce the request for protection and the order for immediate protection.

The Role of the Psychologist or the Social Worker in Addressing Family Issues Wherever Domestic Violence is Present

There are cases when social workers or psychologists are not familiar with the domestic violence dynamics and in the reporting to the court they do not include the issue of children's session for raise and education.

They reflect a lack of awareness regarding domestic violence and convey gender stereotypes. On behalf of the highest interest of children or the need of these children to have warm relationships with both parents these "experts" in some cases have recommended that children to be left with the father (in this case the violator) despite the fact that he has violated his wife (the children's mother).

The highest children's interest has nothing in common with his/her presence in the scene where domestic violence has taken place and definitely has nothing in common with the children's scene of panic and anguish that a child experiences once been a witness of such scenes. They go as far as recommending that the child should be left with the father despite the fact there are evidences showing that the father has used violence within the family relations. Such recommendations make you think of the influence

that the theory “Parental Isolation Syndrome”³ has on these social workers or physiologists.

Social workers and physiologists that suffer from the lack of acknowledgements regarding the dynamics of the negative impact of domestic violence at children as if they were to be directly the violated or they become witness of the domestic violence used against their mother, are the only persons able to articulate such recommendations. In the case that domestic violence dynamic is known than a lot remain to be done in terms of raising the awareness and the sensitivity of the social workers or physiologists regarding these cases.

On behalf of the highest benefit of children and with the aim of developing their personality it is recommended the inclusion of specific measurements for their protection from violence even in those cases when they are not the direct victims. “There is an absence of the standards within the Albanian Penal Code referring to the assisted violence whose definition is every type of physical, verbal, physiological, sexual, and economical violence pursued onto different subject familiar to the children and in children’s presence” (Mandro, 2006, pg. 268).

However, there are quite so many reported cases by the social and physiological professionals that carefully have assessed the domestic violence and reflect that in their reports introduced to the court. In the divorce, case of K.D. versus A.D. the District Court of Tirana gathered to decide on “The Settlement of Divorce”, impeached custody of care and education for children to their father, despite the fact that domestic violence was present in that family. The argumentation used while articulating that injunction, was that in fact domestic violence was not properly placed in the court’s judgment.

The injunction includes the quotation of a psychologist while she informs that domestic violence is present in this case. She recommends the need to appoint the mother as the custody care parent for the children’s welfare and education because domestic violence and use of alcohol can cause psychosocial traumas at the children detaining them from a normal childhood development.

The highest interest of children is linked with some different factors, whose assessment remains very important. The quality of life incorporates some elements one of which is the economic security provided by the parents. However, in the case when domestic violence is present, the economic security loses the sense and its essential purpose.

The material conditions necessary for a child to be raised properly ought to be linked closely to the emotional and social development of a child. In case

³ This theory has been developed by Dr. Richard A. Gardener, children psychiatrist, who witnessed as an expert, in many cases which are related to the children’s custody.

that for the evaluation of a child's necessary material conditions a simple calculation would be more than enough while for the evaluation of the social and emotional developments of a child, a highest level of professionalism, sensitivity and responsibility is required.

In addition, a high level of awareness is required from the judges as well in relation to this phenomenon. In addition, if the judge's conscience concerning domestic violence does not evolve they will misjudge or not be able to professionally appraise the report prepared by the psychologist or the social worker within the entire set of evidence. This is where the need of coordination comes between the entire efforts of the professionals referring this matter.

Despite some achievements in the process of reasoning the impeachments, generally the court articulates standard formulation when resolving a marriage: "Initially, the conjugal relations use to function well, but as time goes by the divergences derived on frequent basis" which in the majority of cases derive due to the character discrepancy. Even in those cases when the wife alone or together with the children decides to leave from the conjugal domicile due to the domestic violence pursued against her, the judges hesitate to analyze this fact or to make this part of the judgment's argumentation.

Though in the above-mentioned case where domestic violence was present in the family and the psychologist recommends that domestic violence present in this family ought to be taken into consideration while reasoning for the judgment and after that children should be left with the mother the court failed to do so. However, arguing that assigning the mother as the custodial parent for the children's development and education in a case when domestic violence takes place at home the Court emphasizes the need of children for their mother as the primary care person prior to the evidence of the presence of domestic violence at home. If the awareness level of judges evolves into a biggest conceptualizing and understanding regarding the dynamic of the negative impact of domestic violence on children, they will list domestic violence as the primary cause for assigning the children with the mother-survived victim of this specific domestic violence.

The Law "About Measurements Against Domestic Violence" introduces a new and clear indwelling. The legislator being aware of the domestic violence consequences anticipates as one of the protection measurements that would be included within the immediate order for protection, the limitation and the prohibition of the violator to meet and victim's children, only according to specific circumstances. In the case of an order issued by the court with the aim to protect the children the court is entitle of temporary dismissing the parental rights from the violator parent and transferring the custodial rights to the victim parent (the

mother). This law is considered to introduce some novelties in terms of linking the special provisions (missing in the Family Code) that anticipate the direct linkage between child custody with the domestic violence and parental responsibility.

