HOMICIDE WITHIN THE FAMILY AND HONOR IN A TRADITIONAL SOCIETY. THE CASE OF ALBANIA.

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Abstract

In recent years, there has been an increase in crime within the family in Albanian society. In most cases, the women are the victims. This paper aims at elaborating on and understanding crime and honor in the Albanian family. All the data and analyses will be gathered from the interviews that we have done with 40 inmates in three different jails in Albania (two jails for women and one jail for men), thus referring to inmates who have killed their husband or their wife, father, mother, daughter, etc. Also, information from the media, police departments, and courts will be used in the paper, in order to have a full ground of the causes and reasons for gender victimization in Albania. The second part of the paper will focus on the role of traditional customary Albanian law, known as "Kanun" and how it influences the mentality of men. There is a revival of the old Medieval canonical norms on sex roles, gender roles, and punishment if someone breaks the law(s). We will try to explain how the gender gap in homicide is influenced by a culture of honor or code of honor. By referring to traditional Albanian society, we will try to explain the relationships between, gender victimization, murder within the family, and the role of old canon norms in preserving the honor of the men.

Keywords: homicide, gender victimization, canon, code of honor, crime.

Introduction

Homicide within the family members and gender victimization is not a new topic in the sociology of deviance and criminology. There is an increase in homicide in the family, especially between intimate partners in a cultural system where honor is a strong ethical syndrome, where traditional norms are strong, and where gender gap victimization is quite big. During the last years, there have been many attempts by criminologists, sociologists, and social psychologists (Baker, Gregware & Cassidy, 1999; Daly, Wilson & Weghorst, 1982; Pridemore & Freilich, 2005) who have tried to explain crime within the family, crimes of passion, the victimization of women because of male sexual jealousy, the importance of behavior of women in honor cultures, etc. Criminologists agree that the gender gap in crime is universal and that almost in every society men commit more criminal acts than women. The question that we would address is: why there is an increase in female victimization and homicide within the Albanian family? Are they honor killings or just common patterns of gendered crime? What stimulates the growth of family homicide? What lays under the surface? Why there is an increase in crimes of passion, sexual jealousy and honor killings?

Some authors emphasize the cultural theoretical explanation which is employed the idea that it is the cultural aspect that fosters crime and social conflict (Arsovska & Graig, 2006; Baker, Gregware & Cassidy, 1999; Cohen and Nisbett 1994; Matsueda, 1992; Vandello & Cohen, 2003). In this paper our focus is on this approach, to show the role of cultural background in homicide within the family.

The Albanian family in our view provides a specific case study because of a strong culture of honor that derives from its five-century customary traditional laws, known as the Kanun. Albania is part of the Balkan peninsula, and all that is known about these Balkan societies is that in some of them there is still a strongly patriarchal society, due to their historical past and common transitional type of society. The long-run wars of these countries with each other have developed a rigid sense of their ethnic belongings and nationalism. Obviously, we can not make

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any hypothesis between the wars and crime in the family, but it has for sure developed in these societies a culture of conflict which on the other side has catalyzed violence and delinquency in society.

After The Second World War, Albania like the rest of the countries in Eastern Europe embraced the totalitarian regime thus experiencing one of the most rigid communist regimes and being the last one to resign from it in the '90-s. From that time on, it has been wavering into a transitional period of cultural and political changes and economic instability, a wide range of cultural metamorphoses such as what is considered "family", what is considered "deviance", what is considered "right' and what is considered 'wrong'. In such conditions, during the last two decades there has been an increase in crimes in general like crimes of property, homicide, suicide, and crimes of passion known in Albania as crimes of sexual jealousy and honor killings, where in most of the cases, the victims are women. The nature of these homicides is different from sadistic homicides or "lust murder", where the perpetrator achieves sexual pleasure from another person's physical suffering (Porter, Woodworth, Earle, Drugge and Boer:2003). Usually, they are not a product of psychopathic behavior, but rather a reaction and attitude toward shame and honor, a strong code in their cultural background.

Why do people commit homicide?

