

CHAPTER I

THE GEOGRAPHICAL FRAMEWORK

A book on the Unwritten Law of the Albanian mountains must needs begin with a short survey of Albanian geography. Without some knowledge of the fantastic physical features which have moulded the way of life of the mountaineers, it is difficult to understand that way of life and the Unwritten Law by which it has for many centuries been regulated.

The material used in this book was gathered in the northern half of the kingdom over which King Zog ruled until the Italians invaded Albania in 1939 and sent him into exile. This area, which includes all the country north of the River Shkumbî, stretches from the Adriatic Sea on the west to the Yugoslav frontier on the east. It consists of a narrow plain along the Adriatic coast and, inland, a vast complex of mountains. The coastal plain, from 5 to 25 miles in breadth, rises so gradually from the water's edge that when it ends it is not much more than 100 feet above sea-level. Low hills cut across it, dividing it into four compartments as separate as rooms in a house. The Plain of Zadrimë (*Fushë e Zadrimës*) in the north, between the towns of Shkodër (Scutari) and Lesh (Alessio), is 15 miles long by 3–6 miles broad. The next section, measuring 18 by 5 miles, extends from Lesh to Cape Rodoni (*Kep i Rodonit*), and the third centres in Durrës (Durazzo). The Myzeqe plains (*Fusha të Myzeqes*), which constitute the fourth 'compartment' between the Rivers Shkumbî and Devoll, are 37 miles long, over 25 miles wide in parts, and less than 6 miles wide in others.

The mountains are less easy to describe. Between the latitudes of Lesh and Durrës three great ranges run parallel to each other from north to south. The most westerly rises perpendicularly from the coastal plain, the most easterly forms the boundary between Albania and Yugoslavia, and the middle one separates the plateau of Mat from the plateau of Dibër. North of this central region, in north Albania proper, and to the south, in the district of Martanesh, no pattern can be discerned. The whole is a jumble of lofty ranges that strike off from each other at every conceivable angle. Those in north Albania throw up a multitude of peaks from their jagged

crests; numerous valleys lie between them, each surprisingly narrow and steep-sided, some 3000 feet deep, all watered by a winter, if not by a perennial, stream, and many branching off right and left into side-valleys. In the district of Martanesh the ranges are rounded in outline, the summits are spreading instead of steep and sharp, large tracts of ground are comparatively unbroken, and in place of the countless valleys and streamlets of the north there are only a few deep ravines, each with a river on its floor.

These geographical characteristics have influenced the tribal cleft which still survives in the population. The main valleys in the north, such as Shalë, Shkrel or Orosh, are each capable of supporting a small unit such as a tribe, but seldom more. Appropriately, then, each is inhabited by a single tribe, which jealously prevents strangers from settling in its territory. The broad spaces farther south, such as the plateaux of Mat and Dibër, or the heights of Martanesh and adjacent Çermenikë, can carry a much larger population, in which no one tribe could hope to maintain its racial integrity or its political supremacy. Consequently, they are non-tribal and peopled partly by indigenous families, partly, at least in the case of Mat and Dibër, by immigrants, all of whom came in small numbers and many within recent memory. To quote only one example of each type, the Kadije family of Lis in eastern Mat is indigenous, and its neighbours at Burgajet, the Zogolli family, are immigrants.

More than the forms of social grouping have been affected by the physical features of the country. The number and height of the mountains have made stock-raising as important as agriculture to Albanians. Both parts of the range that rises sheer as a wall and green with forests from the coastal plain are over 3000 feet high, that of Krujë to the north being 3280–3940 feet and that of Dajt, which forms so beautiful a feature of the scenery round Tirana (Tiranë), 5290 feet—nearly 900 feet more than Ben Nevis and 1720 feet more than Snowdon. The parallel range which bounds the plateau of Mat on the east runs southwards from Mt Nezhdë in Lurë to Mt Dêjë and on to Mt Allaman at a height that is in few places below 5000 feet and is often above 6000 feet. The frontier range is still higher, composed as it is of Mt Gjalicë (8150 feet) and Mt Korab (9070 feet), the former in Lumë, the latter in Dibër. The topmost summits of the Martanesh area, Mt Kaptinë and Mt Lopë, are respectively 6145 and 6630 feet in height; the surrounding ranges average 5000 feet. As seen from Shkodër, the welter of

northern mountains begins modestly with ranges 2000–2600 feet above sea-level, surpasses 7000 feet in several peaks of Lower Shalë, and culminates in the Accursed Alps (*Bjeshkët ë Nemuna*), where the close-set summits of Radohinë (8690 feet), Jezercë (8790 feet), Rosh (8270 feet) and Kolatë (8370 feet) wall off Yugoslavia from Upper Shalë in spectacular fashion. East of Shalë, the monster Peak of the Irons (*Majë e Hekuravë*, 8530 feet) divides the tribe of Mertur from the open plateau of Krasniqë. The passes across the mountains are often lofty and arduous. To take an extreme example, the only way from Shalë to Bogë, its western neighbour, is by the Sheep Track Pass, to the northern frontier by the Pejë Pass, and to Nikaj on the east by the Ndermajnë Pass, which are respectively 5900, 5600 and again 5600 feet above sea-level and take a day to traverse. It is self-evident that the tribesmen of Shalë have never seen much of their neighbours. Elsewhere geographical conditions are less formidable, yet generally severe enough to limit intercourse between communities.

