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SOCIAL BANDITRY, MYTH AND HISTORICAL REALITY

CONCEPTUALISING CONTEMPORARY ALBANIAN
ORGANISED CRIME AGAINST THE HAJDUKS

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Abstract

This thesis will investigate how Erik Hobsbawm's theory of 'social banditry' can be applied to a contemporary setting to explain the strength and workings of ethnic Albanian organised crime groups.

The paper will delve into a pre-existing debate surrounding the effectiveness of this theoretical lens as a method to account for the global phenomenon of banditry (particularly in the feudalist age). 'Social banditry' occurs at times of great social upheaval and distress, when unofficial protagonists manage to wedge themselves into the socio-political framework. Therefore, taking a historical perspective, the research will identify episodes in Albania's past where the phenomenon has had the opportunity to occur, beginning with banditry in the late eighteenth century. The debate around 'social banditry' will bring together significant theoretical approaches with sociological, psychological and empirical reasoning. Given the humanist standpoint of this subject area, the paper will uncover powerful motivators such as honour, nobility and moral justification. It will also analyse how ancient cultural norms continue to cloak immoral criminal actions denoting them as expressions of national pride or personal honour.

In a nation that is looking towards EU accession, this study will present an understanding of what is its most significant road block – that of organised crime.

Table of Contents

Introduction

Background	1
Thesis Structure	4

Contextualisation

The Lighthouse of EU Accession	6
The Stolen Oars	7

Methodology 11

Chapter 1 – Conceptualising Social Banditry

The Infamous or the Legendary?	13
The Debate on Hobsbawm’s Theory	17
The Relationship with the State	21

Chapter 2 – Setting the Crime Scene – The Development of Modern Albania

The Hajduks	25
The Evolution of the Bandit	29
The Birth of a State	31

Chapter 3 – Social Norms and Justification

The Role of the Kanun	39
Modern Myth Making and Glorification	43

Discussion of Findings 47

Conclusion 50

Bibliography 52

Introduction

Background

If we view crime in absolute terms and measure it by our western notions of legality and justice when assessing what is right or wrong, we limit our capacity to respond to the issue. Any national or transnational attempt at stemming the issue requires a deeper understanding of the sociological impacts of organised crime, both in terms of those who are drawn to it and those who feel its impact. Rationalising human behaviour and contextualising socio-economic and cultural conditions can lead us to better comprehend how and why organised criminal networks can achieve such prominence in certain spheres. The seminal study of Erik Hobsbawm, who brought the term ‘social bandits’ into the wider debate around the phenomena of brigandry and banditry, is reflective of just such a rethinking.¹ It can be read as a historian’s attempt to rationalise the hero and myth status that surrounded these ‘outlaws’, and led Hobsbawm to declare banditry as an expression of revolt amongst the peasantry. The theory caused much controversy when it was first publicised and many counter arguments were put forward. Nevertheless, the controversy triggered a very important movement in academia to better understand the sociological impact and meaning of criminality.

Although there are very clear and practical differences between the bandits of the pre-capitalist age and the organised criminal networks of today, there is good reasoning to apply a similar theoretical lens to a study of contemporary criminality. Firstly, it is extremely important to apply a humanist perspective when trying to understand the appeal and development of criminal activity, as one starts to uncover powerful motivators and notions of nobility, moral justification and normalisation. Secondly, the concept of ‘social banditry’ (as an expression of peasant revolt), occurs at times of great social upheaval and distress (see Chapter 1).² Unofficial actors vie for power and cement themselves within the economic framework of society and this, I will argue, is not limited to the feudal past and can occur whenever a state is drastically weakened. The debate around ‘social banditry’ brings together significant theoretical approaches with sociological, psychological and empirical reasoning.

¹ Eric Hobsbawm, *Bandits* (The New Press; Rev Sub edition, 1969; repr., 2000).

² Jan Whitaker, "Review: Bandits (Revised Edition) by E.J. Hobsbawm," *Mid-American Review of Sociology* 7, no. 1 (1982).