According to Britannia Encyclopedia**,** homicide is 'the killing of one human being by another. Some homicide**s** are considered justifiable, such as the killing of a person to prevent the commission of a serious felony or to aid a representative of the law. Other homicide**s** are said to be excusable, such as when a person kills in self-defense. The Thesaurus dictionary online describes homicide as 'the intentional and unlawful taking of another person's life. Homicide can be replaced with other words such as killing, manslaughter; bloodshed, butchery, carnage, decimation, destruction, massacre, slaughter, assassination, execution; euthanasia, etc.

The correlation between crime and anomie has been emphasized in the second half of the 20th century, especially by American sociologists and criminologists. Agnew (1992) with his strain theory of crime and delinquency focused on negative relationships with others. The individuals experience strain/stress or pressure because of the disjunction between their aspirations/expectations and their actual achievement. While the classic strain theories (Cohen 1965; Cloward and Ohlin, 1960) focus on the goal blockage to achieve things in their life, Merton states that anomie is an "adequacy of means for the fulfillment of cultural goals or society's culturally sanctioned goals; as a disjunction between goals and mean; as a normlessness of means and ends (Merton, 1938)". Sometimes during social cohesion, there can be a disjunction between cultural, social, and legal norms which creates a culture of conflict where people are more prone to violence or criminal acts. Thus, there are different variables that explain deviant behavior and homicide in general, but only a few of them, explain the criminal affairs and killing in couples, be it jealousy (Daly and Wilson, 1982), frustration, poverty, etc.

Many sociologists think that homicide is the extreme facet of a conflict. The *Homo Sapiens* history, Greek mythology, folklore, and beyond, is full of cases of homicides within the family or spousal homicide. There is evidence in evolutionary psychology that both sexes have been victims of spousal homicide. Most family homicides are spousal homicides fueled by male sexual dominance (Wilson & Daly, 1993). Since all societies are made of humans, men and women, and their human emotions such as anger, fear, rage, and hate, are the same, spousal homicide is present almost in every society.

In some societies, where the rule of law is stronger and where gender roles are clearly identified, the homicide of intimate partners is less present. Nearly all studies that examine the gender gap in homicide victimization begin with the assumption that male homicide

victimization rates are universally higher than female rates (LaFree and Hunnicutt, 2006). The thought that men commit more crime than women, that women do not act as violently as men in different situations, and that women are not born criminals, are sometimes seen as premises to think that we see violence and homicide through a gender lens.

There exists a rich literature on spousal homicide (Harris, 2005; Daly, Wilson, and Weghorst 1982; Shackelford, 2001; Wilson & Daly, 1993), while some others develop a gender perspective, trying to explain why men commit violent and property crimes (Kanazawa, 2000). He also elaborates on the role of male sexual jealousy which leads to the killing of women and gender gap victimization. Daly and Wilson (1988), used case-by-case data files on all homicides. In each file, the homicides deemed "spousal" include both registered and de facto marital unions between persons of the opposite sex, as well as separated or divorced couples. There are other scholars like DiCristina (2004) who addressed the relationship between anomie and homicide (DiCristina, 2004). He described anomie as a state in which people are unable to achieve their goals or satisfy their desires due to a rapid change that reduces the amount of interaction between people or various groups; as a condition where goals and aspirations are unrestrained or deregulated. This leads to a breakdown of norms and values. Durkheim (1951 [1897]) stated that “when turning against himself the person commits suicide, when turning against the others, he /she commits homicide” as cited in DiCristina, 2006. For Durkheim (1897), “homicide is an intentional act that is inseparable from passion. As societies develop, shared feelings of respect for religion, government, family, and other collective things tend to lose some of their intensity; this reduces a major source of homicidal passions”. He viewed women as committing fewer homicides than men. “Women kill themselves less, not because of physiological differences from men but because she does not participate in collective life in the same way. Whenever homicide is within her rage, she commits it as often or more often than men. The causes impelling to sanguinary crimes affect her less than men because she is less within their sphere of influence” (Durkheim ([1897] 1951), as cited in DiCristina. Although, Durkheim’s importance lies in the formidable conceptualization of anomie (Pescosolido, 1989) as a prerequisite to crime.