However, the question arising is whether or not the judges, layers, social workers, and other professionals, are fully aware regarding the importance of inclusion of such a protective measurement under the Orders of Protection. The implementation of the law will be the proper answer of such a concern. It is important to highlight that the anticipation of such protective measurement will influence in the prevention and decrease of the domestic violence.

Starting from 1997, many cases of women and girls being re-victimized within court rooms, prosecutor's office, by social workers or even by their own layers who are supposed to be the women's shoulder in assisting them to access and practice their own rights, have been identified by the Center of Citizen's Legal Initiative. Layers who are not familiar with the gender-based violence risk to avoid using a neutral language. There are cases where, due to the use of domestic violence, the wife escapes alone from the home in order to escape from the violence. Specific layers in their effort to financially benefit from such stories often claim that wives abandoned their own children. Judges bearers of gender stereotypes risk to allow in their courtrooms layers of both parties using words and sentences bearing gender stereotypes. The attorneys of the victims of the domestic violence are expected to play quite an important role in the implementation of the Law "About Measurements Against Domestic Violence" and in the protection of the family members victims of domestic violence.

However, if their understanding concerning domestic violence is shallow, they will not be able to understand and seriously represent their clients, victims of domestic violence in the assertion of their legal rights, in the designation of a security plan for those victims and referring them to the necessary services. Layers training in relation to the domestic violence and acquaintance of the Law "About the Measurements Against Domestic Violence" ought to be developed permanently.

With respect to international treaties ratified by our country, one can say that those treaties constitute another source of reference for our professionals. However, in case we analyze the injunctions delivered by the District Court of Tirana with respect to referring to the international treaties, cases of referring to specific international instruments in order to make the decisions more complete and fully supported, are actually missing.⁴

The implementation (of the immediate protective orders and orders for protection) anticipated in the Law "About the Measurements Against Domestic

4 See the decision no. 2234, on 29.03.3007, of the Tirana Region Court.

Violence” is very important for the protection of the victims survived from domestic violence. Different disciplinary and administrative measurements will apply in case of resistance towards the implementation of this law is identified. In other words, even in those cases when the law performers carry gender stereotypes and thus will face problems implementing the law it is anticipated that these measurements will count as a regulator mechanism.

We all are aware and prepared of the gap existing in between the need to undertake such protective measurements foreseen by the law and the patriarchal mentality that our society carries and for what the implementation of the law will face. This matter does not belong only to judges, prosecutors, social workers, layers, and police officials. This matter does not challenge only the professionals of the justice system. This matter requires a coordinated reaction of all actors and that of the community as well as an entire social emancipation.

The victim’s safety will be put in big risk if the responsible actors do not act in a coordinated way and if the community refuses to increase its conscience concerning this phenomenon.

Often, when the implementation of the legal actions has been stopped by the patriarchal mentality, the life of the domestic violence survived victim has gone through other risks. It is necessary to quickly and immediately react and in such a coordinated way that the safety and security of a victim requires so and the need to identify the guilty violator.

Positive Experience of Coordinated Reactions of all Responsible Actors Addressing Domestic Violence

Experiences from New York

The violet ribbon placed in the entrance of each office of the Center for Family Justice in Brooklyn, New York made me understand that I was in a center where domestic violence cases were addressing. This center together with 15 other centers established in that state aimed at the decrease of the domestic violence. The establishment of this office was an initiative of the New York’s Municipality and the Prosecution’s Office, King’s District with the aim to address domestic violence.

he interesting thing about this building, is that it included everybody such as New York Police Forces charged with the prevention of the domestic violence, prosecutors assistants, or mentors from the prosecutions office, managers of issues related to domestic violence, therapeutic counselor, parole officers, representatives from the social services for the abused elderly, civil layers specialized on resolving marriages, child custody, immigration issues, experts

of issues related to children, and representatives of different religious faiths. All these actors are interested, involved, and responsible for assisting with rapid and necessary services for the survived people of the domestic violence.

The option of benefiting from the provided social services through only one meeting encourages the survived victim of the domestic violence to require help. Representatives of the government as well as representatives of the civil society offer their services at the same time and immediately for the survived victims of the domestic violence, enabling them to receive the necessary and effective protection measures against the violators.

However, one might easily enquire whether this method was an easy way to accomplish such coordinated reactions, or not? The answer is “certainly not”. One of the prosecutors within this office expressed: “Prior of establishing this center, I spent around 17 hours in one case just to find a suitable accommodation for one of the victims of domestic violence”. Henceforward, the representatives of a non-profit organization provide accommodation for the survived victims of domestic violence if they are in need of such accommodation and they are entitled to benefit from such services”.