Criminal activity can often blend into legitimate activity or even take on the guise of ‘just behaviour’. When a country is within a grip of civil war for instance, certain groups must seek alternate ways of supporting themselves outside of the official channels, as the government may be actively working as a suppressive unrepresentative power holder. Those acting against the government, whether it be by smuggling weapons or supplies to anti-state elements, would be seen as taking criminal action. It is during times of crisis that pre-existing criminal networks come to the fore and offer much needed alternative sources of income and are, arguably falsely, commended as the defenders of the people.

To contextualise this issue, I will be taking Albania as a case study. The country, which has experienced severe problems with organised crime, has been a candidate member of the European Union (EU) since 2003. Although it was granted visa-free status in 2010, it continues to be kept at arm’s length.³ The most significant roadblock to accession for Albania are problems with corruption and organised crime. These issues have persisted in plaguing the potential economic development of the nation which is in desperate need of democratic reform. Until they are properly tackled, the country will find itself continually pushed back from real progress in the EU accession process.

I wish to determine what reasons account for the draw of ethnic Albanians towards the ‘alternative economy’ and explain the strength of their networks both in Albania, Kosovo and amongst diaspora communities. To give more thorough insight and to uncover the relevance of the ‘social bandit’ debate, I intend to apply a historical perspective. This approach aims to connect the drivers behind organised crime amongst the Albanian people, from the ‘hajduks’⁴ (bandits common in the seventeenth century) to modern-day narcotics and human trafficking. I will discuss social frameworks such as the ancestral code of the ‘Kanun’⁵ which has governed rural life in Albania for five centuries and still holds sway, particularly in the mountainous north. This law is known as the ‘religion of blood’, of which feuding and vendettas are viewed as central rights. The exploration of this historical context will hopefully demonstrate what distinctive cultural attachments there are to the Albanian criminal economy and what has led to its current political and economic instability.

³ European Commission, "Albania 2016 Report " (ec.europa.eu2016).

⁴ Hajduk is a term most commonly referring to outlaws, brigands, highwaymen or freedom fighters in Southeastern Europe, and parts of Central and Eastern Europe. They were particularly active during the reign of the Ottoman Empire in the Balkans.

⁵ A set of traditional laws first codified in the fifteenth century with its origins in central Albania and surrounding regions of Southeastern Europe (See Chapter 7 for more details)

The 'social bandit' theory explores the myths and legends around outlaws and touches upon elements of justification and honour. The aspect of justification is very important because if the perpetrator does not consider his/her actions to be criminal or that they can be defended by context, then we are defining this person as a 'criminal' simply from the perspective of state law that claims jurisdiction where they live. As will be touched upon in the following chapters, it is important to note that Albania has suffered a long history of political subjugation by foreign imperial powers as well as mismanagement by corrupt domestic leaders, which has left a deep scar on social norms and expectations. This is particularly the case when it comes to trust in state authorities. A 2015 survey conducted in Tirana, showed that more than 50 per cent of the population distrusts the judicial process and only a third of the population trusts in public institutions.⁶ Perception of corruption is a large factor in these concerning figures. When the state government lacks legitimacy, it simply becomes an unrepresentative power and citizens will instead look inward for their bases of trust and affinity.

Through utilising the theory of 'social banditry', I hope to dissect the workings of ethnic Albanian organised crime networks and get a better picture as to why the country is struggling to let go of black market ties in favour of EU membership. My research question for this study will be the following: Can Erik Hobsbawm's theory of 'social banditry' be applied to a modern setting, to better understand the strength and conduct of ethnic Albanian organised crime networks?

The reason I have chosen this research question is because I believe it will help uncover why Albania is holding on to ancient codes that are completely offset to modern democratic laws. 'Social banditry' appears at times of social upheaval and when the state displays illegitimate representation towards its people. As I will explain in further detail below, Albania has gone through this experience. Using the Marxist theory of 'social banditry' against the modern setting of Albania will not produce the same type of debate that Hobsbawm brought to the field, regarding the bandits of feudal societies. However, it may help reveal unique sociological behaviors that are not necessarily evident if one uses, for instance, a political science approach to understanding a phenomenon as complex as organised crime.

⁶Erisa Lame & Aleka Papa, "Opinion Poll - Trust in Government " (www.idmalbania.org: Institute for Democracy and Mediation 2015).