There is also a wide range of research that has found that poverty or economic reasons are a major source of homicide (Stack, 1983, Loftin & Hill, 1974; Quinney, 2003; Parker and Smith, 1979; Williams, 1984; Wolfgang, 1958). One of the most common explanations for the correlation between poverty and crime is given by Stack (1983). Stack (1983, p.340) states that “when individuals experience a gap between material success and the probability of achieving success through legitimate means, they are characterized by high frustration and resentment, especially among groups at the bottom of the system who have the largest distance with people at the top of social stratification. The greater the income inequality, the greater the frustration experienced in the quest for material success and the greater the crimes of violence”. There is also evidence that shows that poverty has no impact on the scale of the number of homicides. Ramiro Martinez examined the impact of poverty and economic inequality on 5000 Latino homicides by gathering data for 111 cities. He found out a larger poverty rate is associated with a lower homicide rate (Martinez, 1996), it is not poverty but economic inequality that has a strong effect on Latino homicide.

Crime and culture, is there a connection?

There is no society that is immune to crime or homicide. Since society is a gathering of human beings and since humans are imperfect, there will always be people who are engaged in criminal affairs or other activities of social control. When we study crime in a society, we should also take into account the cultural system and the historical background. There are authors who think that crime is a cultural conflict (Sellin, 1938). Culture is a crucial element

in understanding a given society, especially the traditional ones where cultural goals (Durkheim, 1879) really matter. Attitudes, values, and beliefs that are sometimes collectively referred to as "culture", play an unquestioned role in human behavior and progress (Huntington & Harrison, 2000).

The process of urbanization, industrialization, and lately the process of globalization have transformed society into a more complex and diverse arena of the public sphere. In 'high context' cultures (Cohen, 1996), like Japanese, Middle Eastern, East European, and Asian South East cultures, the concept of culture serves as a barometer for social behavior. Their ethnic, religious, and cultural identity bequeathed in their history, their folklore, myths, and their traditions, is more important than other legal mechanisms which can be externally imposed on them. In most western societies, crime or violence is seen as something illegal, illegitimate, a law-breaking act, an offense, a corruptive act, misconduct, delinquency, an offense against the law, a violation of the law, etc. In a traditional society, these conceptions are on the top of social structure but not rooted in the psycho-social mindsets of the individuals. Their religious, ethnic, and cultural identity, folklore, their myths, their traditions, are more important than other legal laws, externally imposed on them (Rira, 2012).

All the nation-states of the Balkans are basically ethnic-based societies, where the use of violence is usually seen as an archetype of social control. In all these societies, culture is a big issue, more than politics, more than economy, because through their culture they identify who they are. Their cultural identity is strong because they are all ethnic-based societies and when faced with new political norms or laws, the old well-established laws usually prevail, thus leaving some individuals lost between the past and the future, begetting an anomie condition, a prerequisite for crime and homicide.

Not just in the Balkans but in the Middle East as well, and in other geographical entities where culture matters, where religious identity is strong and nationalism is at high levels, there have always been wars and acts of violence. Some subcultural groups are more prone to violence than others. Usually, in these cultures, the rule of law is weak and norms that regulate behavior run deeper into the old traditional norms. This is true, especially for ethnic-based societies, where the clan, the family, and the kinship are much more important than other social mechanisms. Furthermore, a code of honor is established which regulates and controls almost every sphere of social life.

Moritz (2008, pp.100-101) states that many varieties of the cultural complex of honor can be identified but they have one element in common: the man should protect his honor. Honor usually refers to an individual's honesty or integrity. However, in honor cultures, it mostly refers to a man's social status and is always related to the sexual relations or purity of his wife, his sister(s), or his female cousins. This is true, especially in some people of Mediterranean, Middle East, Arab and Turkish cultures where honor is the binary opposite of shame (Wikan, 1984). In such societies, there are higher levels of honor killings, honor crimes, or as they are known in some other cultures, crimes of passion.

According to Messner and Rosenfeld (1997), there is an anomic cultural ethos in the nature of the capitalist economy, and this is in relation to the economic and non-economic context. Messner and Rosenfeld referred to American society to describe this relationship. Nevertheless, this is not the case in Albania. Because of its transitional and traditional society, the economic system is not embedded or regulated by other social institutions. As Polanyi (1968) describes it, in transitional societies the disembodied economy has a profound influence on society's culture. It is therefore this disembodied market economy that colonizes all aspects of social life (Bernburg, 2002), thus fueling personal and institutional anomie which is a prerequisite of homicide and crime.

