

# Customary Law and the Nation:

The Significance of *Kanun* in the Emergence and Development of Albanian Nationalist  
Discourse

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### **Introduction: The Image of Nation**

Fourteen years after that fatal night which left Harry Potter an orphan and stripped Voldemort of his human life, leaving behind a mere spirit, the Dark Lord is brought back to physical form by his servant Peter Pettigrew. Summoning the Death Eaters, his loyal followers, Voldemort reveals the story of his fall and the misery of survival as a parasite inhabiting foreign bodies in a faraway land:

And then, not even a year ago, when I had almost abandoned hope, it happened at last... a servant returned to me. He sought me in the country where it had long been rumored I was hiding...a place, deep in an Albanian forest...where small animals...met their deaths by a dark shadow that possessed them. (Rowling 654-655)

Throughout the seven part series, the Dark Lord's exile in that Albanian forest is of minimal importance to the plot, yet for a scholar of the Balkans, even such brief attention proves indicative of a larger pattern of Western fascination with the region. Maria Todorova identifies this process as “Balkanism.”

Geographically inextricable from Europe, yet culturally constructed as “the other,” the Balkans became, in time, the object of a number of externalized political, ideological and cultural frustrations and have served as a repository of negative characteristics against which a positive and self-congratulatory image of the “European” and “the West” has been constructed. (455)

In the specific case of viewing Albania as the West’s “Other,” such constructions are evident beginning in the late nineteenth and early twentieth centuries, when claims for an independent nation first enter the international political stage through the emergence and rise of an Albanian nationalism. Confirmations of this chauvinism abound in various fields, but one need only look at the Western press of the time for a glimpse.

A New York Times article from October 1913 titled “Europe's 'Autonomous Albania' Absurd” states: “Part barbarian, the Albanian threatens to block all plans for settling the Balkans—Land has never been reduced to order—The men are used to being armed and untaxed.” From the same publication, a March 1914 article titled “Albania as little known as

Africa” describes the newly formed nation as “a primitive land that has so far produced little more than hardships, dangers and troubles.” One finds numerous articles employing similar rhetoric when surveying archives from the late nineteenth and early twentieth century.

Throughout these pieces, the region and its inhabitants are portrayed as the West’s cultural “other” and Todorova’s theory of Balkanism is, in essence, confirmed.

The collapse of the Ottoman Empire and the Balkan wars that followed gave wide expression to the “Balkanism” of the early twentieth century. Entry of new Balkan nations into the international political arena during this period brought the region to the forefront of Western attention and a body of knowledge was needed to situate these new players and explain their turbulent affairs. “Balkanism” as a discourse served precisely this purpose by offering totalizing “truths” of the region’s innate violence and barbarism. It sought to make simple sense of numerous complex political and social issues that confronted the region at the turn of the nineteenth century.

In a period where eugenics was an explicit policy and exploitative colonial Empires constituted international strategy for the Western powers, such rhetoric is hardly shocking. One might argue that it is nevertheless part of our past and that today we live in a different world, one that is more ‘rational’ and ‘just.’ ‘Post-modern’ tendencies, detached from metanarrative, oust objectivity for subjectivity and decry the aforementioned attitudes. Surely, essentializing claims like those above cannot have much influence today?

Nearly a century after the Balkan wars and the early struggles for nationhood, the collapse of Communism and the resulting political vacuum plunged the Balkans into ‘ethnic’ conflict once more. Yet again, the region was brought to the forefront of Western media awareness. These developments at the turn of the twentieth century provide an excellent

opportunity to revisit Todorova's "Balkanism" and examine its part in this latest trend of Balkan fascination. One is compelled to ask: what defines this renewed attention and how does it relate to that of a century prior? If outright labels of a barbaric and uncivilized people are no longer acceptable, what might take their place?

In the political turmoil of the early 1990s, as liberalizing reforms were opening an isolated Communist Albania to the rest of the world, a New York Times book review of Ismail Kadare's *Broken April* (the country's lone internationally recognized author) states:

It is doubly fascinating to read a novel by Albania's most popular writer when 34 nations -- including every European country except Albania -- have just signed the Charter of Paris for a New Europe. For what Ismail Kadare's powerful novel clearly shows is that Albania, the most closed of all Eastern European societies, is still haunted by the deadly traditions of an Old Europe.

The article in question is titled "An Albanian Tale of Ineluctable Vengeance" and the "traditions of an Old Europe" are a reference to blood feud and Albanian customary law. When examining latent aspects of "Balkanism" in discussions of Albania, blood feud is important for two reasons: a persistent fascination and extensive engagement with the topic outside of the country and, closely related, the common use of this subject matter to define Albania as a whole.

Blood feud and customary law have brought notable attention from outside audiences, especially in the post-Communist period. The subject has been addressed in media ranging from newspapers to radio and television programs. For instance, a New York Times headline from April 1998 proclaims: "Feuds Rack Albania Loosed from Communism." More than a year later, in December 1999, an article from the same publication titled "The Curse of Blood and Vengeance" offers a twelve-page exposé of the topic, beginning with the claim that "in remote Northern Albania, communal life is governed by ancient codes of honor unchanged by modern notions of rights or the rule of law." Other outlets have also investigated the topic; among them

the National Geographic Channel in 2003 and the BBC World Radio Service in 2008. What underlies this fascination with the Albanian blood feud and how might it be understood?

In his essay “Blood Feud and Modernity,” Sociologist Jonas Gruztpalk notes that “Blood feud is regaining some interest in the social sciences after about half a century of little consideration.” (115) He attributes this renewed interest to late twentieth century global trends: “migration, internationalization of ethnic conflicts, and the growing concurrence between traditions and religions,” otherwise explained as “the phenomena of globalization.” (115) Gruztpalk suggests that “globalization has brought to light blood feud as an existing legal and cultural phenomenon that cannot be overlooked.” (115) His essay’s primary aim is to reexamine blood feud and situate the phenomenon in a broader framework that appreciates customary law as a complex and cohesive system of social organization. Thus, he seeks to undermine approaches that construe the blood feud mechanism in customary law as barbaric and anarchic.

Gruztpalk argues that violence is intrinsic to all forms of social organization; thus, there is no inherent madness or inhumanity in customary law, only a variation in the particular mechanisms through which violence is applied and controlled. Thus, the central concern is not the use of violence, for its exercise is ubiquitous in any social order, but rather the instruments through which it is applied. He addresses the historical presence of blood feud in Northern Albania specifically and advises that an accurate understanding of this feature of customary law requires that one evaluate the phenomenon within the functional framework of the society and time where it originated. While contemporary perspective might easily dismiss blood feud as mere anarchy, Gruztpak suggests that this understanding cannot be attributed to any inherent meaning of customary law, but rather to the historical position and framework of observation.

Accordingly, in considering reemerging interest in the Albanian blood feud, we will henceforth proceed under the contention that the knowledge and meaning fashioned from renewed attention is a product of a specific historical period and the power politics therein. Our endeavor thus concerns the various social, political, and ideological mechanisms that inform one's view of the world, a process that French philosopher, sociologist, and historian Michel Foucault terms discursive formation. From this framework—where various institutions engage in the production of knowledge—the nation would perhaps prove the most salient and pervasive of all such apparatuses. One can affirm this assertion when considering that today, no single category better informs our knowledge of a people than the Nation with which they identify.

However, in thinking about the nation's role as a cultural signifier in contemporary engagements with the Balkans, it is also necessary to consider certain political developments of the late twentieth century – specifically, the collapse of the Communist Bloc. The fall of communism (and the subsequent breakdown of the East-West ideological divide) rendered much of the dominant political thought of the post-WWII era inadequate. A discursive vacuum emerged from this momentous event, one that necessitated new narratives to qualify a vastly different political reality. But what mediated and replaced the East-West binary? Various perspectives can address this complex issue but one development that undoubtedly makes a significant imprint on the post-communist political and ideological stage is the re-emergence of nationalist discourse and the nation-state.

The reemergence of the nation-state in the post-communist political arena compels us to investigate a possible correlation with the reemerging interest in blood feud during this same period. Thus, we ask: does the renewed focus on blood feud stand outside the discourse of the nation or does nothing evade it?



Given the historic presence of customary law in Albania, the country has been a central focus for much of the renewed attention on blood feud. One might even say that blood feud has proved a key referent for constructing an image of Albania. Indeed, references to blood feuds abound in much of the outside attention on the region, and this pattern can be traced as far back as the nineteenth century, when Western travelers and intellectuals, including such renowned figures as Lord Byron, made the Balkans a locus of their curiosity. This long history of Orientalist fascination with the Albanian blood feud tempts one to declare that perhaps there is nothing significant about the “renewed attention.” However, such a position would be imprudent because it ignores that differing historical circumstances give rise to this attention and thus the discourse facilitated also changes.

In the post-socialist context, with globalizing trends moving towards a more interconnected world, the circumstances and implications of fascination with Albanian customary law, specifically the blood feud, differ notably from previous episodes and thus deserve a more nuanced reflection. One must consider that cultural exchange in this period ceases to be unidirectional, as was the case with curious Western travelers and their Orientalist inclinations. The collapse of the communist government in the early 1990s, and the devastating domestic situation it left behind, prompted waves of Albanian refugees to flood Western countries in search of better opportunities. In many instances, the realities these people faced were very different from their idealized visions and expectations of prosperity. These early refugees experienced firsthand the problems of immigration, including though not limited to: institutionalized barriers to employment, blatant discrimination through social as well as government institutions, and treatment as second-rate citizens. Under these circumstances, representations of Albanians as blood-thirsty, vindictive, and barbaric “Others” governed by a

completely different moral code and, additionally, as unable to integrate into civil “Western society” certainly provided justification for conservative anti-immigrant sentiment in countries that experienced massive Albanian immigration.

On the international political stage, a weak post-communist Albanian state, riddled by corruption, only served to fuel images of the country and its people as inherently backward and incapable of ‘rational’ self-governance. The mafia networks that emerged as a result of this fragile government and the 1997 economic crisis, which was followed by massive internal social upheaval and the collapse of the state, ultimately brought Albania to complete social anarchy and further added to the country’s negative image by reaffirming prejudice. These circumstances and the stereotypes they perpetuated undoubtedly affected Albania’s post-Communist transition by driving away potential foreign investment and exacerbating a cycle of economic and political troubles, further isolating the country.

It would be a great exaggeration to claim that the difficulties faced by the Albanian state and its citizens in the post-Communist transition were a direct result of essentializing stereotypes which legitimized the country’s image as Western Europe’s “Other.” However, a mechanism becomes apparent wherein manifestations of these prejudices, by isolating the country and its people from the European community, could act as a self-fulfilling prophecy contributing to the affirmation of that chauvinism. In brief, we wish to note that with the fast pace of globalization and a more interconnected world, a nation’s image and the extensive apparatuses that facilitate the information and legitimize the knowledge propagating that image can and do have real and practical implications for the way we understand and treat the world around us.

Thus far we have only considered the use of customary law to construct an image of Albania from an external or outsider’s gaze, but internal discourse on customary law is also

important and thus requires attention. The latter point, hitherto eschewed, will be the main inquiry and central focus of our project. Closer examination of this matter reveals that engagement with customary law, known locally as *Kanun*, figures prominently in Albanian nationalist discourse and the late nineteenth century movement for Albanian nationhood. The trope of customary law to construct an image of Albania was an important instrument for nationalist forces in their efforts to legitimize a national identity and promote a unified Albanian nation. The *Kanun*, in its rhetorical capacity, was employed as a means to extend and apply the greater nineteenth and twentieth century paradigms, which had established nation-states in continental Europe, to the question of Albanian nationhood.

This last claim will be a guiding framework for our project; by examining internal discourse on *Kanun* during the period of national rebirth, we will seek to understand its significance and role in establishing an Albanian nation. Our endeavor will seek to address the following questions: What is the *Kanun* and what is known about its origin and history? What is its relationship with the region and peoples in question? More specifically, what role, if any, does it play in the political and social developments which lead to the emergence of an Albanian nation?

I will trace the emergence of nationalist discourse in the late nineteenth century (the historical period that laid the fabric for an Albanian nation-state) and examine the role of *Kanun* in this phenomenon. Specifically, I will consider the work of Sami Frasheri – a central architect of Albanian nationalist claims – in order to examine the role and function of customary law on his contributions to Albanian nationalist discourse. In doing so, I suggest that customary law, in its rapport with Albanian nationalism, transcends the modern/pre-modern dichotomy commonly

applied to explain the role of the *Kanun*. Through an analysis of Sami's<sup>1</sup> work, I argue that the *Kanun* becomes intrinsically entwined with nationalist discourse and thus proves a significant conduit through which paradigms of Eastern European nationalism are extended and selectively refashioned to construct and legitimize a unique Albanian national narrative as well as a national identity.

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<sup>1</sup> We will refer to this figure by the first name Sami, as the work and fame of his two brothers, Naim and Abdyl, makes the convention of using last names ambiguous.

## Part I

### Albanian Customary Law

### **The *Kanun* and Its History**

Before we can consider the interaction of Albanian nationalism with *Kanun* discourse and its imprint on the knowledge imparted, it is important to provide a general overview of the *Kanun*'s history, its application within Albania, and the mechanisms that give this body of law its power. A logical place to start would be the Albanian name given to customary law: the very word *Kanun*. Albanian sociologist Fatos Tarifa, who has produced several works on the topic, suggests that “*Kanun*, deriving from the Greek ‘kanon,’ signifies ‘norm,’ ‘rule,’ and ‘measure’.” (Tarifa 18) Thus, he traces its etymology to ancient Greek influence in the region. In contrast, Grutzpalk, in “Blood Feud and Modernity,” comments on the word’s “obvious similarity to the ‘canon’ of Roman law,” (117) attributing its development to Roman rather than Greek influence. Additionally, anthropologist Stephanie Schwander-Sievers traces the word to more recent times, citing Ottoman influence. She notes that under the Ottoman administration system, *kanun* was a “term for local customary self-governance,” used to differentiate local law from Islamic law, Shariah. (Enactment 101) On the other hand, Leonard Fox’s English translation of the “Kanun of Lek Dukagjin”, states:

The word *kanun* is derived from the Greek *kanon*, which originally meant ‘a straight rod or bar,’ but which later came to be used metaphorically to mean ‘a rule or standard of excellence.’ According to this version, by Byzantine times, it had acquired a legal significance, and the word passed into the Albanian language most likely through Ottoman Turkish. (xvi)

These varying accounts suggest that it is difficult to provide an accurate etymological account of *Kanun*'s place in the Albanian language. Indeed, accounts of the word’s origin are as numerous as they are murky, suggesting no compelling reason to favor any one above another. The word’s complicated etymology notwithstanding, it is important to recognize that *Kanun* refers to a common practice in the areas inhabited by Albanian speaking peoples long before any semblance of a unified Albanian nation-state existed.

Regrettably, it is not only the origin of the word *Kanun* that proves difficult to situate historically; the manifest/material origins of Albanian customary law itself are equally hard to place. While the practice of customary law surely predates the Middle Ages,<sup>ii</sup> the historical resources available for analysis are of relatively recent origin; at the earliest, they date from the nineteenth century. The documents and references available are noticeably tinged with the particular ideological bias common to the time, further complicating an accurate account of *Kanun*'s already intricate history as social practice.

Despite these issues, there are several features of *Kanun* that can be illuminated with certainty. For example, *Kanun* practice in areas occupied by Albanian-speaking communities predates the Ottoman invasion and the Middle Ages. Furthermore, prior to the twentieth century, when the Franciscan priest Shtjefen Gjecov compiled a written version of *Kanun* as practiced in parts of Northern Albania, the code was transmitted orally from generation to generation and mediated by a hierarchy of elders deciding specific details of practice. Interestingly, the documented practice of *Kanun* in the nineteenth and twentieth century inevitably differed from its earlier applications. On the latter point, Fatos Tarifa argues that *Kanun* “surely had ‘spontaneous development’” and that “it has also changed purposefully by human agency ‘to suit the purposes of those who transmitted the oral law.’” (23) Of course, this becomes self-evident considering that parts of *Kanun* regulating vengeance must have undergone significant changes due to the introduction of firearms by the Ottomans, as Tarifa explains: “because firearms made murder easier than before, new rules must have been adopted to prevent the great loss of life inflicted by their use.” (Tarifa 24) Recognition of *Kanun*'s propensity for evolution and reinterpretation is especially important for understanding its so-called revival in the post-socialist context. During this period, there are constant references to *Kanun* law in the resurgence of

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<sup>ii</sup> This is verified by its documented practice during the Ottoman invasion in the fifteenth century.

honor killings and vengeance, and yet differences in intent and application are so great that one cannot ascribe these late developments to the same tradition.

### **The Practice of *Kanun***

In considering the practice of *Kanun*, it is important to note that the general mechanism and structure of the law was similar across regions that practiced it, but specific aspects and details of the code's application varied:

In Albania, various bodies of customary law are known, each with its own name: "The Kanun of the Mountains" (*Kanun i maleve*) in the country's north west region, the Malsi e Madhe district; "The Kanun of Skenderbeg" (*Kanun i Skenderbegut*) in central Albania, linked with the name of Albania's renowned national hero, Gjergj Kastrioti Skenderbeg; "The Custom of Mus Ballgjini" in the valley of the Shkumbin river; "The Mandate of Idriz Suli" in Laberi, the country's southwest...Scholarly findings assert that Kanuns from the country's north, center and south, are very similar in their core. Some variation between them can be attributed to the particular historical developments of each given region.<sup>iii</sup> (Ivanova 7)<sup>1</sup>

Various manifestations of customary law were at one time present throughout the region, but by the late nineteenth century (and certainly the early twentieth century, when outside interest in customary law became very pronounced), the Albanian north remained the main area where strict adherence to oral law persisted.

The reasons for the codes' persistence in the north are difficult to determine with complete accuracy, but various authors writing about *Kanun* seem to suggest a similar answer. To explain both the *Kanun*'s diminishing power in the south and the north's continued adherence to the practice well into the twentieth century, scholars often refer back to the regions' social and political organization in the Middle Ages and their subsequent transformations after nearly five

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<sup>iii</sup> Note: All translations that follow are my own with the original text provided in the end notes.



hundred years of Ottoman rule. Customary law as embodied in *Kanun* was a framework for regulation and self-governance in feudal communities that lacked a unified state apparatus. “Before the Ottoman Turks invaded Albania in the fifteenth century, the country was split up into numerous principalities, none of which was strong enough for long to subject a neighboring territory to its rule.” (Tarifa, 18) Hierarchical family, clan, and village loyalties regulated the most important aspects of life during this time. *Kanun* provided order within this social framework and as such, its mechanisms and applications were intrinsically tied to specific structures of feudal Albanian communities. In the aftermath of the Sublime Porte’s invasion, with the advent of time, Ottoman powers were able to transform this fabric in many of the Albanian speaking communities through various administrative and integrative pressures.

There is a diverse body of literature concerning the specifics of Ottoman administrative policy and its implications for the occupied areas. For our purposes, it suffices to note that these policies, due to various political and economic reasons, were applied differently in diverse regions. George Gawrych, in his essay “Tolerant Dimensions of Cultural Pluralism in the Ottoman Empire: The Albanian Community,” explains that amongst Ottoman subjects, Albanians became adequately integrated within the administrative system. The mountainous northern regions however, were the exception; proselytization did not occur with the same degree of influence in these remote and often inaccessible areas.

The regions currently recognized as northern Albania, “despite Ottoman control ... retained a large degree of autonomy due to their relative inaccessibility and the inability of Turkish troops to subdue them.” (Fox xvii) Thus, local practices of governance, such as those embodied in customary law, were largely allowed to persist. Moreover, due to the inability of the Ottomans to completely subdue the region, certain compromises were permitted. The specific

details of these compromises are not certain, but domestic Albanian scholarship claims that changes were made to the *Kanun*'s hierarchal structure, specifically with the introduction of the "Bajraktar." The Bajraktars were leaders chosen from within each community in recognition of military achievement. They held a social rank comparable to that of the elders; in times of war, they were responsible for recruiting and mobilizing soldiers for the Ottoman Army:

With the introduction of the Bajraktar post, northern Albanian society simultaneously underwent two models of organization: the hierarchal model imposed by the *Kanun* and the center/periphery model imposed by the Ottomans. Through the Bajraktar, Istanbul could oversee its will and reforms in the mountainous regions of Albania... The Ottomans were not interested in changing the laws and customs of the northern Albanian as long as the latter agreed to participate in Istanbul's battles, against Albania's neighbors.<sup>2</sup>

Clearly, the integration of Bajraktars into the *Kanun* was invariably complex and specific details of the process, at least currently, cannot be discussed with much certainty. Nevertheless, even if we cannot specify differences in administrative policy between the north and south, several sources confirm the existence of this schism, suggesting a contextually relevant explanation for how and why the practice of customary law continued to exist in northern Albania even as it was concurrently destroyed by the Ottoman administration in the south.

### **The Structure and Mechanisms of *Kanun***

The brief historical excursion above necessitates an examination of the mechanisms underlying the code's authority in order to ascertain a comprehensive depiction of the *Kanun*. Although several variants of customary law were practiced throughout the region, they were transmitted orally; they were not written down or recorded and thus remain inaccessible. The only exception is the *Kanun* of Lek Dukagjin. This particular *Kanun*—practiced in parts of northern Albania—was documented by the Franciscan priest Shtjefen Gjecov between 1910 and 1925. He traveled the region and recorded the practice of customary law by consulting with chiefs, elders, as well as other inhabitants living under the code's authority.

Gjecov was the first to make a systematic field study of the laws of a relatively circumscribed area of Northern Albania, and also the first to put them into writing, after many centuries of oral transmission. (Fox xix)

He systematically compiled and organized his results in a document containing 1,263 written articles, which were posthumously published in 1933 under the title *Kanun i Lek Dukagjit*.

Gjecov's record of the *Kanun* is the most significant source for scholarship concerning Albanian customary law, despite its limited geographic focus. As previously discussed, practice differed by area, and *Kanun i Lek Dukagjit* presents observations of customary law in the north region of Dukagjin. However, since the code's fundamental structure was similar throughout all regions of pre-unified Albania, Gjecov's work provides ample evidence for investigating the general mechanisms and structure of Albanian customary law as a whole.

"The Kanun was about all aspects of life of northern Albanian society and the relations among its members" (Tarifa, 29). Accordingly, Gjecov's articles are meticulously categorized to correspond to the various aspects of life as governed by the Kanun. They are arranged into ten books as follows: the Church, the Family, Marriage, House Livestock and Property, Work, Transfer of Property, the Spoken Word, Honor, Damages, the Law Regarding Crimes, and Judicial Law. (Fox) Gjecov's records confirm the code's omnipresence in all parts of life. However, our primary focus will concern the articles on the Family, the Spoken Word, and Honor; it is these parts that best reveal the *Kanun's* most pervasive structural mechanisms. The remaining articles, although fascinating in their own right, are not as significant for our purposes because they address specific details that likely varied among regions and over time.

A central facet of the feudal societies governed by *Kanun* was the structure of family and much of the code's power rested on its significance in familial relations. For instance, the code demanded a rigid social hierarchy based on kinship and geniture, and aspects of this hierarchy were reflected throughout family life:

Anthropologically, families in northern Albania were strictly patriarchal, patrilineal (wealth was inherited through a family's men), and patrilocal (upon marriage, the woman moved into the household of her husband's family) (Tarifa, 50).

Thus, customary law was extremely misogynistic, and brutally repressed the lives of females.

Family in the *Kanun* was not defined in the sense of immediate and distant, but rather by complex structures such as formative clans, villages, banners, and beyond. On the concept of family, Gjecov's *Kanun i Lek Dukagjit* states the following:

The family consists of the people of the house, as these increase, they are divided into brotherhoods [vllazni], brotherhoods into kinship groups [gjini], kinship groups into clans [fis], clans into banners [flamur], and all together constitute one widespread family called a nation. (14)

While customary law had a long history in the region, the concept of "nation(s)" was a fairly novel development, entering the Balkans only in the late nineteenth century and Albania particularly in 1912. Hence, the concept of nation is most likely a late development in *Kanun* genealogy; its inclusion in Gjecov's recordings could be due to rising Albanian nationalism in the early twentieth century when he compiled his data. Regardless, the position of nation will be explored in greater detail later when we consider the Albanian National Rebirth of the late nineteenth century.

Returning to Gjecov's data, the second book, "The Family," specifies in great detail the relationships between various members of the family, their duties towards one another and to the group as a whole. Although the particular details of these groupings and their features warrant attention, it is the role of the collective (the insistence on community and networks of allegiance, as well as individual loyalty to these allegiances) that will be the most significant aspects of *Kanun* discussed here. Notably, many of these structural features resemble, or at the least are relatable to, the nationalist programs introduced in the Balkans in the late twentieth century. Therefore, they were easily applicable to the nationalist project. As will be illuminated when

investigating *Kanun* discourse during the Albanian National Rebirth, I argue that this is precisely what occurs.

In addition to family relations and the role of the collective, the categories of Honor and The Spoken Word occupy an equally important role in the *Kanun*. However, they are substantially more difficult to investigate because they rely not on tangible and manifest elements, but rather on symbolic and/or subjective ones. Nonetheless, it is crucial to attempt a consideration of these aspects of Albanian customary law. Before doing so, however, both concepts must be situated within a broader context of social organization.

