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# **THE KANUN OF LEKË DUKAGJINI**

## **AMONG KOSOVA ALBANIANS IN SWEDEN**

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“It is difficult to comprehend the character, mentality and pattern of behaviour of Albanians without taking into account the Kanun. [...] down to the present day, its norms continue to regulate many of the Albanians’ daily life matters.”

(Mangalakova, 2004:2)

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## Abstract

The Kanun of Lekë Dukagjini is the most famous and comprehensive compilation of Albanian customary law. For centuries it strictly governed social behavior and everyday life among Albanians in different historical periods. Even if the Kanun is not legal today, it is widely respected and still practiced in parts of Albania and Kosova.

The aim with this thesis is to study how Kosova Albanians in Sweden relate to the customary laws concerning family and marriage in the Kanun. In order to reach the aim, a qualitative research method was used. We have conducted seven semi-structured interviews with Kosova Albanians living in Sweden, more precisely in Helsingborg, and compared their answers to the traditional laws in the Kanun.

The theoretical framework for the thesis is based on the concepts ethnicity and culture, Berger's and Luckmann's theory on the social construction of reality and Baumann's conception of the idea of ethnicity as cultural identity.

In our study we found that the Kanun is a good example on how culture is institutionalized and socially constructed. Our results show that the laws stipulated in the sections family and marriage are still practiced with certain changes by Kosova Albanians in Sweden and that there are some gender differences in how the informants perceive their 'reality'.

**Keywords:** the Kanun of Lekë Dukagjini, the Code of Lekë Dukagjini, the Canon of Lekë Dukagjini, Albanians, Kosova Albanians, the Social Construction of Reality, Culture, Cultural Identity, Ethnicity, Ethnic Identity

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*Sofia and Njomza*

# Contents

|   |           |
|---|-----------|
| <b>1. INTRODUCTION.....</b>                             | <b>1</b>  |
| 1.1 Aim and Research Questions .....                    | 1         |
| 1.2 Delimitations .....                                 | 1         |
| 1.3 Definitions .....                                   | 2         |
| 1.3.1 Kosova/o .....                                    | 2         |
| 1.3.2 Albanians and Kosova Albanians .....              | 2         |
| 1.4 Disposition .....                                   | 3         |
| <br>  |           |
| <b>2. BACKGROUND.....</b>                               | <b>5</b>  |
| 2.1 Kosova: a Brief History.....                        | 5         |
| 2.2 Kosova Albanian Migration .....                     | 5         |
| 2.3 The Customary Law: The Kanun of Lekë Dukagjini..... | 7         |
| 2.3.1 The Family.....                                   | 9         |
| 2.3.2 Marriage.....                                     | 10        |
| <br>  |           |
| <b>3. METHOD AND MATERIAL .....</b>                     | <b>13</b> |
| 3.1 The Kanun of Lekë Dukagjini.....                    | 13        |
| 3.2 Interviews .....                                    | 14        |
| 3.2.1 Selection of Informants .....                     | 14        |
| 3.2.2 Presentation of Informants.....                   | 15        |
| 3.2.3 Procedure .....                                   | 16        |
| 3.2.4 Analysis .....                                    | 18        |
| 3.3 Our Pre-understanding .....                         | 18        |
| 3.4 Reliability and Validity .....                      | 18        |
| 3.5 IMER-perspective .....                              | 20        |
| <br>  |           |
| <b>4. THEORETICAL FRAMEWORK .....</b>                   | <b>21</b> |
| 4.1 The Social Construction of Reality .....            | 21        |
| 4.2 The Concept of Ethnicity .....                      | 23        |
| 4.3 The Idea of Ethnicity as Cultural Identity .....    | 24        |
| <br>  |           |
| <b>5. PREVIOUS RESEARCH .....</b>                       | <b>27</b> |

|  |           |
|--|-----------|
| 5.1 The Kanun in Kosova.....                     | 27        |
| 5.1.1 Family.....                                | 27        |
| 5.1.2 Marriage.....                              | 28        |
| 5.2 Kinship Relations and Marriage Patterns..... | 30        |
| <br>   |           |
| <b>6. THE KANUN IN SWEDEN.....</b>               | <b>32</b> |
| 6.1 Knowledge of the Kanun.....                  | 32        |
| 6.2 Family and Kinship Relations.....            | 35        |
| 6.3 Marriage.....                                | 37        |
| 6.4 The Influence of the Migration Process.....  | 42        |
| <br>   |           |
| <b>7. CONCLUSION.....</b>                        | <b>45</b> |
| 7.1 Further Research.....                        | 46        |
| <br>   |           |
| <b>8. LIST OF REFERENCES.....</b>                | <b>48</b> |
| 8.1 Literature.....                              | 48        |
| 8.2 Articles.....                                | 49        |
| 8.3 Reports.....                                 | 49        |
| 8.4 Electronic Sources.....                      | 49        |
| <br>   |           |
| <b>APPENDICES</b>                                |           |
| APPENDIX 1: MAP OF KOSOVA.....                   | 51        |
| APPENDIX 2: INTERVIEW GUIDE.....                 | 52        |

# 1. Introduction

The Kanun of Lekë Dukagjini (*Kanuni i Lekë Dukagjinit*) is the most famous and comprehensive compilation of Albanian customary law, applied by Albanians in different historical periods. It was initially an unwritten code of law that, for centuries, strictly governed social behavior and everyday life in almost all Albanian settlements (Kostovicova, 2005:116; Fox, 1989:xvii). The Kanun has had a profound influence on Albanian culture and civil law, and even though the Kanun is not legal today, it is widely respected and still practiced with certain changes in parts of Albania and Kosova (Trnavci, 2010:201-202; Beardsley, 2003; Elsie, 2011:151).

Before we started writing this thesis, we spoke to many Kosova Albanian friends about the Kanun and many of them knew very little about it, if anything at all. Since we recognized so many aspects of the traditional Albanian life in the Kanun, we found it interesting to examine if it is possible to still relate Kosova Albanians' traditions in Sweden to the old customary laws stipulated in the Kanun.

## 1.1 Aim and Research Questions

The aim of this thesis is to study how Kosova Albanians in Sweden relate to the customary laws concerning family and marriage stipulated in the Kanun of Lekë Dukagjini. In order to reach the aim, we have posed the following research questions:

1. How much knowledge is there among Kosova Albanians in Sweden about the Kanun of Lekë Dukagjini and the customary laws stipulated in the Kanun?
2. Are the rituals and ceremonies in the sections family and marriage in the Kanun still practiced? If so, which of these rituals and ceremonies and how are they practiced?
3. Are there any gender differences concerning how the Kanun is perceived?

## 1.2 Delimitations

The Kanun of Lekë Dukagjini is not the only collection of traditional Albanian law that exists; there are other sources, such as *Kanuni i Skënderbeut* (the Canon of Scanderbeg), *Kanuni i Malsisë së Madhe* (the Canon of the Highlands) and *Kanuni i Labërisë* (Trnavci, 2010:210). We have delimited our study to the Kanun of Lekë Dukagjini since it is the most famous and

has been the most influential of them all (Kostovicova, 2005:116; Trnavci, 2010:210; Elsie, 2011:151).

The Kanun is divided into twelve sections, but due to time-shortage and the volume of this thesis, we have limited our study to the sections family and marriage. In addition, we have focused on some parts in these sections because we found them feasible, practical to examine and currently relevant.

We also had to delimit the number of interviews to seven due to time-shortage. Since the Kanun has been used in almost all Albanian settlements, it would be possible to carry out the interviews with Albanians from e.g. Albania, Macedonia, and Montenegro. We have chosen to interview Kosova Albanians since it is a large migrant group in Helsingborg, in the south of Sweden.

### 1.3 Definitions

In order to avoid misunderstandings, we have tried to clarify some of the terms that are frequently used in the thesis.

#### *1.3.1 Kosova/o*

There is no generally used term for the country and in the sources that we have used some name it Kosova while others Kosovo. By non-Albanians the country is often called *Kosovo*, but the Albanians themselves name it *Kosova*. Since our study is about Kosova Albanians and their culture, we have chosen to use the Albanian name *Kosova* for the country. For a map of Kosova, see appendix 1.

#### *1.3.2 Albanians and Kosova Albanians*

In this thesis we focus on Kosova Albanians in Sweden, but in some parts of the text we have also used the term Albanians. These two terms may be confusing if one does not know how we distinguish them from each other. Thus, in order to avoid misunderstandings, we have defined them here.

When we use the term *Albanians*, we do not refer to nationals of Albania, but the ethnic group Albanians who do not only live in Albania, but also in the neighboring countries: Kosova, Montenegro, Macedonia, Serbia, and other parts of the world as a result of a long history of migration. The Albanians call themselves *shqiptarë* and their language, *shqipë*, that is, Albanian (Lloshi, 1999:277). Since it is difficult to find statistics on ethnicity, we have



described the ethnic group Albanians in terms of language. The Albanian language<sup>1</sup> is spoken by more than seven million people, of whom approximately three and a half million live in Albania, more than two million live in Kosova, Macedonia and Montenegro and the rest live in other countries – mainly Greece, Turkey, Italy, Germany, the US and Switzerland (Ibid:278).

There is no generally used term for ‘Albanians in/from Kosova’; in the literature and on the internet, various terms are used such as ‘Kosovars’, ‘Kosovans’, ‘Kosovar Albanians’, ‘Kosova/o Albanians’ etc. It is important to emphasize that these terms were imposed upon the Kosova Albanians from outside during and after the war in 1998-99<sup>2</sup>; and, as we mentioned earlier, Albanians call themselves *shqiptarë* (i.e. Albanians) regardless where they live. In this thesis, we have chosen to use the term *Kosova Albanians* when we refer to Albanians who live in Kosova or Albanians who have migrated from Kosova to Sweden simply because we find it less confusing.

## 1.4 Disposition

In Chapter 1, *Introduction*, we have introduced the aim of our study, the delimitations of the study and clarified how we have defined the terms Albanians and Kosova Albanians.

In Chapter 2, *Background*, we have introduced a brief history of Kosova and the historical patterns of Kosova Albanian migration to give an insight of the history in general and how it has affected the Albanian population. We have also described the history and the content of the Kanun of Lekë Dukagjini, with focus on the sections family and marriage, and how it has influenced the Albanian culture.

In Chapter 3, *Method and Material*, we have described the method for our study and the used material. We have conducted semi-structured interviews and in this chapter we describe the selection of the informants, the procedure and how we have analyzed the collected empirical data. We have also discussed our pre-understanding of the topic and considered other ethic considerations such as reliability and validity.

In Chapter 4, *Theoretical Framework*, we have presented the theoretical framework for our thesis. We have used Peter Berger’s and Thomas Luckmann’s theory on the social construction of reality to describe how culture and ethnicity is socially constructed through different processes in generations. We have also described the main perspectives on ethnicity

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<sup>1</sup> For more information about the Albanian language and its origin, see Lloshi (1999).

<sup>2</sup> Elsie (2008)

and culture, that is, the essentialist and the social constructivist, and how ethnicity can be perceived as a cultural identity according to Gerd Baumann.

In chapter 5, *Previous Research*, we have presented two field-studies, conducted by Janet Susan Reineck (1991) and Karin Norman (2007). These studies describe how the laws concerning family and marriage in the Kanun is put into practice in Kosova, and how family and kinship relations are maintained among Kosova Albanians in Sweden.

In chapter 6, *Analysis*, we have compared the collected empirical data with the laws in the Kanun of Lekë Dukagjini and analyzed it in connection to the theoretical framework for our thesis.

In chapter 7, *Conclusion*, we have presented our conclusions and further research suggestions based on our findings.

## 2. Background

In this chapter, we have given a brief history of Kosova (see appendix 1: Map of Kosova) and the historical patterns of Kosova Albanian migration in order to give an insight of the history in general and how it has affected the Albanian population. We have also described the history and the content of the Kanun of Lekë Dukagjini, with focus on the sections family and marriage, and how it has influenced the Albanian culture.

### 2.1 Kosova: a Brief History

After being a part of the Ottoman Empire, Kosova was incorporated into Yugoslavia in the early 1900's. Kosova was an autonomous province within the Republic of Serbia in Yugoslavia, until 1989, when Kosova's autonomy was abolished. In relation to the number of Kosova Albanians, Serbs were a minority, but they had a dominant position in Kosova. Tensions between the two ethnic groups increased after the collapse of Yugoslavia and the violence from the Serbian government against Kosova Albanians culminated in an open conflict in 1998-99. The war led to Milosevic's mass deportations of Kosova Albanians, subsequent NATO bombings and as a result, the withdrawal of the Serbian army in 1999.<sup>3</sup>

After the war, Kosova was ruled by a UN administration, UNMIK, and international troops were stationed in the area. For Kosova Albanians, this put an end to many years of repression and a kind of apartheid policy that had been driven against the Kosova Albanians from the Serbian government in the 1990's (Norman, 2007:77). The 17<sup>th</sup> of February in 2008, Kosova declared itself independent from Serbia<sup>4</sup>.