Culture of honor

What we argue about the culture of honor is totally different from what Nisbett (1993) calls the "culture of honor" of the Southern people in America. When Nisbett (1993), referred to the South of American society he stated that the South is heir to a culture deriving ultimately from economic determinants in which violence is a natural and integral part. Herding predisposes people to a violent stance toward their fellows (Pescosolido, 1989). For this reason, Southern society was to have retained aspects of the culture of honor even in this century.

We disagree with his notion that the South is more violent because of an honor culture that derives from herding societies or herding economies. Although the Scotch-Irish first settlements in the South wanted to establish a character as strong people, by using force to protect their property, this does not fully explain the culture of honor we refer to in other typical cultural honor societies. The code of honor in Albania, Turkey, Sudan, Arab countries, Brazil, Jordan, India, Pakistan, Egypt, Montenegro, Japan, and other South Eastern Asian countries, does not derive from herding societies or economic constructions.

In Albanian society, honor is primarily linked with women's sexual purity and modesty. The honor of a man is correlated with the shame of his wife, the honor of the men of a family depends on the behavior of their female members. A man is honored when his wife is dressed in modesty when she doesn't speak louder than him when she serves him when she is submissive to him and above all, her fidelity towards the male is very essential. The code of honor for a man is almost the same in different cultures, male violence against women exists in all cultures but the legal traditions of their customary laws, change from one society to another (Wilson &Daly, 1992). In some cultures, like in the Albanian culture, the Medieval Albanian customary laws give the right to a man to beat up and kill his wife, if she is caught in adultery:

> "For two things is the woman killed and for one thing is she disgraced:
> a- For adultery; b- for not respecting the guest (Gjeçovi, 1933).

As it is clear from the above verse of Act 31, an Albanian man is dishonored and he has the right to kill his wife if she is adulterous and if she does not respect the guests. She is shot with the bullet that she brings with her when she marries a man, as a symbol of her male relatives legitimizing her killing if she doesn't behave well.

In other verses, the old customary law is stated that (the woman),

a- She should be faithful to her husband;
b- She is nothing but a sack to hold other things;
c- She should be submissive;
d- She should take care of the children;
e- She should serve him, food and cloth and sawing;
f- She shouldn't interfere in the engagements of their children" (Gjeçovi, 1933, p.21).

In all these verses we see that the gender roles are clear-cut and that the honor of man is based on the virtuous behavior and good character of his wife. Honor norms for men stress that he is the head of the house and that he should take all the decisions, and for women, these honor norms stress humility, submission, modesty, and sexual fidelity. Female honor and grace are centered around the avoidance of shame (Vandello & Cohen, 2003). These are just a few of the general rules of the relation between husband and wife, while there is a more complex and cultural syndrome in the high mountains or rural areas, where the code of honor is even stronger. Albania asserts one of the classic examples of "cultures of honor" because honor in this society is codified in a five-century traditional law, which is still alive nowadays, especially in the Northern Albanian regions.

A culture of honor exists always, where a culture of shame exists, for the honor/shame syndrome is inseparable. In a study of crimes of passion in Brazil, Suzan Besse found out that

wife-killing is connected with useful passions such as honor, love, religious ideals, hate, and jealousy (Besse, 1898). Thus the honorable husband who discovers his wife's adultery does his duty by killing her and he should demonstrate neither repentance nor grievance to establish himself as a "hero". The cultural anthropologists who have studied Mediterranean societies and East Asian cultures, agree on the existence of a cultural syndrome, that develops on the concepts of honor and shame (Weidman, 2003). In many cases, honor is associated with men and their dignity while shame is associated with women and their sexual purity. "Even in the 1990s during the Balkan crises, the honor/shame complex was invoked to explain the ancient hatreds that supposedly accounted for the political and ethnic cleansing conflicts of the region" (Weidman, 2003, p. 520). Referring to the Albanian honor killings, the British anthropologist Edith Durham, about a century ago claimed that killing someone in the name of honor is important in honor cultures because only blood can cleanse the shame (Durham, 1908). And the circle of violence and conflict includes not just two people, but two families or two kinships. As a result, blood feuds by killing and taking blood in the name of "honor" can go on for generations. Such is the case of "honor killings" in Northern Albania, known as "Gege" culture.