Unlike modern systems of social organization, where power is monopolized and exerted by a unified political apparatus such as the state, in customary law this power is diffused among all subjects and participants. In “Blood Feud and Modernity,” Grutzpalk uses this distinction to explain customary law according to Max Weber’s and Emile Durkheim’s theories of social order. He contends that both customary law and the modern state apparatus rely on violence as a means of control; the difference between them concerns only issues of agency. While modern society relegates these duties to a central apparatus – the state – pre-modern societies employed customary law and its social code to place this responsibility on individuals. In the former, individuals forego anxieties related to social order by conceding the power to establish and maintain this order to the state. Accordingly, in a modern system of central state governance, an act violating the individual is considered an infringement on the contract between the individual and the state. The state is thus responsible for “righting the wrong” and seeing to retribution. In contrast, pre-modern societies, allocate responsibility for maintaining order to the respective members of a community. Here, individuals are the primary agents sustaining order when questions of violation arise. Although this framework does not fully explain the persistence of

customary law in Albanian society—especially after national independence and the establishment of central governance—it is a useful, albeit general, framework, for understanding the role of customary law in earlier forms of social organization.

Thus, in the absence of a developed state, Albanian customary law relied on certain non-centralized methods to oversee social cohesion and control. To return to the topic at hand, these mechanisms are most accurately identified in the *Kanun*'s conception of 'honor' and 'the spoken word'. Remarkable on their significance, Tarifa explains that "the cornerstone of the *Kanun* was the concept of Besa—the Oath or the Word of Honor—as was honor the primary and most important cohesive institution of Albania's social fabric." (29) Ideas such as honor and oath are easily romanticized and mythologized, to the extent that one must be wary of engaging only a metaphysical morass. In evaluating their importance in *Kanun*, the concepts of honor and oath must be situated within the context of their practical sociological functions. Thus, they will be evaluated not as traits and virtues defining individual character, but rather as discursive systems relying on symbolic configuration to construct a comprehensive worldview for their subjects while concurrently administering societal cohesion and control.

Gjecov's *Kanun i Lek Dukagjinit* reports that "the *Kanun* of the Albanian mountains does not make any distinction between man and man. "Soul for soul, all are equal before God." Additionally, it states: "Every man's honor is his personal affair and no one may interfere with or constrain the defense of that honor in any way. Almighty God has touched the center of our forehead with two fingers of honor." (Gjecov 130) In the *Kanun*, honor serves as a social equalizer, a medium guaranteeing each involved member an equal place in the affairs and relations of the community. Thus, the concept of honor is central because it is the referent qualifying and sorting violations that might arise in the everyday workings of society. It

guarantees that a member of the community thought to be wronged or victimized can cite infringement of honor in order to lodge a complaint and demand retribution.

Gjecov explains that “[t]here is no fine for an offense to Honor. An offense to Honor is never forgiven... An offense to Honor is not paid for with property, but by the spilling of blood.” (130) Honor is the *Kanun*’s zenith; this social primacy is firmly supported through structures of collective discipline and liability which ensure compliance from the whole community. The blood feud, or “the spilling of blood,” is one device of customary law directly linked to the concept of honor. However, it is important to note that the “spilling of blood” is not governed by frenzied tempers or spontaneous eruptions of violence. The *Kanun*’s honor system is firmly integrated within its social frameworks of family, clan, and village; infringement upon an individual begets infringement upon the entire community. Thus, the *Kanun* constructs a system of incentives that involve and oblige the whole community to oversee justice and order: claims of violation are made on a public stage in the presence of elders and other members of the community. The accused wrongdoer must either publicly admit his guilt and negotiate a pardon through reparations, or deny his role and risk blood feud. Denial of wrongdoing, however, does not immediately incur feud; instead, it calls into action a process of witnesses and oaths to arbitrate the situation.

The concept of ‘Spoken Word’ enters the realm of customary law in procedures of witness and oath. The responsibility of naming violations rests with the individual and consequently, a mechanism ensuring that such responsibility is not taken lightly or abused for personal gain is necessary; the ‘Spoken Word’ serves this purpose. Fatos Tarifa, on the rationale of violation and punishment, uses the work of Emile Durkheim to argue that:

Punishment is a social reaction to crime. It serves not simply the obvious functions of retribution for the criminal and general deterrence of crime; it also fulfills the generally unrecognized but

critical function of maintain the intensity of collective sentiments, or what modern functionalists call 'shared values.' (37)

Similarly, the concept of the 'Spoken Word' uses the primacy of honor and the *Kanun*'s complex networks of social allegiances to construct a system of oaths that bind the individual's grievances to the community and ensure justice through recourse to shared values.

In the *Kanun*, the 'Spoken Word' and the system of oaths are known as *Besa*. While honor is the mechanism that symbolically links all members of the community and in turn makes them equal before one another, *Besa* is the schema that oversees adherence to honor and holds individuals accountable. The *Kanun i Lek Dukagjinit* particularly, states the following about

*Besa*:

The oath is a religious utterance, by means of which a man, wishing to exculpate himself from a shameful accusation, must touch with his hand a token of faith while calling upon the name of God in testimony of the truth...This sort of oath is acceptable by the law of the mountains of Albania in order both to clear oneself of accusations and to make pacts binding. (Gjecov 120)

*Besa* establishes a socially binding pact between the agents involved and its usage extends across many aspects of life; from contracts on the usage of private and common property, to its function as a means for proclaiming one's innocence or guilt.

The above synthesis, while illuminating, doesn't fully express *Besa*'s significance, for the communities in question, both as idea and institution. Customary law in these region allowed for numerous types of oaths, each applicable to a specific situation, and each requiring a specific ceremony to legitimize them. For example, Gjecov's *Kanun I Lek Dukagjinit* alone specifies five different kinds of oaths: "The Oath taken upon a 'Rock' and the Oath Taken upon a Cross and the Gospel, The Door-to-Door Oath, The Oath on the Head of One's Sons, The Oath of Ignorance." (Gjecov 120-126) Specific details concerning each type of oath are intriguing, but a comprehensive examination of the intricacies of this system is not primary to our endeavor. Thus, ensuing parts of this project, in examining the ideas of Honor and *Besa*, will not center on



issues of procedure and application within customary law. Rather, we will explore these concepts in their transformative function as discursive and ideological apparatuses whose signifying elements are incorporated by the nationalist project to legitimize national unity through reference to a shared memory in *Kanun*.

### **Reflections**

We began this inquiry by briefly arguing that in the framework of globalization and ever increasing networks of exchange spanning the globe, one can expect the knowledge and information disseminated through these networks to be implicated by the power politics and discourse of its particular historical context. Specifically, we argued that the nation, as the most pervasive political apparatus in this global system of exchange, is inherently caught up in a process of discursive formation which legitimizes various bodies of knowledge. In the case of Albania and the reviving interest on blood feuds and customary law, we made the claim that blood feud has been implicitly and explicitly used to construct an image of this nation. It was argued that discourse on the *Kanun* is not necessarily concerned with Albanian customary law as a practical social reality but rather utilizes the phenomena to serve the politics involved. We proposed that a more nuanced analysis of customary law in the region would reveal that its role is invariably more complex than often supposed by popular mediums. Specifically, we suggested that beginning with the late nineteenth century and the advent of Albanian nationalism, the *Kanun* cannot be seen as functioning independently of the modernizing developments that saw the creation of an Albanian nation, but must be analyzed as finally and wholly immersed within them. Furthermore, reliance on customary law to construct an image of the Albanian nation is not only attributable to external agents; it is also employed by internal forces within the country

to legitimize nationalist discourse and propagate the project for an Albanian nation. A notable difference between these two manifestations of *Kanun* discourse lies in the observation that while external discourse focuses specifically on the blood feud, which is only one aspect of Albanian customary law, internal discourses utilize a wider scope of the *Kanun's* mechanisms.

## Part II

### The Nation

The previous section sought to provide an introduction to customary law in Albania by briefly considering its known history, structural underpinnings, accounts of its practice and use, and the implications involved for the peoples and region in question. This approach proved valuable in many respects, but also illuminated the problematic that issues arise in an investigation of social practice such as customary law and the *Kanun*. The bulk of these concerns relate to a lack of primary sources. Furthermore, even on the occasions where primary sources do exist, one must account for both the historical circumstances and ideological forces in the emergence and production of such documents. However, such concerns are intrinsic to critical historical enquiry, and following the conclusions of certain theorists – most notably Michel Foucault and his work on the document and the archive in *The Archeology of Knowledge* – we recognize further limits to our endeavor. As such, we must abandon notions of stable and tele-historically positioned subjects, as well as their material position and psychology, recognizing only discourse and shifting networks of signification.

We now turn to the Albanian National Rebirth in the late nineteenth and early twentieth century. The discourse of modernity<sup>IV</sup>, specifically nationalism and the nation's function as an enunciative position during this period, will be a main theme. However, in order to appreciate nationalist discourse as the central mark of this period, it first becomes necessary to briefly consider how the nation is situated in nineteenth and twentieth century Europe in general and in its Albanian variant specifically. The works of Eric Hobsbawm, Benedict Anderson, Anthony Smith and other notable scholars who have contributed a tremendous amount of scholarship to the topic, will be used to synthesize some commonly accepted theories on nations and nationalism, and consider their specific applications in the Albanian case. In doing so, we will

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<sup>IV</sup> Broadly understood as the process initiated in Western Europe—approximately in the fourteenth and fifteenth centuries—which transformed feudal and agrarian societies, into industrialized and ultimately capitalist nation-states.

attempt to establish a theoretical framework for analyzing the interplay of *Kanun* and nationalist discourse in the region.

### **The Nation's Narrative**

Reflecting on the emergence of nations and the nationalist movements that engulfed Europe in the nineteenth and twentieth century, influential British historian and academic Eric Hobsbawm poses a question that has garnered much attention amongst historians. He asks: "Why and how could a concept so remote from the real experience of most human beings as 'national patriotism' become such a powerful political force so quickly?" (Hobsbawm 46) Numerous scholars have contributed to this issue and a wide-range of explanations have been offered. As a result, differing schools of thought employing various methodologies and conclusions have emerged. In brief, these schools include: "Primordialism," which holds nations and nationality as intrinsic to the human condition; "Perennialism," which sees nations as conditional entities which are not historically situated but can form and dissolve in any period and place by merging with and diverging from other forms of community as the conditions become appropriate; and "Modernism," which treats nations as novel products of modernity, embodying an abrupt break from preceding forms of community (The Antiquity of Nations, Smith). Our investigation of Albanian nationalism will draw extensively on the theories and conclusions of the last school.

In 1983, Benedict Anderson published his seminal book, *Imagined Communities*, contributing tremendously to the scholarship of the modernist school. Anderson highlights how transforming networks of exchange in post-Renaissance Europe created the necessary conditions for novel forms of community to emerge. He places particular emphasis on two developments: the discovery of the New World with the subsequent quest for new material markets, as well the

invention of the printing press and changes in communication made possible through the growing use of printed material in the vernacular. Anderson calls the novel communities that became nations “imagined” because unlike earlier forms of social organization, they functioned to erode the significance of boundaries such as location and natural geographic barriers, their cohesion relying extensively on perceived and mutually accessible narrative instruments.

Another prominent scholar, Eric Hobsbawm, amongst his many contributions, presents the theory of proto-nationalisms. He writes:

In many parts of the world, states and national movements could mobilize certain variants of feelings of collective belonging which already existed and which could operate, as it were, potentially on the macro-political scale which could fit in with modern states and nations. I shall call these bonds ‘proto-national.’ (46)

Hobsbawm examines how already existing local loyalties and identities are utilized and refashioned by modernizing forces as instruments of cohesion that legitimize and propagate the concept of nation.

Ernest Geller provides an account that, like those of Anderson and Hobsbawm, relies heavily on the importance of changing social, political, and material conditions of modernity. He understands nationalist fervor as symptomatic of the anxiety brought on by these changes. According to Geller’s view, the Nation, in its various manifestations, emerged from a complex interplay of power conflicts and political dynamics amongst the agents involved. He explains:

As the tidal wave of modernization sweeps the world, it makes sure that almost everyone, at some time or other, has cause to feel unjustly treated, and that he can identify the culprits as being of another ‘nation.’ If he can also identify enough of the victims as being of the same ‘nation’ as himself, a nationalism is born. If it succeeds, and not all of them can, a nation is born. (Nations and Nationalism, 112)

To further this argument, Geller highlights the role of economic interests and power in the emergence of nations. Specifically, he considers the system of “lateral boundaries” unique to nations and notes their economic rationality. He emphasizes that within nations, “territorial

boundaries are drawn and legally enforced, while differences of status are neither marked nor enforced, but rather camouflaged and disavowed.” (Geller 112)

These three theorists commonly associated with the Modernist approach offer important insight for analyzing the *Kanun*'s role in the development of an Albanian nation. Hobsbawm's work on proto-nationalism proves useful because the *Kanun* as a shared memory appeals to Albanian nationalism in this same manner. On the other hand, Anderson's consideration of communication networks, specifically the role of printed material, also proves insightful, especially as we consider the convergence and propagation of nationalist discourse through print culture. Additionally, Geller's emphasis on power dynamic provides further insight as it prompts us to consider the interests, aims and incentives—economic or otherwise—of the agents involved in forming an Albanian nation.

Although each theory offers important insight into specific aspects of nationalism, problems and inconsistencies arise with each when considering Albanian nationalism in its entirety. The most pressing issue is the importance these authors place on modernizing reforms, since for the region in question, under Ottoman rule, many commonly mentioned reforms did not occur. For example, Anderson emphasizes print capitalism with its role in the standardization and dissemination of the vernacular to transmit the conception of nationalism. However, in the late nineteenth century, when Albanian nationalist claims first emerge, a written Albanian language does not even exist, while standardization and a vibrant print culture are not present till the early twentieth century. Language as a basis for national unity is important in the efforts of Albanian-speaking Diaspora intellectuals, but it is important to note that this is a miniscule fraction of the Albanian-speaking population. Likewise, Hobsbawm's proto-nationalism could explain customary law as a unifying experience if not for the presence of conflicting loyalties

and identities, religious or otherwise, which proves problematic. Geller's consideration of economic interests is also problematic because while certain allegiances among class lines did exist, the region remained desperately underdeveloped and impoverished before during the late nineteenth and twentieth century. A unified class with vested economic power and interests, such as the merchants in Greece, was lacking. It seems that in the case of Albania, it is nationalism—and later the nation state—that brings about modernity, rather than modernity bringing about the nation. Thus, the Modernist paradigm, while useful in some respects, proves unable to describe the more distinct features of early Albanian nationalism.

In order to account for these discrepancies, our theoretical framework needs further refinement. Thus we turn to sociologist Anthony Smith; whose work addresses many of these concerns. In *The Antiquity of Nations* (2004) Smith keeps intact useful aspects of the Modernist literature while concurrently providing considerations to remedy its shortcomings.

For Smith, the Modernist school is distinguished from other approaches to nationalism in its affinity to “regard nations and nationalism as relatively recent and novel” and also its insistence on linking the emergence of nations “to wider changes in the fabric of society and politics at specific junctures in time, notably the age of revolutions in the later eighteenth century.” (4) The Modernist view thus maintains that:

It is because certain novel processes and ideas appeared at specific historical moments and came together in a certain sequence in the West, that conditions became favorable for the rise of nationalisms, which in turn enabled elites to construct nations. (4)

Smith identifies the failures of this paradigm in its insistence on an “ideal-type” of nationalism.

He explains:

This conception of the nation is a product not just of the ideology of nationalism in general, but of a particular variant of nationalist ideology, the 'civic' and territorial version which was an offshoot of particular milieu and its specific history. This means, in effect, that we are using a particular version, or part of a general term, to stand for the whole range covered by that term - one, moreover, that is the product of a specific period and culture of which it bears all the signs. Hence



we are using a partial term for the whole, in the double sense that it covers only one kind of nationalism and only one particular type of nation. (15)

Thus, the Modernist framework is well suited to explain the civic-model exemplified in the earlier nationalisms of Western Europe, but fails to accurately describe the nationalisms that follow, especially those of Eastern Europe.

Smith believes that the myopic outlook central to the Modernist paradigm, by ignoring that which precedes the nation, prevents us from fully understanding the emergence of certain nations and nationalisms that diverge from the “ideal-type” civic models of Western Europe. He introduces a different scheme which he terms the “Ethno-Symbolist Approach.” By eschewing discontinuities and analyzing the emergence of nationalism alongside other forms of community and identity that precede it, the Ethno-Symbolist approach seeks to overcome the Modernist myopia criticized by Smith. He explains:

Unlike modernists whose approaches to nationalism have little to say about ethnicity, and reject, if only implicitly, any theoretical connection between ethnic identity and nationalism, an ethno-symbolic perspective places the link between nations and core *ethnies* (or ethnic communities) at the centre of its concerns. However, unlike perennialists and primordialists, ethnosymbolists refuse to conflate ethnicity and nationhood. While recognizing that there can never be a simple one-to-one correspondence between a prior core *ethnie* and a subsequent nation, ethno-symbolists argue that the concept of *ethnie* and the model of an ethnic core are crucial for the development of the idea of the nation, as well as for particular nations. Conceptually and historically, nationhood and nations are most fruitfully seen as specialized developments of ethnicity and *ethnies*, ethnic networks and ethnic categories. (18)

Thus, the fundamental difference with this approach concerns the role of ethnic communities and identities in bringing about nationalism.

With the addition of the ethno-symbolist *ethnie* to the theoretical coffer, a sufficient set of tools emerge to investigate Albanian nationalism. It must be noted here that our selection of scholarship on the subject matter is by no means the only one suited to address the question, nor can it be said to be the most appropriate. However, in order to proceed, we have to make certain concessions, recognizing that the study of nations and nationalism offer a myriad approaches, some more relevant than others.

## National Rebirth

Varying accounts on the emergence of nations suggest that it is impossible to designate any one specific date or period within which to situate this development. This is inevitable, as the forces responsible for the nation's emergence on an international political stage envelop different geographic regions at different times. However, scholars associated with variants of the modernist view generally accept that the nation, as a discursive and ideological apparatus, first appears in Western European countries, materializing in Eastern Europe, and specifically the Balkans, at a later stage. Accordingly, we must recognize that the model changed and was re-fashioned as it moved from Western to Eastern Europe. Throughout this process, the idea of nation is contingent upon the varying material conditions and the prevailing ideologies of different regions, which consequently influenced its manifestation in different ways. As Anthony Smith puts it, "the nation is a form that is never finally achieved, but is always being developed, its features are the outcome of incremental cultural, social and political processes." (16)

However, while the various manifestations of nationalist discourse differ in specific detail, they retain much commonality on a larger scale. In the Balkans this is very significant because while the various national narratives assert uniqueness and are constructed in opposition to rivaling nationalisms, they retain many common features. Thus, the development of any Balkan nationalism is closely related to, and dependent on, the formation and success of neighboring nations and nationalisms.

In the Albanian case, this pattern is especially evident. Again, it is difficult to designate a specific date when claims for an Albanian nation fully materialize as the nation's discourse is not temporally stable but evolves and gains prominence with transforming material and political conditions. While this is certainly the case, scholars of Albanian nationalism do cite a specific

historical period where the project for an Albanian nation moves from idea to action. This period is referred to as the “National Rebirth,” and is generally traced back to the mid and late nineteenth century. Enis Sulstarova, a scholar of Albanian nationalism, explains that “nationalist ideas circulated within centers of the Albanian Diaspora from the beginning of the nineteenth century, but the decisive moment for the National Rebirth was the formation of the League of Prizren in 1878.” (Sulstarova 25)<sup>3</sup> This view is widely accepted because the League of Prizren<sup>V</sup> is the earliest political organization that claims to be acting on behalf of an Albanian nation.

Thus, although claims for a distinct Albanian national identity were common amongst the Albanian-speaking Diaspora, the League represents the first instance of localized forces organizing around the nation’s banner. Sulstarova writes that “the three years of [the League’s] existence functioned as a basis for the formation of Albanian nationalist legitimacy as well as for formulating the Albanians’ political requests, which would remain essentially the same until the declaration of Albanian independence in 1912.”<sup>4</sup> On these grounds alone, the year 1878 and the League of Prizren should be considered critical points for the development of Albanian nationalism. The League becomes even more significant when we consider that its program established the ideological and political framework for the emergence of an Albanian nation.

Post-independence, the National Rebirth period takes on mythic proportions; its prominent figures are designated national heroes and their activity becomes the basis for writing Albanian history. Although the post-independence period treats these agents and their activity as unambiguous and unconditionally dedicated to the national cause, a dispassionate analysis of the period reveals a more complex picture. It is indeed true that the National Rebirth period makes important contributions to the Albanian national cause; however, it does not do so by finally

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<sup>V</sup> A political organization—established with the gathering of influential Albanian-speaking Ottoman subjects on June 10, 1878 in the city of Prizren—whose primary objective was to discuss the fate of their communities in anticipation of the Empire’s inevitable dissolution.

embracing the nation as a stable epistemological entity and rallying behind its cause. Instead, we will argue that the significance of this period primarily concerns its role in introducing the greater modernist discourse of nation—which had already successfully mobilized nationalisms in other Balkan regions—and refashioning it in a distinctively Albanian context. Thus, in accordance with our theoretical framework, we will view this period not as the historical junction at which the Albanian nation is awakened, but rather the point at which it is constructed and legitimized.

### **The League of Prizren**

On June 10<sup>th</sup> 1878, three days before the opening of the Congress of Berlin—where the great European powers and Ottoman representatives would meet to discuss the fate of the Balkans following Ottoman defeat in the Russo-Turkish War—about eighty delegates comprising religious leaders, clan chiefs, and other influential people from the Albanian inhabited Ottoman *vilayets* (provinces), met in the city of Prizren to discuss their fates in the emerging political stage, as the Ottoman Empire seemed to be nearing its end. The most significant result of this gathering would be the creation of the League of Prizren, a political organization formed from the ranks of the delegates with the purpose of addressing the fate of the Albanian speaking communities following the “Eastern Crisis”:<sup>VI</sup> what they perceived as the imminent territorial disintegration of the Ottoman Empire. The League’s three years of existence prove crucial for the advancement of Albanian nationalist aspirations. Its political activity was responsible for bringing claims of a separate Albanian nation to the attention of the Western powers and initiating a path towards international recognition of a distinct national identity.

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<sup>VI</sup> A term applied to the diplomatic and political problems posed by the decay of the Ottoman Empire. The events are usually traced back to the defeat of the Ottoman Empire in the Russo-Turkish war of 1874.

However, in this early nationalism, internal cohesion was just as important as international recognition, perhaps even more so. Bringing together various agents with diverging and often conflicting identities and loyalties in order to facilitate an embrace of the nation and national identity as their highest aspiration would prove difficult, but the League of Prizren played an instrumental role in both these matters.

We are concerning ourselves with the emergence of the Albanian nation-state, but before there can be a nation-state, there must be a nation, and for there to be an Albanian nation, there must first be an Albanian national identity. National identity becomes necessary to define boundaries, to unambiguously identify that which belongs to the nation and that which exists outside it. A variety of factors, most importantly geographic isolation and Ottoman administrative policies, made national cohesion an obstacle for Albanian nationalist forces. Fatos Lubonja, an Albanian scholar, reveals that even at the turn of the twentieth century when an Albanian state had already been formed, social identities remained mainly localized and tribal. He claims that people in the region:

Identified themselves within the limits of their village, region or bajrak and recognized, to some extent, the central government in Constantinople or its representatives in the provinces, but they had very few spiritual, economic or intellectual ties with one another. (Albanian Identities, 91)

During the time of the League, more than two decades before the twentieth century, one imagines that national unity proved an even greater obstacle. As the first organization with enough political power to introduce and popularize arguments for a separate Albanian nation on both a local and international stage, the League is of central importance to the success of early nationalist efforts. The nation's discourse, which was previously confined to intellectuals of the Diaspora, gained widespread expression through the League's program and activity. Accordingly, the League played a central role in establishing the ideological framework for the emergence of a populist Albanian nationalism.

### **Modernity and Albanian Nationalism**

The investigation to follow will explore specific dynamics of Albanian national identity during the National Rebirth using the analytical basis introduced earlier, but before proceeding, there is a question we must address. Our theoretical framework relies on the assertion that the project for creating an Albanian state along nationalist terms is a result of greater historical developments of the time period. As such, it becomes necessary to first substantiate our claim that the nationalist paradigm in the Albanian case is not a local phenomenon, but rather a product of greater developments occurring during this period.

Does the available historical material support the above claim? Examining the League's program from its inception through its subsequent evolution, one finds ample evidence to support this position. Although the League's finalized program assumed a clear nationalist character, support for this program was not unified. Available documentation reveals that there existed competing factions seeking to influence and direct the League's agenda. We will argue that the ultimate success of the nationalist paradigm is a result of external factors—namely, the international political atmosphere as well as the determination and authority of Diaspora intellectuals—rather than strictly local forces.

In the period between the Treaty of San Stefano on March 3<sup>rd</sup> 1878, when the territorial disintegration of Albanian inhabited land became an issue, and the Treaty of Berlin on June 13<sup>th</sup> 1878, there emerged three ideological camps that would partake in the League of Prizren. The first was a reactionary camp consisting of feudal lords and Muslim clerics loyal to the Sultan and the Ottoman administration. The next was a moderate camp largely composed of powerful landowners interested in protecting their property and commercial interests in the region. The

third was a radical group headed by Ottoman officials and intellectuals of Albanian origin, many of which lived in Istanbul and were affiliated with a secret organization known as the Istanbul Committee.<sup>VII</sup> Members from the Istanbul Committee were the main camp explicitly advocating a program and vision along nationalist terms. We should also note that the Istanbul Committee is credited with organizing the gathering itself.

Debate, competition, as well as contradictions in the aims and interests of the groups involved, meant that the League's agenda underwent various revisions and rewritings. This suggests that a nationalist paradigm was by no means ubiquitously embraced at this early stage of Albanian nationalism. As an example, we can consider the League's first program, known as the *Kararname*. While this early plan sought to make the League an authoritative organization charged with protecting the interest of the Albanian-speaking people, it recognized only the Sultan and Ottoman authority as the legitimate rulers of the region. Furthermore, arguments for treating the Albanian-speaking communities as a unified whole (with similar interests, aspirations, and concerns), were only incorporated into the agenda with the arrival of agents from the Istanbul Committee, specifically Abdyl Frasherri and Pashko Vasa. The final program to emerge from the gathering in Prizren was primarily dominated by the ideas of the radical camp supported by the Istanbul Committee. Yet even this 'radical' ideological camp initially called only for the creation of a unified Albanian *vilayet* and greater local participation in the administrative apparatus.