### 2.2 Kosova Albanian Migration

It is clear that emigration has been a major part of Kosova's history and tradition, as the quote below indicates:

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<sup>3</sup> Regeringskansliet, Republiken Kosovo <<http://www.regeringen.se/sb/d/5472/a/99715>>; Sida, Styrelsen för Internationellt Utvecklingssamarbete, Lär känna Kosovo, Kosovo, <<http://www.sida.se/Svenska/Lander--regioner/Europa/Kosovo/Lar-kanna-Kosovo/>>

<sup>4</sup> The country has been recognized by most European countries and the US. So far, 87 countries have recognized its independence. Sweden recognized Kosovo in March 2008 (Regeringskansliet, Republiken Kosovo, <<http://www.regeringen.se/sb/d/5472/a/99715>>)

Among some Kosovar Albanians historically there was a saying that wishes each family six sons: "Two to go abroad and work, two to stay home and care for the family, and two to die for the country, fighting for freedom". This saying suggests that the Kosovar Albanians realized that migration will be part of their life and that part of theirs and their family development will come through emigration. (Haxhikadrija, 2009:4)

To identify the historical and current patterns of migration or to produce accurate estimates is very difficult in the case of Kosova (Vathi and Black, 2007:6, 8), but we have described some of the various migration forms and patterns that have occurred throughout the 20<sup>th</sup> century: labour migration and forced migration due to deportations - to other parts of Yugoslavia and the Balkans, Turkey and various countries in Europe, mainly Germany, but also to North America and Australia (Norman, 2007:76-77).

The large waves of forced migration in 1999 and subsequent return migration are the most cited, but it should also be mentioned that economic migration has been a common livelihood strategy for many Kosova Albanians for decades as the initial quote indicates. Internal and regional migration has been common throughout history, but it is not well recorded (Vathi and Black, 2007:6). During the post-conflict period, the internal migration appears to have increased and the war in 1998-99 had a considerable impact on the internal migration. Approximately 30% of the displaced people by the war moved within Kosova and mainly to urban areas (Ibid:7). The regional migration (migration from Kosova to neighboring countries) mainly involved displaced people during the war, to Albania, Macedonia and Montenegro (Vathi and Black, 2007:8). The arrival of international organizations in Prishtina after the war led to a temporary labour migration to Kosova from Albania and other countries of the Balkans, while middle and low skilled labour have migrated from Kosova to other wealthier countries of the region, Montenegro among other countries (Ibid:8).

Settlement of people from Kosova in Western European countries dates back to the late 1940's and since the 1960's, an even more significant migration have occurred in three major phases. The first wave of migrants from Kosova came in the 1960's as 'temporary' guest workers. The second wave came as a result of the abolition of Kosova's autonomous status in 1989; tens of thousands of Kosova Albanians lost their jobs and compulsory military service for Serbia under Milosevic increased the emigration pressure. The outbreak of the war in Kosova in 1998 led to a third wave of migration, which mainly involved asylum seekers, but also clandestine migrants through social networks in Western Europe (Vathi and Black, 2007:8). Hundred thousand refugees ended up in refugee camps in Macedonia and Albania;

some of the refugees were able to return to their homes, but many of them were evacuated to Sweden among other countries (Norman, 2007:76-77).

The main countries of destination in Europe are Germany, Switzerland, UK and Sweden (Vathi and Black, 2007:9). Based on the registration of citizenship, there are about 40 000 Kosova Albanians living in Sweden; but, since we do not keep statistics on ethnicity in Sweden<sup>5</sup>, these numbers only tell us how many of the Kosova Albanians in Sweden who are citizens in Kosova.

## 2.3 The Customary Law: The Kanun of Lekë Dukagjini

The word *kanun*, which is the common term for the customary law, derives from the Sumerian *gi* and is related to the Akkadian word *qanu* and Hebrew *qane*. The Albanian expression for the customary law (*kanun*) developed from the Greek word *kanna* which means ‘norm’, ‘rule’ and ‘measure’ (Camaj, 1989:xiii; Tarifa, 2008:1; Trnavci, 2010:202). However, the old Albanian term is *doke* which derives from *dukem* and means ‘appear, behave’. *Doket* (plural) implies ‘a collection of laws which determine how one behaves with acquaintances and strangers’ and this term indicates the archaic nature of such rules (Camaj, 1989:xiii)<sup>6</sup>.

The Kanun of Lekë Dukagjini (*Kanuni i Lekë Dukagjinit*) is the most famous and comprehensive compilation of Albanian customary law of several regional codes, applied by Albanians in different historical periods (Kostovicova, 2005:116; Trnavci, 2008:1; Elsie, 2011:151). It was initially an unwritten code of law that, for centuries, strictly governed social behavior and everyday life in northern Albania, Kosova and among the Albanian population in Serbia, Montenegro and Macedonia (Elsie, 2011:151; Trnavci, 2008:1; Fox, 1989:xvii). It had a particularly strong influence in Kosova and northern Albania (Trnavci, 2010:201). The Kanun provided a complete moral and legal framework for social interaction, covering all areas of everyday life from dispute settlement procedure to rules of marriage, division of property, blood feud etc (De Waal, 2005:72).

The Kanun is probably most known, and have been criticized, for its laws regarding crimes and in particular blood revenge, “blood is paid for with blood” (Kanun, p 172); but, there are some even more central elements which are to moderate such conflicts, and these

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<sup>5</sup> Regeringskansliet, Republiken Kosovo, <<http://www.regeringen.se/sb/d/5472/a/99715>>

<sup>6</sup> Some of the customs in the Kanun may date back to remote antiquity and before the vast migrations of the Indo-European people (Fox, 1989:xvi).

concern the sanctity of oaths (*besa*) and the concern for others, particularly guests (*miku*) and friends (Trnavci, 2010:201).

According to modern scholars, Lekë Dukagjini was not the author or promulgator of the Kanun that bear his name. Rather, the codes were followed in the territories ruled by his family and the names were geographic rather than personal. It was after his death that the laws were associated with the last great personality representative of the noble families in the area in question (Fox, 1989:xvii). It is also important to emphasize that the Kanun contains rules that are much older than Lekë Dukagjini himself (Trnavci, 2010:208).

The customary law was unwritten and passed down to generations through oral tradition until 1913, when the Franciscan scholar, Father Shtjefën Gjecov (1874-1929), started to collect the laws. He codified the Kanun in a comprehensible and practical form for the use of scholars and other interested individuals, and some years after his death, the collected laws were published as a book (De Waal, 2005:72; Trnavci, 2010:203-204; Camaj, 1989:xiii). The work presents the fundamental customary law that has been applied in almost all Albanian settlements since the Middle Ages (Camaj, 1989:xiii). It has been the object of much interest among legal experts, historians and ethnographers, not only in Kosova and Albania but also in other countries (Elsie, 2011:151; Trnavci, 2008:9; Tarifa, 2008:1).

The Kanun has had a profound influence on Albanian culture and civil law. Even though it is not legal today, it is widely respected and still practiced with certain changes in parts of Albania and Kosova. In some rural areas in Kosova, the Kanun still supersede recent legislations (Trnavci, 2010:201-202; Beardsley, 2003; Elsie, 2011:151) and govern marriage, birth, death and inheritance (World Trade Press, 2010:6; Trnavci, 2008:2,4).

There is an emphasis on the Catholic Church in the Kanun, but it does not indicate the extent Islam was widespread in northern Albania. At the time when Albania became independent in 1912, among 75-80% of the Albanian population were Muslims and 10% were Catholics, concentrated in the north. However, the Kanun was respected in all rural areas in the north irrespective of religious affiliation (Fox, 1989:xvii).

The northern Albanian highlands were for a long time out of reach for foreign invaders, due to the inaccessible and isolated terrain; as a result, the Kanun became an alternative body of law. The highlanders governed themselves by the Kanun for at least 500 years and considered themselves in a perpetual state of war with the occupying power. The Kanun itself was an expression of the independence and de facto autonomy of the northern Albanian clans (Elsie, 2011:91; Trnavci, 2008:9; Trnavci, 2010:205; Fox, 1989:xvii).

After the foundation of the Albanian state in 1912, the legal status of the customary law was abolished, but the Kanun continued to be applied in minor disputes within the clans (Camaj, 1989:xiii). Up until the communist period, the tribal laws based on the Kanun were used in the northern mountains in Albania (De Waal, 2005:71). Under the communist regime, the Kanun was banned; the authorities recognized the strength of the Kanun as a regional bond of opposition and therefore made customary practice and reference to the Kanun illegal (Ibid:73).

After the Communist period, the Kanun was revitalized. In Kosova, Kosova Albanians were left in an institutional void and excluded from the existing state institutions; as a result of the isolation and repression of Kosova Albanians, the tribal traditions were strengthened (Kostovicova, 2005:117; Beardsley, 2003) and the customary law became an option since there was no trust in the Serb-controlled judicial system (Kostovicova, 2005:116).

The Kanun of Lekë Dukagjini contains 1263 laws divided according to the following subjects: the Church, the Family, Marriage, Livestock and Property, Work, Transfer of Property, the Spoken Word, Honour, Damages, the Law Regarding Crimes, Judicial Law and an appendix with examples of laws applied (De Waal, 2005:73). We have chosen to focus our study on the two sections family and marriage.

### *2.3.1 The Family*

In the Kanun *the family* (Kanun §18) is defined as:

a group of human beings who live under the same roof, whose aim is to increase their number by means of marriage for their establishment and the evolution of their state, and for the development of their reason and intellect.

The family is then divided into members (Kanun §19):

the people of the house [...] are divided into brotherhoods [sic!] [*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, which has one homeland, common blood, a common language, and common customs.

The following paragraphs in this section describes the rights, obligations and duties of the head of the house (§20), the obligations of the mistress of the house (§23), the rights and

obligations of the members of the household (§§24-25). According to the Kanun, “the control of the house belongs to the eldest living under the roof of the house or his first brother” (Kanun §20).

### 2.3.2 Marriage

According to the Kanun, the definition of marriage is “to form a household, adding another family to the household, for the purpose of adding to the work force and increasing the number of children” (Kanun §28).

Strict exogamy<sup>7</sup> is spelled out in the Kanun (§39) and the following must be considered before marriage:

- a) There must be no blood relationship [...]; b) They must not be of the same clan [*fis*]; c) She must not be a niece of the clan [*fis*] of the young man who wants to marry her; [...] e) There must not be no spiritual relationship<sup>8</sup> [...] The Kanun does not permit betrothal and marriage when any of the obstacles mentioned above exist as far back as the four hundredth generation.

Furthermore, the Kanun describe “the rights of young men and women” concerning interference in marriage and choice of husband or wife. If the young man has no parents, he has “the right to concern himself with his own marriage” (Kanun §30); but not if his parents are alive. The young woman, on the other hand, has no right to concern herself about her own marriage even if her parents are not alive; “this right is held by her brothers or other relatives” (Kanun §31). The Kanun also states that the young woman cannot choose her own husband: “she must go to the man to whom she has been betrothed” (Kanun §31).

According to the Kanun, “it is a law that the matchmaker and the father – or the brother - of the young man must go to the parents of the young woman to bring the bride-price on a specified evening” (Kanun §39). The matchmaker is the one who speaks “with the parents of the young man and the parents of the young woman, endeavors to obtain consent to give the young woman to the young man” (Kanun §37). The matchmaker is a relative of the young

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<sup>7</sup> Exogamy: the custom of marrying outside the tribe, family, clan or other social unit (The Free Dictionary by Farlex, Exogamy, <<http://www.thefreedictionary.com/exogamy>>).

<sup>8</sup> According to the Kanun, the *spiritual relationship* implies “1) baptism [i.e. through godparents]; 2) marriage; 3) cutting the hair [to establish a special formal relationship of close friendship]; and 4) there must be no relationship of blood-brotherhood [established between two young men, who swear brotherhood by sucking a little blood from the cut finger of the other]” (Kanun §39).



man or the young woman and “has the right to speak both for the parents of the young man and for the parents of the young woman” (Kanun §38). According to the Kanun, “a girl does not become a bride without a matchmaker” (Kanun §40).

Before the marriage “cutting the betrothal – the Marked Day” is an important ceremony, that is, to set the exact day “when the bridegroom’s men come to fetch the bride [...] singing” (Kanun §44). This is considered a special day that cannot be changed, even if someone dies.