I am aware of the paradox of using Hobsbawm's theory in a post-Marxist society, however, I believe there are strong elements that come out of the 'social banditry' theory that can be applied to the sociological environment there today. Methods of moral justification, garnering public support based on honour and tradition, evidence of pariah communities, (see Chapter 2) all show working reflections to the arguments Hobsbawm put forward with this theoretical lens. Furthermore, the country has only recently come out of a communist regime, there is fresh history of corruption and an understandable lack of trust in the state. The international agreement that led to the creation of Kosovo (which has strong ethnic ties to Albanians) for instance has been labelled 'Pax Mafiosa' (See Chapter 2) by certain commentators. Therefore, it seems relevant to apply a theory that argues for the social acceptance and at times support of criminality. For as Hobsbawm argues, it doesn't matter if the 'social bandit' existed in literal terms, the important aspect is the belief that he/she somehow could, which bandits and criminals alike, invariably use to their advantage.

Thesis Structure

Before delving into my research, I believe it is necessary to discuss the wider debate around my research question and state why this is an important issue to debate today. I will therefore begin with a section to contextualise the issue which will discuss the EU accession process and the great hindrance that organised crime has on Albania's road to membership. To ensure that I apply my research question correctly, I will then set out my approach as well as making clear the boundaries of my research.

In chapter one I will conduct a thorough literature review of Hobsbawm's concept of 'social bandits' and debate the strengths and limitations of his theory. This chapter will also feature a description of the integral relationship of the state and its citizens as a cause for the formation of criminal enterprises and bandits. Understanding this important aspect will give a clearer insight into how banditry and modern organised crime can be effectively compared; For if a state acts in an extractive or unrepresentative manner, segments of the population can look to unofficial protagonists (i.e. bandits) for support, capital and perhaps even a sense of affinity. Even if these exponents actions are not based on legal grounds they can still represent a force of moral code.

In order to frame the use of 'social banditry' as an analysis of the contemporary organised crime scene amongst ethnic Albanians, it will be necessary to explore where the term was

first applied in this region. The second chapter will therefore make up a chronological journey of modern Albania starting with a more in depth analysis of the hajduks and their particular social influence amongst ethnic Albanians living under Ottoman rule in the late eighteenth century. The rest of this chapter will make up the main analysis of the strength and significance of ethnic Albanian criminality in a modern context. Applying Hobsbawm's theory to the analysis, it will be here that I explore the recent history of the nation and pin point moments of social crisis where these unofficial protagonists have been able to assert their influence.

In the third chapter I will postulate how the influence of ancient cultural norms have cloaked criminal actions of such groups and encouraged them to act with a vindicated authority. The principles of justification and 'myth making' will also be taken into account in the comparison of 'social banditry'. In the discussion of my research findings and the conclusion, I will summarise and analyse the results stemming from my research question whilst arguing how far the theoretical lens of 'social banditry' proves beneficial to the understanding of modern organised crime amongst ethnic Albanians. In addition, how the theory could be applied to other examples.

Contextualisation

The Lighthouse of EU Accession

The EU accession process is part of the effort to foster peace, cooperation and economic growth in Europe. Applicant states are being encouraged to adopt laws that reflect European values, in exchange for the promise of membership to the EU. The European Commission encourages reforms promoting good governance and rule of law by promising incentives such as visa liberalisation along the road to accession. Aside from the prestige that closeness to the EU brings, there are huge economic and political motivations for the accession states.

However, questions are being raised by EU members about the enlargement process and the difficulties of incorporating new nations. These narratives pivot on whether, in certain accession states, there truly exists a belief to take on the democratic principles which complement the grander normative influence of the EU, or whether it is simply a case of applicant states meeting the criteria *pro forma* for the financial gain of closer cooperation. Especially when these application nations have very recent histories of internal conflict and economic instability. In no context is this question being more fervently raised than in that of organised crime containment.

Countries on Europe's periphery are potential gateways for illicit goods and whilst some nations are more proactive than others in taking advantage of this 'alternative economy' (black market), the European response is directed at stemming its impact. International bodies such as Europol, Interpol and the United Nations Office on Drugs and Crime (UNODC) are helping to tackle the issues pragmatically through intelligence sharing, extradition management, and cross-border police collaboration. However, real progress can be difficult, since nations can often jealously guard their judicial and policing authorities and are quick to limit cooperation with other states or international unions should they start 'infringing' on matters of sovereign concern.