The above accounts lend credibility to the claim that nationalist discourse in the region emerges mainly through external forces; in the Albanian case, it is through the work of Diaspora

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<sup>VII</sup> The organization's full name was "the Central Committee for the Defense of the Rights of the Albanian Nationality" and it was formed in 1877.

intellectuals. As will be seen further on, the ideas and aspirations of these agents owe much to the greater ideological and discursive forces enveloping Europe at this time and are thus inevitably connected to them.

Three years after its foundation, the League finally met its end when the radical camp, dissatisfied with Ottoman concessions of the northern city of Ulqin, declared a provisional government to replace Ottoman rule in the Albanian speaking *vilayets*. Sulstarove explains:

Under Pressure from the Great Powers, the Sublime Port conceded to Montenegro the city of Ulqin, inhabited by Albanians. Upset by this decision, the League's radical wing, after getting control of the organization, declared a provisional government which sought to replace Ottoman governance in the four vilayets. The Sublime Port reacted immediately by militarily crushing the League of Prizren and arresting its central figures. (Sulsrova 31)<sup>5</sup>

Despite its short life, the League made critical contributions to the project for an Albanian nation. It not only created a political apparatus able to contextualize the interests of the Albanian speaking people as a whole, but also a military apparatus that fought to protect the territorial claims of these communities. Most importantly, the League outlined the framework for a future Albanian nation by revealing the dual avenues through which this could be accomplished. First, it recognized, as well as demonstrated, that the concerns and interests of the Albanian speaking Ottoman subjects would only be acknowledged on the international stage through the case for a separate identity. Specifically, the League encouraged a national identity by positioning the nation as the dominant and sole paradigm to hold political sway on an international level. Secondly, its activity made clear that in order to be recognized internationally, this identity must be firmly established and embraced locally. In emphasizing and bringing awareness to external threats, the League made urgent a need for internal unity.

Following the League's collapse, nationalist aspirations gained renewed momentum, as the political situation became more pressing and local forces circulated its message for an Albanian nation. Nationalist forces continued the League's legacy; they sent numerous requests



and manifestos to the Great Powers, pleading international recognition of an Albanian identity and cause, while also working to rally local support in the struggle for national unification.

The above revelations support our claim that the project for a separate Albanian nation, which first began with calls for a unified *vilayet* under Ottoman rule and later materialized into demands for self-governance, was introduced and propagated by intellectuals in the Diaspora; specifically members of the Istanbul Committee. As such, in investigating the emergence and development of Albanian nationalist discourse, the ideas and activity of Diaspora intellectuals, and specifically leading members of the Istanbul Committee, require further consideration. Thus, we will narrow our enquiry to focus on Sami Frasheri, a “Father of Albanian nationalism,” as his work plays a central role in the formulation of Albanian nationalist claims.

### Part III

Sami Frasheri, Nationalist Discourse and the *Kanun* Symbolic

We begin this next part of our project with Benedict Anderson's claim that

The nineteenth century was, in Europe and its immediate peripheries, a golden age of vernacularizing lexicographers, grammarians, philologists, and litterateurs. The energetic activities of these professional intellectuals were central to the shaping of nineteenth-century European nationalism. (71)

Anderson's thesis and *Imagined Communities*' most prominent theme, hinted in the above quote, argues that "print-capitalism" and "national-print-languages" played a central role in the development of nineteenth century European nationalisms and the emergence of nations.

Throughout *Imagined Communities*, Anderson provides detailed accounts of these trends and their specific relationship with various nationalisms. Broadly, "print-capitalism" is used to describe a vibrant print and media culture in nineteenth century Europe; it facilitated greater exchange between regions and peoples previously separated by political, geographic, and other factors. The term "national-print-languages" refers to the rising use and subsequent standardization of the vernacular as a result of this print-culture. A burgeoning capitalist spirit and improvements in printing technology are considered to be the main catalyst for these developments.

The coincidence of 'print-capitalism' and 'national-print-languages,' concomitant with the rise of European nationalisms, leads Anderson to suggest them as central factors in the materialization of nationalist discourse. Anderson argues that a lively print culture and the advent of national-print languages allowed for the emergence of a common discourse amongst peoples previously separated by geographic, social, linguistic, and other such barriers. This shared discourse would in turn serve as the basis for the creation of novel communities: nations.

*Imagined Communities* provides abundant evidence to support this thesis, but nonetheless certain questions merit examination. Does Anderson's analysis of print-capitalism apply to late Ottoman society where material and socio-economic conditions were undeniably different from other

parts of Europe? A detailed exploration of this question seems to suggest that in the case of Albanian nationalism specifically—considering the region’s remnant feudal structure and its isolation from much of Europe’s modernizing trends—Anderson’s thesis seems inadequate.

In the late nineteenth century, when Albanian nationalist aspirations first find local expression through organizations such as the aforementioned League of Prizren, a common written Albanian language did not exist, let alone a standardized one. Thus, it seems that an emphasis on “print-capitalism” and “national-print-language” might not be applicable in this case. However, the section to follow will argue that the emergence and propagation of Albanian nationalist discourse owes much to the role of print capitalism. It will be elaborated ahead that in this instance, nationalist discourse need not, and indeed does not, coincide with the advent of a national print language; the belated emergence of Albanian nationalism and its origins as Diaspora nationalism can account for the apparent discrepancy.

The last section sought to illuminate the difficulty in designating a beginning of Albanian nationalist discourse as we lack the necessary historical sources to do so. More importantly, even if one ignores the scarcity of material and issues of access, such an endeavor is ultimately futile because nationalist discourse is not static or temporally stable. Of course for the sake of argument it is necessary to designate a starting point, and the so-called “Albanian-national-rebirth” period of the late nineteenth century is most appropriate. Specifically, we focused on the League of Prizren, which represents one of the earliest and best-known instances of local forces organizing around a political program with explicitly nationalist aims.<sup>VIII</sup>

The League’s activity established an agenda that would be the foundation for the subsequent development of Albanian nationalism and we stipulated that this development cannot

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<sup>VIII</sup> The category of “local forces” may appear to be ambiguous and somewhat arbitrarily, but here it is mainly being used to distinguish the League of Prizren from various earlier nationalist endeavors of the Albanian-speaking Diaspora.

be attributed to internal or populist forces. This claim is easily supported by noting that the nationalist program ultimately adopted was introduced, propagated, and defended mainly by the Diaspora intellectuals. In contrast, the local agents, consisting mainly of religious leaders and powerful landowners, rejected an outright nationalist course and preferred a conservative approach that sought to maintain the relationship with the Sublime Port. Based on this reading of the League's activity, we were able to conclude that the Albanian national rebirth, which marks its "beginnings" with this event, should not be understood as the period when Albanian nationalism was awakened. Rather, it should be viewed as the juncture when nationalist discourse, which by this point had successfully introduced the nation in other Balkan regions, is applied to "the Albanian question" through the activities and works of Diaspora intellectuals acquainted with concepts of nation and arguments for national identity.

The League's greatest legacy was its dual emphasis on the need for international recognition of an Albanian identity and internal unity through this national identity. Diaspora intellectuals were essential in introducing this paradigm and Albanian-speaking Ottoman intellectuals associated with the Istanbul Committee were especially influential. The sections to follow will place further stress on Diaspora nationalism<sup>IX</sup> by arguing that the national identity that materialized during this tumultuous period is based almost entirely on the ideas and scholarship of this group. Our primary focus will be on Sami Frasheri, a member of the Committee considered a principal architect of Albanian nationalism. Understanding the role and significance of customary law in Frasheri's presentation and promotion of an Albanian national identity will be our central aim in examining his work.

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<sup>IX</sup> Historical sources trace the existence of nationalist discourse in Albanian speaking Diaspora communities as far back as the late eighteenth and early nineteenth century. The Arberesh community in Italy is perhaps the most salient example of such early Diaspora nationalism.

### **Sami Frasheri and the Identity Polemic**

Sami Frasheri, along with his brothers Naim and Abdyl, “are often referred to as the fathers of Albanian nationalism.” (Sugarman, 427) To this day, their biographies, ideas, and writings are central elements of primary school curriculum. This has certainly been the case as far back as the mid-twentieth century with the Communist system, but the trend can be traced to even earlier periods. It is standard for the rhetoric in these curriculums to present the Frasheri brothers as loyal patriots who dedicated their entire lives to Albania and the national cause.

Upon closer scrutiny, such a stance reveals an inevitable ideological bias proving problematic on empirical grounds, but such bias is intrinsic to all national narratives and it is by no means unique to Albanian historiography. With the older brothers Abdyl and Naim, one might be tempted to make a concession. Examining them removed from the realm of nationalist mythology, one discovers that most of their energy, both in political and artistic activity, is indeed dedicated to the Albanian national cause. However, for the youngest brother Sami, whose work we will focus on, this is absolutely not the case.

Who is Sami Farsheri and what separates his legacy from that of his brothers’? This seems like a natural place to start, but unfortunately, with Sami, answering this question proves difficult and insufficient. To see the complexity of undertaking this task, we need only consider the following: in Albania, Sami Frasheri is considered a father of Albanian nationalism. However, in Turkey, the same figure is known as Semssedin Sami and is considered a father of Turkish nationalism. (Bilmez) A contradiction seems to arise. How could someone have a claim to both Turkish and Albanian identity when national identities, in their very nature, exist and gain meaning in opposition to other national identities? In the framework of nationalism, one can

claim to be Albanian precisely because he is not a Turk or Turkish because he is not an Albanian, but surely one cannot be both?

What of this contradiction and how is it reconciled? Whether we call him Sami Frasheri or Semssedin Sami, this individual existed and he left a strong legacy in both Albanian and Turkish history. Traces of his scholarship remain and are widely available in both languages to this day. Numerous historical sources document his life and surely one must be able to gain some insight into the life of this complex figure.

Revisiting our initial question and placing it under further scrutiny reveals that insofar as a contradiction exists, it arises not from anything ascribable to the agent or his life, but from the very framework we are applying to understand identity.

“National identity” is principally supposed in the historiography to be singular – one for each person – and developed in reaction to “other” (constructed) national identities. In Sami’s case, however, while he was a part of the Albanian “we-group”, one of his “other” collective identities was Turkishness. (45, Bilmez)

Thus, if we take the nationalist paradigm as valid then we are required to accept only one national identity. However, our whole project has sought to qualify that national identity is a political and ideological construct that arises and gains wide application as a result of modernizing developments in nineteenth century Europe, and as such, we should not expect it to be a stable category. Identity as a social and cultural signifier—national or otherwise—is fluid, malleable and a function of numerous power structures; this conclusion has been borne out by anthropological research and is observable in our everyday lives. Accordingly, the instability of national identity as a political, ideological and discursive construct has been the driving point of this project and from this perspective, the polemic of revealing Sami’s identity on nationalistic terms provides further justification for our theoretical framework.

Sami's scholarship propelled and contributed significantly to both Albanian and Turkish nationalism. Furthermore, through his work, Sami makes claims and appeals to both a Turkish and an Albanian national identity. These facts, which will be verified in the ensuing section, justify our decision to not treat nationalism on its own terms by accepting nationalist dedication as claims and utterances ascribable to stable, psychologized, and historically positioned subjects, but rather as a discursive process. Through Sami's work, we will analyze nationalist claims as discursive formation with a complex yet undeniable relationship to other European nationalisms of the period. We will approach national identity as something of an enunciative modality, a discursive position from which meaning and knowledge is legitimized; an arena which simultaneously allows for both the production and understanding of nationalist rhetoric.

Having disentangled the contradiction of attempting to explore Sami Frasher through a strictly nationalist framework, it now remains to examine what is known about his life and activity so as to better understand his rapport with nationalism in general and Albanian nationalism in particular.

### **National Identity and Late Ottoman Pluralism**

Sami was born on June 1<sup>st</sup>, 1850, to an Albanian Muslim landowning family in the Frasher village, located in present-day southern Albania. His education started early in his home village and in 1865 he continued his studies at the prestigious "Greek gymnasium, Zossimea, in Janina, a town located today in northwestern Greece." (Gawrych 523) He finished the gymnasium having learned Ancient and Modern Greek, Italian, and French; additionally, he was fluent in both Albanian and Turkish. "Semsettin Sami, reportedly a brilliant student, finished the eight-year school in seven years." (523) In 1872, having completed his schooling, he initially



established himself in Istanbul by taking a position as a scribe in the Ottoman government. Shortly thereafter, he found himself a role in the Ottoman press. “Sami joined forces with a wealthy Greek merchant named Papadopoulos to found the newspaper *Sabah* (Morning), the longest-lived daily of the Empire (1876-1914).” (523) He stayed with *Sabah* for eleven months, working to promote the newspaper’s mission of tolerance and diversity in the Ottoman press.

After this brief experience with *Sabah* and the Ottoman Press, “Sami Bey returned to government service, a profession which provided him with a steady income to support his prodigious research on Turkish and Albanian studies.” (523) Research completed in his early career as an Ottoman official would later serve as a basis for Sami’s numerous publications and his emergence as a prominent Ottoman intellectual. Particularly important here are his contributions to the debates on Ottomanism and the complex interplay between Ottoman and national identity for subjects of the Sublime Port. Polemics of identity in a multi-ethnic and multi-lingual society became a major theme of both his political and scholarly activity, and thus his intellectual contributions to these debates played a key role in the emergence of both a Turkish and an Albanian nationalism. We will now turn our attention to his ideas and position on the question of Ottoman identity in order to better understand the role of this scholarship on nationalist discourse in late Ottoman society.

First, a brief consideration of the institutional and ideological framework of life in late Ottoman society is necessary, since these particular circumstances both gave rise to and allowed for the formation of the Sami’s *weltanschauung*. George Gawrych, with his work on late Ottoman society, provides an in-depth treatment of these issues in his 1983 essay “Tolerant Dimensions of Cultural Pluralism in The Ottoman Empire: The Albanian Community,” and will be a main source in this related endeavor.

Gawrych begins his study by revealing that “Ottoman and Turkish specialists have tended to exhibit a similar penchant for an ethnocentric perspective on Ottoman history; they have been concerned mainly with the rise of Turkish nationalism.” (519) He argues that such trends, while useful in certain respects, are complicit in presenting an inadequate depiction of late Ottoman society. Particularly:

They have also left for the historical profession a distorted picture of a politically polarized and culturally exhausted Ottoman society. This society appears as a nebulous entity composed of many disparate and estranged cultures which received their separate cultural nourishment and ossification through the existence of seemingly hermetic communities defined by national and religious criteria. (519)

Gawrych seeks to complicate this picture by emphasizing aspects of Ottoman solidarity and the various collaborative mechanism of cultural exchange in late Ottoman society. He explains that:

While tensions, and even armed conflicts, along communal lines existed in Ottoman society, there was also a substantial degree of harmonious social inter-action between individuals which transcended any religious and national boundaries. (519)

Gawrych highlights numerous successful cases of institutional mobility and participation for members of the Albanian speaking communities, even in the highest levels of governance. He reveals that the inclusion of minorities in the Ottoman administrative apparatus was common throughout much of the empire’s existence but became especially important and widespread during late Ottoman rule, with an empire in the throes of reform. Particularly, Gawrych assigns a key role to late Ottoman intellectuals like Sami, who successfully integrated themselves in the administrative apparatus and were able to influence the development of the empire’s political culture. Gawrych’s scholarship chiefly concerns itself with the role and dynamic of cultural pluralism in late Ottoman society, and this aspect of his work is best understood within the historical context of the reforms undertaken by the Ottoman Empire in the nineteenth century.

To centralize authority and secure territorial integrity in the face of rising nationalist tensions and aggressive foreign ambitions, by the early nineteenth century, the Ottoman Empire

began a campaign of modernizing reforms intended to reinvent and reinvigorate its decaying feudal structure. Reforms were introduced and developed in stages; generally, they were aimed towards integrating the various ethnic communities within the Ottoman Empire by granting larger civil liberties, promoting equality, and, especially, cultural pluralism. Gawrych illuminates:

Ottoman reforms of the nineteenth and early twentieth centuries, by seeking both to increase central authority in the provinces and to further political integration of all peoples, made imperative the need to affirm, define, and foster this tolerant feature of the cultural pluralism in the Empire. First came the political and then the cultural aspects of the imperial doctrine to create a new order. In the second quarter of the nineteenth century, Sultan Mahmud II (1808-1839) developed the seminal idea of Ottomanism (*Osmanlilik*) which evolved into official government policy in the Tanzimat period (1839-1876). (521)

Under the 1839 policy of Tanzimat, the long-standing *Millet* system – which regulated social status and privilege on a religious basis – was replaced by a European-minded system that promoted equal rights and egalitarian principles for all Ottoman citizens. Political and legal reforms were accompanied by ideologically symbolic concepts to promote Ottoman solidarity amongst the Empire’s subjects. The aforementioned idea of Ottomanism which encouraged harmony across cultural and ethnic lines was one such concept. Gawrych argues that “given the government's drive to integrate politically all subjects under the principle of Ottomanism,” the end result of reform “represented a natural extension from religious to cultural tolerance as a doctrine.” (523)

Understanding the particular applications and effects of the numerous reforms in different regions of the Empire would inevitably prove very complex. However, our purposes are best served by focusing on the transformative effect of these reforms on networks of identity signification and the political implications for the Ottoman subjects involved. Under this lens, most noteworthy would be the Sublime Port’s move to recognize subjects on civic rather than religious grounds. Gawrych explains how:

This secular orientation in turn demanded a reevaluation of the nature of Ottoman society and culture. By mid-century, Ottoman Muslim writers began to sacramentalize cultural as well as religious pluralism as a salient feature of the imperial system. (523)

Sami Frasheri emerged as an Ottoman intellectual under this pluralistic political and cultural atmosphere reflected in the policy of Ottomanism. Gawrych reveals that “Semsettin Sami Bey Frasheri ... devoted his life to encouraging cultural tolerance and diversity in the Ottoman Empire.” (523) Furthermore, one imagines that ideas from the European scholarship Sami translated into Ottoman Turkish also played a role in his intellectual ripening.

Attempting to investigate Sami Frasheri’s work, one is immediately forced to confront a dilemma of selection.

It is very well known that, as a novelist, journalist, lexicographer and self-taught linguist, Sami was one of the most productive intellectuals of the Ottoman Empire in the second half of the nineteenth century and has been praised both in the Turkish and Albanian historiographies in the twentieth century for his contributions to Turkish or Albanian nation-building respectively. (Bilmez, 19)

Given the sheer volume of Sami’s scholarship, such a problem appears to be inevitable.

Although our primary focus is Albanian nationalism and this does narrow the choices, we are nevertheless left to choose from an assortment of newspaper articles, encyclopedia entries, literary works, and political manifestos. It is important to look at those works that proved widespread and influential so as to give our project the strongest foundation; however, one must concede that a degree of arbitrariness is inevitable in making this judgment.

Sami’s 1874 play *Besa* will be the first work considered. It is here that Sami first makes the case for a culturally separate and historically unique Albanian identity to a wide Ottoman audience, thus making it worthy of attention. The early nationalist tendency present in *Besa*, which proves to be relatively mild and complacent, will be compared with the more virulent expressions found in Sami’s later work, specifically in his widely influential 1899 political manifesto *Shqipëria ç'ka qenë, ç'është e çdo të bëhetë* (*Albania - What it was? What it is? And*

*What will become of it?*). In examining these works, our primary objective will be to consider how representations of a national identity change and develop throughout.

### **Ottomanism and the Albanian National Narrative**

Originally written in Ottoman Turkish in 1784, *Besa* is a work dedicated to, and emblematic of, the concept of Ottomanism, an ideology intended to mediate and support the Porte's modernization of its administrative apparatus. Gawrych explains that "as a political ideology, Ottomanism came to mean that all subjects of the Empire, regardless of origin and religion, were Ottomans (Osmanlilar), united by their equality before the law and by their common citizenship." (522) Further developments to this paradigm by Ottoman intellectuals gave rise to the idea that multiculturalism was the Empire's most unique and important feature. The influential historian and Islamic jurist Ahmet Cevdet Pasa for example, writing in 1854, popularized the argument that

The strength of the Ottoman state lay in its diverse cultural heritage. For [him], the "Ottoman nation" (Osmanli milleti) was a great society because its people spoke many languages and because it selected the best talents, customs, and manners from among its "various nations" (millet-i mutenevvie). (522)

Twenty years later, when *Besa* was first published and performed in Istanbul, these ideas still held much influence in Ottoman intellectual debate; Sami's play is most accurately understood as targeting Ottoman high culture.

Throughout his career and especially his early Istanbul years, Sami was sympathetic and committed to the ideas of Ottomanism. Gawrych maintains that Sami "devoted his life to encouraging cultural tolerance and diversity in the Ottoman Empire" precisely for this reason. (523) Written under the ideological sway of Ottomanism, *Besa* was one of Sami's main contributions to this paradigm. Here, we need to clarify: if *Besa* is to be understood as a work

emblematic of Ottomanism's lofty ideals of cultural tolerance, does a contradiction not arise in considering it as a nationalist text?

Ottomanism and nationalism can be regarded as contradictory concepts if we recognize nationalist discourse only in its later manifestations. Although some variants of this discourse recognize nations as ethnically and culturally homogenous communities in opposition to one another and hold national self-determination as the only legitimate form of governance, we have already established that nationalist discourses are hardly stable entities and are frequently adapted to the conditions at hand. While a certain flavor of nationalism is indeed contradictory with the idea of Ottomanism, we seek to approach *Besa* as a nationalist discourse that follows a different dynamic.

To go one step further, nationalism and Ottomanism are not contradictory concepts, but they in fact complimentary ones. This leads to an important point: if we are to understand nationalism as symptomatic of manifest political and ideological transformations of modernity experienced in eighteenth and nineteenth century Europe, then we must conclude that in the Ottoman Empire, these conditions are largely introduced from the top down through central reform. The later statement merits consideration as it offers further refutation to nationalism's self-proclaimed dogma of populism and indubitable authenticity. Determining causality from reform to national sentiment on empirical grounds is complex and would remain a speculative venture, as a multitude of mechanisms could be involved. In accordance with our outline of nations and nationalism, we will propose and consider that the Tanzimat reforms and ideological schemes like Ottomanism, in seeking to promote equality and tolerance along ethnic lines, allow and in fact compel subjects of the Sublime Port to see themselves along such boundaries. Thus, in thinking about nationalism as a discursive process rooted in modernity, we can see that the

Empire itself is a catalyst for the development of nationalist discourse within its territories, and a central force in the Albanian case.

In an introduction to *Besa*, written in 1875, one year after the play's first performance in Istanbul, Sami writes:

For a long time, I have dreamed of writing a literary piece in order to depict some customs and morals of the Albanian people (Arnavut kavmi), not because I am one of their members, but because I have witnessed [their] patriotic qualities which perhaps are suitable for [presentation] on stage, such as patriotism, sacrifice, fidelity, oaths, and low esteem for [one's own] life. (524)

This declaration attributed to the author is crucial to our analysis; if one accepts *Besa* as tribute to the spirit of Ottomanism in general—as argued in Gawrych scholarship—Sami's introduction suggests that it is a tribute to an Albanian identity in specific. It is important to note that this introduction was written in 1785, preceding the Eastern Crisis and the gathering of the League of Prizren by three years. Hence, *Besa*, as a part of Albanian nationalist discourse, corresponds to the trend of Diaspora nationalism.

Early in the play's history, the author states its function as a narrative of a people. Claims of a separate Albanian nation are not present because the play addresses a broad Ottoman audience and is intended as an affirmation of Ottomanism; however, assertions of an Albanian people with a unique and separate culture abound and define the play's structural and ideological underpinnings. Thus, if the nation's discourse begins with assertions towards a separate ethnic polity with a unique identity and a unified body of cultural signifiers—values, traditions, folklore, and beliefs as maintained by the modernists—then *Besa* marks the early claims for an Albanian identity to a wide Ottoman audience.

How exactly, then, is Albanian national identity understood and revealed through *Besa*? According to Sami's 1875 introduction, a common Albanian culture exists in the values of “patriotism, sacrifice and fidelity.” How and why does Sami choose these specific traits as those

most representative of “Albanian identity,” and more importantly, what does he use to ground his claims? We return to our starting point: Albanian customary law and the *Kanun*. Through Sami’s play, we will see that customary law serves as the basis upon which early claims of Albanian identity are constructed and legitimized. In this framework, however, customary law is not used to realistically document a cultural experience, but rather to mythologize and selectively represent aspects of *Kanun* to construct a cohesive national narrative.

### **Besa: The Pledge of Honor and Loyalty to an Oath**

*Besa*’s prominent motifs, particularly the heavy reliance on certain late Romantic dichotomies, warrant specific attention in examining the play’s structural and ideological underpinnings. Two prominently figured themes concern dualities of the natural and organic in opposition to the degenerate/contrived, and also the native and folk, in conflict with the foreign/untraditional. Binaries in *Besa* are present throughout the entire play and their manifestation is a central impetus for narrative development. They underly and define the actions, motivations, and dramatic function of all agents and are primarily revealed through characters and topography. Oppositions inherent in these binaries engulf the main characters and their respective worlds in power struggles, where adherence to traditions and honor, as embodied in the native land’s customs and unwritten laws, become the play’s ideological pillars, as well as a means for constructing a pure, reputable, and uniquely Albanian identity. Notions of folk and native in conjunction with discourse on matrimony and fertility are employed throughout the play to construct and legitimize arguments on ethnic and cultural preservation and continuity. Through this narrative and ideological structure, Sami Frasheri’s *Besa* is able to achieve a subtle



balance between narrating a people under the umbrella of Ottomanism and the larger project of narrating the nation.