The Kanun describes in detail how the wedding must be prepared; the bride should be fetched on a Saturday and it is “the parents of the young man” that “must see to everything connected with the girl’s marriage” (Kanun, p 30). According to the Kanun, the bridegroom’s men, who set out to fetch the bride, “must fire a rifle shot in the bridegroom’s courtyard” (Kanun §51).

In the marriage section, there are two interesting parts with the following titles: “A woman does not incur blood” (“*Grueja s’bjen në gjak*”) and “A woman is a sack, made to endure” (“*Grueja asht shakull per me bajtë*”). The first part considers blood revenge, that is, a person who commits a murder incurs a bloodfeud and as the title illustrates, this law does not include women. According to the Kanun, “A woman does not incur blood – A woman transfers blood to her parents” (Kanun, p 38) means that “the blood of a woman is not equal to the blood of a man” and therefore her parents “incur the blood of her husband” (Kanun, p 38). In other words, the Kanun does not permit that the woman/wife is killed in vengeance if she kills her husband; instead it is her parents who incur the blood. The Kanun also states that “if a woman is disgraced because of her husband’s guilt, her parents demand satisfaction from him” and that “her parents are responsible for every dishonorable act committed by their daughter in her husband’s house or elsewhere” (Kanun, p 38); “A woman is known as a sack, made to endure as long as she lives in her husband’s house. Her parents do not interfere in her affairs, but they bear the responsibility for her and must answer for anything dishonorable that she does” (Kanun, p 38).

Inheritance issues are also described in the marriage section and according to the Kanun, only the sons are recognized as heirs and not the daughters (Kanun §88)<sup>9</sup>. The women should not inherit anything from her parents because she is considered “a superfluity in the household” (Kanun, p 28) and the same applies to wives: “a wife does not receive a share of inheritance either from her parents or from her husband” (Kanun §91). According to the Kanun, the reasons for this are the following: “a) To prevent her sons from settling in the

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<sup>9</sup> Here, it is interesting to note that women, according to Islam, have inheritance rights (Roald, 2001:42) while the Kanun advocates the opposite.

home of her uncle who has no heirs; b) To prevent the woman's parents from settling in the home of her husband who leaves no heirs. c) To prevent the clan of one Banner from mixing with the clan of another Banner" (Kanun §91).

### 3. Method and Material

We have chosen to use a qualitative method because we are interested in how ordinary people observe and describe their lives (Payne and Payne, 2004:175). Only the qualitative method will make it possible for us to understand and get grip of the informants own thoughts and experiences related to the Kanun. Therefore, in order to reach the aim with this thesis, we have conducted semi-structured interviews with Kosova Albanians in Sweden and compared their answers to the traditional laws in the Kanun.

We have used both primary and secondary sources. As primary sources, we have used the Kanun of Lekë Dukagjini and collected data through interviews. To present an overview of how the laws concerning family and marriage in the Kanun are put into practice in Kosova, and how family and kinship relations are maintained among Kosova Albanians in Sweden, we have used two field-studies conducted by Janet Susan Reineck (1991) and Karin Norman (2007). In order to give some background information about the Kanun and explain the causes of Kosova Albanians' migration to Sweden, we have used various secondary sources.

#### 3.1 The Kanun of Lekë Dukagjini

The starting point for our thesis is the Kanun of Lekë Dukagjini. The Kanun does not only give us an understanding of how people were supposed to behave and act in Albania and Kosova during the 15<sup>th</sup>-20<sup>th</sup> century, but it can also help us understand the Albanian culture today (May, 1997:230). We have used the Kanun as a base for forming ideas and interview questions relevant for our study.

In order to facilitate the understanding and interpretation of the content in the Kanun, we have used a version that includes both the original old Albanian text and a translation in English. In order to avoid misinterpretations it is important to use the Kanun in both languages. The original text is written in old Albanian language and is therefore very difficult to understand. This is something Leonard Fox, translator of the Kanun, also points out: it is “not only in terms of its vocabulary and syntax, but because the same words are used with a sometimes staggering variety of meanings, as well as because of the extreme terseness of expression” (Fox, 1989:xx). The terminology in the English version may be misleading (Trnavci, 2008:17) since translation may make it difficult to understand the meaning of some words and result in misinterpretations of the content. As an example, the word *man* is used in

the English text, which means man and human; while the word *burrë* is used in the Albanian text which means man as in male.

The Kanun is divided into different sections and most of the rules have paragraphs, but not all of them. Hence, when there is a paragraph to reference to in the Kanun, we use it (e.g. Kanun §39); otherwise we give reference to the page number (e.g. Kanun, p 39).

As mentioned above, we have chosen to mainly focus on the sections family and marriage in the Kanun. The family section (*familja*) defines the family and describes the family make-up. The marriage section (*martesa*), among other things, involves a detailed description of how an engagement and a wedding should be performed.

## 3.2 Interviews

We have conducted semi-structured interviews and by using this method we could collect profound information since it allowed the informants to talk about the topic in their own terms and give their opinions in their own time (May, 1997:150-151, Bell, 2005:161). This method also enabled us to capture unexpected issues and information (Somekh & Lewin, 2005:42). The interviews provided us with information about the informants' own experiences, opinions, attitudes and feelings (May, 2001:148). All the informants were asked the same questions and in some cases these were followed-up by additional questions (see appendix 2) in order to get a deeper understanding of the informants' answers.

### 3.2.1 Selection of Informants

It was easy for us to get in contact with potential informants for our study since we both have Kosova Albanian friends and through snowball sampling we could get in touch with additional informants. All the informants are, in some way or another, known to us and they were selected based on the following criteria: sex, origin (Kosova Albanian), marital status and residence in Sweden. We also considered it important that they grew up and went to school for some years in Kosova so that they had experienced everyday day life in Kosova.

We were interested in studying how the informants relate to the rules in the sections family and marriage in the Kanun; it was therefore important that the informants were married (in legal terms), or at least considered themselves married (informally and not legally recognized). This way, they could tell us about their own experiences of engagement and wedding ceremonies and rituals. In order to study if there were any interesting gender differences, we chose to interview both women and men.

At first, we had decided to interview eight Kosova Albanians (i.e. four women and four men) in order to compare their answers, but short before the interviews one man chose not to participate. Even if the number of male and female informants was unequal, we chose to use all the collected data in our analysis since it still was possible for us to see if there were any gender differences.

### *3.2.2 Presentation of Informants*

We have conducted interviews with seven Kosova Albanians who live in Helsingborg, in Sweden. Four of the informants are women and three of them are men; they are between the ages of 28 and 37 and have been married for approx 7-9 years. All of them were born in Kosova and are Muslims. They are all married to Kosova Albanians; four of the informants got married in Kosova and three of them in Sweden.

All of the informants, except for two, came to Sweden in 1992 because of the crises in Kosova. The main reason for migration for these informants was that the Serbian government (police in Kosova) searched for male members in the families to fight in the Serbian army. The reason why they had to flee was because it was common that those who left for the army never came back; and, they did not want to fight for Serbia, in a war that was not considered to be theirs. Two of the informants came to Sweden in the 2000's because they got married to Kosova Albanian men who live in Sweden.

Below we have given a short presentation of the informants. In order to obtain the informant's confidentiality, we have used fictive names instead of their real names in the thesis.

**Artan** is 30 years old, married and has two children. He was born in Kosova and went to elementary school for three years. Artan came to Sweden in 1992 because of the crisis in Kosova. He got married in Sweden and has been married for eight years.

**Besart** is 37 years old, married and has three children. He was born in Kosova and went to high school in Kosova until the 2<sup>nd</sup> grade. Besart came to Sweden in 1992 because of family reunion. He got married in Kosova and has been married for nine years.

**Driton** is 34 years old, married and has four children. He was born in Kosova and went to elementary school in Kosova until the 8<sup>th</sup> grade. Driton migrated to Sweden in 1992 with his

family because of the crisis in Kosova. He got married in Kosova and has been married for seven years.

**Zana** is 31 years old, married and has two children. She was born in Kosova and has completed high school in Kosova. Zana came to Sweden in 2003 because of marriage; she got married in Kosova and has been married for nine years.

**Rina** is 28 years old, married and has two children. She was born in Kosova and has completed two years of university studies in Kosova. Rina came to Sweden in 2004 because of marriage; she got married in Kosova and has been married for seven years.

**Saranda** is 29 years old, married and has three children. She was born in Kosova and went to elementary school in Kosova for two years. Saranda migrated to Sweden with her family in 1992 because of the crisis in Kosova. She got married in Sweden and has been married for eight years.

**Donika** is 31 years old, married and has two children. She was born in Kosova and went to elementary school for four years. Donika came to Sweden in 1992 because of the crisis in Kosova. She has been married for nine years.

### *3.2.3 Procedure*

We contacted the informants beforehand in order to ensure that they were willing to participate in our study. When this was confirmed, we decided a day for the interviews. All the interviews were conducted in Helsingborg in May 2012 at the informants' homes. During the interview we wanted the informants to be in an environment where they felt safe and "at home" since this probably would make them feel more comfortable and in addition more open with their answers. Even though some of them are married to each other, they were all interviewed individually.

The interviews were carried out in both Swedish and Albanian. We both know the two languages; one of us has Albanian as first language and Swedish as second language and the other has Swedish as first language and good knowledge in Albanian. The informants could choose to answer the questions in the language they preferred and if they did not understand the question in Swedish, we provided the question in Albanian. The possibility to mix the two

languages was important for how the informants understood and answered the questions. Some of them felt more comfortable in using one language before the other, while some of the informants switched between the two languages when answering the questions. Sometimes, the informants used the native language, Albanian, in order to express sayings or common words that they found difficult to explain or translate into Swedish. Thus, the possibility for the informants to change language was an advantage; it made it easier for the informants to express themselves freely without interruptions due to language barriers and our understanding of their answers were facilitated.

Each interview lasted for approximately one hour and was conducted by one interviewer. We took notes in order to facilitate the transcription, and used a tape recorder so that we could listen to the recorded material after the interviews were done. We found that combining the two tools was good for various reasons. Taking notes made it possible for the informants to take their time to answer the questions without feeling any pressure; also, the notes facilitated the transcription of the interviews. Using a tape-recorder made the interview situation more relaxed since the informants knew that we did not have to write down everything and they could talk freely without being distracted or interrupted. We could be fully present and focus on taking notes of interesting and relevant parts, listen to and understand the informants and, at the same time, observe the situation.

Before we conducted the interviews we made sure that the informants were informed about the purpose of recording the interview, why we wanted to interview them, that we were the only ones who were going to listen to the material and that the information was going to be deleted as soon as we finished the report (Bill, 2005:164; Somekh & Lewin, 2005:56). We also informed the informants that they were anonymous in the sense that we were not going to use their real names or any information that could reveal their identity. This was important since it allowed the informants to talk in confidence, but also to refuse to give us any information they thought might harm them in any way. We are aware that anonymity cannot guarantee that harm does not occur, but at least it offers some protection of privacy and confidentiality (Somekh & Lewin, 2005:57).

Recording the interviews enabled the interpretation and the analysis of the collected data without losing important parts (May, 1997:168). The recorded material enabled us to use selected parts for the comparative analysis of the interviews, but also in the comparison of selected parts in the interviews with the Kanun (May, 1997:168). Tape-recording also ensured that we did not replace the informants' answers with our own words and it has been useful for quoting the informants in the thesis (May, 1997:169, Bell, 2005:164). Here, it should also be

mentioned that all the quotes have been translated by us from Albanian and Swedish to English exactly as the informants answered and without changing their meanings.

### 3.2.4 Analysis

At first we transcribed the collected data from the interviews in order to facilitate the analysis of the informant's answers. When we compared the informant's answers, we looked for similarities, differences and patterns of particular significance (Bell, 2005:203) to compare with the selected sections family and marriage in the Kanun. We have also applied the theoretical framework and compared our results to the empirical findings of Reineck (1991) and Norman (2007).

## 3.3 Our Pre-understanding

Our own interpretations of the informant's answers and the topic as a whole are unavoidable (May, 2001:33). We are affected by our own previous experiences, values and educational backgrounds when we understand and explain the subject field. We are two IMER-students with different cultural backgrounds; Sofia Boman is of Swedish origin and Njomza Krasniqi is of Kosova Albanian origin. We believe that this has been an advantage during the writing-process, since it has increased our understanding of the collected data and generated ideas (May, 1997:186). Also, our different cultural backgrounds, language knowledge and pre-understanding of the topic have brought diverse perspectives in understanding, interpreting and approaching the study as a whole.

## 3.4 Reliability and Validity

There are various factors that affect the credibility of a study (Dan et al, 2008:156; Payne and Payne, 2004:196) and it is therefore important to be critical when collecting and examining the data (Bell, 2005:117). Below we have discussed how different factors have affected the reliability and validity of our study.