Fighting crime is never as simple as merely closing borders. Criminals invariably appear whenever and wherever there are opportunities. Effectively tackling organised crime requires a nuanced approach. Indeed, the accession agreements require partner nations to reduce organised crime and corruption in their home state. A carrot and stick approach encourages states to reform whilst securing their interests in the European economic sphere. In the long run, this strategy could lead to an improvement in law and order, not only in the accession state but in the EU as a whole.

To properly assess the full impact of criminal networks in Europe, it is necessary to understand what constitutes organised crime and what types of individuals operate within the 'black-market'. To do so, it is beneficial to gain a deeper understanding of civil society's connection to the illicit economy, as there are major grey areas between the activities of the state and criminal syndicates, especially in economically weaker states. In many cases, should the state come to be viewed as lacking legitimacy, due to weak institutions, ineffectual governance or some other failing, such as outright hostility to the population or some subgroup thereof, organised crime networks can fill the vacuum. In some cases, they have been known to become a kind of alternative administration or government, serving as the guarantor of prosperity and security.

The Stolen Oars

Since 2003, Albania has been partaking in accession negotiations and agreements to progress towards candidate status in the EU. However, steps towards full membership are currently hindered by the country's pressing issues with organised crime and need for political reform. Various reports have indicated that between 70-80 per cent of heroin distributed in Europe is under the control of Albanian organisations, a really impressive percentage for a nation of just six million people.⁷ A UNODC report showed that between 2000-2008 Albanian nationals made up 32 per cent of the total arrests associated with the trafficking and distribution of heroin in Italy. This was far bigger than any other ethnic group with only Turkish nationals following at 14 per cent, yet the country has thirteen times the population of Albania. Convicted Italian nationals followed in at 10 per cent, which is a surprising distribution of statistics when one considers the strength of Italian mafia groups such as the Camorra and the Sicilian Mafia.⁸

According to the 2016 EU Drug Markets Report, which concerns both the production and smuggling of narcotic substances, Albania is the main trafficking route of heroin into Europe.⁹ When one looks at the diaspora of ethnic Albanian communities around major

⁷Palash Ghosh, "Tip of the Iceberg: French Police Arrest Albanian Heroin Traffickers, but Balkan Criminal Gangs Tighten Grip across Europe," (2012), <http://www.ibtimes.com/tip-iceberg-french-police-arrest-albanian-heroin-traffickers-balkan-criminal-gangs-tighten-grip>.

⁸UNODC, "Addiction, Crime and Insurgency: The Transnational Threat of Afghan Opium," (<http://www.unodc.org2009>), 123.

⁹European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and Europol, "Eu Drug Markets Report - in-Depth Analysis," (www.emcdda.europa.eu2016).

European cities, we are seeing an ever-increasing involvement and control of the black market by those sharing this heritage. Furthermore, despite eradication efforts in 2014, cannabis production continues to prove a huge hindrance to Albania's democratic legitimacy. Controlled by organised criminal networks, the production amounts to five billion US Dollars. To put that in perspective that's almost half of Albania's GDP, coursing through the veins of the illicit market.¹⁰

Albania's geographical position, the Kosovo war, the absence of a state of law and the lack of remedies needed for fighting organised crime have turned the nation into arguably the principal gateway for the illegal trade from East to West.¹¹ According to Transparency International, 80 per cent of the Albanian economy is a 'parallel' one, meaning that for every hundred euros of registered capital, another eighty euros is never officially accounted for. It is safe to assume that the majority of this undocumented capital comes from organised crime.¹²

Generally speaking, Southeast Europe has always been a fertile ground on which organised crime can flourish. Geographically, the Balkan states are at the gateway between Western Europe and the East. To the east, Turkey is the route to the Middle East and Asia beyond. To the west, the Western Balkans shares the Adriatic coast with Italy and Greece. Inland, it shares borders with five EU members. The Asian routes of South American cocaine to West Europe also run through the Balkans and a majority of Afghan heroin follows the old Silk Road from Turkey across the Balkans to Western Europe.¹³

Moreover, the existing strength of illegality and black market activity in Southeast Europe acts as an ever-consolidating cycle for EU-based organised crime groups to launder their proceeds.¹⁴ In contrast with many Eastern European countries, which experienced democratic transformation in the late 1980s, events in Southeast Europe have often been hampered by war and ethnic conflict. The various Balkan wars, poverty, political upheaval

¹⁰Linda Pressly, "Europe's Outdoor Cannabis Capital," (2016), <http://www.bbc.com/news/magazine-38111945>.