II. The establishment of the Courts of Domestic Violence was another experience of mine while referring to the domestic violence phenomenon. The very first Court of Domestic Violence to handle the issues of domestic violence crimes was established in 1996 in Brooklyn, New York.

The Court applied many of the principles and it was characterized by the principles of the National Courts on Domestic Violence. Such Courts are compounded by one single Judge, a dedicated team of prosecutors, supporters of the domestic violence victim as well as a coordinator in charge of monitoring whether or not the defendant respects the protection orders and the order to attend rehabilitation programs (Center for Court Innovation, 2007).

One of the key components of the replication of all the different actors coordinated against domestic violence is precisely the establishment of the Court for Domestic Violence. Regular meetings are performed with the prosecutors, defender lawyers, and parole officers’ supporters of the victims, representatives of different agencies offering programmes for the violators and others with the aim to coordinate the policies between their institutions (Center for Court Innovation, 2007).

Such Courts of Domestic Violence together with their trained staff and holding quite rich experiences in continually handling the issue of domestic violence, intend to secure the victim and to perpetrate the violator responsible for the act committed.

In some of the Courts for Domestic Violence, the chairing Judge leads the monitoring of the implementation of the programmes from the violator's part.

Such coordinated teams of professionals may be established also within the civil courts and such experiences have consolidated in this country. The establishment of a family court why not in the future also the establishment of a court for domestic violence that will handle penal issues related to domestic violence may have an impact while referring effectively to this concern.

Role of the Media and Education

A deepen social movement with zero tolerance towards violence is necessary to be accomplished. In the contrary despite the measurements anticipated in the Law "About Measurements Against Domestic Violence" the social cost would be quite high. Thereupon, these legal measurements should be associated with deep social measurements, therefore leaving a wide space for the written and electronic media, education of the young generation in their homes regarding the gender roles.

Media in New York has quite a clear critical position in those cases when the state fails to take upon its responsibilities for protecting its own citizens from the violence. Our written and electronic media should leave asides names of violator or victims and focus more on the critical analyzes with the aim to point out the importance of the active approach of the state in protecting the survivors of domestic violence.

The Inclusion of the Students from the Faculty of Law and Social Sciences in Ensuring the Necessary Services for Domestic Violence Survivors

The case number supported by voluntary students' labor or by the pro bono team in New York is quite high. Including students:

- In the process of preparing protection orders;
- In offering counseling sessions;
- In the process of preparing the necessary legal acts under the supervision of professionals lawyers;
- In acknowledging the legal and social rights specifically, those of women and girls in rural zones will have increase the number of the beneficiaries of social services as well as will better prepare the sensitive future professionals for the future of the gender issues.

Reports and Studies Conducted on Domestic Violence

Preparing scientific studies over the content, motives, and the effects of domestic violence's dissemination, the efficiency of legal and policy interference with the aim to prevent and to protect from domestic violence is one of the things being encouraged in the U.S.A. In reference to the preparation and compilation of the studies on domestic violence performed in our country, it is important to highlight that Non-Profit Organizations have prepared them with the support of the national and international donors.

Some of these studies performed during the last couple of years that we should mention are: "Legal and Social Commentary for the Protection From Domestic Violence" (QNL & School of Magistrate, 2005), "Albanian Institutions for Protecting Women From Domestic Violence"(QNL & QSHPZH,2006), "For a Better Implementation of the Law for the Protection of the Domestic Violence Victims From the Justice Bodies" (QNL, 2005), "Domestic Violence" (QAGJZH & MOLSAEO, 2006), "Media Monitoring on Domesic Violence 2001 & 2002" (QAGJZH, 2003), "About teenage couples Violence" (QAGJZH, 2003), "Violence Against Women in Albania" (A.Baban, 2003).

Publishing scientist studies on domestic violence constitutes an obligation of the Albanian government and is one of recommendation from a number of international documents.⁵

It is important to mention here an initiative of INSTAT with the support of the UNICEF and UNDP for preparing a quantitative study during the course of this year about the spread of the domestic violence and its economic cost. The question deriving right after this is whether is the right time to initiate the coordination of all the interested actors for the referring to the domestic violence using the momentum of having quite some good publications on domestic violence phenomenon.

I believe yes.

First, it is an imperative necessity that the dissemination of this phenomenon dictates to us. Only by passively monitoring the written or the electronic media one can understand that domestic violence continues to be a major concern for the Albanian society. If we do refer to the data released by, the Ministry of Interior regarding the acts of domestic violence the concern becomes more persuading. From the data released by this Ministry, it results that for the 2005, around 102 cases of domestic violence have been registered (QAGJZH, 2006). In other words, the dissemination of this disturbing phenomenon, which is only the top of the iceberg, dictates the coordination of all our efforts.