*Reliability* implies how a study can be reproduced over and over again with the similar results under constant conditions (Dan et al, 2008:156, May, 1997:96). Thus, the question is if another researcher can get similar result by using the same procedure (Bell, 2005:117). We believe that our study is reliable since it can be reproduced with similar results if the same method and procedure is used. However, it is important to emphasize that it is a qualitative



study and it is therefore difficult to reproduce the same results since the premises cannot be the same.

Our pre-understanding of the Albanian culture and the fact that one of us is of Kosova Albanian origin, is an advantage since we have a profound knowledge of the topic. This has facilitated how we have approached the topic, but also how we have understood, interpreted and analyzed the empirical data. We also know the informants and speak their language; this affects the reliability in the sense that they have been comfortable and more open with us during the interviews, but also that we have been able to understand and grasp the informants' answers in a way that someone who do not have the cultural insights and the language knowledge cannot.

There is always a danger of bias when conducting interviews since it is a highly subjective technique (Bell, 2005:157). We are aware of that our pre-understanding of the Albanian culture and that we know the informants can result in bias. We have therefore selected the informants based on criteria and we have emphasized the informed consent (even though the informants expressed that they trusted us) in order to avoid misunderstandings and other possible risks of bias. Our results are based on the collected data and we have quoted some of the informant's answers in order to support our conclusions.

We have used a tape-recorder and it is here important to emphasize that such tools are of high technology nowadays and therefore the recorded data was of good quality. In other words, the recorded data ensured that we could listen to the interviews and that we did not replace the informants' answers with our own words (May, 1997:169, Bell, 2005:164). In order to increase the objectivity and the reliability of our thesis, we have also used previous research that examines the same issues among Kosova Albanians.

*Validity* tells us whether the results of the study correspond to reality, that is, if it describes or measures what it is supposed to describe or measure (Bell, 2005:117, May, 1997:96). In other words, validity implies that the research provides appropriate and credible conclusions based on the accessible data and "most importantly, the conclusions that should not be drawn from it" (Bell, 2005:118).

Since we have conducted seven interviews it is not possible to generalize about all Kosova Albanians. Our findings can, on the other hand, show some tendencies on how Kosova Albanians relate to the Kanun and present an example on how culture can be socially constructed. In order to back up our collected empirical data, we have also used previous research on the topic.

### 3.5 IMER-perspective

The field of IMER (International Migration and Ethnic Relations) focuses on:

current international developments and research perspectives in migration and ethnic relations; the effects of globalization and human mobility on societies, groups and individuals; the social and political adaptation and integration of ethnic minorities in different societies; issues of inclusion and exclusion of immigrants; majority-minority relations; philosophical and ethical perspectives on life in diverse and complex societies.<sup>10</sup>

This thesis has an IMER-perspective in the sense that the Kanun touches upon many of the frequently used concepts in the IMER-field such as culture, tradition and ethnicity. Since we study how Kosova Albanians in Sweden relate to the traditional laws in the Kanun, the topic also raises questions about how culture and traditions are affected, maintained and/or transformed as a consequence of migration. We have both studied IMER and our educational background reflects how we approach, understand and interpret the topic.

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<sup>10</sup> Malmö University, International Migration and Ethnic Relations, < <http://edu.mah.se/en/Program/SAIME>>

## 4. Theoretical framework

In this chapter, we have presented the theoretical framework for our thesis. Since the Kanun is the starting point for our study and it touches upon various concepts such as ethnicity and culture, the theoretical framework for our thesis is based on these concepts. We have used Peter Berger's and Thomas Luckmann's theory on *the social construction of reality* to describe how culture and ethnicity is socially constructed through different processes in generations and how they function in 'reality'. We have also described the main perspectives on ethnicity and culture, that is, the essentialist and the social constructivist, and how ethnicity can be perceived as a cultural identity according to Gerd Baumann.

### 4.1 The Social Construction of Reality

According to Berger and Luckmann 'reality' is socially constructed and the sociology of knowledge must therefore analyze the process in which this occurs (Berger and Luckmann, 1966:13). They argue that knowledge should analyze "what people 'know' as 'reality' in their everyday [...] lives" (Berger and Luckmann, 1967:15), how this knowledge emerges and how it is connected to the social reality they live in. The emergence of knowledge is thus connected to the relation between the individual and society. Through the interaction between the self and the socio-cultural world, culture is constructed and maintained in a dialectical process in different levels: externalization, objectivation and internalization. According to Berger and Luckmann society is a product of human activity; society is an objective reality and the human being is a product of society (Berger and Luckmann, 1967:61; Wuthnow et. al, 1984:38, 39).

For humans, everyday life is presented as a reality and subjectively meaningful as a coherent world (Berger and Luckmann, 1966:33). The reality of everyday life further presents itself as an inter-subjective world, that is, a world that I share together with others. This inter-subjective world is constructed by the objectivation of subjective processes. This means that I together with others share a commonsense knowledge about the self-evident routines of everyday life (Berger and Luckmann, 1966:34, 37); as Berger and Luckmann put it "the reality of everyday life is taken for granted as reality" (Berger and Luckmann, 1966:37).

The externalization process is best described by Berger and Luckmann's own words: "social order is a human product, or, more precisely, an ongoing human production. It is produced by man in the course of his ongoing externalization. Social order is not biologically

given or derived from any biological data in its empirical manifestations [...] Social order is not part of 'nature of things' and it cannot be derived from the 'laws of nature'. Social order exists only as a product of human activity" (Berger and Luckmann, 1966:69-70).

Various institutions are the base of the social order in society, but to understand the causes for the emergence, maintenance and transmission of a social order, one must understand the origins of institutionalization. According to Berger and Luckmann, all "human activity is subject to habitualization" (Berger and Luckmann, 1966:70). Any human activity that is frequently repeated becomes a pattern; the habitualization is meaningful because it has an important psychological gain in the sense that choices are narrowed. In theory, there may be many ways to do something, but habitualization enables the individual to narrow these options down to one. In this way the individual is released from a burden which provides a psychological relief (Berger and Luckmann, 1966:70-71). Consequently, the activities involve meanings and the habitualization makes it unnecessary for the individual to define each situation over and over again (Berger and Luckmann, 1966:71).

Institutionalization occurs when there is a mutual representational form of habitualized actions; in other words, the habitualized actions that constitute institutions are always shared. Berger and Luckmann stress that these actions "are *available* to all members of the particular social group in question, and the institution itself typifies individual actors as well as individual actions" (Berger and Luckmann, 1966:72). Furthermore, Berger and Luckmann emphasize that institutions always have a history and imply control. By the very fact of their existence, institutions control human behavior by setting up predefined patterns that channel the human conduct in one direction instead of many other directions that theoretically could be possible (Berger and Luckmann, 1966:72).

The generation who has created an institution understands it as it is, that is, as a result of human production, but for the following generations it acquires an objective meaning. For children the transmitted world by the parents is not fully transparent; they had no part in shaping it and it therefore confronts them as a given reality. Since it is in the early phases of socialization that the child is transmitted the social world, the child is incapable of distinguishing between "the objectivity of natural phenomena and the objectivity of the social formations" (Berger and Luckmann, 1966:77). It is therefore, according to Berger and Luckmann, only at this point, possible to speak of a social world in the sense of a given reality; and, it is only in this way that social formations can be transmitted to the next generation as an objective world (Berger and Luckmann, 1967:59). The institutional world that is transmitted by the parents already has a character of historical and objective reality and

in the process of transmission this sense of reality is strengthened. As Berger and Luckmann put it “if one says, ‘this is how these things are done’, often enough one believes it oneself” (Berger and Luckmann, 1966:77).

Through the internalization process the society becomes a subjective reality for the individual. For the generation who has created the institutions, they do not have to be motivated or explained, but for the following generations the motive for the institution are not as clear and there is a need of legitimizing the institutions. The institutional world needs to be explained and justified because the transmitted reality is historic and comes to the next generation as a tradition, in other words “the original meaning of the institutions is inaccessible to them in terms of memory” (Berger and Luckmann, 1966:79). The legitimating formulas have to be consistent and comprehensive in order to convince the next generation and “the same story” has to be told to all the children (Berger and Luckmann, 1966:79). The most important instrument of this socialization process is the language (Berger and Luckmann, 1967:133; Wuthnow et al, 1984:36). Thus, through this internalization process individuals do not only comprehend the objective socio-cultural world but they are also identified with and shaped by it (Wuthnow et. al, 1984:39).

Consequently, the objectivation can result in reification, that is, when one is no longer aware of the institutional order and society as a result of human activity, but rather sees it as it was the result of something else, for example the order of nature (Baumann, 1999:62). According to Berger and Luckmann, reification is when human phenomena are perceived as if they were things, that is, as if they were something else than human products (Berger and Luckmann, 1967:106-107).

In this context, one can replace ‘social world’ with the word culture, thus, this theory comes close to a theory of culture (Wuthnow et al, 1984:35):

The dialectic out of which culture is constructed is the same dialectic in which the individual acquires an identity [...] identity is like any other aspect of culture, indeed any other part of the reality of everyday life: it is a social product incomprehensible apart from the particular social context in which it was shaped and is maintained (Wuthnow et al, 1984:43).

## 4.2 The Concept of Ethnicity

The essentialist view has been criticized for presenting a static and naturalistic view, but also for lacking explanatory power. Migration is one of the factors that have undermined the view

of ethnic communities as immemorial and persisting units (Hutchinson and Smith, 1996:8). Even though we question the essentialist perspective, we find it necessary to take into consideration when doing empirical research. Our purpose is not to present it as a truth, but since it is something the informants believe and enact it is important to take into account (Baumann, 1999:26; Hutchinson and Smith, 1996:9). We will come back to this later in the text, where we present how Baumann criticize the essentialist perspective and describes ethnicity as a social construction.

The meaning of ethnicity is ambiguous; “it can mean ‘the essence of an ethnic group’, ‘the quality of belonging to an ethnic community or group’, or ‘what it is you have if you are an “ethnic group”’ generally in the context of other ethnic groups” (Hutchinson and Smith, 1996:4). What the different definitions of the concept ethnicity have in common is the idea of a number of people who share some cultural or biological characteristics and who live and act in consent (Ibid).

The terms ‘ethnic identity’ and ‘ethnic origin’ refer to the individual level of identification with a culturally defined collectivity, that is, the individual’s sense of belonging to a particular cultural community. ‘Ethnic origin’ refers to a sense of ancestry and nativity connected to the individual’s parents and grandparents; it may also have a collective dimension, which refers to the cultural groups and migration origins of *ethnies* (Hutchinson and Smith, 1996:5).

According to Hutchinson and Smith, an *ethnie* is “a named human population with myths of common ancestry, shared historical memories, one or more elements of common culture, a link with a homeland and a sense of solidarity among at least some of its members” (Hutchinson and Smith, 1996:6) In other words, ethnies are characterized, in varying degrees, with six main features: (1) a common proper name to identify the community; (2) a myth of common ancestry, that is, an idea of a common origin and a sense of fictive kinship; (3) shared historical memories and a common past that includes heroes, events and their remembrance; (4) elements of common culture that usually include religion, customs or language; (5) a link with a homeland, that is, a symbolic attachment to an ancestral land and not necessarily a physical occupation by the ethnie; (6) a sense of solidarity (Ibid:6-7).

### 4.3 The Idea of Ethnicity as Cultural Identity

According to Baumann, ‘ethnic’ is a relational term and a social construction. It concerns criteria of distinction that is used to distinguish one ethnic category from another. The ethnic

criteria are seemed to be based on biological criteria, decent, but it is not a biological fact (Baumann, 1996:17).

Baumann believes that there is an idea that ethnicity is the same as cultural identity. The idea of ethnicity appeals to blood from the past; it invokes biological ancestry and claims that present day identities follow from this ancestry. In other words, the idea of ethnicity is related to 'roots', that is, where one comes from, what makes someone be who s/he is; in short, a kind of natural identity (Baumann, 1999:19-20).

The idea of ethnicity entails many fallacies in its presumed biological sense and is therefore, according to Baumann, a fallacious late 20<sup>th</sup> century fiction. He claims that there are mainly three reasons for this; first, descent, the tracing of persons from ancestors is a present-day memory of the history in contrast to an authentic act of genealogical bookkeeping. Second, even if the individual ancestry is scientifically ascertained, it does not determine patterns of behavior or preferences among humans. Genetics can influence our appearances, but these can change depending on the individual choices and experiences. Third, it is not possible to establish any link between ethnicity and mental properties, behaviors or preferences for behaviors (Ibid:20).

People emphasize various aspects in different situations as well as they emphasize and reject the attributes of their ethnicity. Therefore, the terms "shifting identity" and "contextual ethnicity" are preferred, according to Baumann. Thus, ethnic identity is a dynamic act of ethnic identification - not given by nature, but created through social action (Baumann, 1999:21).