The diegesis concerns seven main characters and a few minor ones. The play is set in an Ottoman ruled Albanian-speaking region in the south, and the action alternates between the village Prognat in the mountains and the administrative city of Tepelene below. Early representation of conflicting worlds and value systems begin with the dichotomy of village and city life. The village inhabitants consist of Zyber, a shepherd; Vahide, his wife; their daughter Mirushe; and their adopted son, Rexhep. Their way of life is organic, self-sustaining, and honorable. They earn their living through the land and are both practically and spiritually connected to nature. In the play's opening soliloquy the daughter Mirushe reveals:

I was happy because that's how I relaxed.  
When I would take the flock to a good pasture  
I would sit happily under the shade of some tree  
and I did not know worry.  
The singing of the birds, the sounds of the sheep  
assuaged my mind and rejuvenate my soul.<sup>6</sup>

The village inhabitants live in harmony with nature, rejoicing in the fruit of their own labor. Contrawise stand the city and its inhabitants, embodied by the character Selfoja and his group of friends. In opposition to the productive and organic villagers, city dwellers are degenerate and destructive. They are only interested in weapons and spend most of their time maintaining their guns or using them in hunt. The father Zyber denounces the degenerate ways of Selfoja and his friends, telling his wife Vahide:

You know that those from Borsh,  
neither work nor have any craft.  
They always stay with arms in hand,  
waiting for a war to start so they can join.<sup>7</sup>

While the villagers' loyalty lies with the land and nature, the city inhabitants are connected with the state, bureaucracy, and the political apparatus. Zyber complains that the city lives on the hard

work and labor of the villagers, robbing them through taxes and duties. They infringe on the villagers' purity and honor. The village and the city signify not only to the play's setting, but its opposing social poles, as well.

The narrative's driving force is a conflict that arises between Zyber and Sefolaj over Mirushe's marriage. Sefolaj has seen Mirushe while hunting in the mountains and has become obsessed with her. He declares that he will stop short of nothing to have her. Mirushe is not interested in Sefolaj and considers his numerous approaches whilst she shepherds the flock in the mountains rude and undesirable. Mirushe, however, is embroiled in an affair of her own. She is deeply in love with her adopted brother Rexhep. She believes her father would disapprove of this and is not sure of Rexhep's feelings toward her. She is thus tormented that she must keep her love hidden.

The first part of the play is primarily concerned with Mirushe's dilemma, but it is quickly resolved. Mirushe and Rexhep reveal their love for each other. The father Zyber, upon overhearing their passionate confessions to one another, gives his blessing and approval for a future union. With both a son and a daughter ripe for marriage, Zyber has long been concerned with the need to arrange suitable futures for his children. He wishes them both to continue to lead a life true to their humble village ways, a life of honor and duty. However, he is worried that sending his daughter away (especially to the city) could prove devastating to these plans. Thus, he welcomes the union between his children. He proclaims:

Don't worry my children, it will be as you want,  
I will marry you because this is what I want as well.  
Rejoice my children, rejoice! (Raises his hands about and prays to god)  
Glory to you o great lord! Now there is a wife for my son  
and a husband for my daughter as my heart desired.  
Daughter, I did not want you to leave this house... now you won't.  
You won't leave these mountains,  
now and onwards you will live here as you have. <sup>8</sup>

Zyber, in his patriarchal authority, symbolizes a guardian obligated to the continuance and survival of a pure and honorable family. This purity and honor is signified by the traditional and native elements embodied in the village. Here, marriage and the family functions as the means for the maintenance of virtue and tradition.

Upon hearing that Sefolaj has sent a messenger to ask for Mirushe's hand, Zyber immediately protests. He maintains that the loyalty of Sefolaj and his kind lies not with their families, but with the State and war. He recalls the case of Sefolaj's father Fetah, who went to serve with the Ottoman army and has been away from his family for fifteen years. Zyber believes that Fetah has neglected the upbringing of his son and has abandoned his family. They still don't know whether he is alive or dead. Zyber tells his wife Vahide that he could never allow such a fate for his daughter.

Sefolaj, however, will not relinquish his claim to Mirushe. Upon finding out that Zyber refuses to give his daughter but will instead marry her to his adopted son, Sefolaj becomes furious. He appeals to the local *bey*, with whom he has a close relationship, and pleads him to make the shepherd give him the daughter. The *bey* attempts this, but Zyber refuses to comply. For Zyber, this is an issue that concerns the family and not the state. Yet again we encounter the illustration of conflicting forces vying for control of lineage and family. Here, Zyber emerges as the defender of the wholesome family, firmly rooted in tradition and a pure life preserved through nature and the native land.

In a dramatic and sentimental fashion, characteristic of late Romanticism, Sefolaj, with his group of friends, go to the shepherd's home, kidnap his daughter and mortally wound the father as they exit. This becomes a critical point in the plot where the play takes on a different dynamic as its guiding forces undergo an ideological and structural transformation. The

village/city duality recedes and a new value system relying on honor and the land's unwritten law become the plot's main focus.

With his dying words, Zyber beseeches his wife to save their daughter and make sure she marries no one other than Rexhep. Her husband's dying wish transforms Vahide and consequently she takes on a completely different role in the remaining narrative. Before this, her voice was limited and she served her husband's will. Now, she must assume his position and take upon herself the sacred duty of preserving the family and its honor. Zyber's unjust death gives Vahide clarity of purpose and an unrelenting determination. Defending the family's honor by obeying the land's unspoken law and avenging this injustice becomes her main duty. In a soliloquy, she reveals:

They killed my husband and kidnapped my daughter.  
There is two things to do: take blood for my husband  
and rescue the girl from the hands of the enemy.  
Who will do this? I don't have anyone  
and Rexhep is young... No ,no. This duty belongs to me,  
this work will be done by my hands.<sup>9</sup>

Placing revenge for her husband's death ahead of her daughter's rescue further testifies to a transformation in the play's driving ideological force. Taking blood, as mandated under the land's unwritten law, becomes Vahide's utmost purpose and the narrative's driving force.

On the way to avenge her husband, Vahide encounters a traveler who is about to be shot by a past foe. Finding the weary traveler asleep on the road, the foe waters his weapon, making it unusable, and plans to kill him in the most dishonorable way. Witnessing this, Vahide decides to shoot the adversary. She allays the traveler's thanks claiming that she acted not out of concern for him, but because of the adversary's dishonor. Killing a man in such a shameful way goes against the native code of honor and it was this infringement of the land's sacred law that prompted her to action. Yet again, Vahide reveals that the narrative's ultimate force is that of honor and adherence the law of the land. The traveler wishes to repay his debt to Vahide,

recognizing that a bond of honor has now formed between them. Upon learning that she is out to avenge her husband's death, the traveler asks to perform this duty on her behalf. He gives Vahide his *besa*, swearing an oath to take upon himself the duty of restoring her family honor. He explains:

This duty you will bequest to me.  
I will see to this work before I see my mother,  
before kissing my son,  
and before fully seeing my motherland again. <sup>10</sup>

The traveler whose life Vahide saved is revealed to be Fetah, the father of Sefolaj, who has been away for fifteen years. The long absence from his homeland has awakened in Fetah's a longing for her beauty and ways. He reveals:

Glory to you o god! Today, after twenty years of absence  
from my home and people, I have arrived in the motherland.  
Honorable motherland, after twenty years I see you again.  
Oh how I longed! <sup>11</sup>

While in the beginning of play, Fetah's absence represented an element of degeneracy, his return and his reawakened love for the motherland become a reaffirmation of the virtues of the native land. By taking an oath to preserve honor and justice, he regains his agency in the preservation of the local laws and traditions.

When Fetah learns that it is his own son that has wronged Vahide, a new dilemma enters the play. Fetah is placed in a very difficult situation. He must choose between his immediate family interests and the life of his son, or the oath he took to uphold the honor and code of the land. This dilemma explores the margins of an individual's devotions to his personal interests and those of the native land. With a heavy heart, Fetah decides to kill his son and stay true to the oath. In doing so, he affirms his duty to uphold the sacred law, revealing that for an Albanian, loyalty to the native land and adherence to its customs supersedes even the most intimate personal interests. The play does not end here as further developments in the last two scenes

reveal the plot's climax and its resolution. Although the events in these last two scenes comprise only a small fraction of the play, they prove to be the most important.

Having killed his son to uphold the oath to Vahide, Fetah turns the gun around and mortally wounds himself to avenge his son's blood. He tells Vahide:

Fetah: (*Secretly pulls out the pistol and lifts it up*)  
I have completed the duty: I took blood for your husband,  
I rescued your daughter, and now I will take blood for my son!  
(*Turns the pistol on his chest and unloads*) I, my son's murderer. (*Falls*)<sup>12</sup>

Fetah's decision holds a key symbolic significance for the play's conclusion. By killing himself to avenge his son's death, Fetah acts not only to uphold the land's sacred law but also to bring his son within its signifying realm. He honors his land as well as his son by killing himself and redeeming his family honor. Fetah takes upon himself the wrongs of his son and, through self-sacrifice, redeems the infringements resulting from his absence. Thus, he completes those sacred duties to family and the land by upholding the values and traditions praised by Zyber at the beginning of the play.

Fetah's dying words are directed at his mother Durija. She has been waiting fifteen years to see him, only now she finds him dying. In the final scene, he reveals to his mother his dying wish:

Durija:  
O wretched me ... in one day I am losing two sons!  
Fetah... where are you leaving me?

Fetah: (in his dying breath)  
For you... three sons and daughters... I am leaving!.. I am ...  
intrusting .... them to you. This... is... my sister..  
they are my children.... mine.. all three ... of my house.  
The girl needs to be married to the son. You should stay with them...  
at times .. here.. at times in Progonat. Don't separate... from them...  
Mother this is my last word... you ... lost two sons... but you have gained three...<sup>13</sup>

He tells his mother that her new family is with Vahide and Mirushe because a union based on honor, the bond of the oath, and the land's sacred law has now formed amongst them. Thus,

Fetah oversees Zyber's original wish to marry his children and he completes the mission of preserving the family. Sacrificing himself and his son, he allows for the creation of a greater family, one established on the sacred code of honor and *besa*.

If we read the play's beginning as a world in conflict with contradictory and opposing forces and value systems, then the end provides the resolution of this opposition. Resolution, however, is not achieved by mediating the differences between these worlds, but rather by the triumph of one set of forces over the other. The opposition between the native and traditional with the foreign and degenerate is resolved only by the violent expulsion of the latter by the former. Similarly, the family is preserved in its native and traditional ways only through the destruction of the stray elements contaminated by the outside. Furthermore, it is important to note that conflict arises from the abandonment of the motherland and a negligence to teach and preserve her ways (represented through Fetah and his absence). Accord is achieved by a return to the motherland and an unrelenting adherence to her ways. Note that the traditional and native are able to prevail because the unassailable righteousness of the land's customs and ways is understood and upheld above all else. Thus, the narrative comes full circle: from division and contamination arise unity and purity. Unity, however, comes at a great price; for creation, there must first be destruction.

### Customary Law: A Unifying Cultural Signifier

The cultural pluralism of late Ottoman society, the very essence of Ottomanism, was introduced as a key factor for the emergence of *Besa*. This institutional framework, investigated Gawrych's, initially appeared contradictory to our examination of *Besa* as early Albanian nationalist discourse, but we are not countering Gawrych's study and conclusions in introducing our own. In certain ways, we seek to further the study under the contention that although Ottomanism emerges as an ideology to counteract nationalist sentiment, it can be seen as having unintended consequences that ultimately work contrary to this aim. On the one hand, by undertaking reforms and replacing the *millet* system with a European-inspired system of civic, ethnic, and cultural equality, the Sublime Port is able to undermine and counteract arguments of central oppression fueling the Empire's early nationalisms. However, by introducing modernizing reforms and consequently validizing the cultural and ethnic divisions within its borders, the Sublime Port itself implicitly sowed the seeds of nationalist paradigms that later flourished into struggles for full-scale national self-determination.

This reading of Ottomanism can be established through the scholarship on nationalism introduced earlier. In *Nations and Nationalism*, Ernest Geller writes:

In most of the closed micro-communities of the agrarian age, the limits of the culture were the limits of the world, and the culture often itself remained unperceived, invisible: no-one thought of it as the ideal political boundary. Now, with mobility, it has become visible and is the limit of the individual's mobility, circumscribing the newly enlarged range of his employability; and thus it becomes the natural political boundary. To say this is not to reduce nationalism to mere anxiety about the prospects for social mobility. Men really love their culture, because they now perceive the cultural atmosphere (instead of taking it for granted), and know they cannot really breathe or fulfill their identity outside it. (111)

Geller connects nationalist sentiment to a changing material base and the institutional transformations that it brings. This argument holds an implicit recognition that a changing institutional framework necessarily leads to changes in the way individuals and communities understand their identities and roles within these structures. Similarly, Hobsbawm, Anderson,



and Smith all insist on modernity and changing networks of signification to explain the emergence of nationalism. Their perspectives only differ on the weight ascribed to this phenomenon and the exact apparatuses through which it acts. Thus, relying on these conclusions, one can rationalize an argument that the modernizing paradigm introduced by the Ottoman Empire—more intrusive administrative and tax policy in particular—created, or at the very least legitimized, the framework necessary for the appearance of the ethnic nationalisms that emerge from its collapse.

Our reading of *Besa* reveals that the play lacks any mention of an Albanian nation. In fact, the word *Shqiptar*, meaning Albanian, appears in the text only a few times, and so one does not see explicit nationalist claims in this work. Nonetheless, the aforementioned theories on nations reveal many similarities between the ideological and discursive mechanisms of nationalism and the themes, ideas, and patterns uncovered in Sami's play.

One need not have an extensive understanding of the Albanian speaking communities and their history to realize that Sami's play relies on the region's experience with customary law to distinguish this "Albanian" identity. The very title, *Besa*<sup>x</sup>, is the key concept that defines the ideological and structural foundations of the *Kanun*. As for the reasons behind Sami's choice of customary law to embody an Albanian identity, one can only speculate. The division of the Albanian speaking communities into separate provinces with limited exchange, differing rates of administrative assimilation, and other diverging loyalties meant that outside of language and Ottoman rule, a distinct unifying experience would have been difficult to select. However, common cultural signifiers, accessible and acceptable to all members, are essential to the

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<sup>x</sup> In the Albanian language, this word carries a range of meanings: promise, pledge, pact, contract, oath, faith, trust, fidelity, word of honor.

cohesive fabric of a community. On the relationship of shared memory and the nation, Anthony Smith writes:

Memory, which is so vital to the sense of identity, is also central to both the individuality and the unity of nations. That means that the members' sense of their own history, their 'ethno-history', the memories that they share and the myths that they narrate, are crucial to the particular fabric and profile of the nation. (Smith, 3)

Customary law embodied through the *Kanun* would have been accessible as something of a shared memory or experience for this region and peoples; perhaps this consideration guided Sami's choice.

Through themes such as honor, loyalty, and vengeance, customary law allows much opportunity for glorification and mythologization. While such presentations of the *Kanun* neglect the sociological and historical reality of its function in the region, they definitely allow for a very fascinating and unique narration of common Albanian identity. Common symbols and myths are intrinsic to communal identities and national narratives. Anthony Smith writes that:

A second concern of ethno-symbolists is with the myths, symbols, memories and values of ethnic communities and nations. These are the main elements of collective continuity and cultural distinctiveness. (19)

Thus, Sami's choice could just as well have been motivated by the sheer narrative possibilities available through customary law. The claim here isn't that Sami consciously chooses customary law to characterize Albanian national identity because he foresees a propensity towards mythologization that would later prove useful for a nationalist project. One need only recognize that regardless of the author's intent, this choice would prove very useful for future developments of the nationalist paradigm.

Our analysis of the play noted that late Romanticist dichotomies concerning conflicting worlds and value systems are vitally important to its structural framework. Particularly emphasized were the conflicts of a natural and pure world with a degenerate and contaminated one. This dichotomy, present from the very beginning, is extended to describe a clash of the

native elements (embodied in the village life and the adherence to the sacred law and honor) with the foreign ones. The two worlds are presented as inherently contradictory and incapable of unification; thus, resolution only comes through the violent expulsion and recuperation of the degenerate elements by native ones. This conflict is present through all aspects of the play. However, the utmost point of contention concerns the family and its preservation; the continuity of a “pure” and “honorable” Albanian lineage, distinctly untainted by the foreign element. Thus, the characters are not simply involved in a material conflict, but a fight for the preservation and continuation of their way of life. There is a striking similarity between this theme and the assertions of culturally and ethnically pure communities in various Balkan nationalisms. Ernest Geller writes that:

Nationalism - the principle of homogenous cultural units as the foundations of political life, and of the obligatory cultural unity of rules and ruled - is indeed inscribed neither in the nature of things, nor in the hearts of men, nor in the pre-conditions of social life in general, and the contention that it *is* so inscribed is a falsehood which nationalist doctrine has succeeded in presenting as self-evident. (125)

The play’s resolutions follows from the conjecture that the native elements must prevail because they are natural and pure and thus, the only legitimate force for the people and region involved. Yet again, one can see a relationship between this idea and the brand of nationalist rhetoric that insists the world is naturally split into ethnically and culturally separate communities and that consequently, self-governance is the only legitimate and natural outcome for these communities.

Our aim in establishing this correlation between *Besa*’s ideological and structural framework and nationalist discourse is to show that while the play is intended as a tribute to Ottomanism, the discourse initiated through this ideology inevitably parallels a framework intrinsic to the nationalist paradigm. This recognition underscores our assertion that the development of Albanian nationalist discourse in late Ottoman society can in part be understood as symptomatic of the reforms undertaken by the empire to modernize and revive itself.

### **Reflections on *Besa***

Before proceeding, it is useful to clarify a few points. We assigned *Besa* a place within Albanian nationalist discourse by noting its role in introducing and legitimizing claims for an Albanian identity within late Ottoman culture. However, we are not making any claims about the mechanisms through which such a process could or would occur. Certainly, we are not suggesting that by being exposed to *Besa*, the Albanian-speaking subjects of the Sublime Port suddenly started imagining themselves and their place in the Empire among nationalist lines. This would prove ridiculous on many grounds, but it suffices to mention that the play was written in Ottoman Turkish and mostly performed in the Empire's major cities and cultural centers. An Albanian translation of the play did not emerge until 1901. It follows that the play would have been inaccessible to the majority of Albanian speaking subjects due both to language barriers and literacy rates, as well as logistical issues of access.

Thus, *Besa* best corresponds to late Ottoman high culture or intellectual debate and not a populist engagement with the question of Albanian identity. However, our consideration of Albanian nationalism concerns discourse, not agency, and so establishing a link between the work and its reception, or otherwise the network through which it is propagated, is not a central concern. Even if we cannot prove the specific means through which *Besa* is introduced to the Albanian speaking communities at large, we can certainly claim that members of the Diaspora communities—especially the Istanbul intellectuals who maintained close contact with one another—had both the means and tools (linguistic, logistic or otherwise) to encounter Sami's play and the ideas it introduced. Bulent Bilmez's essay "Sami Frasheri or Semseddin Sami?" reveals that:

An Albanian translation of his play *Besa* was published by A. Kolonja in Sofia already in 1901 and discussed in the Albanian press of that time and later. Since the subject of this drama was Albania, it was published several times in Albanian. (36)

Bilmez is describing a time after the *Besa's* emergence, when nationalist activity had gained significant ground and so it does not specifically address its role in early nationalist engagements. Nonetheless, evidence of active discussion about Sami's play in this later pre-independence period further corroborates its importance. Moreover, many of the intellectuals who initially propagated nationalist ideology in the aftermath of the Eastern Crisis were still involved in these later efforts. Thus, while we cannot make definitive claims about the importance of Sami's play to the activity of these agents, one can at least accept that *Besa's* message would have resonated with their beliefs and aspirations.

### **Turbulent Times: From Ethnie to Nation**

We now turn our attention to a different phase of Sami's scholarship with his 1899 political manifesto *Shqipëria ç'ka qenë, ç'është e çdo të bëhetë*, translated in English as *Albania - What it was, What it is and What it is going to be*. This work proves less ambiguous to situate and it makes a different case for Sami's contribution to Albanian Nationalist discourse. It is important to examine the role of this manifesto in the National Rebirth movement and also to consider how it relates and differs with *Besa*.

Published in Bucharest in 1899, *Albania What It Was, What It Is and What Will Become of It?* is without a doubt Sami Frasheri's most significant contribution to Albanian nationalism. Unlike earlier works, it is not intended for the Ottoman public at large. It is written in Albanian and is thus aimed explicitly at an Albanian-speaking audience. This manifesto, unlike *Besa*, is not intended to support the Sublime Porte's policy, but rather to thwart and subvert it. It gained wide circulation, but not through the Empire's official networks of exchange. Instead, the manifesto was spread by secret nationalist societies working against the Porte and thus, the original publication does not bear the author's name. On these and numerous other grounds, *Albania, What it Was, What it Is and What Will Become of It*, stands in direct opposition to the play *Besa* and thus represents the opposite spectrum of Sami's involvement with Albanian nationalism.

How does one explain this radical change in Sami's position? Myriad factors could be emphasized to explain this change, but the most important would be the radically transformed political landscape from which this later work arises. The Russo-Turkish wars of 1877-1888, the Eastern Question, and the political developments that followed are of primary importance. These events were discussed earlier, but one need only recall that the ultimate result of these

developments was to disturb a long-standing relationship between the Albanian speaking communities and the Sublime Port.

The Empire's looming decay meant that Albanian-speaking subjects, who until this time had enjoyed safety and protection within its borders, had to confront questions of their continued survival as neighboring nationalisms and aggressive forces threatened the region. This turbulent and uncertain atmosphere allowed Albanian nationalist claims to materialize, initially, through the activity of Diaspora intellectuals and later, through a wider involvement of the local populations. The League of Prizren, organized through the efforts of the Diaspora intellectuals, played a central role by initiating a nationalist movement and outlining a path towards national self-determination, and its eventual suppression by Ottoman powers demonstrated a need for further action by the nationalist forces.

Many of those involved with the League continued and intensified their efforts after the organization's failure. Sami Frasheri was one such individual. As the situation became more pressing and threats to the region accumulated, the Sublime Port stood intent on suppressing the growing nationalism in these communities. Agents of Albanian nationalism nevertheless proved relentless, and so by 1899, when Sami published his manifesto, nationalist forces had broad local support on their side; support they lacked during the League's formation in 1878.

It is difficult to distinguish whether greater local engagement was a result of increasing national sentiment or a reaction to the Empire's escalation of military and economic intrusion in the region. Most likely, both played a role. However, the important point is that circumstances had changed drastically since the gathering of the League twenty years earlier. These different circumstances demanded different tools. A common opposition to the Empire's dealings and rising nationalist sentiment facilitated cooperation among the Albanian-speaking communities

and so, uniting them was no longer the main task. Turbulent and uncertain times, along with the Sublime Port's aggressive stance, had already established a unified cause. Nationalist forces now needed a cohesive narrative behind which these sentiments could unite and materialize into a truly populist nationalism. The range of tools employed towards this purpose constitutes what is considered the Albanian National Rebirth and Sami's 1899 manifesto is one of the most important amongst them.

In *Antiquity of Nations*, Anthony Smith distinguishes three routes towards nationalism.

The one most applicable to the Albanian case:

Involves the development of a 'vertical', demotic *ethnie* into a politicized ethnic nation through a process of *vernacular mobilization*, a trajectory common to many communities in Eastern Europe and parts of Asia. (22)

Smith relates this course towards nationalism with Eastern Europe, and the prototype indeed closely parallels the efforts of Sami and his contemporaries. Here,

Smaller, often subject *ethnies*, in which a single culture permeates all classes, have been incorporated into far-flung empires, and are now mobilized by an intelligentsia that seeks to return to its 'roots' by rediscovering its ethnic history and culture. (22)

The Albanian National Rebirth represents a similar episode where the intelligentsia, in this case a Diaspora intelligentsia, mobilizes the *ethnie* and seeks to reawaken the nation by rediscovering its history and culture and returning to its lost roots.<sup>XI</sup>

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<sup>XI</sup> Given geographic barriers, varying degrees of assimilation, differing religious loyalties and the Port's overt policy of dividing the Albanian speaking communities into separate vilayets, the condition of "a single culture permeating all classes" might seem problematic. However, Smith's criteria for *ethnies* are as follows:

- 1 self-definition, including a collective proper name
- 2 a shared myth of common origins and ancestry
- 3 shared memories of past communal events, places and personages
- 4 one or more elements of shared culture
- 5 some sentiments of solidarity, at least among the elites

The above standards allow us to conclude that the Albania-speaking communities do constitute a core *ethnie* according to Smith's framework; they exhibit several shared 'cultural' elements and thus justify the application of his theory.



Of the methods and tools employed for mobilization Smith, emphasizes the selection of shared myths, symbols, and memories, and their dissemination through education. He argues that:

By educating the people of the designated nation in selected native myths, symbols, traditions and memories, and in their vernacular codes and customs, the returning intelligentsia mobilizes and politicizes all classes of the demotic *ethnie*, thereby developing it into an ethnic nation able to claim independence. (22)

Thus, the intelligentsia's efforts cumulate in a narrative project affirming the *ethnie's* common past, present, and future through a conscious and selective application of the shared memories, myths, and other cultural signifiers. Acceptance of this unified narrative serves as a basis for propelling the *ethnie* towards its 'natural' destiny of nationhood.