It is clear that agriculture and permanent habitations must stop far below the summits of many mountains, and that on the highest slopes there can be only summer grazing. Throughout the area as a whole, however, there is so much summer and winter grazing that many Albanians live entirely by pastoralism and many others combine it with their agriculture. In this connexion it is essential to remember the part played by the immense forests. These spread over the grim mountains as well as the plains, saving Albania from the desiccated look of Dalmatia and Greece, and making its scenery agreeable to the eye at all seasons. The forest trees are of many kinds, with a large proportion of evergreens. Since they grow at different levels according to their kinds, three zones, named the shrub, oak and beech, or pine zones after their predominating tree, have been distinguished.¹

Shrubs grow all over the plains near the coast and up to a height of 600 feet in exposed regions like Shkodër and Durrës and 1600 feet in sheltered spots like the gullies on Mt Dajt. They include tree heather, hornbeam, arbutus, wild olives, broom and the terrible Christ's Thorn (*Spina Cristi*), which, withered or green, tears the flesh so savagely with its spikes that it is popularly said all over the Near East to have been used for the Crown of Thorns. There is rough winter grazing among the shrubs, especially for

¹ See Gashi, *Shqipnija*, pp. 51–60.

goats and cattle, and some agriculture in clearings, but the zone derives its chief riches from the many acres of fertile alluvial soil that adjoin the rivers.

Oaks, tall or dwarf, begin sporadically among the shrubs and continue as thick forests up to a height of 2900 feet near Shkodër and 3300 feet in warmer districts. Among them grow ash, aspen, chestnut, cornel, elm, hawthorn, hazel, hornbeam and limes. The majority of the 1140 villages in north Albania are found in this zone, for it best provides for Albanian needs. Though the soil is dry on the whole, it contains a sufficiency of springs. On the plateaux and gentler slopes there is enough arable land for subsistence farming, all that is possible among these rugged mountains. The copses and woods furnish winter grazing for small flocks and herds; an adjoining mountain furnishes the requisite summer feed. The copses and woods also provide fuel for the log-fires that in Albanian phraseology are 'the poor man's wealth'. Leaves lopped from the oak trees in autumn supply winter fodder which livestock eat with almost as much relish as they do hay, a scarcer commodity. It is this supplement to the grazing in the copses and woods which makes mixed farming possible in this zone; without it many animals could not get through the winter, and their number would have to be reduced. If it is sometimes hot in the forest in summer, the heat is never unbearable, and in winter the cold is never excessive. In general the zone is healthy. A little wheat is grown, but—as everywhere in Albania, the Myzeqe plain excepted—the staple crop is maize. The grain provides food, and the livestock luxuries and government dues as well.

In the next zone beeches grow singly, in small clumps, or in mighty forests such as those between Çermenikë and Martanesh where one may walk for seven hours in the daytime and never catch a glimpse of the sun. Still without roads to carry modern woodcutters and their tools to them, such forests are in the virgin state, the trees self-sown, the strong killing the weak, and the survivors growing bigger and bigger until they succumb in extreme old age to some winter blast, when they lie and rot where they fall. When communications are developed, this waste will stop and these forests become a very valuable asset. No grass grows in them or under isolated beeches, of course, but there are usually grass meadows in the clearings, some of which are enormous. Well watered from the same sources as the beeches and fat with humus

from decaying beech leaves, these meadows make magnificent grazing in summer.

Where the underlying rock is serpentine, the forests in this zone are of pitch pine, not beech. Following the rock formation the pines may continue above the beech limit as on Mt Munellë in Mirditë, Mt Nezhdë, and the Peak of the Irons in Shalë. Or they may grow as low as the oak zone, adding to its amenities with their timber and pastures. In certain districts they cover whole mountain sides, while beeches fill the intervening, moister valleys; for beeches like a damp soil, and pines a dryish. Whether among the trees or in the clearings, these forests are a paradise for animals. They have other values, too. Their lower reaches are accessible enough for the peasants to cut their timber, load it on ponies, or slide it down the mountain side to their villages, there to be used for building or other simple purposes. Pine slivers are the only form of lighting in many village houses, and they also bring in a little money, finding a ready sale in towns as kindling for fires.