As with ethnicity, the most widespread perspective of culture is the essentialist view (Ibid:24), which defines culture as a collective heritage of a group with rules and norms that determine the differences between right and wrong, and us and them. As Baumann describes it in other words "this is what We do, so do it; and that is what They do, so don't!" (Baumann, 1999:25). The essentialist view of culture is plausible to the extent that we can get a "fairly clear picture" of national or religious cultures, according to Baumann (Ibid). As we mentioned earlier regarding ethnicity, the essentialist view is something that the informants believe and enact (Baumann, 1999:26) and the same goes for culture. That is why we have chosen to take it into consideration in our study.

The essentialist view of culture does not explain who it is that cultivates culture; as Baumann puts it: "culture maketh man, but it is men, women, and youths who make culture. If they ceased to make it and remake it, culture would cease to be; and all making of culture, no matter how conservative, is also a remaking" (Ibid:25). Even in its conservative sense of

understanding, he claims that culture places old habits in new contexts and thus, changes the significance of these habits; in other words, “if culture is not the same as cultural change, then it is nothing at all” (Baumann, 1999:26). Thus, in this second view, culture is processual; it only exists when it is performed and can never be static or repeated without changing its meaning (Ibid).

Baumann claims that culture can be useful and plausible; in some contexts it can be reified at the same time as it can be re-created, changed and transformed (Baumann, 1996:13). Culture is made by humans when they take into account their ascribed or perceived ethnic identities; this is obvious only when culture signifies something more than a reification of ‘ethnic’ distinctions. Cultures are easily reified, but they are products of human will, desire and power. Baumann also points out that cultures are results of validations of the past; the making of culture is thus not an improvisation, but a project of social continuity in moments of social change (Ibid:31).

According to Baumann ethnicity is a matter of contestation within variable contexts and in social interaction. Ethnic categories are labels that are commonly used and like all other identities, they are a matter of situation and context. One may see and present oneself, or be seen with different ethnic attributes at different times and in different contexts. These labels can also be rejected by those to whom they are imposed on (Baumann, 1999:57-58).

Ethnicity is perceived to be about absolute and natural differences, instead of relative and cultural choices (Ibid:62). According to Baumann, ethnicity is essentially an aspect of a relationship and not a property of a group, and it is created through social interactions; ethnicity is situational, contextual and contestable (Baumann, 1999:59, 60). It is therefore not the product of nature, but the product of people’s actions and identifications. Ethnicity is not about blood and ancestry, but rather about the cultivation and refinement of all the possibilities first given by nature (Ibid:63). Ethnicity has different connotations and meanings depending on the social conditions in which it is experienced and the same goes for ethnic identities, which can be “stressed or unstressed, enjoyed or resented, imposed or denied, all depending on situation and context” (Baumann, 1999:64).



## 5. Previous Research

Based on two field-studies, conducted by Janet Susan Reineck (1991) and Karin Norman (2007), we have in this chapter described how the laws concerning family and marriage in the Kanun are put into practice in Kosova, and how family and kinship relations are maintained among Kosova Albanians in Sweden.

### 5.1 The Kanun in Kosova

According to Reineck, few Albanians<sup>11</sup> have actually read the Kanun or know about its contents, but many would agree that it is “the ultimate authority on the ‘true’ Albanian tradition” (Reineck, 1991:40). For Albanians the Kanun represents an ideal code of social order and “the way things used to be” (Ibid).

#### 5.1.1 Family

The different categories that the Kanun divides a family (§19) into are, according to Reineck, common expressions used in order to identify actors socially. Before a stable national government was established in the region, the Albanian society was defined by kinship, territory and local administration. Some of these definitions are still used and are meaningful for some Albanians, while others have lost their importance with the emergence of the modern nation-state (Reineck, 1991:41).

Albanians are divided into two groups based on language dialects: the Ghegs in the north<sup>12</sup> and the Tosks in the south. The Kosova Albanians fall into the northern group. These groups are then divided into regions, which in turn, prior to statehood, were divided into sub-regions and subsequently clans (*fis*). According to the Kanun, there were originally twelve Gheg clans: Berisha, Bytyci, Gashi, Gruda, Hoti, Kelmendi, Krasniqi, Kuci, Merturi, Shala, Shoshi and Thaci; and, at one time these were associated with specific territories (Ibid:41-42). The distinction between the dialect regions continues to define and separate the two major dialects and cultural groups of Albanians, while other regional groupings’ significance has

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<sup>11</sup> Reineck’s study focuses on Kosova and when she writes Albanians, she refers to those who live in Kosova. Although, she points out that the Kosova Albanians “share many social and cultural characteristics with the northern (Gheg) Albanians living in Macedonia, Montenegro and in the country of Albania”; and, therefore claims that some of the descriptions in her study can be generalized to the other groups (Reineck, 1991:1).

<sup>12</sup> Ghegs live in the northern parts of the Shkumbin River in Albania (Ibid:41).

decreased. For Kosova Albanians the personal identity is based on lower orders of lineage segmentation which extends from the clan to the nuclear family. According to Reineck, these orders of segmentation still play a significant role both when it comes to ideological and practical purposes (Reineck, 1991:43).

The concept of *fis* (clan) or the “*fis* identity” is considered a unique characteristics and very important among Albanians. For many Kosova Albanians it is the third marker of ethnic identity after *ndera* (honor) and *besa* (the oath). The concept of *fis* indicates “members of a group who believe themselves to be descendant from a founding ancestor” (Ibid). According to Reineck, most Kosova Albanians rather view the concept as a marker of ethnic identity than as a fact of life. Even today, many Kosova Albanians can identify their clan even if their surname<sup>13</sup> is no longer the clan name (Reineck, 1991:44). It is also important to mention that Albanians, according to Reineck, view their social world as a patrilineal one in which name, property and “blood” are passed on through males in the father’s line (Ibid:46).

The extended family is a cultural ideal among Albanians; it consists of parents, their sons, in-married brides and grandchildren. According to Reineck, the large family represented strength in defense and a cooperative, productive economy in the past. In villages in Kosova, families are still numerous and families with fifteen to twenty members are common. Even though, the large families are no longer a necessary economic advantage, “it still captures the Albanian imagination as a key symbol” (Reineck, 1991:59).

### *5.1.2 Marriage*

Beyond the definition of marriage in the Kanun, the purpose of marriage is to create a strong and long-lasting bond with another family, according to Reineck. Before the emergence of the modern nation-state, these bonds guaranteed an alliance between families in times of conflict, economic links and other benefits for the growth and survival of the family. Reineck also points out that this kind of marriage is common in societies where the environment is threatening (Reineck, 1991:66).

The rule of exogamy in the Kanun is strictly followed even when it exceeds religious laws. Among Kosova Albanians, it is not accepted to marry anyone to whom any genealogical link can be traced – as far as it can be traced. Most Kosova Albanians assume that the Kanun prohibits marriage to someone less than seven generations away both on the matriline and the

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<sup>13</sup> Between the WWI and WWII, Albanians had to slavicize their surnames. Thus, many families took the name of their grandfathers and added the Serbian suffix “ovic”. For example, if Zymer was the grandfather’s name, the family changed their surname from their clan name to ‘Zymerovic’ (Reineck, 1991:44).

patriline (Ibid:67). According to Reineck, one of the typical arguments for exogamy among Albanians is the idea that the children may be born with disabilities (Reineck, 1991:69). There are different theories of why strict exogamy is practiced by Albanians, but Reineck finds the following explanation the most logical: “Families are simply better off if they have dependable allies throughout the area as sources of information and aid in a country where “connections” [lindhje] are essential in social, political and economic transactions” (Ibid:68).

According to Reineck, rituals associated with the marriage process are very important among Albanians. The ceremonies involved in matchmaking, engagement and wedding, the formal exchanges between the families of the bride and the bride groom, bring the past into the present. Through these ceremonies, Albanians can make a visible statement about identity and commitment to traditions (Reineck, 1991:71).

Affinal relations between large, strong and influential families are crucial when it comes to the creation of a family’s social status. Thus, the selection of the bride and the groom is based on the quality of affinal bonds that the marriage will create. Families choose their in-laws based on high moral reputation, but also physical strength and health in the family. The families’ profiles are thus more important than the boy’s and the girl’s qualities. Families look for a bride who has a high personal reputation and who is untouched; she should also be proper (*sjellshme*) and diligent (*punëtore*). This is demonstrated through her handwork and trousseau (*cejz*). If a bride has good handwork, she is assumed to be good at other things, such as housework and raising children. Physical beauty is also important, since it reflects the family’s status; it indicates their ability of finding a bride of quality into their home (Reineck, 1991:71-72).

Even though many Kosova Albanians tend to choose their own spouses, the formal negotiations between the two families are still practiced with an intermediary when it comes to the betrothal. The traditional betrothal is a contract between two extended families and the bride’s and the groom’s desires are not considered (Ibid:73). According to Reineck, throughout Kosova, it is common that the boy’s father sends a male relative (*msit*) to the bride’s home in order to arrange the marriage (Reineck, 1991:81). For the betrothal the groom’s family brings gifts to the bride that typically include the following items: gold jewelry, clothes (which usually involves *dimia* with a gold braid vest, *jelek*), numerous dresses, high heels and a furnished bedroom in the groom’s home (Ibid:86).

## 5.2 Kinship Relations and Marriage Patterns

In order to understand the social world that families and kinship relations create, marriage is of crucial importance. In different societies marriage has different meanings, but it is seldom a defined private matter between two individuals. According to Norman, marriage is of central importance for Kosova Albanians in Sweden (Norman, 2007:73).

Marriage results in social consequences and affects the couple's internal and mutual family relations, especially when it involves children. In a marriage both related and unrelated family and kinship groups are linked and, in addition to already established relations, new constellations of relatives are formed. Consequently, issues about residence and organization of the household are actualized and this is connected to how kinship is defined. When it comes to Kosova Albanians in Kosova, it has been common that the bride moves to her husband and his family the first five to ten years of their marriage, i.e. patrilocal residence (Ibid). Thus, the married couple lives together with the husband's unmarried siblings and grandparents in the same house. In other words, the sons stay in their family homes while the daughters move to their husbands. However, household and family units change over time depending on the family members' life situations and sooner or later many households consist of the nuclear family (Norman, 2007:79-80).

Migration has a significant influence on how various family and kinship relations are maintained or transformed, but according to Norman, migration does not always result in change. The question is rather how different ideals and daily life is connected and performed (Ibid:74). Among Kosova Albanian migrants, family and kinship relations are incentives in the creation and transformation of the relation to Kosova; the majority of the Kosova Albanian migrants are part of transnational networks where relations to family and relatives in Kosova are crucial. According to Norman, marriage is an important link in these networks since most of the Kosova Albanians want to marry an Albanian (Norman, 2007:75).

In some occasions marriage is arranged, but it is never only a private matter between a man and a woman even if they got in contact with each other by themselves. Arranged marriage is not the same as forced marriage; an arranged marriage implies that a young man or a woman have made his or her parents, siblings, relatives or friends understand that they are looking for a partner. In this way, someone is asked to be a mediator in order to ask around among relatives and friends if they know or can propose someone appropriate (Ibid:83).

A husband or a wife is searched through reliable contacts and sometimes a relative comes up with a proposal. It is important that the proposed husband or wife belongs to a respectable family, that is, they are reliable and have a good reputation. After the proposal the families visit each other's families, especially the fathers and uncles in respective family. How this tradition is followed varies between different regions and villages, as well as between different families in Kosova. Nowadays, in many families it is common that the youths themselves find someone they want to marry. Even in this case the families use the same procedure and if the two persons are interested in each other they may engage or get to know each other by themselves (Norman, 2007:83).

Family relations and the daily experiences of the family life, create strong emotional ties of love, dependency and affiliation. According to Norman, most of the Kosova Albanians she has spoken to consider the family to be the most important social unit and a prerequisite to be a social person (Ibid:78). Usually, Kosova Albanians define family members or relatives in terms of blood or heart and, according to Norman, blood and heart have almost the same meaning in terms of affiliation and identity (Norman, 2007:79).

Migration affects how family relations are maintained; family structures and hierarchies such as gender, age and positions in the family may appear as given and unchanging, but social relations are not unequivocal and social structures are not independent of human's actions. From this point of view, migration results in unexpected consequences for all members of the family and this is an ongoing process in relation to the social and political contexts in the sending and receiving countries (Ibid:81).

According to Norman, it is obvious that "the family" and the idea of bonds through blood, as well as Kosova is a place of affiliation, are very important factors in the transnational context. The changeable family relations are not only results of migration, the family relations are transformed both in Kosova and among migrants in Sweden. However, Norman points out that the importance of "the family" remain present among most of the migrants and it becomes a force in transcending the national borders, where marriage becomes a concretization of both continuity and change (Norman, 2007:96).