### **A Nationalist Manifesto: From a Golden Past to a Meager Present**

Albanian national historiography recognizes Sami as a father of the Albanian nation, but thus far, our examination of this complex figure has not justified this status. With his manifesto *Albania, What It Was, What It Is and What Will Become of It?*, the case for this reputation becomes abundantly clear. Enis Sulstarova writes that:

Sami's work, for the erudition and rigor of its arguments in support of the national cause, especially in *Albania, What it Was, What it Is and What Will Become of It*, has been regard as "the utmost synthesis of Rebirth ideology."<sup>14</sup>

The development of Albanian nationalism reveals a close correspondence with Smith's model of Eastern European nationalism. Applying Smith's prototype to *Albania, What It Was, What It Is and What Will Become of It?*, we will argue that Sami's manifesto legitimizes and appropriates the ideological and discursive mechanism common to Eastern European nationalisms to present an Albanian national narrative and promote an Albanian nation.

The manifesto is divided into three chapters or parts, each addressing one of the questions posed in the title. The first part, titled "What Was Albania?" (C'ka Qene Shqiperia?), gives a

mythologized historical account of Albania and the Albanian people since their arrival in the Balkan Peninsula. Sami traces this history from pre-Antiquity, through the Roman and Ottoman invasion, and up until the time of Tanzimat. The second chapter, titled “What is Albania?” (C’Eshte Shqiperia?), addresses the post-Tanzimat situation and compares the decay and wantonness of the present with the lost days of glory and freedom. A large component of the second part is committed to revealing the numerous threats to Albania’s survival. The third chapter concerns the nation’s future and is thus titled “What Will Become of Albania?” (C’Do te Behet Shqiperia?). This last part offers an analysis of the political situation at hand, poses questions about Albania’s continued existence, and reveals a plan for national preservation and self-governance. In the concluding segment, Sami reiterates the dire need for self-determination, making a final passionate call for national unity and action to reclaim Albania’s due place among the world’s nations.

Alongside Sami Frasheri’s mammoth Ottoman scholarship—most notably “a 1,630-page ‘Kamûs-u fransevî, fransızcadan türkçeye lugat’ (French-Turkish Dictionary), and a monumental six-volume Turkish-language encyclopedia of history and geography, ‘Kamûs al-a’lâm’ (Dictionary of the World),”—*Albania, What It Was, What It Is and What Will Become of It* seems barely significant. (Elsie) At best, one can describe it as a booklet; the whole text amounts to less than one hundred pages. Nonetheless, it’s a dense work on numerous grounds: topics, arguments and other structural features. We will focus on the manifesto’s most dominant concerns, themes, and the aspects most pertinent to our specific investigation of customary law.

The first chapter, “What Was Albania?” is devoted to educating the audience about Albania’s history and begins as follows: “Albania is the name of all the land where Albanians live. Albanians are the oldest of the European nations.”<sup>15</sup> These beginning remarks reveal much

about the manifesto's structure and aim. The first statement gives a geographical assessment of Albania and exposes the objective to locate what makes up Albania. It provides physically definable borders, thus revealing concerns fundamental to nationalist struggles: land, territory and belonging. The second statement explains this Albania in relation to other European nations and presents a framework that will treat nations as separate historical entities contesting one another. It is important to note that while Albania and its people are distinguished as unique and separate from other members of Europe, the Albanians are still considered European people and their nation a part of this continent. Thus, Europe, its nations, and Albania's place among them, turn out to be the manifesto's central concerns.

Sami traces the history of the Albanian nation back to pre-Antiquity and identifies Albanians as Europe's original settlers. He further makes the claim that Albanians were responsible for bringing civilization to the continent:

It appears that they were the first to arrive in Europe from the middle of Asia; and they brought to this place knowledge of building walled houses, as well as the knowhow of plowing planting and reaping, as those people present in Europe before them were wild and lived in forests and caves feeding on wild plants and game from hunt.<sup>16</sup>

With this information, he proceeds to explain the origin of the name Albania.

That's why our older parents were called *Arbënë*, a word ...we have turned into *Arbërë*, as it is used to this day. This means that this olden nation since that time was called *Arbënë* or *Arban*, meaning those who plow fields, reap and plant. The Romans turned this word into *Alban* and named the land Albania as Europeans call it to this day.<sup>17 XII</sup>

Sami continues this narrative, claiming that the oldest of Albania's ancestors are recognized by the world as Pelasgians. He extends the Pelasgian thesis further and identifies all pre-Hellenic people in the region, Illyrians, Macedonians, Thracians, Phrygians and so on, as belonging to a single Pelasgian nation. He explains that they were separated into clans based on their particular locations, "but they were all one nation and understood each other's language." (9) Sami lauds

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<sup>XII</sup>Sami here introduce and employs a tendency common to the Rebirth period, where Pelasgian or Illyrian words are explained through roots of contemporary Albanian. He uses the contemporary Albanian noun *arë*, meaning field, and the verb *bën*, meaning to do, to provide an etymology of the word Albania.

the many achievements and glories of these ancient peoples and ancestors of the Albanians, most notably, the empire of Alexander the Great. He continues this history explaining that with new arrivals to the Balkan Peninsula—first the Hellenic tribes, and later the Romans and Slavs—the people of the Pellasgian nation one by one disappeared. Some were conquered in war, while others intermixed with the new arrivals. Bit by bit, each forgot their language and their ways, which led to the weakening and shrinking of the once great Pelasgian nation. “Thus vanished the Macedonians, the Thracians, the Phrygians, and other Pelasgian seeds except the Illyrians, who are our direct forebearers.” (10)

The manifesto’s target audience is the Albanian speaking public at large, attested by the fact that it is written in Albanian and was secretly distributed through nationalist organizations and networks. Given the intended audience, it might seem strange that Sami is educating the Albanian people about their own history. The manifesto, however, is not merely narrating this nation’s known history so much as constructing it. The specific elements are not necessarily wholly fabricated, as they rely on external sources and scholarship about the region.<sup>XIII</sup> However, the particular incorporation of the various ideas to construct a cohesive historical narrative constitutes a novel endeavor by Sami. Furthermore, this undertaking is part of a greater project of national myth building common to nationalist ideologues and movements in the Balkans at large.

The second chapter is titled “What is Albania?” and transitions the discussion from the nation’s mythical past to the experienced present. There are ten sections or subheadings in the second part. Section I, titled “The Borders of Albania” (Kufit’ e Shqiperise), begins with the following:

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<sup>XIII</sup> The thesis of Pelasgian descent, for example, was developed by Austrian linguist Johann Georg von Hahn in his 1854 work *Albanesische Studien*.

We saw above how wide was the place that Albanians once inhabited, how dispersed our forefathers were and how they were divided into Illyrians, Epyrians, Macedonians, Thracians, Phrygians, etc. We saw how in the times of the Romans, Macedonians, Thracians and Phrygians, by mixing with other nations, begun to lose their language and their nationality, and from then on, in the times of Byzantine, a misery of Slavs arrived in the Balkan Peninsula and occupied Thrace, Macedonia and upper Illyria. Since that time, Albania has become much smaller than the land our forefathers had.<sup>18</sup>

The discussion on “What is Albania” reveals two fundamental points: the nation is depicted as a well-established historical entity that can be traced from the present back to antiquity and furthermore, while a fundamental core subsists, tying the present with past, the overall pattern is one of decline, with the nation moving from a prosperous whole in Antiquity to a marginalized and impoverished piece in the present. The Albania of the present is thus revealed to be the last remaining fragment of a once glorious whole. The section concludes by outlining the borders of modern Albania, which it traces along the Ottoman regions inhabited by Albanian-speaking communities.

The next three sections concern internal features of Albania.<sup>XIV</sup> On Albania’s land and its productive potential, the author emphasizes geographic diversity with beautiful scenery and rich nature. The central message here maintains that although only a fraction of Albania’s past territory remains, this nation is still blessed with many natural resources and land with much productive potential. Sami writes:

In short, Albania, however small, has all sorts of climates, all sorts of land, a lot of livestock and many other benefits. If taken care of, it can prosper greatly and feed four times as many people as today.<sup>19</sup>

Romanticizing and personifying the land to offer a pastoral image of the Albanian nation is a salient and noteworthy feature of the manifesto’s tone and style in this chapter. These narrative

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<sup>XIV</sup> Section II, “The Land of Albania” (Vend’ I Shqiperise), describes Albania’s geography and its productive potential. Section III, “The people of Albania, the Albanians” (Njerezit’ e Shqiperise, shqiptaret), considers the people inside the nation’s borders, discussing the size of the Albanian population, their distinctions by religion, dialect, and location as well as their “nature” and “manners.” Section IV, “Shqiptaret jashte Shqiperise” (Albanians Outside of Albania), tells of Albanians living outside of the nation’s borders, their history, and their relationship to the Albanian nation.

tools function to affirm a connection between the land and the people by portraying these elements as a balanced, harmonious whole and thus authenticate the nation as a positive natural entity.

Sami estimates the Albanian speaking population to amount to around two million people. The manifesto recognizes these inhabitants as having distinctions amongst religious ranks and linguistic boundaries, belonging both to the Christian and Islamic faiths, as well as speaking the one of the two dialects, Geg or Tosk. Sami argues that while these differences do exist, they are minimal and not important to people's national identity. On the Albanian language, he writes:

There exists no essential difference between the GEGs and Tosks. They are all one nation and they speak one language with small differences.<sup>20</sup>

Similarly, religious distinctions are considered irrelevant and not conflicting with inhabitants' primary identity as Albanians.

These differences in faith don't bring any animosity or division amongst the Albanians...The Albanian is an Albanian before being a Muslim or a Christian.<sup>21</sup>

The discussion on the people within the borders of the Albanian nation makes the argument that national identity overcomes all other loyalties and distinctions amongst them. Other allegiances can change and vary with time, but national identity is the unshakable bond that these inhabitants maintain and share since time immemorial.

Through all the changes in faith, through all changes in time, Albanians are the same today as they were thousands of years ago; they are the Pellasgians from the tales of old, the Illyrians and Macedonians of ancient times, the Epirians from the time of Skenderbeg. They are an ancient nation which has remained until today as it was in the beginning.<sup>22</sup>

National identity thus constitutes something of a natural law, a link that connects the Albanians of the present with their forefathers in antiquity. As history plays its course and the world changes through time, national identity is the only thing that has remained stable, existing outside of time and impervious to its effects.

Extending the ideological framework from nation to national identity, the manifesto proceeds to reveal the particulars of Albanian identity. It declares that a central aspect of the Albanian's nature that distinguishes him from the people of other nations is his bravery and skill in battle. On the Albanian people, Sami writes:

They possess such bravery and strength that having less than two million people, men and women, if they make an effort, they can produce 300,000 or more soldiers, which equal a million of any other nation.<sup>23</sup>

He continues to explain that the Albanian is not only distinguished by his bravery and strength, but just as well by his intelligence, unmatched by other peoples. In addition, he is extremely capable in skill and craft and can make by hand that which European factories produce with machines. Nonetheless, work involving nature and the land, ranging from woodwork to agriculture, remains the Albanian's preferred and most common engagement. The discussion on the character of Albanians concludes with the following:

In short, Albanians are brave, intelligent, hardworking and gifted in any skill. Despite differences in faith, they are not divided and apart but united; they have harmony amongst one another. That is to say they possess all that is necessary for a nation to prosper.<sup>24</sup>

Throughout this section, the Albanian is characterized as capable of success in any endeavor, thereby building and justifying concluding claims that if united, they are capable of building a strong and prosperous nation.

The remainder of the second chapter examines the current<sup>xv</sup> shape of Albania and its nationhood.<sup>xvi</sup> Sami warns that enemies are fighting to prevent the teaching and writing of the

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<sup>xv</sup> The word current here notes Albania as understood by the author at the time of this manifesto.

<sup>xvi</sup> Section V, "How are Albanians Today?" (Qysh jane sot Shqiptaret?), discusses the nation's impoverishment and the underlying reasons. Section VI, "The Nationhood of Albanians" (Komberi e Shqiptarevet), considers what must happen for Albanians to keep their nationhood as the world undergoes a period of great change. Section VII, "The threats to Albania" (Reziket' e Shqiperise), reveals that while Ottoman power crumbles, the Greek, Bulgarian, and Serbian nations conspire to eliminate Albania and separate the territory amongst themselves. Section VIII, "Friends of the Albanians" (Miq' e Shqiptarevet), reveals that although surrounded by enemies, Albania has the support of the European powers, should Albanians defend their cause. Section IX, "Writing the Albanian language" (Te shkruarit e gjuhes shqip), argues that the foremost trait of a nation is language; its preservation determines whether a nation survives or fades with history.

Albanian language; thus, for the nation to survive, Albanians must also wage a war of the pen, a fight to write and teach in their native tongue. The final section, titled “The Poverty of Albanians and the Neglect of Albania” (Varferi’ e Shqipetarevet e pakryesi’ e Shqiperise), argues that the Ottoman government has betrayed the Albanian nation, robbing her people and neglecting her security. It laments that Albanians fight against one another but leave their nation unprotected in this time of great peril. The chapter closes by declaring that nations are awakening all around, yet Albania remains in deep slumber and is drifting towards extinction: “thus is Albania today.”<sup>25</sup>

Anthony Smith’s ethno-symbolism understands nations as modern constructs built on pre-modern ethnic foundations that are modified and adapted to the purposes of new political demands. Smith explains that:

Far from inventing nations, nationalism emerged from the secularization of religious traditions of ethnic election and mission, sacred territory, sacrifice and destiny, and has intensified and politicized ethnic bonds, hastening the processes of nation formation. (22)

In this framework, nationalism and its agents are responsible for directing the process through which pre-modern *ethnies* are politicized and refashioned into nations.

The nationalist's typical activity has been the selection of ethnic motifs (myths, values, traditions, symbols, rituals and memories) and their codification to create a uniform, flowing history out of the many strands that form the traditions of the community. By providing a set of goals and a global legitimation for collective political struggle, nationalism has greatly expanded the number and role of the world's nations. (23)

The selection and codification of particular ethnic motifs to create a seamless and accessible historical narrative sufficient for politicizing and translating ethnic identities into a unified national whole is the nationalist’s utmost mission. Nationalist ideologues, thus, become the stewards of modernity, administering through their works and activity the process of secularization, homogenization/standardization, and centralization at its helm.

The first two parts of Sami’s manifesto serve precisely the above objectives as they introduce and define an Albanian nation, offering a unified narrative of its role and history in the



region. On the significance of shared history and common origin to nationalist fervor, Anthony Smith writes:

Myths of origin have been crucial in defining and sustaining *ethnies*. Indeed, it was the belief that 'we are of one blood', because of shared ancestry, that differentiated and often mobilized the members of ethnic groups. Even when they diverge from what we know of the actual historical origins of peoples, these myths are of fundamental importance in creating a sense of common ethnicity. (19)

Just as important, however, is the broader task of explaining nations and their role from a universal framework, which is also undertaken in the manifesto. Through “What was Albania?” and “What is Albania?”, Sami offers a comprehensive theory explaining the evolution of nations from foundation to destruction. This theory becomes the basis for addressing specific issues of Albania’s fate.

As in the ethno-symbolism framework, nationalist discourse in the manifesto does not forge completely new political and social entities out of nothing or on its own; a myriad developments coincide to make nations a prevailing paradigm during this time. Ideologues of this paradigm, however, play a critical role in introducing and guiding the particular forms and manifestations of nationalism in their specific geographic and cultural domains. Accordingly, Sami’s work is very important because it provides a comprehensive narrative of an Albanian nation, but this narrative is neither unique nor novel. The ideological framework it applies mirrors a general archetype common to other Eastern European and Balkan nationalisms; the manifesto orients it in a distinctively Albanian light. The foundation for this ‘distinctness’ is found in the cultural and historical domains particular to an Albanian *ethnie*, extended and modified through the manifesto to support a nationalist project.

Throughout the text, nations and national identity characterize a natural order and are treated as innate entities harking back to the beginning of time. The manifesto, in this way, links

the modern Albanians to the ancient Pelasgians. In this construction, nations stand outside of time but are not impervious to history; they can become both its victims and benefactors. The manifesto claims that nations prosper and flourish when they are unified, free, and have self-determination. On the other hand, they decline and disappear when members intermix with new arrivals in their lands. With the ancient Pelasgians, for example, the pattern reveals decay as one by one, the peoples of a once proud nation disappear, leaving Albanians as the sole survivors.

Sami's theory makes language the central element for identifying and maintaining nationhood. Thus, nations fade when the native inhabitants mix with new arrivals, eventually forgetting their local language, customs, and ultimately, national identity. Sami writes:

The mark of nationhood is language; every nation is maintained by language; people who forget or abandon their own language and speak another, in time, become members of the nation whose language they speak and leave their own nationhood. All those nations that have perished did not die off or get killed; not at all. They mixed with other nations, took on their languages and became indistinguishable from them.<sup>26</sup>

Here the manifesto contrasts the two extreme conditions of nationhood: affluence and decay. As entities naturally founded on shared history, traits, culture, and language, nations prosper under freedom and unity in shared attributes. Accordingly, disruption of this unity and divergence from the common character leads nations toward decay and extinction; particularly vital in this process is loss of language. The conclusion that a nation's preservation requires unification and self-determination inevitably follows from this outline.

Additionally, the concepts of progress and competition between nations are central features of the manifesto's framework. In *The Necessary Nation*, Gregory Jusdanis argues that these follow from a view of history, unique to modernity, which perceives time as a linear sequence towards advancement and thereby allows for distinctions between advanced and backward or belated societies. Economic and military conquests make this aspect of modernity a reality imposed on other societies leading them to internalize the paradigm. Ultimately, this

experience becomes a driver of nationalist determination and cultural consolidation. Jusdanis writes:

For, as both discourse and political movement nationalism is motivated to a large extent by concerns over space—concerns, however, that are related to the need to modernize. The importance given to territory by nationalism goes hand in hand with the emphasis on temporal relationships. In the competitive modern world, where cultures are threatened by extinction, where the challenge is to move forward with quantum speed, territory provides a sense of constancy. People can look into the eye of time-to-come without flinching because they stand on familiar soil. (107)

Competition, progress and belatedness are key themes in Sami's theory of nations and modernity is certainly at the helm. Thus, the manifesto proclaims:

The world has changed, people have awakened, nations shine, each attempts to go further than the others; each considers how to expand and tries to swallow those who are smaller and weaker...Nations are like fish that eat one another. God help those that are weak.<sup>27</sup>

Later on, this foundation of antagonism allows the manifesto to implore national unity and political action by emphasizing an Albania that is teetering on the brink of extinction.

### **Nations and Albania According to Sami**

Nations in Sami's manifesto are understood and explained as natural, timeless entities through which mankind experiences the world. Internal order within nations is maintained and continued by members who share an innate national identity that is witnessed in common character, history, and fate. In contrast to this internal unity stands the external order, where nations exist in perpetual opposition with one another, competing for territory, power, and survival, with the ultimate result that as time progresses, nations can find themselves in positions of grandeur and prosperity or, otherwise, decay and extinction. This is the general view of nations presented in the manifesto and subsequently the basis for Sami's narration of Albania from glorious Pelasgian roots to contemporary decay and Ottoman oppression.

Despite its imaginative spirit, the narrative offered through the manifesto is not unique to Sami, neither in broader ideas nor specific arguments. The same outline of a forgotten glorious past and a decaying present is employed by virtually all national narratives in the region.

Scholarship on nationalism identifies these nearly universal themes of nationalist discourse as “The Golden Age” and “National Renewal.” Anthony Smith writes that:

The theme of the 'golden age' ...takes up, once again, the question of the return to 'antiquity' found so often in nationalisms, and the particular salience of memories of golden ages in ethno-history. These golden ages come in various forms and serve a variety of social functions, such as continuity, authenticity, dignity and a sense of collective destiny. Typically, there are rival interpretations and competing versions of the golden age, which the quest for an authentic antiquity so often encourages. (25)

The opening, “What Was Albania,” designates Albanians the first and oldest settlers of the Balkan Peninsula. Given the prominence of territorial dispute and contentions of historical legitimacy amongst Balkan nationalisms during this time, this account proves valuable for a national history. Claims of Albanian settlement predating Hellenic Antiquity become especially useful in counteracting Greek national claims, which use the importance of ancient Greece in the European Renaissance to put forth the narrative of a Greek nation. For the latter, claims of contributing to Western civilization apply the dichotomy of backward versus advanced societies to assert a place amongst Europe’s developed nations. The thesis of Pelasgian descent employed by Sami attempts to counteract these facets of Greek nationalism. First, it asserts Albanian territorial legitimacy by pre-dating Hellenic settlement and furthermore asserts “cultural” contributions to Europe by holding that the Pelasgians (and thus Albanians) were the first to bring civilization to the continent. This point is further advanced in the manifesto with arguments that many triumphs of the Pelasgians and their descendants are wrongfully attributed to Hellenic Antiquity, Alexander the Great being the most notable case. Thus, with the thesis of Pelasgian

descent, Sami argues for both a sacred ancestral territory as well as a lost golden age of triumph and achievement, thereby directly rivaling the claims of competing nationalisms.

The manifesto asserts that thus far, an Albanian nation has been preserved through the traits innate to its national identity; namely, unmatched skill in combat, bravery, loyalty and a deep connection with nature and the land.

Albanians have maintained their language and nationhood, neither in letter, knowledge nor civilization, but only through freedom, by always keeping simply to each other, not mixing with others and not allowing foreigners in their lands.<sup>28</sup>

For Sami, the utmost synthesis of these values and characteristics is exemplified in the Albanian national hero Gjergj Kastrioti or Skanderbeg<sup>XVII</sup>, for whom history has no rival “in bravery, skill of battle, both in strength and knowledge, righteousness, warmth of heart and breadth of soul.”<sup>29</sup> Accordingly, it was dedication to these values and a longing for home that made Skanderbeg return and unite all Albanians under one banner and oath: to protect their motherland. In the manifesto, the time of Skanderbeg serves as further testament to past glory, providing a common sense of dignity and honor for the nation. Furthermore, Albania under Skanderbeg is designated Europe’s savior for having halted Ottoman onslaught into the continent. According to Sami, this episode of history:

Although spent in war and blood, is the most beautiful and blessed of all times for our land because only then did the whole nation unite as a free state whose name was known with honor through the whole world for resisting the Turks at a time when even great kingdoms could not confront them.<sup>30</sup>

The period of Skanderbeg thus becomes testament for a united Albania that can not only govern itself freely, but can also serve as protector to the whole of European civilization.

To explain nearly four hundred years of Ottoman occupation after Skanderbeg’s death, Sami claims that Albanians conceded to become a part of the empire because they saw great

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<sup>XVII</sup>Medieval Albanian prince and prominent historical figure known for abandoning high rank in the Ottoman military to return to his native land and successfully oust Ottoman forces for more than two decades.

advantage and opportunity in joining this power. On the history of Albania and its people under the Ottoman Empire, he writes:

The work sought by the Ottoman Empire benefited and corresponded with their desires. Never ending wars, amusement and travel on horse, raids, killings, stabbings and other such things in demand to the Ottomans, were also the preferred professions of the Albanians.<sup>31</sup>

Thus, a mutually beneficial relationship developed which brought Albania glory, riches and prosperity.

This is the agreement Albanians forged with the Turks. Albanians would find in Turks what they desired: materials, honor, weapons, and horses, as much looting as they wanted and freedom as they pleased; the Turks as well would find in the Albanians what they desired: bravery, fidelity and blood spilled without reservation.<sup>32</sup>

The manifesto asserts that during this time, Albania boasted de-facto self-rule because it was governed by Albanians and according to its own customs. Sami claims that the nation was not in any way infringed upon by the Empire and the people did not pay any duties except the blood spilled in wars, for which they were dearly compensated. He continues, “[t]hese were the conditions until the times of Tanzimat; further on we will see how they changed since that time and until the present.”<sup>33</sup> The manifesto’s account of Albania’s history under the Ottoman Empire concludes that since the Tanzimat reforms the situation has changed drastically, bringing into question the nation’s very survival.

A narrative of shared history and past grandeur is important for establishing a sense of authenticity and continuity within a community, but national mobilization also necessitated confirmation of shared present to substantiate the nationalists’ arguments of a common destiny. For Albanian nationalism, as with other Balkan national narratives, proof of a shared fate is primarily offered through accounts of struggle and victimization under late Ottoman rule. Sami’s manifesto locates the source of the troubled present in the Tanzimat reforms. He separates the period of Ottoman rule into two parts: the pre-reform period, where Albania and its people

prospered and shared in the empire's glory, and the period after Tanzimat, where they are betrayed and wronged by the Sublime Port.

Today Albanians are slaves, disgraced and humiliated, abused and insulted much more than other nations of Turkey!...Turkey has lifted the oath with Albanians, not trusting them but considering them enemies and betrayers instead of friends and brothers as they once saw them.<sup>34</sup>

The manifesto argues that the new Ottoman order makes immense demands on the Albanians; taxing them into poverty, forcing them into military service without pay, and all the while conspiring with Greeks and Slavs to eradicate the nation and divide it amongst them.

Examining the role of external threats within nationalist discourse and their particular application in the Albanian Rebirth, Enis Sulstarova writes:

In the development of ethnic and national identities the notion of “the other” or “the foreign” are of primary importance. The existence of others who are perceived as different or foreign to the group establishes and strengthens unity within the group. Emotional ties within the group are stronger when those who do not belong to the group constitute a threat for members of the group. Due to the political situation during the period of National Rebirth, nationalists envisioned a threat for the Albanian nation from Turks, Greeks and Slavs (in the latter they included Montenegrin Serbs, Bulgarians and Russians).<sup>35</sup>

Accordingly, in explaining the changed and troubled situation facing Albania, Sami stresses without doubt that “the Turks with the help of Greeks and Slavs are the enemies of Albania and the Albanians; they try as much as they can to destroy its nationhood and language and wipe away the name of this nation entirely.”<sup>36</sup>

Thus, the nationalist paradigm, which by this time had been successfully employed to bring autonomous rule for other Ottoman subjects in the Balkans (Greece and Serbia in particular), finds full expression in an Albanian variant through Sami's manifesto, offering a national narrative reaching from a golden past to the present struggle for survival. However, it is important to clarify that while Sami's endeavor parallels a broader paradigm and certainly utilizes a widespread archetype of nationalism—its pretense of history being a mythologized narrative with obvious political purposes, and its general ideological framework a clear testament

to the influence of modernity—it would be misguided to understand it as merely fabricating or inventing an Albanian nation.