Method

Participants

There were 40 participants, 20 men and 20 women who took part in this study, ranging from 17 to 78 years old. The 40 participants, were all inmates of three different public jails in Albania, jail no.302 "Mine Peza", jail no. 325 "Ali Demi", and jail no. 313 known as "Detention". All the participants were convicted for killing their husband or wife, or their sexual partner whom they were in a committed relationship, cohabiting, or engaged with. Most of the participants were from Tirana, but also other parts of Albania. All the data was gathered from the interviews with this target group. Every interview lasted from 35-147 minutes. The questionnaire had 27 questions and it contained sociodemographic questions such as gender, age, education, religion, family income, sexual orientation, and questions, etc. The inmates were asked about the reasons and causes that affected them to kill their husband or their wife. Some of the questions of the interviews were as follow:

- What do you think, what impacted/pushed you to kill your husband/wife?
- How did you feel when you acted towards your partner, husband/wife?
- Were you happy when you were living together?
- Did you have other acts of violence before?
- How do you feel now?
- Would you do the same thing again if you would go back to that moment, etc.

The same questionnaire was used for both genders, men, and women so that we could have the opportunity to compare the findings at the end. Some of the inmates were freely speaking about killing their partner, going beyond the question they were asked and being allowed to do so, in order for the information could be deep and immense. Hence, some of the inmates answered quite shortly, and some others were giving long explanations, depending on their mood and their mental health conditions. The participants from three jails were chosen in collaboration with the police department and the IEVP (Institutions of the Execution of the Penal Decision) staff.

Results

The twenty female inmates who were asked about the reasons for killing their husbands or sexual partner said that they were living under violence for years and some of them accepted they were brutally bitten by their husbands. The acts of domestic violence were quite often and intense. All of them accepted that there were acts of violence, long hours of conflict, and unsolved issues with their partners. All of them accepted that they were victims of sexual, verbal, psychological, and brutal physical violence.

When asked about the cause that pushed them to the act of killing, their responses differ from one woman to another. 12 women out of 20, said that they lived in bad economic conditions, with low salaries and very limited financial resources. Apart from their bad conditions and the ongoing episodes of physical violence, all of them confirmed that they had killed their husband when they were life threatened or for self-defense. The rest of the women, 8 out of 20, said that they committed homicide within the family, for other reasons such as jealousy, lack of communication and commitment, and lack of respect towards them, because of a small episode of conflict that degenerated into a big fight between them, etc. If we analyze the answers of the women, we will see that none of them killed their partner for "honor" or other ethical traditional code, which was present in the answers of the men.

When 20 men were asked about the homicide of their wives, their sexual partners, or co-habitants, in most of the cases it was because of 'jealousy'. 15 out of 20 men (thus more than 70% of the inmates), asserted that they killed their wives because they "doubted "that they had another sexual ad romantic affair, with another man. They "doubted" because their wives were never caught in adultery. Nevertheless, the 'doubt' was enough to make them jealous, thus believing that their partner was cheating on their back. 5 other men accepted that they had killed their wives for other reasons, rather than jealousy. The notion of jealousy was usually intertwined with the notion of honor because, for Albanian men, jealousy is not a mere male syndrome. According to the Albanian customary laws, man lives only for honor and women should live for their sexual purity. If she betrays her husband, only blood can cleanse the shame of her husband and his male relatives. When asked about laws and honor, all of them accepted that honor is above the law, and man should live for his honor. If his honor is put into question, he has to revenge.

Different answers were given by men when they were asked about domestic violence or other forms of violence. 80 % of them, did not accept that they had been abusive to their sexual partners or their wives while 20 % of them accepted that they experienced episodes of violence mainly because of the bad economic conditions that they were living within their families.

One of the questions in the interview was if they had any bad feelings or repentance for killing their partner. 12 women out of 20, said that they felt bad for what they had done and that if they could have a chance for going back, they would not do the same thing again. Furthermore, some of the female inmates burst into tears because they were thinking of their children, not having any of the parents, since their mother was in jail and their father in hades. Female inmates were more emotional, more welcoming, and more vulnerable than male inmates. They could speak for hours and share how they felt or why they have done what they did. On the other hand, male inmates in most cases were giving short answers, very laconic, and sometimes full of resentment.

Referring to the victims were executed in different ways by their perpetrators: execution with firearms, poisoning, stabbing with a knife, strangulation with hands or rope, beheading with an ax, beak, etc. Most of the victims of homicide within the family were executed with firearms or other strong tools on the head.