## 6. The Kanun in Sweden

In this chapter, we have compared the collected empirical data with the laws in the Kanun of Lekë Dukagjini and analyzed it in connection to the theoretical framework for this thesis.

### 6.1 Knowledge of the Kanun

Reineck claims that few Albanians have actually read the Kanun or know about its content (Reineck, 1991:40). In our study we found that all the male informants had much knowledge about the Kanun even though none of them had read its whole content. They knew about many rules such as family rules, marriage, bloodfeud, honor, the oath (*besa*), hospitality and punishments for specific crimes. When we asked Driton if he knew about the Kanun, he responded:

I know about it. I have read a little and heard a lot about some parts of it. I know that there were no laws before and that the Kanun was used instead. It was the law at that time. My family told me about it and there are still some laws that are followed. Even though it is old, there are many families who practice parts of it.

Besart explained that:

It is a law that one prince, a Catholic prince, in Albania created a long time ago in order to rule the country. It consists of family laws, bloodfeud, punishments for specific crimes. I first heard about it from my father and then I got interested myself.

When we asked if they considered themselves practicing these rules, all the male informants responded that they follow some of the traditional laws since these laws were something they grew up with. The female informants, on the other hand, did not know anything about the Kanun except for one who had recently heard about it from her husband. This gender difference is interesting to note since the customary law is patriarchal in its structure: name, property and “blood” are passed on through males (Reineck, 1991:46); the family members are divided into different categories in which one is “brotherhood” (i.e. there is no counterpart for women); and, engagement and marriage negotiations are handled by men. The Kanun also emphasizes that men are superior to women and most of the rights, responsibilities and duties

rest on them. Hypothetically, men may have more knowledge about the Kanun since they have a central role in the customary law.

According to Reineck, many Albanians would agree that the Kanun represents the “true Albanian tradition” (Reineck, 1991:40). We also found that the male informants related the Kanun to their ethnic identity; they connected the customary law to religion, origin and culture, and also many of their duties and responsibilities to their origin. Artan said: “I would preferably keep the rules. They belong to my religion. It is what I am, that is, Albanian. It belongs to our culture” and Driton explained:

Laws [the Kanun] and other traditions, when they are followed it makes me proud [...] some things in the tradition makes me proud [...] There is no better law [...] if everyone had followed it the way it should be followed, it would be better.

The way the male informants related the Kanun to their ethnic identity is an example on how the objectivation of culture can result in reification. In other words, the male informants rather see their culture as an order of nature (Baumann, 1999:62; Berger and Luckmann, 1967:106-107) and they do not only comprehend the objective socio-cultural world, but they are identified with and shaped by it (Wuthnow et al, 1984:39). Here, it should also be mentioned that all of the male informants considered some of the laws in the Kanun to be good and that they would prefer to maintain these rules. On the other hand, they also pointed out that some of the laws (e.g. the woman’s role in the household and inheritance issues) are not appreciated since they discriminate women.

All the male informants considered themselves proudly following some of the laws in the Kanun: the oath (*besa*), honor (*ndera*) and hospitality (*mikpritja*)<sup>14</sup>. We have not studied these laws, but for all the male informants they were of central importance as well; they mentioned the laws many times during the interviews, emphasized their importance and connected them to their ethnic identity: “What makes me proud is our moral”, “We are hospitable”, “some things in the tradition makes me proud. When we say yes, it means yes, and we say no, it is no [*besa*]”. According to Reineck, *ndera* (honor) and *besa* (the oath) are two ethnic identity markers for many Kosova Albanians (Reineck, 1991:43). The examples above clearly show how the male informants choose to maintain and reject some of the laws in the Kanun. This illustrates how culture is a product of human will and according to

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<sup>14</sup> These laws are of central importance in the Kanun and mainly contain social codes of conduct (Trnavci, 2010:201).

Baumann, the making of culture is not an improvisation, but rather a project of social continuity in moments of social change (Baumann, 1996:31).

In contrast to the male informants, the women (except for one) had never heard about the Kanun until we interviewed them. On this matter they responded: “I have never heard about it, until now”, “No, I have never heard about it”, “No, just something I heard, I mean the name [the Kanun]”. Donika, who had heard about the Kanun, responded: “I have heard about it recently from my husband. That it was a rule of law among Albanians a long time ago”. All the women had practiced rituals and ceremonies (matchmaking, the betrothal, fetch the bride etc) stipulated in the Kanun, but they did not know that these laws derived from it. Instead, they referred the customary laws to “the Albanian tradition”. However, we can see that many of these rituals and ceremonies are related to the Kanun. The women’s perception of their tradition is a good example on how culture can be socially constructed, according to Berger and Luckmann. It is through the internalization process that the society becomes a subjective reality for the individual. The transmitted reality comes from the generation who has created the institutions and since the original meaning of the institutions is unavailable to the next generation it is transmitted as a tradition (Berger and Luckmann, 1966:77, 79). Donika clearly explains the internalization process in her own words:

Maybe one lives with them, some of these laws, but one does not know where they derive from. I really do not know. Maybe it is so imprinted in us that one does not even know that it comes from the Kanun, but it is a part of one’s identity, without one knows about it. It has to be something left, if it has been with us for so long.

Thus, through this internalization process individuals do not only comprehend the objective socio-cultural world but they are also identified with and shaped by it (Wuthnow et. al, 1984:39). As Berger and Luckmann explain: “if one says, ‘this is how these things are done’, often enough one believes it oneself” (Berger and Luckmann, 1966:77), is a good example of how the women perceive their social world.

As mentioned earlier, the Kanun is patriarchal in its structure and discriminates women. This indicates that the women do not have the possibility or power to influence their situation. Hypothetically, due to the discriminating laws, the women may have ignored the importance of the Kanun even though they have obeyed its’ laws. In this way, the knowledge of the Kanun may have decreased and almost vanished at the same time as they maintain the traditional order.



We can conclude that the Kanun symbolizes the Kosova Albanian cultural identity in various ways and that it is connected to ethnicity. The informants 'reality' is socially constructed between the self and the socio-cultural world and culture is constructed, maintained and transformed in a dialectical process. The dialectical process in which culture is constructed is the same in which the individual acquires an ethnic identity that is the individuals' sense of belonging to a particular cultural community (Wuthnow et al, 1984:43; Hutchinson and Smith, 1996:5). Consequently, the Kanun has been institutionalized through habitualized actions that are shared of all the members of the particular group in question. In this way, the culture in which the Kanun is part of, has become an objective reality for our informants and is taken for granted as a reality (Berger and Luckmann, 1966:37).

## 6.2 Family and Kinship Relations

According to Reineck, the extended family is a cultural ideal among Albanians (Reineck, 1991:59). All the informants clearly defined family as an extended family and especially the women had difficulties in deciding who to include in the family. Most of the informants started out with the nuclear family and as they went on explaining they included relatives, both on the matriline and the patriline. Zana and Donika clearly illustrated this matter when they tried to describe who they include in their families:

Do you mean my father, mother, parents, and siblings? [...] Does also my husband's family counts or is it only my family? [...] Well, then I also count my husband's family as family. I mean the closest, parents and siblings from his side. Shall I include my mother's parents? But, then I should not think only about my family and my children. I should think in general about my parents and siblings, or? [...] Aha, but then there is a difference because when we say family, we mean my parents and my siblings too, but we also say it about my husband and my girls, so maybe we should decide when we talk about it. We say my children or my husband if I say to an Albanian, my family, they will not know if it includes my husband and my children or if it is my parents or relatives, if I just say my family [...] We have so many words. If I meet a friend or so, and I am with my husband and children I would say it is my 'little' family. I can say that, but if I am alone, I think that I would say my husband and my children. If one says my family it can mean different things.

Family? Mother, father, children. The nuclear family. Yes, but it really is, mother father and children [...] Before we called all the relatives family. [...] Should I say my mother-

in-law? I do not know. Mother in-law too? I really do not know. Maybe it should be my family, according to us. But maybe it is because they do not live here, I do not feel that way. I do not know, but in my heart, it is my family and my nuclear family.

The definition of the family in the Kanun (§§18-19) corresponds to how an *ethnie* is characterized according to Hutchinson and Smith. It involves five of the six main features: (1) a common proper name, the nation; (2) the idea of a common origin and a sense of fictive kinship, that is, how the family members are divided into different categories with a sense of common ancestry; (3) elements of a common culture, which in this case includes a common language and common customs; (4) a link with a homeland; (5) a sense of solidarity, which in this case implies to increase the members for the establishment and the evolution of the state (Hutchinson and Smith, 1996:6-7).

Our informants describe that the *fis* is very important for Albanians and it becomes especially important in connection to marriage since they do not marry relatives. By knowing their *fis* identities, they keep track of their genealogical ties and in this way claim to know that they are not biologically related to their husband or wife. Hence, this indicates that they all know their own clan's surname. According to Reineck, many Kosova Albanians can identify their clan even if their surname is no longer the clan name (Reineck, 1991:44). The concept of *fis* (clan) or the "*fis* identity" is considered a unique characteristics and a third marker of ethnic identity among Albanians; it indicates "members of a group who believes themselves to be descendent from a founding ancestor" (Reineck, 1991:43).

The idea of ethnicity, as Baumann defines it, also pervades the definition of the family in the Kanun. According to Baumann, the idea of ethnicity appeals to blood from the past; it invokes biological ancestry and claims that present day identities follow from this ancestry (Hutchinson and Smith, 1996:6-7). In other words, the idea of ethnicity is related to 'roots' and a kind of natural identity (Baumann, 1999:19-20). The informants in our study defined family and relatives in terms of "flesh and blood" and "blood relation", which indicates that they have an essentialist view on their ethnicity. Driton explained: "the children are of my flesh and blood"; and, Donika said: "they [members of the family] are my blood and we are always there for each other".

The family is of central importance in the informant's lives. The following are further examples on how the informants described it: "My mother and father have given me life and they have always been there for me"; "They are important to me"; "A family is the strongest bond that one should try to keep. It is absolutely the most important thing in life"; "The

family makes one want to live longer”. Thus, we can conclude that the family creates strong emotional ties of love, dependency and affiliation, as Norman claims (Norman, 2007:78).

### 6.3 Marriage

All the informants considered themselves to be married; four of them were legally married, while three of them were living together. Those who were registered as married did so because it was necessary in order for their wives to come to Sweden. According to the informants, marriage implies living with someone you love for the rest of your life and many of the informants emphasized that one should not get divorced when married. According to Driton, “Marriage is when you have said yes. It shall last until you die. For good and for bad until your eyes are closed”. Zana described marriage: “I will be married my entire life and that I will not get divorced. That I share my whole life with the person I have chosen to live with. Everything we do, we should do it together”.

According to the informants, it is not important for Albanians whether the couple is married legally or not, but they have to live together. Rina explained how she defined marriage: “They love each other and are together with each other. It does not matter if it is written down or registered legally, but they have to live together”. Donika explained that “We, Albanians, have a special view on marriage. It is not so important to be registered as married, but the most important thing is that you live together”. Donika did not have a wedding and described that she “just moved together” with her husband. Saranda, on the other hand, had a wedding but was not legally married and she stated: “I am married because I live together with my husband”.

In the Kanun, strict exogamy is spelled out. Reineck states that Kosova Albanians do not marry anyone to whom any genealogical link can be traced (Reineck, 1991:67) and this is also something our study has shown. It was obvious for all the informants that they knew, for sure, that their potential partner was not a relative before they started dating. Saranda explained that “From the beginning, when you get to know each other, we ask about where one comes from, what surname he has and what clan (*fis*) he belongs to” and Donika stated:

I knew that we were not relatives. It would not work at all. Among Albanians, one does not marry relatives. This is the most important thing! It is not even allowed to have any blood relation!

As mentioned earlier, our informants described that the *fis* becomes important in connection to marriage and that it is of prior importance to trace the genealogical ties in order to avoid marriage with a relative. Since they do not marry relatives they trace their ties by asking about each other's clan's (*fis*) name. It was obvious for all the informants that Kosova Albanians strictly follow the rule of exogamy since it was something they all explicitly stressed. This is clearly an essentialist view of culture, as Baumann explains it. The informants have an idea of a collective heritage with rules and norms that determine the differences between what is right and wrong (Baumann, 1999:25).