The narrative presented through “What was Albania?” and “What is Albania?” became this nation’s official history in the post-independence period and continues to serve such a purpose to this day, but this influence cannot be attributed to its imaginative and creative power so much as to the political and social conditions of the period with which it is inexorably linked. Key factors here include the nineteenth century Tanzimat reforms, which sought to centralize power and changed a long standing relationship between the empire and its subjects—imposing new demands through greater taxation, mandatory and unpaid military service, as well as less local autonomy, among other things—as well as changing global networks of power witnessed in military defeats which weakened the Sublime Port’s international authority and subsequently, its internal legitimacy. Enis Sulstarova writes:

Albanians, the elite as well as the masses had ample cause for disliking the new situation...new uprisings against Tanzimat had taken on a broad and prominent character. The legitimacy of the central government amongst Albanians had been shaken and the conflict arising from the reforms began to be viewed as a defense of local autonomy against the intrusions of foreign functionaries and the central government.<sup>37</sup>

Thus, the changing political framework of the time was of vital importance. Sami’s manifesto synthesized Albanian nationalism with a full-fledged national narrative, relying on the institutional and historical conditions of the time.

### **The Future Albanian nation**

The final chapter, titled “What will become of Albania?” (C’Do Te Behet Shqiperia?), is the longest of the three and also the focal point of the Sami’s message. The chapter is divided into seventeen segments and the first two are titled: “Can Albania stand as it is?” (I. A mund te qendroje Shqiperia si eshte) and “Are the Albanians capable of governing and defending themselves?” (II. A jane te zotte Shqipetarete te mbaj’ e te ruajne vetehene?). The central



message is twofold: First, the collapse of the Ottoman Empire is inevitable and Albania as it stands—its future tied fundamentally with the fate of this empire—will also disappear with it.

Sami writes:

Albania has not set up its own foundations nor has it laid down its roots; it persists on the crumbling foundation and rotten roots of Turkey. When this behemoth collapses, so too will Albania fall and be crushed under the heavy ruins.<sup>38</sup>

The author thus argues that Albanians cannot change the fate of the empire, try as they may; they can only disappear alongside it. Secondly, Ottoman Turkey, unable to save itself, seeks to drag Albania down with it; however, the Albanians need not suffer such a fate.

We are not Turks, and we did not arrive from the desert of Asia. We are the oldest people of Europe; we have a right to land in Europe more so than any other nation. Albanians are capable of defending and demanding this sacred right even in arms. When righteousness is combined with force it takes on a might which cannot be withstood. The Albanians are capable of maintaining and defending their rights, that is to say, their nationhood, their native tongue and their motherland against any foe; they need only desire it.<sup>39</sup>

Sami thus argues that unlike the Turks, Albanians have both righteousness and strength on their side – all that’s necessary to protect and preserve their nation.

The position emerging from these beginning segments suggests that the two possible outcomes from Albania’s relationship with the Ottoman Empire are diametrically opposed. If the status quo is maintained and Albania remains faithful to the Sublime Port, it will vanish along with the empire. Alternatively, if the Albanians realize a common purpose and defend their nationhood by supporting this sacred cause, Albania will be preserved. Having both strength and righteousness on their side, they only need to unify and seek self-determination; however, doing so would necessarily require a break with Ottoman leadership.

The first two segments conclude that even in this period of turmoil, the Albanians are capable of preserving their nationhood and defending their motherland. Accordingly, the third segment is titled “The survival or loss of Albania is in the hands of the Albanians” (III. Shpetimi a humbja e Shqiperise eshte ne doret te shqiptarevet) and it advances this case by providing

additional arguments and ultimately suggesting a specific course towards national preservation.

It begins with the query:

Should Albania be saved from the perils that surround it and embark upon a path of security and well-being, it could become one of the best and fairest countries in Europe... It has everything it requires, as we have seen above. Albanians are very clever and intelligent people and they have much capacity for civilization as well as all kinds of knowledge; they are courageous and exceptional soldiers.<sup>40</sup>

Here, the manifesto reiterates claims presented in the first two chapters and avows a latent potential for building an extraordinary Albania founded on the virtues innate to this national identity. However, Sami also adds that while the ability for creating a strong and flourishing nation is indisputable, whether such a nation will actually rise depends on the future actions of the Albanian people. “The survival or fall of Albania is in the hands of the Albanians themselves; if they want to, they will survive and if they want to, they will perish.”<sup>41</sup>

The segment concludes by arguing that an independent nation requires only that Albanians unite for this common purpose.

Albanians do not need to take to arms, retreat to mountain tops and caves, or kill and ravage as other nations have done to gain their freedom... They need do nothing but make a vow to each other, unite together, swear an oath in manly fashion, maintain their pledge unfalteringly, and demand their rights from Turkey and Europe. Turkey will listen and will yield to their demands, willingly or unwillingly.<sup>42</sup>

Having already argued that national preservation requires a people’s unification, the manifesto here adds that for the Albanians, such unity can be easily achieved through reliance on their local customs of oath and pledge. Sami’s closing remarks reaffirm a belief in the power of these native customs by asserting that if Albanians swear an oath for national self-determination it will happen regardless of the aim and will of other parties.

The fourth segment devotes greater attention to the idea of national unity through a common oath and seeks to rationalize this approach. Confidence in oath and pledge as national attributes able to unify the Albanian people is legitimized through reference to a shared

experience in customary law; hence the segment is titled “*Besa* [the word of honor] and union”

(IV. *Besa e lidhja*). It begins by proclaiming that:

The Albanian’s word of honor (*besa*) is and has always been known and esteemed throughout the world. A *besa* given by an Albanian will not be withdrawn or broken, but upheld faithfully through the last breath and soul in his body.<sup>43</sup>

Here, the *besa* or word of honor constitutes something of a natural law, steady and unwavering, an eternal truth that is and has been a cornerstone of Albanian life since time immemorial. Sami writes that “the word of honor which has distinguished Albanians to this day, the *besa*, will save them from all perils.”<sup>44</sup>

Albanians must first and foremost set up a wide reaching and all-encompassing *besa* that will unite and bind all under a common oath. Sami asks that they forgive and give up all feuds and conflicts amongst themselves because in such dire circumstances, there is no sense in wasting ancient Albanian blood. Urgent times require that they unite to spill blood against enemies of motherland and not their own brothers. “Albanians, united in this manner and bound under an unshakable oath, will exist as a single being, brave and powerful, with one desire, one word and one solitary aim.”<sup>45</sup> Sami maintains that no one would dare stand against Albania united under such a pledge; thus, the manifesto beseeches:

Do not see religions and belief; Muslims, Catholics and Orthodox, they are all Albanians wherever they are, and they are all brothers. All must unite under the sacred flag of Albania. Any Albanian who abandons his brothers and joins the enemies of Albania, by breaking his *besa*, becomes a traitor; an enemy of our nation and our homeland. Better that such Albanians do not even exist.<sup>46</sup>

The manifesto thus argues that if unified under *besa* and a league, the Albanians can take away local authority from the empire and give it to Albanian leaders who will perform the necessary duties to preserve their nation.

In the manifesto, customary law is used to assert a unique national identity—as in the play *Besa*—however, it is additionally applied in new ways. Customary law receives reference through assertions of an Albanian character, but is also extended to claims of a collective

national history. Moreover, the manifesto engages customary law in a direct way that is more assertive and noteworthy than the symbolic and narrative applications in Sami's 1874 play. In doing so, it reveals a deeper rapport between customary law and Albanian nationalist discourse.

Sami specifically argues that by means of a *besa* —the word of honor described as innate to the Albanian national character—Albanians can forge a sacred unity that will not be broken. National unity and by extension sovereignty will unequivocally arise from a resort to the indigenous ways of oath and loyalty found in *Kanun*. Sami's argument for *besa* asserts that Albanians need only call on this “innate custom” of their national character and deliverance will arise from the unshakable authority of their native traditions; hence the author's insistence that the fate of Albania lies in the hands of the Albanian. Thus, customary law, through its institution of oath and honor, can become a vehicle for national salvation.

On the issue of oath and the *Kanun* book seven in Gjecov's *Kanun I lek Dukagjinit*, titled “The Spoken Word” states the following:

529. The oath is a religious utterance, by means of which a man, wishing to exculpate himself from a shameful accusation, must touch with his hand a token of faith while calling upon the name of God in testimony of the truth.

530. This sort of oath is acceptable by the law of the mountains of Albania in order both to clear oneself of accusations and to make pacts binding. (Gjecov 118)

Sami uses this framework of oath and spoken word as a sacred and inescapable binding pact to call for national unity. The manifesto beseeches the audience:

Albanian men! Join with two hands in a *besa*, in league and in unity. This is what will save you. Otherwise you will be lost.<sup>47</sup>

This call to unity through a pledge is certainly the manifesto's clearest engagement with customary law and the most direct application of this apparatus to propagate an Albanian nationalism. Customary law is employed throughout the manifesto in other symbolic and narrative ways that are considered further on, but the uniqueness of its role here is significant for both directness and agency. Here, the role of oath and the word of honor are not merely

relational or symbolic. In calling for a *besa*, the manifesto is situating itself within the realm of customary law essentially becoming an extension and signifier of this apparatus through a pragmatic and genuine engagement with it.

The fifth section is titled “The Aims of the Albanians” (V. Qellimi I Shqipetarevet) and it begins with the claim that:

The Albanians’ only aims is to protect Albania so it is not broken up by foreigners, to conserve their language and national identity, to withstand all enemy plots and impede the spread of Greek and Serb ideas and language which are tearing down Albania’s foundations and uprooting the Albanians along with their nation.<sup>48</sup>

Maintaining language is at the forefront of the national struggle; second is the establishment of an independent Albanian church separate from Greeks and Slavs. Sami concludes that these aims can only be achieved by removing the present Ottoman government—which prohibits the Albanians from writing and teaching their language—and establishing native rule with a government that will address issues important to the Albanian nation. On the importance of self-determination and autonomous rule, he writes:

Without such a government, the Albanians cannot revive and spread their language and maintain a national identity. Albania must secede as soon as possible in order to reveal where it is and where it is going. Our country must be recognized as Albania and Europe as well must recognize it as such. Albanians must advance and embellish their language with letters and knowledge; they must unite and present themselves as a single nation with the same rights as all other nations on earth.<sup>49</sup>

Further on, Sami suggests that an independent Albanian government, once it is strong enough, can try to help the Ottoman s if the Empire changes its ways, but while the Empire survives, it must not be allowed to trample on Albania or drag this nation down alongside it. Deliberating on the Empire’s imminent collapse, the segment closes with the following questions: “What then will become of Albania? It will be left alone. But how? What governance will it have?”<sup>50</sup>

The remaining ten segments—seven through seventeen—are used to sketch out, in great detail, a governmental structure appropriate for an Albanian nation. The seventh segment, titled “The head of Albania’s government” (VII. Krei i qverise se Shqiperise), addresses an issue that,

according to the author, is frequently raised by foreigners and Albanians alike, namely, whether Albania can find a head of state who will overcome religious, regional, and other differences within the populace; “if he is Geg, Tosks won’t approve and if he is Tosk, Glegs won’t approve; if he is Muslim, Christians won’t be pleased and if he is Christian, Muslims won’t be pleased.”<sup>51</sup> Sami, however, argues that Albania does not need a head of state and furthermore, that such a figure could possibly cause more damage than good.

Citing writings by Greek historian, geographer and philosopher Strabo (63/64 BCE – ca. CE 24)<sup>xviii</sup>, specifically the examinations of Macedonia, Illyria, and Epirus in his *Geography*, Sami points out that these ancient tribes—ancestors of the Albanians—although divided into different principalities and kingdoms, upheld an olden tradition of governing through councils of elders called *plakon*. Elders judged and administered the law of the land in these ancient tribes and Sami argues that the *plakon* described by Strabo is the same convention of elders present in modern Albania, known as *pleqesi*. He continues by proposing that this institution of elders can and should be a basis for structuring an Albanian national government.

Why should we abandon this magnificent and thousand year old tradition today by turning to a foreign entity...which would ruin all the grand attributes of our nation? We should never move away from Strabo’s *plakon* and the tradition of elders which we have preserved to this day; elders always rule in Albania. Let elders rule and govern everlastingly.<sup>52</sup>

The manifesto’s claims on the preservation and historical significance of elders for upholding order in Albanian societies undoubtedly refers to the persistence of such traditions in Northern Albanian communities which followed the *Kanun*.<sup>xix</sup> In Gjecov’s version of the *Kanun of Lek Dukagjin*, book eleven on judicial law, states:

992. The Elders are chosen from among the senior members of brotherhoods or from among the chiefs of Clans [fis], and their functions supports the foundation of legal rights.

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<sup>xviii</sup> Encyclopedia Britannica Online

<sup>xix</sup> In many northern Albanian communities, Ottoman policies permitted a great degree of self-governance and allowed the persistence of *Kanun*. However, in southern Albanian communities, greater assimilation within the Port’s administrative system mitigated this condition.

993. Without them, no new law may be instituted, nor may any trial or judgment take place which concerns a brotherhood, a clan, a village or a Banner.

994. Those men who have a reputation for wisdom and who are experienced in trials and judgments are also called Elders. (Gjecov 188)

Albanian customary law places primary importance on elders and councils of elders as rulers and arbitrators of the oral law, and Sami's assertions were undoubtedly affirmed by the persistence of customary law in northern communities. Thus, at this juncture of the manifesto, a central organizational mechanism of *Kanun* serves as both proof for a past system of independent governance and a guiding framework for a future state structure.

The ninth and tenth segments, titled "The Elders" (IX. Pleqesia) and "The General Assembly" (X. Keshill' e pergjithcime), revisit the task of creating a national government; they expand the concept of rule by elders as well as suggest additional institutions for building an administrative framework suitable for the whole nation. The main elements of the structure proposed in the manifesto would be a council of elders and a general assembly. Sami proposes that each of fifteen administrative regions elect one person to a national council of elders. This council could convene in the capital and choose amongst the constituent members a head of council and his successor. The head of the council would essentially function as a head of state, receiving foreign delegates, appointing worthy persons to government positions, signing and approving decisions, as well as gathering the general assembly and delivering the address for its commencement.

That is to say, he will perform all that is done by a king or prince in other places; he will accomplish all of this after gathering the council of elders and taking into account the thoughts of the other elders; nothing will be decided solely on his judgment... he is not alone in this vocation and the all elders will rule.<sup>53</sup>

The elders and their head would be elected every four years with half the elders rotated every two years. In Sami's proposal, the council of elders would remain and convene in the capital

every day except for two months in the summer when members could return home in halves to observe the needs of their people and rest.

While each region would elect one member to the council of elders, each sub-region would elect two representatives to serve in a general assembly, amounting to around one hundred members in total. The general assembly would convene every year in the capital for one month to oversee the budget and other general issues in the nation's interest relegated to this institution by the council of elders. All projects and works proposed by the committee of ministers would be taken up by the general assembly; once approved by the general assembly, they would be considered by the council of elders and once approved here they would be authorized by the head elder and returned to the ministries for implementation.

The administrative framework Sami suggests for an Albanian nation-state is yet another aspect of the manifesto that reveals an obvious appropriation of customary law to propagate the project of Albanian nationalism. After proposing national unification through a nationwide *besa*, Sami dedicates the remainder of the final chapter to outlining a structure for a future Albanian government. In its entirety, the author's proposal essentially amounts to a representative parliamentary republic, a bicameral legislature operating through both a council of elders, the upper house, and a general assembly, the lower house. Sami outlines age, property, and or tax requirements for the eligibility of both representatives and the electorate. While the manifesto does not delve into great detail about the everyday functioning and procedural aspects of this system, it is reasonable to claim that the framework proposed is not unique and or novel in any significant means. Rather, it seems to be an appropriation of established administrative systems already functional in various European nations of the late nineteenth century. However, the terminology which Sami uses to introduce this form of governance reveals further reliance on



local experience in customary law. Sami calls the upper house of his proposed national government a Council of Elders, and describes suitable members for this institution as leader from the respective communities who are respected, esteemed, and “figures whose word holds sway.”<sup>54</sup> The manifesto again relies on aspects of customary law and the status it affords to elders by highlighting that candidates should be leaders of their communities whose word is respected.

The thirteenth segment, “Education” (XIII. Diturija), addresses an issue “which Albanians must attend to most,”<sup>55</sup> according to Sami. He calls for free and mandatory elementary education for all boys and girls from seven to thirteen years of age. The author also suggests that a University with faculty in numerous fields should be established in the capital; a university should also be established in the northern regions and southern regions of the country. Another important aspect of Sami’s vision for furthering education and academics in Albania is a national print and publishing house that can produce books for the nation’s schools and enrich it with knowledge. Thus, Sami sees the spread of the Albanian language material and the creation of an Albanian education system as key to the formation and maturation of this nation.

The fourteenth segment is titled “General Works” (XIV. Punerat’ e Pergjithcime) and here the author enumerates the necessary task of modernizing and building the nation through various industrial endeavors. He writes that:

After education, the next biggest task and need for the Albanians will be general works and projects which will bring prosperity and great riches to Albania. Roads, railroads, ports, developing an infrastructure of rivers and lakes, mining, forestry etc. These are the most needed and valuable of works that Albania will accomplish.<sup>56</sup>

Thus, Sami sees a project of industrialization and modernization as vital for the economic and political unification necessary to strengthen the nation. He suggests that these tasks be

undertaken by the ministry of general affairs and considers them of great importance, placing them only behind education.

The seventeenth and final segment of the last chapter is titled “The Municipalities” (XVII. Katunderite) and introduces the final administrative unit in Sami’s proposal. Here, the author suggests that every region, town, and village be split into local municipalities which would connect local governance with a national body. Sami writes that:

The happiest place in the world is that which feels the hand of the state least. The state should not directly deal with the local inhabitants as much as it is possible. Municipalities are need for this purpose.<sup>57</sup>

The municipalities would be responsible for collecting revenue from the citizens and transferring it to the national government and they would also manage and oversee state functions on a local level including elementary education, local roads, markets, courts, public property and safety.

Thus, all local concerns will be attended to by the municipalities and local inhabitants will not know any authorities except the municipality which they elect themselves. The state will not intervene except in larger and general fields; dealings which the municipality cannot address independently and will relegate to the state.<sup>58</sup>

The leadership of each such unit would be elected at an annual general gathering in each municipality by male inhabitants that fulfill certain tax and property criteria. The municipality would fund and manage itself through local taxes and the resources in its authority.

In justifying a system of municipalities for local rule, Sami writes that the happiest people are those who feel the hand of the state least. According to the author, the system of municipalities is intended to serve this purpose; people would only be responsible to their local communities and leaders. This explanation also corresponds well with governance under the *Kanun* where family, clan, and village are the primary networks of governance and greater units such as Banners (which include larger areas), are only reverted to when the issues in contention are wide-reaching and cannot be solved by the local community. Experience with customary law can thus be used to justify and explain Sami’s proposed administrative system. However, these

references are merely symbolic because in substance, the institutions proposed are modeled after modernist European state structures. Yet again, customary law becomes a means for propagating a nationalist agenda by refashioning and advocating centralized governance through means appropriate to local cultural experience.

The manifesto ends by following the third chapter on “What will become of Albania” with a brief conclusion, reiterating key arguments and issuing a final call for all Albanians to take action on behalf of their motherland. It begins by asserting that: “from all we have said it becomes very obvious how Albania can be governed and how handsome a place it will become with such a government.”<sup>59</sup> On such a path, Albania will become one of the most advanced and civilized nations in the world; the Albanians which now live in poverty and oppression would be prosper and flourish. What is necessary for this? “Very little; Only desire! Should we desire it, we are capable of saving and making Albania as we said.”<sup>60</sup> Sami writes that this fate remains in the hands of the Albanian people; inaction would be huge mistake, paramount to destroying the motherland themselves. Preserving Albania must always be in their hearts and minds.

Every Albanian that aspires to this should desire the unification of the Albanian people; all Albanians are brothers, the same blood flows through their veins...Every person that is born of Albanians and speaks Albanian is an Albanian, but a true Albanian is he who has Albania in both mind and heart.<sup>61</sup>

When the majority of Albanians become such true Albanians, this nation will have its salvation.

However, currently, the majority of Albanians are not true Albanians; that is, in both mind and heart. There are those that don’t seek to honor their nation and language, finding embarrassment in this name. “But if they are embarrassed to say that Albania is our mother, Albania is far more shamed and hurt that she has such sons.”<sup>62</sup> The argument continues that if Albania has remained backward, it is not the fault of this nation but the fault of the Albanians, who have neglected their nation and not written in its beautiful language. Furthermore, Sami

adds that those Albanians, who cannot value their nation and language and are embarrassed by this name, are traitors who shame their motherland.

Their existence is a great embarrassment for Albania and for the Albanian nation. What unbearable shame when an Albanian, in whose veins flows the blood of Skenderbeg and his brethren, forsakes his nation and the language of his mother by embracing a foreign one.<sup>63</sup>

He argues that the shame of such people is a shame for the whole Albanian nation and they should be expelled. “Every true Albanian must see that no such Albanians remain as they damage and bring great shame to Albania and all Albanians.”<sup>64</sup> Every Albanian must become a true Albanian and make those around him true Albanians as well. They must see that their language is maintained and spread—written and read—such that this nation become one of the most civilized and prosperous.

O men! Do not let the sleep of stagnation and ignorance seize us, for if we continue like this, we have already lost. O what great damage and what heavy shame to lose today—in times when even the weakest of nations are awakening and budding—a nation like the Albanian one which has been preserved for thousands of years under worst times.<sup>65</sup>

Sami asserts that protecting this nation is an undeniable right of Albanians and all who stand against it, stand against justice and righteousness.

In the conclusion, Sami largely reiterates and consolidates the manifesto’s arguments for Albanian nationhood: an ancient and glorious history, a common culture and kinship, and a shared fate. However, a novel and noteworthy element not pursued at other parts of the manifesto is the proclamation of shame weighing heavily not only on the honor of this nation, but on all Albanians. This shame arises from those Albanian sons who have forsaken their motherland and her protection and also from those who have maintained their loyalty but have thus far neglected and failed her protection and prosperity.

Honor/shame and humiliation/reconciliation are themes woven throughout the manifesto, but the most direct and evident expression of these dualities is presented in the work’s conclusion. The author here reiterates his arguments for national unity, resistance and self-

determination but also addresses an issue that thus far, had largely been sidestepped. Namely, he considers the problem of internal opposition to national unity and resistance; the issue of Albanians who would oppose this cause. At an earlier juncture of the manifesto, Sami suggests that all those opposed to the national cause are traitors and should be treated as such but it is only in the conclusion that he explains what that entails. He writes:

Those Albanians who do not value their nation and language, don't like it and have no shame in wishing to be called Turks, Greeks, Slavs or others, they are traitors and ignorant fools. Their existence is a great humiliation to Albania and the Albanian nation...Such people shouldn't exist in Albania, nor on the face of the earth.<sup>66</sup>

The manifesto approaches the issue exclusively through rhetoric of shame and humiliation, ideas that are wholly tied to the *Kanun's* honor/dishonor binary. In the realm of Albanian customary law, an infringement to honor brings shame and humiliation to the victim who must seek retribution and regain honor or otherwise be ostracized, losing respect and status in the community. Furthermore, certain violations to honor cannot be resolved short of complete expulsion from the community—where the whole village burns the residence of the shamed—or the taking of blood. Sami in presenting his argument through rhetoric of humiliation and shame implies this paradigm. Furthermore, his proposal of excommunicating or eradicating such people regards this issue as the highest level of violation within the realm of the *Kanun*; in demanding eradication and excommunication it clearly parallels the dynamics of customary law. The honor/shame binary is thus projected to the nation as a whole; allowing Sami to both reaffirm his outline of nations as unified entities and further extend the discourse of *Kanun* to his theory of nations.

**God, Righteousness, Nation, Language! Albania, Albanians!**

This is our aim! This is our sacred work! This is our pledge! All those who share this aim are our brothers! Amongst true Albanians there is no separation, no divisions and no differences! They are all brothers, all one body, one mind, one aim and one faith. (113)<sup>67</sup>

Thus concludes the manifesto's final passage.

### The Manifesto, Customary Law and the Albanian Nation

A comprehensive analysis of the claims and arguments in Sami's 1899 political manifesto requires that we situate this work within the larger context of nationalism in the national rebirth period. For our purposes, it is important to consider how Albanian nationalist discourse functions and changes from its early manifestations in the play *Besa* to the later work *Albania- What it Was, What it Is and What Will Become of It?*; particularly, how Albanian customary law is employed in both of these endeavors.

*Besa* was intended as a tribute to Ottomanism—a Tanzimat ideology which promoted cultural and ethnic pluralism within the empire—therefore, it is not an explicitly nationalist text. Nonetheless, the play narrates an ethnic Albanian identity through an ideological framework inherent to models of Eastern European nationalism; we argued that it inevitably functions as a foundation for nationalist discourse. In *Besa*, the task of narrating a unique identity—openly proclaimed by the author in the play's 1875 introduction—employs customary law as a primary signifier of Albanian national identity. If customary law and *Kanun* are a basis for narrating an Albanian identity in Sami's play, how are they employed in his manifesto?