¹¹Check United National Development Program report – Albanian Human Development

¹²Marsida Nence, "Corruption, Albania's Biggest Challenge for Integration in E.U.," (2013), <http://www.pecob.eu/Corruption-Albania-biggest-challenge-integration-E-U>.

¹³UNODC, "Estimating Illicit Financial Flows Resulting from Drug Trafficking and Other Transnational Organised Crimes," (www.unodc.org2011).

¹⁴EUROPOL, "Annual Report," (www.europol.europa.eu2008).

and break-up of states have provided opportunities for organised crime to seep into the internal workings of the Balkan states.¹⁵

There are important elements that come into defining the strength and persistence of crime, that are shaped by both experience and interpretation. This means that identifiable criminal traits can at times display particularly unique cultural nuances that are worth evaluating when wishing to tackle the issue.

Albanian society is often portrayed, in blanket terms, as violent and subject to criminality because of harsh cultural norms.¹⁶ Within Albania, Kosovo and their respective diasporas, the labelling of violence, both officially and unofficially, is often made (but not necessarily understood) from a Western perspective. There has been a widely-shared view among scholars, policy makers and law enforcement practitioners that in these Balkan countries illegality and violence are widespread either because of poor governance, terrible economic conditions or 'culture'.¹⁷ This stereotyping arouses both fear and suspicion against ethnic Albanian communities and whilst there may indeed be cultural factors driving criminal activity, it is important to abstain from myopic reasoning and delve deeper into the real workings of the phenomenon.

Therefore, whilst I intend to apply a historical lens to this issue I must stress that I do not intend to argue for a gradual cultural conditioning to crime. Applying any such brash identity markers to criminal groups can be misleading and counterproductive. Criminal groups are by their nature, selective about their membership. However, to assert that there is a common identity amongst criminal networks would be detrimental to any effective attempt to understand their operations. Criminal networks are run as short-term gain businesses without any restricting codes of ethics. If a division of a criminal network becomes weak or unprofitable, it will be ruthlessly cut down by another faction ready to seize the opportunity.¹⁸ The romanticised portrayal of the Sicilian mafia in popular film, with

¹⁵Fabian Zhilla, "Organised Crime and Judicial Corruption in the Western Balkans : Are Customary Norms Playing Any Role&Quest," *Journal of Financial Crime*, no. 4 (2011).

¹⁶Jana Arsovska and Philippe Verduyn, "Globalization, Conduct Norms and Culture Conflict: Perceptions of Violence and Crime in an Ethnic Albanian Context [Article]," (2008), 226.

¹⁷Jana Arsovska, "Social Confusion on the Road to Modernity: The Meaning of Violence and Crime in Ethnic Albanian Context " (CERGE-EI GDN Project 2007).

¹⁸ R. Saviano, *Gomorra* (Pan Macmillan, 2008).

references to brotherhood and an honour amongst thieves doesn't usually match up to the cold-hearted business operation of the criminal underworld.¹⁹

That being said, a common identity can contribute to the makeup of certain criminal networks. Albanian criminal networks for instance are found across the world. Although there is no central operational base which we could refer to as 'the Albanian Mafia', there is a distinct closed ethnic affiliation that occurs throughout. This is probably due to the practical reasons of sharing a language and socio-cultural background.

Whether political circumstances, economic insecurity or a 'culture of violence' is to be blame, until Albania manages to gain its ability to steer the democratic course laid down by the EU accession process it will haplessly drift into rocky waters where criminal networks and corrupt officials take full advantage.

¹⁹ R. Saviano, *Gomorra* (Pan Macmillan, 2008).