The main reason for exogamy, according to the informants, is that there should be no blood relation. As Besart explained: "A relative is considered to be 'family' in our culture and we do not marry anyone in the family!" According to the informants, it is considered "unnatural" to marry a relative and they believe that children may be born with disabilities. This is also confirmed by Reineck who claims that it is one of the typical arguments (Reineck, 1991:69). Here, it is also interesting to note that despite that all the informants are Muslims they strictly follow the rule of exogamy. According to Reineck, the Albanian society is similar to Middle Eastern societies in many ways, but in this matter they differ. In contrast to the rule of strict exogamy in the Albanian society, the practice of cousin marriage is common in Middle Eastern societies (Reineck, 1991:68).

When the informants were asked about how they got married, many of them had difficulties in separating the engagement ceremonies from the marriage; for them these two ceremonies were connected. There are some rituals that all the informants (except for the woman who did not have a wedding party) have performed: "to ask for the hand" (*me lypë dorën*), "cutting the betrothal – the Marked Day", "fetching the bride", and subsequently the wedding. In addition to these ceremonies, the women also had two other important ceremonies that only included women, the engagement party and the day after the wedding, the so-called "day of the bride".

According to the Kanun (Kanun §§30-31), the young girl and the young boy do not have the right to decide with whom to marry. In contrast, our study shows that all the informants had the right to choose their husband or wife, but they were aware of the fact that it has been different in the past. Consequently, we can conclude that our informants did not follow this rule in the Kanun. However, when the informants were asked about how they met their husband or wife, most of the informants answered that they had been recommended him or her by relatives. According to the Kanun, "a girl does not become a bride without a matchmaker" (Kanun §40). The matchmaker is usually a relative and he is the one who

speaks “with the parents of the young man and the parents of the young woman [...] to obtain consent to give the young woman to the young man” (Kanun §37). Even though our informants had the right to choose their husband/wife, most of the informants had been recommended him/her by relatives. Rina explained how she met her husband: “My mother’s aunt and my grandmother said to me that I should meet him”. Driton said: “I met my wife through my brother’s wife. She told me about her”. Donika explained that she had “been recommended so many persons”. This practice indicates that the idea of matchmaking still exists, but now in another form. Thus, this is an example of how culture is processual and socially constructed (Baumann, 1999:26).

For Kosova Albanians, it is important that the proposed husband or wife belongs to a respectable family, that they are reliable and have a good reputation (Norman, 2007:83; Reineck, 1991:71-72). Our informant’s answers confirm this statement; most of the informants did not only consider the person’s qualities, but the family’s reputation was also of central importance. Driton explained how he met his wife:

I met my wife through my brother’s wife. She told me about her, that she was a nice girl from a good family and that there would be no problems at all.

It was clear that all of the informants emphasized the importance of the family’s reputation when they chose their husband or wife: “I knew about his family and how people talked about his family” (Rina), “it was important that she came from a good family, a respected family. That she is decent and behaves well” (Besart), “that he is from a good family and that he is a good person. The family is important too” (Zana). According to Reineck, the selection of the bride and the groom is based on the quality of affinal bonds that the marriage will create because the affinal relations between large, strong and influential families are crucial when it comes to the creation of a family’s social status (Reineck, 1991:71-72).

Reineck claims that it is common in Kosova that the boy’s father sends a male relative (*msit*)<sup>15</sup> to the young woman’s home in order to arrange the marriage (Reineck, 1991:81). Our study shows that the formal negotiations between the two families in connection to the betrothal are still practiced, but the difference is that our informants call it “to ask for the hand” (*me lypë dorën*). Here, it is also important to mention that according to the informants,

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<sup>15</sup> *Msit* is the Albanian word for matchmaker.

they are all married the “Albanian way”<sup>16</sup>, which implies that they live together and have performed the formal negotiations between the couple’s families. Furthermore, in the Kanun (§39) it is stipulated that “it is a law that the matchmaker and the father – or the brother – of the young man must go to the parents of the young woman”. According to our informants, it is usually the young man’s male relatives (e.g. father, uncle or brother) who are sent to ask for the hand. Artan states:

If you do not have your own father there, you cannot. It is not ‘Albanian’ if someone else gives the hand, for example the mother’s uncle. It does not count.

Our informants also claimed that the engagement is not official until the couple’s parents have approved their relation. Thus, the rule in the Kanun (§40) “a girl does not become a bride without a matchmaker” is practiced and still very important for our informants since they referred to it as being married the “Albanian way”. This example shows how our informants determine the differences between us and them, and right and wrong. The practice “to ask for the hand” indicates what Kosova Albanians should do in order to marry “the right Albanian way”. In other words, as Baumann puts it: “this is what We do, so do it” (Baumann, 1999:25). Thus, our informants have an essentialist view on how they perceive their culture.

Another law in the Kanun that is practiced before the marriage is “cutting the betrothal – the Marked Day”, that is, to set the exact day “when the bridegroom’s men come to fetch the bride [...] singing” (Kanun §44). All of the informants, except for one, have practiced this ceremony before the actual wedding. In this ceremony the bridegroom gathers his family, relatives and other guests with as many cars as possible in order to go and fetch the bride. On the way to the bride, relatives and guests in the cars sing, play loud music and honk with their cars. It is also common that the first car in line has the Albanian flag. According to the informants, the bridegroom is supposed to stay at home and wait for the bride to arrive, but two of the informants decided to go anyway. Thus, our study shows that the informants still follow this rule, but with small changes. Another rule in connection to this ceremony is that the bridegroom’s men “must fire a rifle shot in the bridegroom’s courtyard” (Kanun §51) when they set out to fetch the bride; and, this is also something that some of the informants have practiced. Driton explained that the gun shots signal that the bride has arrived. Again,

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<sup>16</sup> According to ‘the Albanian tradition’, one is considered married when the couple’s parents have approved the engagement. They do not have to have a wedding, but they have to live together in order to be considered as married.

our study shows that culture is processual and that it can never be static or repeated without changing (Baumann, 1999:26).

Some of the informants described what usually happens when the bridegroom's father and relatives go to fetch the bride on "the Marked Day". Besart explained:

The father-in-law asks the bride's father for the permission to leave with the bride. When the bride is handed over to the father-in-law, the bride's father usually says "robi jotë gjaku jem". I can say like this, she is your servant and she will serve you, but the blood is still mine. [...] This means that my daughter will respect you and she will follow the rules and the laws in your house. This is just a saying that is left from the past. Not all say this. [...] If you beat your wife, insult my daughter or treat her unfair, the blood is mine which means that I will revenge. In other words, it means you cannot do whatever you want with my daughter.

In this saying, "robi jotë gjaku jem", as Besart explained, the bride's father expresses that he knows about the rules in the Kanun and that he will follow them if the husband does not treat his daughter well. The Kanun states that "if a woman is disgraced because of her husband's guilt, her parents demand satisfaction from him" (Kanun, p 38) and "Her parents do not interfere in her affairs, but they bear the responsibility for her and must answer for anything dishonorable that she does" (Kanun, p 38). Driton explained this in terms of responsibilities:

Wife and children should be pleased; the family pleased and also the relatives should be pleased. Not only my family, but also my wife's family. If I would do something bad, it would also affect her family.

These are interesting examples of how laws in the Kanun are verbally and culturally expressed through social interaction. In this context the bride's father clearly expresses that he knows the cultural rules and norms that determine the difference between right and wrong (Baumann, 1999:25), and that there is a mutual understanding of what this saying signifies. As Berger and Luckmann claim there is a mutual representational form of habitualized actions, that is, these actions "are *available* to all members of the particular social group in question, and the institution itself typifies individual actors as well as individual actions" (Berger and Luckmann, 1966:72).

All the rituals that we have mentioned, that should be practiced before the wedding day according to the Kanun, are performed by all the informants. What is interesting to note is that

many of them had difficulties in separating the engagement ceremonies from the marriage. This may indicate that marriage is a procedure which includes engagement ceremonies and that these are inseparable from each other. The betrothal implicitly implies that a couple is married. In other words, in order to be considered as married it is not necessary to have a wedding or to be registered as married; what is important, is that the couple lives together after the betrothal.

Other rules that are described in the marriage section are inheritance rights. According to the Kanun it is only the sons who are recognized as heirs (Kanun §88). Our study shows that all the male informants, in contrast to the female, will inherit from their parents. Even though all the informants are aware of the rule regarding inheritance (no matter if they refer to it as tradition or a rule in the Kanun), they all claim that they will not follow it since they consider all of their children as heirs, regardless of gender. Our study shows that this rule is still in practice, but that our informants will change it for the next generation. In some areas in Kosova, the Kanun still govern inheritance, among other issues (Trnavci, 2008:2, 4); thus, our informant's views on inheritance may be a result of migration. However, in this context it is important to note that according to the Swedish law of inheritance the children, regardless of gender, have inheritance rights<sup>17</sup> and therefore it is not a matter of opinion. Here, it is also interesting to emphasize that all of the informants are Muslims and that women according to Islam have inheritance rights (Roald, 2001:42). Thus, this is an example on how the Kanun exceeds religious laws and how culture is created through humans will, desire and power (Baumann, 1996:31).

## 6.4 The Influence of the Migration Process

According to Norman, migration has a significant influence on how various family and kinship relations are maintained or transformed, but it does not always result in change (Norman, 2007:74). As Norman claims (Ibid:75), our study has shown that marriage is an important link in the transnational networks and that family and kinship relations are incentives in the creation and transformation of the relation to Kosova. All the informants, except for one, met their husband/wife in Kosova and four of them have had their weddings in Kosova. Donika explained that even though she did not have a wedding, the betrothal and the formal negotiations were important since her mother-in-law wanted to have a party for the couple in Kosova even if they were in Sweden at the time.

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<sup>17</sup> Regeringskansliet, Arvsrätt, <<http://www.regeringen.se/sb/d/8953/a/110697>>



When we asked the women about if their origin affect their roles as women, they responded different depending on when they migrated. The two women who came to Sweden in 2000's as a result of marriage think that their origin affects their role as Kosova Albanian women, in contrast to the women who came in 1992. All of the female informants think that they have responsibilities and duties, but they respond different when it comes to the reasons why. Zana and Rina, who came to Sweden in 2000's, explained:

We are raised this way. I usually clean the house and I do not expect anything from my husband. I think we have this origin that we do not think that he can help too, or cook food too. I do not think about it at all. I do not expect my children to help either. I think this is our origin and it has not disappeared yet.

Yes, I think so. It affects everything we do. We have to listen and not talk so much, just listen. Not respond to everything and be careful so that we do not react on everything.

Donika and Saranda, on the other hand, who came to Sweden in 1992, explained:

I do not know if it is because I am Albanian or because I am Donika. I see myself as an Albanian. [...] I do not know what is Albanian anymore or what is Swedish. I do not know I have no idea.

Not that I am Kosova Albanian, but as a woman you take responsibility [...] you take more responsibility automatically and you are caring. I do not think that it has to do with where you come from. It is because you are a woman and a mother.

It is interesting that the women who came to Sweden much earlier have a totally different view on how their origin (does not) affect their roles as women. Their responds indicate that they reflect on their ethnic identity in another manner in contrast to the two women who came to Sweden later in the 2000's. According to Baumann, ethnicity has different connotations and meanings depending on the social conditions in which it is experienced and the same goes for ethnic identities. In this matter, the informant Saranda unstressed and denied that her ethnic identity had anything to do with her role as a woman. Donika, on the other hand, expressed her ethnic identity as complex and her respond indicates that she did not perceive it as given by nature but instead as a "shifting identity" (Baumann, 1999:21). The two women who came to Sweden in the 2000's seemed to have an essentialist view on their ethnic

identities since they relate their origin to their behavior and gender role (see Baumann, 1999:20).

In contrast to the women, the male informants responded different on this matter. They are proud to be Albanians and think that both their responsibilities and duties are affected by their origin. Driton and Besart explained:

To be a Kosova Albanian man makes you proud because this people have gone through so much [...] it gives me courage [...] some things in the tradition makes me proud.

I can feel that I have the responsibility to protect my family, to bring food to the table, to be there for my family and to take care of the family. The main responsibilities rest on my shoulders.

The male informants do not only have knowledge about the Kanun, they also want to maintain some of the rules and are proud to be Albanians. As we mentioned earlier, migration does not always result in change, according to Norman (Norman, 2007:74); and, as Baumann claims, culture can be reified at the same time as it can be re-created, changed and transformed (Baumann, 1996:13). Thus, an interesting and legitimate question to pose is: can it be that the male informant's cultural identity has been reinforced as a result of migration? Despite that they have been living in Sweden since 1992, the male informants still practice and, in contrast to the women who came the same period, want to maintain rules in the Kanun because they believe it is connected to their ethnic identity. One can explain this with the idea that ethnicity is the same as cultural identity, that is, according to Baumann, the idea that ethnicity appeals to blood from the past and that present day identities follow from this biological ancestry (Baumann, 1999:19-20). As Baumann points out the making of culture is not an improvisation, but a project of social continuity in moments of social change (Baumann, 1996:31); in this case, the migration process.