While nationalist discourse in *Besa* is expressed indirectly, in the manifesto, a nationalist mission is a clear and unambiguous feature. Robert Elise, a scholar of Albania, writes:

Of major significance to the Albanian national movement was Sami Frashëri's much-read political manifesto "Shqipëria - Ç'ka qënë, ç'është e ç'do të bëhetë? Mendime për shpëtimt të mëmë-dheut nga reziket që e kanë rethuarë" (Albania - What It Was, What It Is and What Will Become of It? Reflections on Saving the Motherland from Perils which Beset It), Bucharest 1899. This work of Balkan pathos is indicative of the awakening of Albanian national identity at the end of the nineteenth century.<sup>xx</sup>

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<sup>xx</sup> [http://www.albanianhistory.net/texts19/AH1899\\_1.html](http://www.albanianhistory.net/texts19/AH1899_1.html)

Through this brief manifesto, Sami accomplishes much for the nationalist cause. He provides a historical narrative of an Albanian nation and, furthermore, offers his audience a complete treatment of nations and their role in the world, from birth to extinction. Specifically, Sami's manifesto introduces the model of ethnic nationalism that took root in the Balkans, relying on ideas of ethnic homogeneity, a common past, and a shared destiny to propagate a nationalist vehemence. Most importantly, perhaps, the manifesto introduces not only a specific Albanian nation, but also the concept of nation and nationalism in general – it thus becomes a metanarrative of modernity.

The most important task for late nineteenth century Albanian nationalism was achieving national unity; this message becomes abundantly clear through Sami's manifesto. It is certainly the direct target of this work and, in many ways, a focal point of its structural and ideological framework. The manifesto's treatment of nations is informed in every respect by the assertion that national unity brings salvation, while division brings decay and, ultimately, termination. This dichotomy is central to Sami's discussion of the role and function of nations and in his treatment of an Albanian nation in particular. According to the manifesto, nations thrive when they are united in their purpose and native ways, but they decay and disappear as members split, losing their native identity and the utmost trait of nationality, language. This dichotomy of unity versus separation is not a big surprise given the modernist and late Romanticist roots of the ethnic nationalism taken up in the Balkans; after all, our theoretical framework explained these intellectual trends as movements towards centralization, standardization, and homogenization, be it cultural, linguistic, or political.

A similar opposition between unity and division is of central importance in *Besa* as well. The root of the play's problems is the separation of the family; the absence of the father has lead

the son astray, causing him to forget the ways of the land and dishonor the family. Resolution in the play only comes with the father's return to the homeland and his atonement with the native ways through filicide, killing his son and then himself. More importantly, from destruction follows unification; the feuding families are joined under a stronger, sacred union founded on the native ways of honor and oath. Thus, the unity of "native" elements, which is a central matter of the play *Besa*, is a theme revisited in Sami's political manifesto, as well. In the latter, however, unity has an explicit national disposition which is the work's central aim and also its indispensable ideological foundation.

In the play, unity and resolution result from recourse to the native ways and the unwritten law, specifically, through the fulfillment of the oath and the upholding of the word of honor. In the manifesto, Sami suggests and applies precisely the same mechanism for bringing the Albanian people together. In the chapter "What Will Become of Albania?", the author dedicates a segment to this matter. He argues that nothing can prevail against the Albanian national cause if Albanians give their *besa* and take a wide-spanning oath to protect their nation and identity. Sami's call for national unity through an oath that binds all Albanians is the most direct application of customary law to Albanian nationalism, but throughout the manifesto, the code is also employed in other ways.

Sami uses customary law to substantiate the narrative of the nation's historical continuity and its shared golden past, as well as relying on a shared memory or experience in *Kanun* to legitimize his proposed framework for a future Albanian government. Narratives of historical continuity and golden antiquity are common to many Balkan national narratives and in Sami's version of Albanian history, affirmations of a shared national past are twofold: a theory of Pelasgian descent, which is used to claim ancient presence and thus territorial legitimacy for the



Albanian nation, and the story of Skanderbeg, which highlights a golden age of freedom and national unity. Skanderbeg's stand against the Ottoman invasion is used to confirm the Albanian nation's capacity for unity and self-governance as well as the ability to fight for nationhood. The story of Skanderbeg is also used to assert Albania's role in the protection of European civilization through this nation's fight against Eastern invaders. Both accounts in Sami's manifesto are substantiated through the presence of customary law.

Using writings on the Illyrian, Macedonian, and Epirian communities by ancient Greek historian and geographer Strabo, specifically the claim that these communities maintained governance through a system of elders called *Plakon*, Sami argues that this ancient system of rule by elders is the modern Albanian tradition known as *Pleqesi*,<sup>xxi</sup> a cornerstone of Albanian customary law. In Sami's narrative of Albania's history, the Macedonians, Illyrians, and Epirians all belong to a single ancient Pelasgian nation of which Albanians are the only remaining piece. Accordingly, by relating documented accounts of these ancient societies to experienced aspects of Albanian customary law, the manifesto is able to further substantiate its claims about antiquity and Pleasgian descent. Thus, Sami finds proof for his narrative of an Albanian nation in antiquity through the institution of elders found in *Kanun*.

Accounts of the nation's golden past—which the manifesto locates during the time of Skanderbeg—are also substantiated by reference to *Kanun* and customary law. Skanderbeg's desertion from the Ottoman Army and his return home to fight against these invaders fits perfectly with the motif of return to the native land and salvation in national unity—central themes in both *Besa* and the manifesto. Thus, Sami designates the times of Skanderbeg the freest and most beautiful in Albania's history; despite this being a period of blood and war, it was a

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<sup>xxi</sup> *Pleqesi* is the plural form of the Albanian word *Plak*, which means elder.

time when Albanians unified and worked together to save their nation. On the means through which this unity is achieved, Sami writes:

All men and heads of Albania gathered in Kruje, vowed word and council and gave a besa to resist and die for the rescue of the motherland, recognizing Skanderbeg as their leader and king.<sup>68</sup>

Here again, national unity is achieved through a gathering of Albanian men and the swearing of the sacred oath to protect the nation until death. Sami concludes that this period and event brought the Albanian nation fame and honor before all of Europe and the world.

To justify a state with of a representative council as opposed to one with a king or a single head of state, Sami argues that a system of rule by elders is one that is native and innate to Albania and its national character and so it should be preserved. However, Sami's proposed council of elders is very different from rule of elders as experienced under *Kanun* in a very fundamental way. While elders do hold a high authoritative status under the *Kanun*, this is not their profession or career; they are sources to be accessed when problems and issues arise. In Sami's proposed administration, the council would be a governing establishment active year round and the representative elders here would essentially be career politicians, very much like representatives in the governments of western European states. Thus, Sami's terminology and the explanations he suggests for Albania's future administrative system serve mostly as a selling point. The manifesto applies concepts and terminology that draw symbolically on the ideological and structural framework of *Kanun*, but the centralized modernist state propagated by the author is diametrically opposed to Albanian customary law, as the latter is intended for a decentralized pre-modern society and not a modern European nation-state.

These are the several notable areas of direct engagement with customary law—the narration of Albania in antiquity, the nation's golden age, and most importantly the call for a wide-ranging *besa* to bind and unite all the Albanian speaking communities—but there are other

subtle and less direct patterns tying the manifesto with customary law that merit brief consideration. Two important patterns include the motifs of a warrior race and hyper-masculinity in the description of Albanian national identity and the honor/humiliation or blackface/whiteface binary which is a pillar of social structure and authority in the *Kanun*. Both are used in the manifesto to incite emotion.

Regarding the first pattern, we recall that Sami offers a narrative of Albania throughout history as a nation of warriors. In the first chapter, he writes:

The Albanians, a brave and fighting people, have always shown a great desire for combat and have sought war throughout their lives; they have considered war a profession and gain for themselves.<sup>69</sup>

Albanians are described as a people for whom knowledge, desire and capacity for battle and war is an innate characteristic; such is the manifesto's account of Albanian national identity. The second chapter, in explaining the Ottoman betrayal of Albania and the infringements committed by the former, states:

Turkey has abandoned its assurance with the Albanians...it seeks to teach them knowledge of combat, that which they themselves do not know, and which the Albanian has learned from suckling the milk of his mother.<sup>70</sup>

Notions of a warrior race are recounted yet again in the above passage, but the main element is the depiction of this attribute as flowing from nature and particularly through nourishment from the mother. The rhetoric here is very much gendered with discourse on nativity, family, and continuity being extended from the individual and family to a larger realm constructing and legitimizing a domain of an organic natural nation.

On the injustices suffered by Albanians, the manifesto particularly emphasizes heavy taxation and the confiscation of weapons; a tragedy and shame, which according to Sami, has befallen all Tosks and most Gegs. Of the two infringements mentioned, the possession of weapons is particularly noteworthy as it is a sacred right and a ritual of manhood in the realm of

the *Kanun*. In Gjecov's *Kanun of Lek Dukagjin*, book two, titled "The Family," in describing "The obligations and Duties of the Head of the House" states that one of eight responsibilities is "to buy weapons for the young men when it is seen that they are capable of handling them." (Gjecov 16) Indeed, weapons and specific rules on possession, sale, and use are of major importance to the *Kanun*. Hence, infringements in this area would resonate powerfully with Albanian communities, especially in those regions where customary law and *Kanun* maintained a strong presence. The regions in northern Albania that enjoyed a great degree of administrative freedom and maintained the oral law would be the author's ideal audience in this regard. Sure enough, the manifesto warns that even in the Albanian north, where certain Geg communities have retained arms and thus far escaped the weight of the new order, "the Ottoman government is encroaching day by day, plotting to take their weapons and enslave them as well."<sup>71</sup> With the issue of arm confiscation and particularly by singling out the northern Albanian tribes where customary law remained strongly influential during this period, Sami is able to evidence both injustice/victimization and furthermore endorse the manifesto's narrative of warrior race through reliance on the social role and importance of weapons in these communities.

The manifesto's depiction of Albanian national identity is undoubtedly gendered through the rhetoric of hyper-masculinity evident in portrayals of the Albanian as a natural warrior. These motifs of the manifesto, authenticated through reference to customary law, parallel its misogynistic and patriarchal structure and are furthermore projected and applied to engagements with Albanian national identity as a whole. This construction, applied repeatedly throughout the manifesto, becomes especially valuable for supporting the author's arguments that a path of national resistance will guarantee success because the Albanians are not only righteous in cause, but also uncontestable in combative force. Thus, motif of warrior race and hyper-masculinity—

common tropes strategically engaged in the manifesto's characterization of Albanian national identity—are also associated with customary law.

A second noteworthy pattern involves the honor/humiliation motifs. These are somewhat more veiled than themes of hyper-masculinity and warrior race, but they are also significant to the manifesto's aim and message. In our early examinations of Albanian customary law, we highlighted the importance of the spoken word (*besa*) and honor as ideological and structural pillars in the social function of the oral law. We revealed that within the realm of customary law the concept of honor—held as given by the almighty and innate to every man—symbolically linked the members of a community and served as a social equalizer by affording all an equal lot. The concept of *besa*, through the primacy of oath and the given word, functioned as the schema that oversaw adherence to the social code and managed infringements of honor. In the *Kanun*, these two elements are inexorably linked, as a *besa* cannot hold power without the framework of the honor it's meant to preserve. Thus, the binary of honor/dishonor and the institution of *besa* are central to Albanian customary law because they guide the dynamics of status and power within the community by assigning social capital and access. We already examined the manifesto's use of *besa* in its capacity as a binding oath—applied by Sami to call for national unity—but a complimentary element necessary to validate this function within the realm of *Kanun* is the institution of honor, particularly its violation. Accordingly, discourse on honor and violation plays an important role in Sami's manifesto.

In the chapter on “What was Albania?”, the idea of honor is mostly used in a positive sense, to praise the nation's grand past. In the subsequent chapters, which deal with the present and future state of Albania, honor is employed frequently, but here, the honor/dishonor duality has a stronger presence and there is repeated emphasis on violation. Beginning with the second

chapter and the segment “How are the Albanians Today?”, arguments on betrayal, violation, and victimization of Albania and Albanians by the new Ottoman order become central themes. The segment begins by claiming that “today Albanians are slaves, disgraced and humiliated, abused and insulted.”<sup>72</sup> The author continues by arguing that while the Albanian continues to fight and honor the Turks, he is not paid in kind for his blood and service. An important feature of the honor/dishonor dynamic is revealed here. Claims of violation are initiated on the individual level—the victimization of the Albanian soldier and the lack of respect for his honorable service—but immediately thereafter, are extended to all Albanians through reference to new taxes and duties imposed on the region. The manifesto thus laments: “O what great shame! O what great misfortune! Don’t bear it o Almighty!”<sup>73</sup> From this point onward, the nation stands in place of the individual; accordingly, discourse on honor and violation concern not the individual Albanian, but the Albanian nation. Accounts of victimization—intrinsic to nationalist sentiment and ubiquitous in other Balkan national narratives—are thus integrated into Sami’s narrative of an Albanian nation. Yet again, customary law becomes the means for relating and legitimizing a national cause. .

Anthony Smith’s *ethno-symbolist* model of nationalism holds that nationalist ideologues draw on pre-existing elements, symbols, and motifs of a prior *ethnie*, and apply them to legitimize a national narrative accessible to a broad base that transcends local loyalties and divisions. He further argues:

To say that modern nations must have or create some elements of pre-modern *ethnies* if they are to endow their citizens with a sense of solidarity and destiny, does not mean that these ethnic elements remain in their pristine, pre-modern form and with their identical pre-modern meanings, when they are rediscovered and drawn upon by a returning intelligentsia intent on reconstructing a modern nation. This is where the nationalists with their peculiar myth of the nation generally make their most important contribution. For it is they who, in the first place, select the historical memories and elaborate the myths of descent of the relevant *ethnie*; just as they also deepen and extend cultural attributes like language or religion which appear to them most appropriate for unifying, and differentiating, the nation. (43)

For the Balkans, this means that while the general framework of nationalisms in the region remains similar, the specific details and claims of each nation vary in accordance with the conditions, needs and tools available to nationalist ideologues. It follows that the specific elements applied by different nationalists are important for understanding the particular ideological and discursive fabric of that nationalism. Applying this framework to Albania, we sought to show that nationalist discourse in the work of this nation's key ideologue Sami Frasheri uses customary law as a main facet and signifier of what Smith called the "pre-modern *ethnie*". In Sami's work, the experience of customary law is appropriated and refashioned to become a central catalyst in the Albanian national narrative constructed and legitimized therein. The concluding remarks will further argue that the pattern of applying customary law to legitimize and propagate a national narrative and identity has spillover effects that allow the paradigm to persist well beyond the period of national rebirth.

### **Concluding Remarks**

Our project was initiated on the basis of two contentions: That in the context of globalization—with ever expanding systems of exchange and communication—nations and nationality, as signifying tropes, play a central role in structuring and legitimizing one’s knowledge of the world. Furthermore, in the case of Albania, blood feud and the region’s experience with customary law have been constant themes of ‘Western’ engagement with the nation. This pattern is particularly noticeable in the late nineteenth century with the emergence of early Albanian national claims, and also in the late twentieth century, with the collapse of the Communist bloc. Bringing these observations under further scrutiny, we introduced Maria Todorova’s theory of “Balkanism” and suggested that external treatments of Albanian customary law seem to correspond well to this pattern. The latter becomes the focus of various essentializing discourses that construct the region as the West’s cultural “Other”; customary law is used to legitimize an agenda where notions of modern versus pre-modern and backward versus advanced societies function as self-congratulatory claims for the Western hegemon.

Noting that renewed focus on Albanian customary law —both in the nineteenth and twentieth century—paralleled the rise of nationalist conflicts in the region, we posed questions about a possible interaction between discourse on customary law and nationalism. Use of customary law as a marker of Albanian national identity was clearly present in outside engagement with the subject, and so our project sought to consider treatment of customary law by internal forces, particularly by Albanian nationalism. We introduced popular scholarship on nations to offer a theoretical framework for the project and through this framework, nationalism itself was understood as a discursive process, and as such, an unstable, changing system of



signification. Consequently, we narrowed our focus to the materializations of early Albanian nationalist claims during the so-called national rebirth period in the late nineteenth century. Specifically, we focused on the work of Sami Frasheri, to examine the function of customary law in his engagement with Albanian nationalist discourse—both its early veiled presence in Sami’s defense of Ottomanism, where arguments for Albanian national identity are first introduced through discussions of cultural pluralism, as well in later direct and virulent arguments for autonomy and national self-determination.

Through Sami’s 1874 play *Besa* and his 1899 manifesto *Albania - What It Was, What It Is and What Will Become of It?*, we argued that Albanian nationalist discourse demonstrates a complex yet undeniable relationship with customary law. Specifically, we argued that nationalist discourse in Sami’s work employs the memory and experience of customary law in both direct and symbolic ways to legitimize and propagate a larger Eastern European nationalist paradigm in a uniquely Albanian light. We suggested that customary law, through its polarized structure and mechanisms, found easy correspondence in the model of ethnic nationalism that took root in the Balkans, where national identity is structured along similarly rigid dualities and frameworks of inclusion/exclusion. Nationalist discourse in Sami’s scholarship attests to this pattern as the *Kanun*’s underlying structural dynamic of honor versus dishonor, loyalty versus betrayal, domestic versus foreign, are applied and extended to legitimize nation and nationality. Thus, we concluded that customary law becomes a vehicle through which the modernist project of nation is refashioned to appeal to local forces and sentiments by drawing on the experience and memory of the *ethnie*.

A venture into the development of Albanian nationalist discourse beyond Sami’s work would reveal that the application of customary law to legitimize and propagate national claims

persists far beyond the period of national rebirth. Moreover, such engagement is not limited to nationalist efforts as similar patterns can be identified in a range of political developments involving the region and *ethnie* in question. Anthropologist Stephanie Schwandner-Sievers writes:

In a diachronic perspective it can be demonstrated that from Ottoman, through Communist times and into the present day, the respective state organs have used and are using *kanun* concepts to maintain control, thereby generating these dualist (polar) conceptions in society which support regional and political clan structures, familism and patronage. (Humiliation 135)

Customary law as a discursive and social apparatus has thus maintained a deep presence in this region both prior to and after the period of national unification

After the Albanian national independence, the arrival of the Communist state and its relentless attack on the country's feudal structures and institution certainly mitigated, if not completely eradicated, the experience of customary law as social reality. However, despite this development, reference to customary law persisted well into the twentieth century and even escalated in the post-Communist period. A thorough examination of *Kanun* discourse in the post-independence period would prove inexhaustible; nonetheless, a brief consideration is merited for a concluding reflection of Albanian customary law and its extensive relation with the region's political developments.

The interaction of the Communist state with the *Kanun* is particularly interesting; it is fraught with contradictions and schisms, attesting to the wide capacity for engaging customary law. During the Second World War, when Communist forces first gained power through their role in the partisan resistance, customary law was appropriated by the latter to support unity and a national cause, similar to its function in the national rebirth. Schwandner-Sievers writes:

Reconciliation ... was achieved, for example, by gathering tribal political representatives who swore a blood peace aimed at a so called "unification of brothers". A main argument to convince the people to unite in *beslidhje* was the external threat by the Second World War opponents. (Humiliation 148)

The scheme was largely successful as feuds were significantly curtailed during this time and the region was united in the fight for national liberation through the methods of *Kanun*. *Besa* and the pledge, alongside other institutions of the *Kanun* were assimilated into the Communist program to legitimize its pursuit of political power. With the end of war, however, the goals and aims of the newly established Communist government changed, and so did its interaction with customary law.

After rising to power, the Communist government launched an intense project to centralize and consolidate power; it sought to modernize the country in every regard, economically, politically and culturally. These efforts brought customary law under direct attack, as the latter was a bastion of the patriarchal clan and local sympathies, whose power the state sought to disrupt. In practice, this meant brutal persecution of the northern regions involved, including imprisonment and outright executions, as well as a forceful expulsion and relocation of people. Through a monopoly on violence, the Communist state successfully disrupted the networks and social structures sustaining customary law and thereby halted its practice. However, on a rhetorical and ideological level, the *Kanun* was spared the campaign of assault launched on its practice.

The arguments for Albanian identity and the remnant nationalist paradigm of the 19<sup>th</sup> century rebirth period were largely preserved by the Communist government, albeit with certain ideological modifications. Accordingly, the function of customary law as a signifier of national identity was also continued. Customary law was thus engaged selectively in the Communist period. The parts that corresponded with the official ideology were highlighted, while those in contradiction were neglected and denounced. Robert Pichler writes:

In the 1950s, Albanian historiography and ethnography begun to study 'the cultural past'... exploring local customs and collecting myths, rituals and traditions of the Albanian mountaineer.<sup>74</sup>

Through state sanctioned projects, the *Kanun* continued to function as evidence of an olden Albanian culture that maintained its distinctiveness and fought to preserve itself, arguments first noted in Sami's national narrative. Treatments of *Kanun* as a reflection of national identity or character—another reading popularized by Sami during the national rebirth—were also preserved, only more selectively. According to nationalist rhetoric of the Albanian Communist state, “the best sides of the old traditions and customs of the Albanian people were upheld. These were the customs of *bese*, manliness, hospitality, generosity etc.” (Humiliation 148) However, other aspects of *Kanun*—patriarchal family structures, primacy of clan identities and especially individual retribution through blood feud—were selectively combated and dismantled because they challenged central authority. Thus, the Albanian Communist state managed to control the practice of *Kanun* much more effectively than any previous political power in the region, but the means applied towards this end are noteworthy.

In its ‘pristine’ sociological function, customary law concerns a pre-modern society with a decentralized system of power—as was the case with the feudal Albanian communities where it was practiced—and as such, it proves inherently incompatible with modern forms of governance through a centralized state apparatus. Given that nation-states are modern entities rooted in processes of centralization and standardization, it follows that conflicts of power would arise among the two systems. Resolution between the modern state apparatus and the pre-modern institutions of *Kanun*—if achievable—would inevitably necessitate a transformation of the material and social conditions underlying the practice of customary law; economic development and a locally legitimate civil code would be of central importance.

The Albanian Communist state oversaw a complete economic transformation of the country through massive industrialization projects, but its fights against the *Kanun* did not focus

on the underlying material and social conditions legitimizing customary law. Instead, the Communist state targeted the instruments through which *Kanun* was manifested; thus, the symptoms, rather than the causes, were attacked. More significantly, the state combated the institutions of *Kanun*—elders, kin networks, blood feuds, and so forth—by applying and perpetuating a system of values mirroring customary law, only with the Communist party placed at the helm. Schwandner-Sievers writes:

The Communist elite's political power was based on family networks and engaged in “political clan wars” (NZZ 1983). In official rhetoric, the whole society was classified into so-called “good” and “bad” families (Schmid-Neke 1993: 208f.), that is friends and foes of the Communists, reminiscent of the black and white symbolism of *kanun*. There was no alternative conception than judging people according to their loyalty or treachery to the system, and “treachery” was punished by death. Political refugees or people critical of the regime were punished through collective clan liability. Their entire family including their grandchildren was denied any chance of education or professional life. They were also deported or usually interned in distant villages... The *kanun* conceptions of collective liability and dualistic classifications which informed the application of violence were perpetuated. (Humiliation 149)

Thus, even the system ultimately responsible for disrupting the practice of *Kanun* incorporated the mechanisms of customary law in achieving this purpose. As a result of this process, the underlying polarized value systems and structures legitimizing customary law were perpetuated and reaffirmed. Perhaps, this explains, to some degree, reference to *Kanun* in Albania even after the collapse of the Communist regime.

The paradoxical engagement of *Kanun* by the Albanian Communist state reveals a schism in this nation’s treatment of customary law. On the one hand, *Kanun* is considered proof of Albania’s ancient roots, mythologized as testament to the nation’s epic customs of honor, loyalty and the uniqueness of Albanian national character. Yet in other ways, it comes to be considered a national embarrassment remnant of a barbaric “other” Albania, an antithesis to the values of progress, enlightenment and modernization, which are supposed to moved the nation forward. This dilemma becomes apparent in various media and it is especially evident in the work of renowned writer Ismail Kadare and its exploration of Albanian national identity.

Ismail Kadare, who was awarded the first Man Booker International Prize in 2005, engages motifs associated with Albanian oral law in much of his writing. His 1978 work *Broken April* directly addresses the practice *Kanun*. In this novel, customary law becomes a vehicle for examining a conflicted and paradoxical national identity that places Albania in limbo between a mythologized Homeric past and the pursuit of a modern European future. This rupture becomes broadly representative of the two opposing positions from which Albanian national identity continues to be narrated in both the late and post-Communist period. The nation is seen either as propelling towards progress and seeking to join, if not surpass, its European counterparts, or otherwise, stuck behind and inherently incompatible with the liberal pluralistic values of a Western society

For its extensive history with the Albanian speaking people of the Balkans, the oral law called *Kanun*, as experience, memory, or myth, has maintained a deep presence in the political and social fabric of these communities, from feudal princedoms to modern nation states. Our brief excursion has highlighted a clear and evident connection between Albanian nationalist discourse and customary law but it remains a mere glimpse of the myriad ways in which the latter leaves its trace in the worlds and lives of the communities involved.