The pine and beech zone is mostly too high for winter use. Near the coast its tree-limit is 5200–5600 feet above sea-level. Farther inland, where one range shelters another and the soil is damper, it may be 6000 feet, as on Mt Bukanik in Shpat or Mts Munellë and Nezhdë. On Mt Gjalicë it is 7000 feet. Between the tree-limit and the summits of higher mountains there is nothing but rock, scree and treeless pastures.

This pine zone is as necessary to Albanian economy as the oak zone. On much of the treeless ground above it the grass is so coarse that sheep will not eat it at all, and horses nibble it only at the beginning of the summer season and then with distaste. The grass of the pine and beech zone is sweet and palatable even to dainty sheep throughout the summer. On the agricultural side the zone serves as a great catchment area, not only for the huge, unharnessed rivers that traverse north Albania, but also for the myriads of invaluable little streams that flow down to the agricultural districts in the oak zone. Without these streams there could be little irrigation; without irrigation there could be little agriculture. Maize must have water, and there is never enough rain in summer to supply it.

In the two areas of summer pasturage, the beech and pine zone and the treeless slopes above it, many thousands of cattle, horses, goats, and especially sheep, graze from May to October. Their

number is limited only by the amount of winter grazing available, which small owners find, and have always found, in the oak zone. In Turkish times, when Albania and Macedonia were both Turkish provinces and had no customs barriers between them as they have now, large owners sought it on the roomy plain of Salonica. Since Albanian emancipation in 1912 they have been confined to the more meagre pastures on the seaward side of the coastal plain at home, a restriction which has entailed a considerable cutting down of their flocks and herds. Nevertheless, in 1936-7 taxes were paid on 1,424,965 sheep, 773,969 goats, 144,763 cattle and 44,318 horses in the whole of Albania;¹ there are no separate figures for its northern half. Many more animals ran about the houses, unregistered and free of tax. For Albanians the importance of sheep lies, it should be noted, not only in their wool and meat as in England, but in their milk and the butter and cheese made from it.

If only the coastal plain were more spacious, it would be a perfect complement to the mountains for pastoralism on the grand scale. In the portion south of Lesh the rivers Drin, Mat and Ishm, entering the sea at points less than 6 miles apart, have created what is virtually one vast delta of mud and swamp, lush undergrowth, and trees that have come too quickly to maturity. Farther south, swamps of the same type cover much of the Plain of Durrës, and a great lagoon extends to the very outskirts of the town. Two more lagoons and a series of swamps mark the estuaries of the rivers Shkumbî and Seman on the coast of Myzeqe. More marshes and the lagoon of Kakarriq outline the course of the River Buenë in the north.

On the coast the average yearly rainfall is 39-47 inches, against 57 at Shkodër, 67 at Krujë and 72 at Pukë, an inland place 39 miles east of Shkodër. Albania is one of the wettest countries in Europe because so many of its ranges run from north to south and are high enough to intercept the rain-laden clouds that drift in from the west. The first rains fall in October when it is still hot on the coastal plain. The moisture and the heat combine to produce a luxuriant crop of new grass by the time that the sheep come down from the mountains.

This grass is found, not only in the hay meadows and swamps, but also, owing to the violence of the winter rains, on all the arable

¹ Gashi, *Shqipnija*, p. 117.

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land. A high proportion of the year's rainfall falls in November and March:¹

NOVEMBER	MARCH
Durrës 215 mm. (8·46 in.)	100 mm. (3·94 in.)
Shkodër 209 mm. (8·23 in.)	162 mm. (6·38 in.)
Krujë 337 mm. (13·27 in.)	157 mm. (6·18 in.)
Pukë 260 mm. (10·24 in.)	202 mm. (7·95 in.)

When a storm breaks over the mountains, every river and rivulet in the storm-swept area rises rapidly because the surface soil is seldom deep enough to retain much of the falling rain. In furious spate the rivers rush steeply towards the sea and, as they near the coast, spread far beyond their banks, engulfing many acres of arable land, and enlarging the marshes and lagoons so that they engulf many more. Because of this flooding, wheat cannot be sown near the coast. If sown in autumn, the November floods would wash it away, and after the March floods the ground does not dry in time for a spring sowing. Maize is, consequently, the only crop that can be raised. While awaiting its planting in late May, the fields lie fallow and grass-grown. The March floods are also responsible for the striking size and number of the hay meadows; much land never dries enough to grow even maize and must be left permanently under grass.