## 7. Conclusion

The Kanun of Lekë Dukagjini is a good example on how culture is institutionalized. By the very fact of their existence, institutions control human behavior by setting up predefined patterns that channel the human conduct in one direction (Berger and Luckmann, 1966:72). Institutionalization occurs when there is a mutual representational form of habitualized actions that are shared (Berger and Luckmann, 1966:72). Based on the collected empirical data, we can conclude that the laws concerning family and marriage in the Kanun are of central importance and practiced by the informants with certain changes. These changes are very small and the main features of the laws are still performed in their defined form in the Kanun. Some of these features are the following: extended family patterns, strict exogamy, clan (*fis*) identity, matchmaker (“to ask for the hand”) and matchmaking. Beyond the sections we have studied in the Kanun, the male informants even brought up other laws that they considered to be of central importance (e.g. the oath, honor, and hospitality). We understand these rules to be markers of the informant’s ethnic and cultural identities.

The Kanun symbolizes the Kosova Albanian cultural identity in various ways and it is connected to ethnicity. The informants ‘reality’ is socially constructed between the self and the socio-cultural world, where the culture is created, maintained and transformed in a dialectical process. The dialectical process in which culture is constructed is the same in which the individual acquires an ethnic identity, that is, the individuals’ sense of belonging to a particular cultural community (Wuthnow et al, 1984:43; Hutchinson and Smith, 1996:5). The Kanun has been institutionalized and become an objective reality for our informants and is taken for granted as a reality (Berger and Luckmann, 1966:37). However, there is a gender difference when it comes to how the informants perceive this ‘reality’. The male informants are aware of and have knowledge about the Kanun; they are identified with and shaped by it, and their objectivation results in reification. The female informants, on the other hand, do not have any knowledge about the Kanun. The women are not aware of the institution, that is, the Kanun, and it has therefore been transmitted to them as a tradition (Berger and Luckmann, 1966:77, 79). We believe that Berger’s and Luckmann’s words “if one says, ‘this is how these things are done’, often enough one believes it oneself” (Ibid:77) is a very good explanation of how the women perceive their social world.

Hypothetically, this gender difference may have to do with the fact that the Kanun is patriarchal in its structure and emphasizes the men’s role. Since men have a central role and

women are neglected or discriminated in many areas, men not only bear the responsibility but also want to pass on some of the rules in the Kanun. The women, on the other hand, even though they have obeyed the customary laws, may have ignored the importance of the Kanun due to its' discriminating laws. In this way, the knowledge of the Kanun may have decreased and in time almost vanished. Here, it should also be mentioned that the informants have different opinions on how their origin influence their gender roles. The male informants are proud to be Albanians and believe that their origin has affected their responsibilities and duties concerning the family and the household. The female informants, on the other hand, differ in their views and how they reflect on their ethnic identity depending on whether they migrated to Sweden in 1992 or in the 2000's.

Even though the informant's from the outset have an essentialist view of their ethnicity and culture, our findings accord with the view that culture is socially constructed and a product of human action (Berger and Luckmann, 1967:61; Baumann, 1999:26). As Baumann points out, culture places old habits in new contexts and thus, changes the significance of these habits and "if culture is not the same as cultural change, then it is nothing at all" (Baumann, 1999:26).

We can also conclude that, for the informants, marriage is an important link in the transnational networks and that family and kinship relations are incentives in the creation and transformation of the relation to Kosova. According to Norman, the family and the idea of bonds through blood, as well as Kosova is a place of affiliation, are very important factors in the transnational context for Kosova Albanians (Norman, 2007:75, 96).

## 7.1 Further Research

In this thesis we have delimited our study to the sections family and marriage in the Kanun of Lekë Dukagjini. Thus, a suggestion for further research is to examine the other sections in the Kanun and how Kosova Albanians in Sweden (or elsewhere in the diaspora) relate to them.

We found that the laws in the Kanun were of central importance and practiced by the informants with certain changes. Therefore, a suggestion for further research is to study how the practice of the different laws in the Kanun affects the Kosova Albanians' everyday lives in Sweden and especially the women, since many of the laws are discriminating. It would also be interesting to examine if the laws in the Kanun potentially function as a parallel legal system.

Some of the laws in the Kanun exceed and sometimes contradict religious laws. Thus, another suggestion for further research is to examine how Kosova Albanians relate to the laws stipulated in the Kanun respectively religious laws.

## 8. List of References

### 8.1 Literature

Baumann, Gerd (1996) *Contesting culture: Discourses of Identity in Multi-Ethnic London*. Cambridge University Press

Baumann, Gerd (1999) *Multicultural Riddle. Rethinking National, Ethnic, and Religious Identities*. Routledge

Bell, Judith (2005) *Doing your Research Project. A guide for first-time researchers in education, health and social science*. Fourth edition

Berger L. Peter and Luckmann, Thomas (1967) *The Social Construction of Reality: A Treatise in the Sociology of Knowledge*.

Berger L. Peter and Luckmann, Thomas (1966) *The Social Construction of Reality: A Treatise in the Sociology of Knowledge*.

Camaj, Martin, "Foreword" in *Kanuni i Lekë Dukagjinit, The Code of Lekë Dukagjini*, Arranged by Gjeçov, Shtjefën, Translated with an introduction by Leonard Fox, Gjonlekaj Publishing Company, New York, 1989, pp xiii-xv

Dan, Amy, Kalof, Linda and Dietz Thomas (2008) *Essentials of Social Research*. Open University Press

De Waal, Clarissa (2005). *Albania Today. A Portrait of Post-Communist Turbulence*. Centre for Albanian Studies, London

Elsie, Robert (2011). *Historical dictionary of Kosovo*. Second edition.

Fox, Leonard, "Introduction" and "Note on Translation" in *Kanuni i Lekë Dukagjinit, The Code of Lekë Dukagjini*, Arranged by Gjeçov, Shtjefën, Gjonlekaj Publishing Company, New York, 1989, pp xvi-xx

Hutchinson, John and Smith, D. Anthony (1996), *Ethnicity*, Oxford Readers.

*Kanuni i Lekë Dukagjinit, The Code of Lekë Dukagjini*, 1989, Albanian Text Collected and Arranged by Gjeçov, Shtjefën, Translated with an introduction by Leonard Fox, Gjonlekaj Publishing Company, New York

Kostovicova, Denisa (2005). *Kosovo: The Politics of Identity and Space*. Routledge.

Lloshi, Xhevat, "Albanian" in Hinrichs, Uwe and Büttner, Uwe, *Handbuch der Südosteuropa – Linguistik*, Harrassowitz Verlag, Wiesbaden, 1999, pp 277-299

May, Tim (1997) *Samhällsvetenskaplig forskning*. Lund: Studentlitteratur.

May, Tim (2001), *Social Research: Issues, methods and process*, Buckingham: Open University Press. Third edition.

Norman, Karin, ”Svärmor, hus och pengar: Kosovoalbaners släktskapsrelationer i ett transnationellt perspektiv” in Eastmond, Marita och Åkesson, Lisa (eds), *Globala familjer. Transnationell migration och släktskap*, Gidlunds förlag, 2007, pp 71-97.

Reineck, Janet Susan (1991) *The past as refuge: Gender, migration, and ideology among the Kosova Albanians*. University of California, Berkeley.

Roald, Anne Sofie (2001) *Women in Islam the Western Experience*. Routledge, London

Trnavci, Genc, “The Interaction of Customary Law with the Modern Rule of Law in Albania and Kosova” in *The Rule of Law in Comparative Perspective*, Sellers, Mortimer and Tomaszewski, Tadeusz, 2010, pp 201-215

## 8.2 Articles

Tarifa, Fatos (2008). *Of Time, Honor, and Memory: Oral Law in Albania*. Oral Tradition Volume 23, Number 1, March 2008, <<http://www.scribd.com/Toskaliku8711/d/14157077-Oral-Law-in-Albania>> (accessed 2012-04-08)

Trnavci H. Genc (2008). *The Albanian Customary Law and the Canon of Leke Dukagjini: A Clash or Synergy with Modern Law*. ExpressO. <[http://works.bepress.com/genc\\_trnavci/1/](http://works.bepress.com/genc_trnavci/1/)> (accessed 2012-04-07)

## 8.3 Reports

Beardsley, Eleanor (2003). *Today's Peacekeepers UN Prosecutor in Kosovo Fights for Human Rights*, International Day of United Nations Peacekeepers, published 29 May 2003. <<http://www.un.org/events/peacekeepers/2003/docs/kosovo.htm>> (accessed 2012-04-07)

Haxhikadrija, Amir (2009). *Diaspora as a Driving Force for Development in Kosovo: Myth or Reality? Summary*, Forum for Democratic Initiatives, January 2009.

Mangalakova, Tanya (2004). *The Kanun in present-day Albania, Kosovo, and Montenegro*. <[http://www.imir-bg.org/imir/reports/The\\_Kanun.pdf](http://www.imir-bg.org/imir/reports/The_Kanun.pdf)> (accessed 2012-04-07)

Vathi, Zana and Black, Richard (2007), *Migration and Poverty Reduction in Kosovo*, Development Research Centre on Migration, Globalisation and Poverty, University of Sussex <<http://94.126.106.9/R4D/PDF/Outputs/MigrationGlobPov/WP-C12.pdf>> (accessed 2012-05-17)

World Trade Press, *Kosovo Society and Culture Complete Report*, Petaluma, 2010.

## 8.4 Electronic Sources

Elsie, Robert (2008) *Kosova and Albania: history, people, identity*, openDemocracy Free thinking for the world, published 25 February 2008,

<[http://www.opendemocracy.net/article/conflicts/reimagining\\_yugoslavia/kosova\\_albania\\_id\\_entity](http://www.opendemocracy.net/article/conflicts/reimagining_yugoslavia/kosova_albania_id_entity)> (accessed 2012-05-13)

The Free Dictionary by Farlex, Exogamy, <<http://www.thefreedictionary.com/exogamy>> (accessed 2012-05-01)

Google Maps, Kosovo, <<http://goo.gl/maps/HBcy>> (accessed 2012-05-31)

Malmö University, International Migration and Ethnic Relations, one-year master's programme, <<http://edu.mah.se/en/Program/SAIME>> (accessed 2012-06-08)

Regeringskansliet, Republiken Kosovo, published 2008-03-04, updated 2012-04-20, <<http://www.regeringen.se/sb/d/5472/a/99715>> (accessed 2012-04-25)

Regeringskansliet, Arvsrätt, published 2008-09-10, updated 2011-01-20 <<http://www.regeringen.se/sb/d/8953/a/110697>> (accessed 2012-06-09)

Sida, Styrelsen för Internationellt Utvecklingssamarbete, Lär känna Kosovo, Kosovo, published 2009-06-16, <<http://www.sida.se/Svenska/Lander--regioner/Europa/Kosovo/Lar-kanna-Kosovo/>> (accessed 2012-04-26)



# Appendix 1: Map of Kosova



Source: Google Maps, Kosova, <<http://goo.gl/maps/HBcy>> (accessed 2012-05-31)

# Appendix 2: Interview Guide

## Background Information

- Age
- Sex
- When and why did you migrate to Sweden?
- Did you go to school in Kosova? If so, for how long?
- How long have you been married?
- Do you have children?

## General Questions

1. Have you heard about the Kanun of Lekë Dukagjini?
  - Do you know any rules stipulated in the law?
  - If so, where did you learn/hear about them?
  - Do you consider yourself following these rules?
2. How do you define family?
  - What is family for you and who do you include in your family?
  - What make those members part of your family?
3. What is your definition of marriage?
  - What is marriage for you? What does it mean to be married?
  - How did you get married? Could you describe e.g. place, rituals and ceremonies?
  - Do you think that any of these rituals/ceremonies/traditions that you have described derive from the Kanun?
4. How did you meet your husband/wife?
  - What did you take into consideration before you got married to him/her? What was important about him/her?
  - Were these your own preferences or do you think that any of these derive from the Kanun?
  - Did you have the right to decide to whom you wanted to marry?
  - Did you meet your husband/wife yourself or was there a matchmaker involved?
5. Did you examine if your husband/wife was a relative and if so, why?
  - Could you marry a relative? If the answer is no, why?
6. Did you get engaged before you got married?
  - If so, could you describe how (place, rituals, ceremonies etc)?
7. How are inheritance issues/rights handled in your family?
  - Will you inherit from your parents?
  - Will your children inherit anything from you and your husband/wife?
8. What does it mean for you to be a Kosova Albanian woman/man?
  - Do you think that your origin affect your role as a woman/man?
  - Does it affect your rights, responsibilities and duties?

9. Is there anything you would like to add or say about the questions or the topics we have discussed?