⁵ Source: CEDAW: gr 19, par 24.c, dvaw and it is recommended in rec.90(2) and rec.1681(2004).

Second, an interesting and traditional cooperation between non-profit organizations, members of the Network Against Domestic Violence and Trafficking together with other national and international non-profit organizations in preventing domestic violence and offering special services for the survivors of the violence exists. Such tradition has been reflected distinctly in the organized activities during the 16 days of the activism against violence on gender based or other activities with the aim of prevention and protection from the violence.

Third, nevertheless the cooperation between the civil society specialized on offering services for the survived victims of domestic violence and police structures together with the prosecutors and courts, is not a satisfactory one. From different meetings held with different police authorities in Tirana and in some other districts, it results that there is a lack of information concerning the actors providing services for the survivors of the domestic violence.

The lack of information from the part of the police authorities regarding the actors of the civil society providing services such as psycho - social counseling sessions, accommodation, employment opportunities, legal services for the survivors of the domestic violence therapeutic services for the survivors of the domestic violence and their children has a negative impact in referring this problem to the proper actors and instances.

In those cases when the victims turn up within the police commissariats, the police authorities including their willingness to assist the victims, they are not efficient, due to their lack of information. At this point, the police authorities are not aware about where to address these cases and their children so they can receive the proper care and services which can help them enormously in term of their security.

Fourth, The Law “About the Measurements Against Domestic Violence” consolidates the need for coordination of all the efforts of the entire state structures and non-governmental organizations with the single aim to prevent and protect from domestic violence.

The law defines the respective structures like the police authorities, health care centers, local governmental units as the responsible authorities for referring the cases of the survivors of the domestic violence to the state or non state agencies that offer specialized services therefore, emphasizing so the need to have a coordinated reaction towards domestic violence.

The law itself not only defines the responsible authorities, but in addition, with the aim of protecting the victim, it anticipates three components. The first component is “The information concept of the victim” which concerns the

necessary information to be delivered to the victim as an explanation regarding the measurements and the institutions to where the victim or the companion should be addressed to, with the aim to access the existing specialized social services centers. The second component concerns the transportation of the victim towards the centers and proper institutions, ensuring the transportation of the victim and her companion towards health or social care centers.

The economic nature of some of the measurements anticipated by this law may become a barrier for their implementation which could be addressed only through coordinating the efforts. "This is why the cooperation between the governmental structures and the non-governmental organizations network, is a good chance to face the institutional and economic barriers that could be appearing".⁶

The Strategy and the Plan of Action for the Domestic Violence anticipates and consolidates the need for a coordinated response to all the governmental actors and civil society:

- the willingness to establish the implementation structures, in charge to implement the Law "About the Measurements Against Domestic Violence";
- the cooperative spirit between the representative of the governmental structures and the non-governmental organizations;
- the educational system;
- the abolition of gender stereotypes;
- the increase of the professionals' awareness towards the gender-based violence issues;
- the establishment of a critical media which will stand as a vanguard of the change;
- the inclusion of the voluntary students within these initiatives;
- following the best positive experiences of other countries addressing gender-based violence.

Only when such coordination has been achieved, then we will be able to fulfill a high social goal, such as the prevention of violence and protection of the victims of domestic violence.

6 Anastasi, A.(2007) "Parandalimi i dhunës në familje, faktor bazë për barazinë gjinore", "Standard" Newspaper.

Brief note on the author

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References

Kushtetuta e Republikës së Shqipërisë.

Rekomandime të Komitetit për Eliminimin e Diskriminimit kundër Grave (në sesionin e 28 të tij, në datat 13-31 janar 2003).

Ligji Nr.9669, datë 18.12.2006 "Për Masat Ndaj Dhunës në Marrëdhëniet Familjare", hyrë në fuqi më 01.06.2007.

QNL,(2005). Për një zbatim sa më të mirë të ligjit në mbrojtje të viktimave të dhunës në familje nga organet e drejtësisë, Tiranë, Shtypshkronja "Volaj".

Mandro,A.(2006). Përgjegjësia prindërore, "E drejta Familjare".

Center for Court Innovation, Documenting Results, Research on Problem-Solving Justice, Library of Congress, 2007, p.128.

QAGJZH&MPCSSHB. (2006) Dhuna në familje, Paraqitja e situatës aktuale në Shqipëri, Shtypshkronja "Pegi".

Cronin,E.(2005) Prosecuting a Domestic Violence Case: Looking Beyond Victims' Testimony, Lawyer's Manual on Domestic Violence, p.189.

Anastasi, A.(2007) "Parandalimi i dhunës në familje, faktor bazë për barazinë gjinore", Gazeta "Standard".