Methodology

As a Master thesis in European Studies with a humanistic profile, this paper will make use of concepts, theories and models from various fields of thought. The topic will span from identity issues to matters of law and order, so it will therefore be necessary to take a multidisciplinary approach and include sources from history, social sciences, political science as well as criminology. The aim is to provide an extensive yet nuanced insight into the world of banditry and organised crime, a subject area fraught with stereotypes, generalisations and lack of empirical research.

In order to frame the question of how cultural narratives and contextual reasoning connect modern organised crime in Albania to the hajduks of centuries past, it will be necessary to review the existing literature. Principally that of Eric Hobsbawm, who coined the term 'social bandit' and is responsible for sparking the debate. Following this literature review, I intend to analyse how far the discussion over the sociological role of the bandit can be applied to modern day criminal networks operating in the black market. With Albania as a case study, I will digest the idea of a criminal career, being an 'alternative profession', demonstrated by political rebuke or self-vindicated honour. Furthermore, I will examine how the criminal underworld is perceived by both the state and the population as a whole.

It is often argued that organised crime is a topic beyond objective measure since it is extremely difficult to conduct reliable empirical research on a phenomenon shrouded in secrecy and backed up by violence. There is no doubt that sharing information about the criminal underworld, especially to the point of publication is hindered by the legitimate fear of reprisal. Only rarely can law enforcement officers and professional researchers observe the activities of a criminal group directly. Even if it were feasible to interview offenders for the purposes of this research, I believe one would need to remain sceptical as to the reliability and validity of the information gleaned.

Aside from the odd outstanding case it is almost impossible to learn about the internal dynamics of a contemporary criminal organisation. Therefore, social scientists are forced to rely on accounts supplied by police, judicial authorities, the media, and reports from key witnesses. However, this can also be full of pitfalls. Authorities are reluctant to release information without the threat of legal reprisal, and victims are often reluctant to speak up for fear of retribution. Furthermore, as collaborators in the judicial process, police informants

are often entitled to protection and a reduction in their sentencing, which might affect the authenticity of their testimonies.

When reaching for conclusions, this thesis will utilise data from previous academic research, official judicial and legal authorities (Europol, UNODC etc.) and respected media sources. The most comprehensive study of the phenomenon of organised crime in Albania is the work of Sociologists Jana Arsovska, principally in her book; *'Decoding Albanian Organized Crime: Culture, Politics, and Globalization'*. Her writings are based on over ten years of research, which includes interviews with Albanian citizens, law enforcements agencies, criminals themselves; as well as police reports and court cases from several different countries where Albanian diasporas are found. Given the depth of empirical research backing her conclusions I will be utilising this study's considerable level of analysis when building my own arguments.

The method used to effectively answer my research question will be based on triangulation - combining and applying several studies and research findings considering the same phenomenon. The purpose is to obtain a nuanced understanding about the myths and noble justifications surrounding criminal activity by comparing different perspectives. As it is only through studying multiple observers, theories, and empirical materials, that one can hope to overcome the intrinsic biases linked to single-method studies often found in the subject area of crime.

Chapter 1 - Conceptualising the Social Bandit

The Infamous or the Legendary?

Bandits populate the myths and legends of the lands of the Western Balkans and the Mediterranean Sea. They have been referred to under many different titles depending on societal interpretations and regional origins. From collective groupings, such as; brigands, mountain warriors, pirates and irregular soldiers, to more distinguishable ethnic groups such as; Hajduks, Klephts²⁰ and Uskoks²¹. Very often those who partook in banditry in this region have fallen into legend, often under the guise of saviours of the common people against tyranny. Much of the glorification of banditry and ‘Robin Hood’ myths (taking from the rich to give to the poor) are put forward by historians with romantic notions of a people struggling against the domination of a large Empire. These academics or intellectuals often either have strong nationalist sentiments or wish to highlight the struggle of ‘European peoples’ against ‘invaders’ from the East.

‘Mafias’ (the often-over-romanticised type of organised criminal network), with their characteristic blend of ruthlessness, secrecy and codes of honour, have also worked their way into the collective consciousness, producing conflicting feelings of rejection, fascination and admiration. They have been romanticised, and at the same time represented as aberrant (and abhorrent) protagonists on the margins of society.