Discussion

Hundreds if not thousands of women are killed for family "honor" each year all around the globe, although much of the research on crime and gender has been shaped by feminist perspectives, that show that gender is a social construction. According to the Albanian General Police Department, there has been an increase in crime within the family in recent years, albeit many women assaults and offending do not report the offense to the police.

Especially with the cases of sexual assaults, rapes, or other criminal justice processes involving women, only 20 to 40 percent of cases reported to the police, reach the prosecutor's desk because victims withdraw the complaint (Daly, K., & Fawley, S., :2006). Always, when there is a sexual assault offense there is also a gendered syndrome linked with shame, thus many women, especially in traditional societies try to not speak loudly about such violations. For that reason, the statistics on sexual assaults towards women are blurry, be it national or geographical worldwide.

While the statistics of women killed because of honor in local communities and traditional societies are easier to report, furthermore homicide data are universally judged to be the most valid crime data. Referring to Albanian society, after the fall of communism and during the last three decades, a flood of foreign values has flashed the country, thus leaving many Albanians culturally disoriented and socially disorganized. As Polanyi (2001) and Pridemore and Kim (2007) state in such transitional conditions, individuals co-exist with a pressing need for money as they try to cope with the rules of the new political economy and capitalist market, but culture is not eroded by social life. Is honor so important for criminologists, anthropologists, and sociologists in order to understand the victimization of women or homicide?

The culture of honor produces honor killings. The culture of "honor" is intertwined with a culture of "shame". There exists a sex-linked binary opposition in which honor is associated with men and shame is associated with women (Weidman, 2003). This is especially true in ethnic, traditional societies. In order for someone to put in place honor, he has to kill, for revenge. The essential part of the cultural norms in Albania is promoted by its traditional customary laws. Almost four centuries ago, during Middle Ages, society was governed codex of six customary laws, also known as Canon: Canon of Skenderbeg, Canon of Leke Dukagjini, Canon of Luma, Canon of Puka, Canon of Laberia, and Canon of Kruja. In Medieval times these canons played a significant role in regulating all spheres of life, legal and social issues, such as marriage, conflicts, the relationship between men and women, etc. Although five of these canons diminished and are not exist anymore, the Canon of Leke Dukagjini is still vivid and influential especially in the interrelations between men and women, by posing their rights and their duties, by accessing what is crime and what is family, by promoting the old patriarchal values in new family arrangements.

In countries where Islam is practiced, where Sheriat is strong, they are called "honor killings" like in Pakistan, Turkey, Jordan, Uganda, Egypt, Bangladesh, Iran, etc. But the practice goes across cultures and beyond religions. In Albania, honor killings and blood feuds form a very complex situation. According to the Kanun of Leke, the woman has not had the same rights as the man; "The man has the right to kill his wife, beat her up or cut her hair and drive her with a whip through the village (Gjeçovi, 1933)". A woman is known as a "sack, made to endure as long as she lives in her husband's home. If she is caught in adultery, she is killed with the bullet given by her father when she gets married (Gjeçovi, 1933)". As we see in this medieval Albanian customary law, the role of a woman is strictly decided by what she does and how she lives her life. Her sexual purity is sacred and above all other duties and moral codes.

LaFree and Hunnicutt (2006), assembled homicide victimization data from females and males in thirty-five countries from 1950-2001. They found out that female homicide victimization is an expression of patriarchal control and the gender gap victimization depends on the social,

political and economic status of men and women. Thus, gender roles, are in large part socially constructed and they vary by culture.

None of the inmates is a born criminal, rather they become violent because of other factors outside of them, such as poverty, personal anomia, or stress, because of a violent society that generates violence and social control. The Albanian family is characterized by a strong moral code, known as the code of honor. The Code of honor has significant importance in family affairs, especially in couple relationships. As for the cultural Albanian norms, marriage is seen as holy and adultery is paid with life. The duty of the wife is to be faithful to her husband. Otherwise, she has fallen short of the code of honor. In such a culture, also conceived by American psychologists as a culture of honor, a suspicious relationship, indecent behavior, and a failure to submit to the spouse can be a motive for killing a woman. Thus, there is an increase of femicide in the Albanian society because it is intertwined with the code of honor, which is deeply engraved in their culture and their customary law.

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