## Endnotes

<sup>1</sup> В Албании известно несколько правовых комплексов, каждый из которых имеет собственное название: "Закон гор" (Kanun i maleve) на северо-западе страны в местности Мальсия-э-Маде; "Канун Скандербега" (Kanun i Skanderbegut) в средней Албании, связываемый с именем исторического героя Албании Георгия Кастриоти Скандербега; "Обычай Мусы Балгини" (Zakoni i Mus Ballgjinis) в долине р. Шкумбин; "Наказ Идриза Сули" (Sharti i Idriz Sulit) в Ляберии на юго-западе страны... Выводы ученых гласят о том, что кануны севера, центра и юга страны по своему существу очень близки друг к другу. Некоторые различия между ними можно отнести за счет особенностей исторического развития каждой данной области. (Иванова, 7)

<sup>2</sup> Me futjen e postit te bajraktarit shoqeria e malsoreve shqiptare perjetoi ne te njejten kohe dy modele te organizimit: modelin hierarkik te imponuar nga Kanuni dhe modelin qender/periferi te imponuar nga turqit. Nepermjet bajraktareve Stambolli mund te percillte vullnetin e vet dhe reformat ne rajonet malore te Shqiperise... Turqit nuk ishin te interesuar te ndryshonin ligjet dhe zakonet e malesoreve shqiptare per aq kohe sa keta te fundit pranonin te merrnin pjese ne betejat e Stambollit kunder fqinjëve te Shqiperise. (Mile 30)

<sup>3</sup> Idete nacionaliste qarkullonin ne qendrat e diasporas shqiptare qe nga fillimet e shek. XIX, por casti vendimtar i Rilindjes Kombetare ishte formimi i Lidhjes Se Prizrenit ne 1878. (25)

<sup>4</sup> Tri vitet e ekzistences se saj sherbyen si baze per formimin e ligherimit nationalist shqiptar, si edhe per formulimin e kerkesave politike the shqiptareve, kerkesa keto qe do te mbeteshin thelbesisht te njejta deri ne shpallen e pavaresise se Shqiperise me 1912. (25)

<sup>5</sup> Nen presionin e Fuqive te Medha, Porta e Larte I dorezoi Malit te Zi qytetin e Ulqinit, te banuar nga popullsia shqiptare. Te zemeruar me kete veprim, krahu radikal i Lidhjes, pase rine dore drejtimine organiates, shpalli nje qeveri provizore qe syonte te zvendesonte sundimin osman te kater vilajeteve. Porta e Larte reagoi menjehere, duke shtypur ushtarakisht Lidhjen e Prizrenit dhe duke arrestuar drejtuesit kryesore. (31)

<sup>6</sup> Me vintc mire, se ashtu qetesohesha. Kur i shpija dhente ne ndonje kullote tej mire, ulcsa e gezuar nen hijen e ndonje peme dhe nuk e dija fare se c'ishte brenga. Ligjerimi i zogjve, blegjerima e shqerrave me defrenin mendjen, me zbavitnin shpirtin. (7)

<sup>7</sup> A e di ti se keta te Borshit as punojne e as kane ndonje mjeshteri. Ata kurdohere rrine me arme ne duar e presin te filloje ndonje lufte qe te shkojne. (69)

<sup>8</sup> Mos u hidheron. i bijte e mi, do te behet c'te doni juve, do t'iu martoj sepse edhe une kete dua. Gezohuni bijte e mi, gezohuni! (Ngre duart dhe i lutet perellidise.) Oh, lavdi pac; 0 i madhi zotl. Ja, tani iu gjet djalit nje nuse dhe vajzes nje burre, ashtu si rna donte shpirti mua. Bije, nuk doja qe te dilje nga shtepia ... ja, tani nuk do to dalesh. Nuk do t'i lesh keto male dhe, ketej e tulje, do te jetosh keshtu si ke jetuar (43)

<sup>9</sup> Burrin rna vrane dhe vajzen rna rrembyen. Jane dy pume per t'u bere: te merret gjaku i tim shoqi dhe te shpetoje vajza nga dora e armikut. Kush do t'i beje ata? Une s'kam njeri dhe Rexhepi eshte i vogel... Jo, jo. Ky sherbim me takan mua, keto pune do t'i me duarte mia (131)

<sup>10</sup> Po, vetem kete sherbim do te rna falesh mua. Do te zihem me punen tende pa marre doren e sime rneje, pa puthur syte e djalit, pa pare mire memedhene. (151)

<sup>11</sup> Ah, lavdi pac perendi! Sot, pas njezet vjetesh merguar nga shtepia e nga gjithë njerezia, rnberrita ne memedhe. I ndershmi rmemedhe, pas njezet vjetsh te pashe edhe nje here. Sa me kishte marre malli! (139)

<sup>12</sup> Fetahu: (Fshehtazi nxjerr koburen dhe e ngrreh.) Une e mbarova punen: gjakun e burrit ta mora, vajzen ta

shpetova dhe tani do te marr gjakun e djalit! (*E kthen koburen nga kraharori i vet dhe e zbraz.*) Une, gjakesori i tim biri! (*Bije.*) (184)

<sup>13</sup> Durija:

E shkreta une ... ne nje dite po humh ... dy djem! Fetah,  
po mua... ku me" 1e ?

Fethau: (*Duke dhene shpirt.*)

ja, ty ... tre bij ... po te. le! .. Keta ... t'i kam ... lene ... ty ...  
mbi qafe! .. kjo ... eshte ... ime ... moter! .. Ata ... jane ... bijte ... e  
mi ... qe te ... tre ... te shtepise ... I ke! .. Vajza i do ... dhene ...  
djalit... Me ta ... duhet ... te rrish ... here ... ketu .... e here ... gjithë  
... tok ... ne Progonat... te vini. .. Mos u ndaj ... nga ... keta ... (*dllke  
e Zblili pitr jakp t'iimen*) Ja memeze ... fjal en ... e fundiL .... kete ..  
kam: ... humbe ... dy ... djem ... fitove ... tre" (191)

<sup>14</sup> Vepra e Samiut, per erudicionin dhe rigorozitetin e argumentave te saj ne sherbim te ceshtjes kombetare, sidomos te *Shqiperia C'ka Qene, C'eshte e C'do te Behet* jo me kot eshte cilesuar si "sinteza me e larte e ideologjise se Rilindjes." (Sulstarova, 12)

<sup>15</sup> Shqiperi i thone gjithë ati vendi, tek rrine Shqiptaret. Shqiptaret jane m'i vjeter' I komberve t'Evropese. (5)

<sup>16</sup> Dukete qe keta erdhe me pare se gjithë prej mezit t'Azise n'Evrope; edhe keta prune ne kete vend ditjen e te berit shtepi me mur si edhe diturin' e te lruarit, te mbjellit e te korrurit; se ata njerës, qe gjendeshin me pare tyre n'Evrope. Ishin t'egera e ronine neper pyje e neper shpella duke ushqyer me pemera t'egera e me mish gjahu. (5)

<sup>17</sup> P'andaj prinderete tane te vjetera u quajtene Arbene, fjale te cilene na ... e kethyeme ne Arbere, si Kete fjale Romakete e kane kethyere me Alban duke thene edhe vendit te tyre Albania, si e thone edhe sot Evropjanete.(6)

<sup>18</sup> Pame me sipre se sa I gjere ka qene nje here qe moti vendi, qe rrine Shqiptaret edhe sa ishine te perhapure prinderet tane e qysh ishine ten dare ne Ilyrjane, Epiriote, Maqedonas, Thrakas, frygas,etj. Pam' edhe qush ne kohet te Romanevet Maqedonasite, Thrakasite e Frygasite, duke perzjere me kombe te tjere, zune te humbisnine gjuhen' e komberin' e tyre e qysh me pastaj, ne kohet te Byzantinjet, erdhe mizeri Shqehsh ne sinisit te Ballkanit e zune Thraqin' e Maqedonine edhe Illyrin' e Siperme. Qe m'ather' e tehu Shqiperia eshte vogeluare shume; nga gjith' ata vende qe kishine prinderit tane. (34)

<sup>19</sup> Me nje fjale, Shqiperia, sado q'esht e vogel, ka cdo fare klime e cdo fare dheu edhe shume bageti e shume te mira. Te veshtrohete mire, munt te veje shume mbare e t'ushqejne katre here me tepre njerës se sa ushqen sot. (37)

<sup>20</sup> Ne mest te gegevet e te toskevet nuk ka nonje ndarje me rrenje. Te gjithë jane nje komep, flasin nje gjuhe me fort pake te ndruare. (38)

<sup>21</sup> Po keto ndarje te beses nuk sjellene nonje cqim te carje ne mes te shqiptarevet...Shqiptari eshte shiptar perpara se te jete mysliman a I krishtene. (38)

<sup>22</sup> Me gjithë ndryshimet e besese, me gjithë ndryshimet e koheravet, Shqiptaret jane edhe sot c'ishin ketu e kaqe mije vjet me pare; jane Pelasget e koheravet te perrallave, Ilyrinjt' e Maqedonasit e koheravet te vjetra, epirotet' e kohes se Skenderbeut. Jane nje komp shume' i vjeter, qe ka mbeture gjer me sot si ka qene qe ne kryet. (39)

<sup>23</sup> Jane aqe trima e te forte sa duk me qene me pak se 2 miliune njerës burra e gra, po te shtrengohene mundane te nxjerrine 300,000 a edhe me tepre ushtarë te cilet jane mbaras me nje milium ten je kombi tjtare. (39)

<sup>24</sup> Me nje fjale: shqiptaret jane trima, te mencime, punetore, te zotte por cdo pune. Me gjithë ndryshimt te besëve, nuk jane te ndar' e te care pot e bashkuare; kane dashurine ne mest te tyre. Kane, do-me-thene, gjith ato qe duhete te kete nje komp per te vajture mbare.(41)

<sup>25</sup> Keshtu eshte sot Shqiperia. (64)

<sup>26</sup> Shenj' e komberise eshte gjuha; cdo komp mbahete me gjuhet, ata njerës, qe harojne a lene gjuhen' e tyre e flasin nje tjetre gjuhe, me kohe behene njerzit' e ati kombi q'I flasin gjuhene e daline nga komberi e tyre. Kaq kombe, qe jane shuare, mos pandehni se vdiqin' a u vrane te tere; jo kurre; po u perzjere me te tjere kombe, muarre gjuhen' e atyre, edhe ubene nga ata pa te cquare. (25)

<sup>27</sup> Bota u ndryshua, njerezit u xgjuane, kombet' u ndrituane, sicilido perpiqete te veje me pare se te tjeret, secili veshton qysh te shtohet' e te madhohete dhe kujdeset te perpije ata qe jane me te vegjel' e me te dobetë...Kombete jane si pishqite, qe hane njeri tjtatine. Mjere kush esht' i dobetë! (48)

<sup>28</sup> Shqiptaret e kane mbajture gjuhen' e komberin' e tyre jo me shkronja, as me dituri, as me qyteter, po vetem me dliri, me te qene gjithnje vetem e me vete, me te mos perzjere me te tjeret e me te mos kallur te huaj ne vendit te tyre.(25)



<sup>29</sup> Ne trimerit, ne diturit te luftese, ne forcet si edhe ne ditjet, ne mendimit te drejte, ne njerezit, n'embelsit te zemrese e ne maderit te shpirtit.(16)

<sup>30</sup> Sado qe shkoi e tere me luftra e me gjak, eshte m'e bukur' em'e bekuar' e gjithë koheravet per vendine tene, se vetem atehere u mblot i tere kombi me nje qeveri te dlire e iu degjua emeni ne gjithë botet me nder te math nga te qendruarit kundrejt Tyrqet te cileve atehere mbreteri te medha s'u qendronin dot.(20)

<sup>31</sup> Puna, qe donte mbreteri' e tyrqise, u erth mbare pas veties se tyre. Luftera te paprera, lodera e vraps me kuaj, rrembime, vrasje, presje e te tjera te ketilla gjerera, qe donine turqite, keto ishine punerat' e dashura edhe te Shqipetarevet.

<sup>32</sup> Kjo eshte ngaja, qe kane lidhure Shqipetaret me Tyrqit. Shqipetarete gjenine ne tyrqit ate qe donine; gje nder, arme, kuaj rrembime sa te donin edhe dliri sa u duhesh; edhe Tyrqite gjenin ne Shqipetaret ate qe donine; trimeri, bese e gjak te derdhure pa kurcim.(23)

<sup>33</sup> Keshtu qene punerate gjer ne kohet te tenzimatit; do te shoheme me poshte se qysh u ndruane q'atere e tehu.(23)

<sup>34</sup> Sot Shqipetaret jane rober, te poshtuar' e t'unjures, te shkellu' e te cperndere shume me tepre se te tjerete kombe te Tyrqise!...Tyrqia e ka ngriture besene nga Shqiptarete, nuk i beson e veshton si anemike e si trathtores, jo si shoke e si vellezre, si i veshontote qemoti.(44)

<sup>35</sup> Ne formimin e identiteve etnike e kombetare nocioni 'tjetrit' apo i 'te huajit' eshte I nje rendesie paresore. Ekzistenca e te tjerëve, qe perceptohen si te ndryshem apo te huaj prej grupit, krijon edhe forcon lidhjen brenda grupit. Lidhjet emocionale brenda grupit jane me te fuqishme atehere kur ata qe nuk I perkasin grupit perbejne kerccenim per anetaret e grupit. Lidhjet emocionale Brenda grupit jane me te fuqishme atehere kur ata qe nuk I perkasin grupit perbejne kerccenim per anetaret e grupit. Per shake te situates politike gjate periudhes se Rilindjes Kombetarem nacionalistet perfytyronin si kerccenim per kombin shqiptar truqit, greket dhe sllavet(keta te fundit atat futnin serbet malazezte, bullgaret dhe ruset) (Ligjerimi Nacionalist Shqiptar, 40)

<sup>36</sup> Keshtu Tyrqite edhe me ndihmet te ketyre Grekrete e Shqehete jane armiket' e Shqiperise e te Shqipetarevet; edhe perpiqen, me sa ju vjen nga dora ta humbasine komberin' e gjuhen e ketij kombi, te cilit edhe emenine duan t'ia ngrene fare.(53)

<sup>37</sup> Shqiptaret si elita ashtu edhe masat kishin mjaft arsye per te qene te pakenaqur me gjendjen e re...kryengritjet e reja kunder Tanzimatit kishin nje karakter te spikatur masiv. Legjimiteti I pushtetit qendror te shqiptaret u lekund edhe konflikt I shkaktuar nga reformat filloi te shihej si mbrojtje e pavaresise vendore kunder nderhyrjes se funksionareve te huaj e te pushtetit qendror.(28-29)

<sup>38</sup> Shqiperia s'ka bere themel as ka leshuare renje me vetehe; ron mi themelt te gremizure te Tyrqise e me renjet te kalbura t'asaj. Me te rennet te kesaj stihije se madhe, do te bjer' edhe Shqiperia e do te shtypete nene germalhat te renda t'asaj.(65)

<sup>39</sup> Na s'jemi as Tyrqias te ardhure nga shkretetirat e Azise. Na jemi m'I vjetri komp I Evropese: kemi te drejte ne dhjet' t'Evropese me tepre se cdo komp. Kete te drejte te shenjtuare shqipetarete jane te zotte ta ruajne e ta kerkojne edhe me arme ne dore. Kur perzjehete e drejta me fuqit, merr nje force te cilese gje s'I rri dot kuntreq. Shqipetarete jane te zotte ta ruajne e ta kerkojne edhe me arme ne dore. Kur perzjehete e drejta me fuqit, merr nje force, te cilese gje s'I rri dot kuntreq. Shqipetarete jane pr ate zotte te mbajne e te ruajne te drejten' e tyre do-me-thene kombesine, gjuhene e memedhen' e tyre kuntre cdo armikut; arrin vetem te duane.(72)

<sup>40</sup> Shqiperia, po qe te shpetonje nga rezikete, q'e kane rrethuar e te hynje n'udhet te mbroddhesise e te mbaresise behete nje nga me te mirete e nga me te bukurite vende t'Evropese...Ka gjithë c'i duhete, si e pame me sipre. Shqipetarete jane fort te zgjuar' e te mentcime; kane nxenie te madhe per qyteteri e per cdo fare dituriqe, jane trima e ushtarë te cqare. (73)

<sup>41</sup> Te shpetuarit a te humburit' e Shqiperise eshte ne doret te Shqipetarevet, ne dacine, do te shpetojne ne dacine do te humbasine.(73)

<sup>42</sup> Shqipetarete s'kane nevojte te zirene nga armete, te hiqene neper malet e neper shpellat, te vriten' e te prishene, si bejne kombet' e tjere per te fituare dlirin' e tyre... S'kane nevojte te bejne nje pervec se te lidhine fjale ne mest te tyre, te bashkohene gjithë sa jane, t'apen e te marrëne bese burrisht, te qendrojnë ne fjalet te patundure edhe te kerkojnë te drejten' e tyre nga Tyrqia e nga Evropa. Tyrqia do ti degjonje e do t'u ape ato qe kerkojnë me hir a me pahjir. (73-74)

<sup>43</sup> Bes' e Shqiptarit eshte edhe ka qene gjithmone e ditur'e e degjuare nder gjithë botet. Besene, q'ep Shqiptari, s'e mer prape, s'e prish e e mban, gjer sa te kete nje reketim shpirti ne kufomet te ti. (74)

<sup>44</sup> Besa, q'e ka nderuare gjer me sot Shqipetare, ajo bese do ta shpetonje sot nga gjithë reziket.(74)

<sup>45</sup> Shqipetarete, keshtu te lidhure me nje beset e forte e te bashkuare me nje lidhje, do te jene sin je njeri I vetem, trim e i forte, i cili ka nje deshire, nje fjale e nje qellim te vetem.(75)

- <sup>46</sup> Mos veshтони bes' e fe; myslimane, katolike, orthodoxem gjithë Shqipëtarete, sa jan' e tek jane, jane vellezre. Gjithë duhete te bashkohene nene fjamurit te shenjtuare te Shqipërise !! Ay Shqipëtar, qe le vellezerit' e ti e ndahete nga Shqipëtarete, per te bashkuare me armiket' e Shqipërise, duke hequr prej bese, ay eshte dradhetor esht' armiku I kombit e i memedheut. Te ketille Shqipëtare me mire te mos jene se te jene. (75)
- <sup>47</sup> O burra-ni, o Shqipëtare! Zihuni me te'dy duarte ne beset, ne lidhjet e ne bashkimt! Se kjo do t'ju shpetonje! Jo po ne mos, ini te humbure.(75)
- <sup>48</sup> Qellim' i vetem I Shqipëtarevet eshte te ruajne Shqipërine te mos copetohete prej te huajve, te mbajne gjuhen' e komberin' e tyre e te ndalojne te perhapurit' e gjuhevet e te mendimevet te Greqet e te Shqëhet, te cilet po I remojne themelete epo I nxjerrine renjete Shqipërise e shqipëtarise.(77)
- <sup>49</sup> Pa nje qeveri te ketille Shqipëtarete s'mundine te ngjallin' e te perhapine gjuhen' e tyre e te mbajne komberine. Duhet nje ore me pare te ndahete Shqipëria e te dihete qe kur e gjer ku eshte. Te njihete vendi une per Shqipëri, ta njohe edhe Evropa Shqipëri. Shqipëtarete te ndriotojn' e te xbukurojne gjuhen' e tyre me shkronja e me dituri; te bashkohene gjithë bashke e te tregohene si nje komp, i cili do te kete te drejtate, qe ka c'do komp mi faqet te dheut.(79)
- <sup>50</sup> Ateher c'do te behete Shqipëria? Do te mbese me vetehe. Mire, po qysh? C'fare qeverije do te bejne?(82)
- <sup>51</sup> Ne qofte Gege, s'e duane Toskete, ne qofte Toske s'e duane Gegete; ne qoft myslima, s'e veshtojne me sy te mire krishtenete; ne qofte i krishtene, s'u vjen mire myslimanevet.(82)
- <sup>52</sup> Perse, pra, ta leme na kete zakon te bukure te kaqe mije vjec sot e te kerkojme nje njeri te huaj...te na prish nje gjithë vetiat' e bukura te kombit? Na te mos heqim dore kurre nga plakone e Strabonit, nga pleqesija, te cilene e kemi ruajture edhe gjer me sot, se kurdo pleqesija urdheron ne Shqipëri. Pleqesija t'urdheronje e te mbreteronje gjithënjë.(83)
- <sup>53</sup> Me nje fjale, do te benje gjithë c'bejne mbreteret' e princite ne vendet te tjere; po gjithë keto do t'i benje si t'i benje nje here ne kuvent ne keshillet te Pleqesise e duke marre edhe mendjen' e te tjerevet pleq...ne pune s'eshte ay vetem, po e tere Pleqesija, qe do te urdheronje.(85)
- <sup>54</sup> njerës, qu u shkon fjala (87)
- <sup>55</sup> per te cilene shqipëtarete duhete te kujdesene me te tepre.(91)
- <sup>56</sup> Pas diturise kujdes' e Shqipëtarevet e m'e madhe nevoj' e tyre do te jete per punerat' te pergjithcime, te cilate do te sjelline begati e pasje te madhe ne Shqipërie. Udhete, udhet' e hekurta, limanete, te hapurit' e lumenjet e te kenetavet, metalet pyjete etj. jane me te nevojshimet' e me te vyerat' e puneravet, qe do te benje Shqipëria.(94)
- <sup>57</sup> M'i lumtur' i vendevet ne botet esht'ay tek ndjehete fort pake dor' e qeverise. Sa te mundete, qeverija te mos kete te benje drejt per drejt me vendeset. Per kete pune duhete te jene katunderite. (103)
- <sup>58</sup> Keshtu gjithë punet' e vendit do te veshtohene prej katunderise edhe vendesite do te mos njohine tjatre qeveri pervec katunderise, q'eshte e zgjedhure prej atyre vete. Qeverija do te mos perzjehete pervec se ne punerat te medha e te pergjithcime, ne punera, te cilate katunderija, me te mos mundure ti godinje vete, do t'ia dergonje nenqeverise. (105)
- <sup>59</sup> Nga gjithë se thame merret vesh fort mire se qysh munt te qeverisete Shqipëria e se sa vent i bukure do te behesh me nje qeveri te ketille! (106)
- <sup>60</sup> Fort pake gje: Vetem deshire! Arrin te duame; poqe te duam, e kemi ne dore ta bejme Shqipërine si thame e ta shpetojme.(106)
- <sup>61</sup> Cdo Shqipëtar, qe do kete, duhet te doje bashkimn' e Shqipëtarevet: gjithë Shqipëtarete jane vellezre kane nje gjak ne rembat e tyre...Shqipëtar eshte cdo njeri i pjelle prej Shqipëtaresh e qe flet shqip, po Shqipëtar i vertete esht' ay qe ka mendjen' e xemrene Shqipëtar. (107)
- <sup>62</sup> "Po ne kane ata turp te thone qe Shqipëria eshte mema jone, Shqipëria ka me shume turp e dhune te duke te qe ka te tille bij!"(108)
- <sup>63</sup> Qenj' e tyre eshte nje turp I madh per Shqipërin' e per combine shqipëtar. Sa i madh turp kur nje Shqipëtar, ne rembat e te cilit lecin gjaku I Skenderbeut e I shkovet te ti, te poshtonje kombin' e ti e gjuhen e memes se ti e te nderonje nje gjuhe te huaj. (108)
- <sup>64</sup> Cdo Shqipëtar I vertet duhete te perkujdesete qe te mos mbese as nje I ketille Shqipëtar, se I sjelline dem e turp te math gjithë Shqipërise e shqipëtarise. (109)
- <sup>65</sup> O burrani! te mos na mbulonje gjum' i mefshterise e i paditurise, se ne ndenjçime keshtu, jemi te humbure. O! sa dem i math e sa turp i rende te humbase sot, ne kete kohe qe edhe me te dobetit' e kombevet po xgjuhen' e po lulezrojne, nje kom si Shqipëtarete, q'eshte mbajture qe kaq mije vjet e tehu, ne kaq kohera t'egra! (110)

<sup>66</sup> Ata Shqipetare, qe s' dine te cmojne kombin' e gjuhen' e tyre e s'i pelqejne e s'kane turp te duane te quhene Tyrq, Greq, Shqeh a te tjere, ata jane trathetore te cmendur' e te paditure. Qenj' e tyre eshte nje turp i madh per Shqiperin' e per combine Shqipetar...Te ketille njeres duhet te mos jene ne Shqiperi as mi faqet te dheut. (108-109)

<sup>67</sup> **Perendija, E Drejta, Kombi, Gjuha! Shqiperia, Shqipetaria!**

Ja qellimi yne! Ja puna on' e shenjtuar! Ja besa jone! Gjith' ata qe kane kete qellim, jane vellezerite tane! Ne mest te Shqipetarevet te vertet s'ka nonje ndarje, nonje carje, nonje ndryshim! Jane te tere vellezre, te gjithë nje trup nje Mendje, nje qellim, nje bese!

<sup>68</sup> Gjithë zoterinjt' e te paret' e shqiperise u mbluadhe ne Kruje, lithne fjal' e kuvent e dhane bese qe te perpiqene e te vdesine per shpetimit te memedheut, duke njohure te gjithë per krye e mbret te tyre Skenderbene. (18)

<sup>69</sup> Shqipetarete njeres trima e luftetare kane pasure gjithë jetene deshire te madhe per lufte e luften' e kane quajture nje pun' e nje fitim per vetehe te tyre.(20)

<sup>70</sup> Tyrqia e ka ngriture besene nga Shqipetarete...kerkon t'i mesonje diturin' e luftese, te cilene ay vete s'e di e te cilene Shqipetari e ka mesuare duke thethiture qumeshtit' e s'emese. (44)

<sup>71</sup> qeveri e Tyrkut dite me dite po I rrethon me s'afferi; rahene t'u marine armete, qe ti bejne edhe ata (46)

<sup>72</sup> Sot Shqipetaret jane rober, te poshtuar' e t'unjure, te shkelu' e te cperndere. (44)

<sup>73</sup> O c'turp i math! O c'e madhe e keqe! Mos e durofsh o Perendi! (44)

<sup>74</sup> historiografia dhe etnografia shqiptare filloi më 1950 të studjojë "të kaluarën kulturore"... studimi i zakoneve vendore dhe mbledhja e miteve, ritualeve dhe zakoneve të malësorëve. (152)

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