The need to generate and perpetuate the noble robber, the good thief, or the social bandit is found in cultures around the world. Despite many local adaptations and inflections, at the core of the facts and fictions surrounding outlaw heroes remains the belief that he, or very occasionally she, robs the rich to give to the poor. The hope for a better world—however defined—continues to play a significant role in global politics, economy, and culture. By making use of an existing narrative framework, within which is embedded a crude but often effective moral code, the celebrated outlaw, his sympathizers, and his oppressors appear to act out a cultural script with their roles pre-determined by the tradition. This script almost inevitably leads to a bloody denouement. The dead hero then develops an afterlife that feeds back into the

²⁰ **Klephts** were highwaymen turned self-appointed brigands, anti-Ottoman insurgents, and warlike mountain-folk who lived in the countryside when Greece was a part of the Ottoman Empire

²¹ **Uskoks** were irregular soldiers in Habsburg Croatia that inhabited areas on the eastern Adriatic coast and surrounding territories during the Ottoman wars in Europe.

*tradition, both keeping the legend alive and providing the basis for the heroization of the next individual to raise a sword, bow, or gun against an oppressive power.*²²

A bandit is an individual who methodically acquires capital through the process of robbing others, typically within a gang or an organisation that distributes wealth within its own internal structure.²³ Nevertheless, throughout the world, bandits have been aided, sheltered, praised, and immortalised in stories, songs and folklore by the very same social classes that are most vulnerable to them. The very same phenomenon occurs with organised criminal networks or mafias. Whether it is through fear of reprisal or a general contempt for the ruling establishment, many ordinary citizens venerate these individuals operating outside the law as brave vanguards of their communities, representing the struggle of the persecuted and downtrodden.

Herein lies the polarisation of the historical debate on the position of the bandit's role in society. Although 'Robin Hood' type myths have existed since time immemorial, it was Eric Hobsbawm in his book *'Bandits'* (1969) who first framed the concept of the 'social bandit' and called into question the sociological puzzle of the 'hero' status these criminals received. Hobsbawm provides an explanation for the positive reception of bandits based upon Marxian class analysis. He suggests that 'social banditry' is an early manifestation of proletarian protest at the exploitation of the ruling classes.²⁴

*In the mountains and forests bands of armed and violent men outside the range of law, impose their will by extortion, robbery or otherwise on their victims. In doing so, banditry simultaneously challenges the economic, social and political order by challenging those who hold or lay claim to power, law and the control of resources.*²⁵

According to Hobsbawm, while all those operating in banditry are considered criminals by the elites, 'social bandits' are revered by the members of the exploited peasant classes from which they are drawn. 'Social banditry', in contrast to ordinary banditry is characterised by a supportive relationship between the peasant population and the bandits. He describes them as 'peasant outlaws', who are; "considered by their people as heroes, as champions,

²²Graham Seal, "The Robin Hood Principle: Folklore, History, and the Social Bandit," *Journal of Folklore Research*, no. 1 (2009): 69.

²³ Nicholas A. Curott and Alexander Fink, "Bandit Heroes: Social, Mythical, or Rational?*", *American Journal of Economics & Sociology* 71, no. 2 (2012): 470.

²⁴Nicholas A. Curott and Alexander Fink, "Bandit Heroes: Social, Mythical, or Rational?*", *American Journal of Economics & Sociology* 71, no. 2 (2012): 471.

²⁵Hobsbawm, 7.

avengers, fighters for justice, perhaps even leaders of liberation.”²⁶ This relationship sometimes plants the seeds of more substantial peasant resistance against the oppression of the ruling classes.

However, this view is rebuked by many other historians, sociologists and political scientists who argue that this glorifies and romanticises the role of the bandit in society (Aton Blok, John S. Koliopoulos, Paul Sant Cassia etc.) They contend that any benefit the bandit brings the lower classes is purely through cause and effect rather than any honourable intention. Bandits of centuries past, just like criminal networks of today, were focussed on their own self-interests. Of course, this could unintentionally bring benefits to their local communities, especially when a particularly oppressive or unrepresentative ruling class was in power. One such historian was Anton Block, who argued; “rather than actual champions of the poor and weak, bandits quite often terrorised those from whose very ranks they managed to rise, and thus helped to suppress them.”²⁷

This reproach or rebuke against Hobsbawm’s conceptual idea, often comes in the form of rationalist choice theory, a method which many political scientists, economists and criminologists favour. The basic premise is that the hero and myth status of bandits exists only in legends and folklore, not in accurate historical representation. Many conclude that real-life heroic bandits are a myth. The image of the heroic bandit emanates from the collective imagination of later generations, who look back and romanticise legendary characters from the past.