Climatically, too, the coastal plain dovetails into the high pastures. Whereas the mountains are deep in snow all winter, the temperature at the coast never falls quite to freezing-point. In January, the coldest month, the average recorded for Durrës and Valona (Vlonë) is respectively 47 and 48 degrees, with 40 and 41½ degrees at inland Shkodër and Tirana (Tiranë). Rain falls frequently and heavily, but unless a sudden rise in a river catches sheep unawares and sweeps them out to sea, neither animals nor shepherds come to much harm. By the end of May, when the rains cease, everything changes, and life near the swamps becomes intolerable for man and beast. Day temperatures rise swiftly towards their summer maximum of 86 degrees and the nights are hot, so that every movement is a burden. The dense vegetation of the swamps exudes odours as foetid as those in a tropical forest. Swarms of malaria-carrying mosquitoes emerge from the stagnant pools to attack man; swarms of gadflies, more savage than any

¹ Gashi, *Shqipëria*, p. 49.

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known inland, attack beast; when thirst, a rarity in winter, drives an animal to forget its instinctive caution and to drink from a swamp, as likely as not a crop of leeches fastens on its tongue. So, as soon as they have sown their maize, the shepherds and their families and flocks desert the hot coast for the healthful pastures of the mountains.

CHAPTER II

THE UNWRITTEN LAW IN OUTLINE

To ensure for all, irrespective of their individual material wealth, a fair share of the essential grazing, arable land and irrigation, there has grown up a corpus of Unwritten Law. This was evolved at some unknown date by the mountaineers, as part of the legal framework which they had devised for every aspect of their life. They evolved all their laws—social, administrative, or pastoral—unaided. For many centuries before the Turks arrived in the fifteenth century, the country was split up into a number of principalities, none of which was strong enough for long to subject a neighbour to its rule. Though the Turks remained for four and a half centuries, they could never exert more than a nominal authority outside the chief towns. If they sent a punitive column into the interior, the people living in the mountains took evasive action, retreating to some peak until the inevitable departure of the intruders; their wealth was so small that they could carry or drive off most of it to their refuge, and so lost little from the raid. If the Turks sent tax or police officials, they fired on them at the first defile as a warning to return to their offices in town. There were no roads along which forces strong enough to be effective could march, in order to reduce them to real submission. The Turkish government, unable to enforce its will, accepted the situation and left the mountaineers to govern themselves, as they had presumably done under their native princes and chiefs. The first all-weather road to be built in North Albania was constructed in 1916 by the Austro-Hungarian armies during their temporary occupation; it ran from Shkodër to Durrës, with a branch to Tirana.

Every type of unwritten law has been constantly recast, added to, and restated down the centuries by a body of experts drawn from the rank of rulers. This rank exists because the mountaineers came to realize that an entity which is divided against itself cannot stand. Consequently, in every social unit—in house and village as in tribe or group of villages—the principle of subordination to a supreme head was accepted. In a household the headship is hereditary, with an important qualification. As the mountaineers are aware that

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a first-born may be inefficient, the mantle of a dead or dying head falls on the son who in the opinion of all the adult males in the household is the best fitted to keep it together, irrespective of whether he is the eldest or not.¹ This combination of birth and unanimity of choice gives these heads the strength of inevitability, so that they can be neither envied nor rebelled and intrigued against, but must be recognized and implicitly obeyed by their subordinates—a most important factor in keeping the peace.

Before the Turks left in 1912, the headship of a northern village or tribe descended in the same family, always to the head it had chosen for itself. Since 1912 successive Albanian governments have slightly modified this system. In non-tribal areas like Mat, Martanesh and Shpat there has been less need for a change; as far back as we can go, the head of the average village or group of villages has been elected by the community for his personal qualities in the same way as the head of a house. A few villages of Mat, however, had long been ruled by the landlords (*begs* or *beys*) who owned them; after 1912 the power of these landlords, the Zogu family excepted, was curtailed by the central government like that of the *bajraktars* of the north.

In the old days the laws were administered as well as enacted or revised by the ruling rank, who were collectively known as elders. The system was elaborate, with public trials over which elders presided, and at which evidence was taken from witnesses on oath as well as from the plaintiff and the accused, and a jury might be asked to render a verdict. Fines were the usual penalty for petty misdemeanours, and temporary banishment, permanent expulsion or death for serious offences; a modified form of imprisonment also existed. Offences against the cohesion of the social fabric, as understood by the mountaineers, were reckoned more serious than crimes against an individual. Thus parricide was graver than fratricide; the first struck a blow at parental authority, an essential part of the social structure, but since one brother had no right to rule another except in special cases, fratricide was little worse than an ordinary murder and hardly a public concern.² The murder of a neighbour or the theft of his property seldom entered the serious category until the criminal became an habitual offender. Then the community, regarding the man as a social menace from whom none of its members was safe, took whatever action the law laid down for

¹ See Chapter V.

² See Chapter V, p. 38.