Historians Roumen Daskalov and Alexander Vezekov in their book *’Entangled Histories of the Balkans’*, describe the popularity of the heroic bandit narratives which were particularly prevalent within nineteenth century literature. In Albania especially, the concept of the ‘social bandit’ has taken on mythical proportions. They argue how, once the Balkans fell under Ottoman control, this discourse continued in the heroic-tragic vein, focusing almost entirely on resistance to Ottoman occupation. The theme of the hero rebelling against injustice, taking up arms and heading for the mountains to fight the enemy, enjoys extraordinary popularity.²⁸

²⁶Eric Hobsbawm, *Bandits* (The New Press; Rev Sub edition; repr., 2000).

²⁷Anton Blok, "The Peasant and the Brigand: Social Banditry Reconsidered," *Comparative Studies in Society and History* 14, no. 4 (1972).

²⁸R. Daskalov and A. Vezekov, *Entangled Histories of the Balkans - Volume Three: Shared Pasts, Disputed Legacies* (Brill, 2015), 362.

Graham Seal, a professor of folklore, was an adherent of Hobsbawm's 'social bandit' theory, professing that the historian was correct in identifying outlaw heroes as a different and special form of criminal, regardless of attempts to portray many such figures as common thugs. Seal believes that while criticism of Hobsbawm's grouping may be necessary, it is often overlooked that large numbers of local people have considered such individuals to be 'Robin Hoods', both during and after their lifetimes.²⁹

What is clear, is that outlaw heroes arise from within an ethnic, national, or other cultural groupings, serving as a symbol of resistance to perceived oppression. The apparent cultural principle is that wherever there are significant numbers of people who believe they are the victims of inequity, injustice, and oppression, historical and/or fictional outlaw heroes will appear and continue to be celebrated after their deaths.

The debate about the existence of the 'social bandit', or the idea of the outlaw hero, has led to a contentious split in historical and sociological thinking. Hobsbawm has progressively refined and modified his original 1969 thesis, directly responding to his critics. However, the debate goes on. In the following subsections, I will be analysing the 'social bandit' debate to assert its validity as a theoretical tool and seeing how far it can be applied to the accounts of the 'heroic' Albanian Hajduks or mountain brigands of the North (Chapter 2). It will be necessary to criticise the often popular but over romanticised legends of 'noble banditry' but also to discuss the limitations of the rationalist choice approach which does not often account for the sociological impacts of banditry on the affected population. It is important to remember that the interpretations of history are never simply factual, they are influenced heavily by current social and political frameworks as well as the sentiments of the interpreter. However, to determine that this somehow makes such accounts less 'historically accurate', perhaps belittles the validity of history as a method of how humans interpret or choose to remember events.

²⁹Seal, 70.

The Debate on Hobsbawm's Theory

Hobsbawm is one of the most widely read, influential and respected British theorists and historians in the Marxist tradition. His impact on the interpretation and shaping of history is not to be underestimated. However, although many academics will continue to refer to him as a Marxist, he made clear the limits of the political ideology and firmly understood its limitations during the time of capitalism. He had long since abandoned all pretence to defend socialism and had accepted capitalism as an established fact of life that may be regrettable but impossible to replace.³⁰

That being said, there are clear Marxist motives in his writings and when it comes to his explanation of the existence of banditry, it is not hard to find parallels in his description of the struggle of the peasants within a feudal system to the struggle of the lower classes against the ruthlessness of capitalism in more modern periods of history found in his other works. He saw banditry as a direct result of an oppressive system that fed on the poor and feudalism itself as the foundation of capitalism. Hence those choosing to embrace banditry could become noble heroes, vanguards of the redistribution of wealth, the defenders of the local population against the horrors of an extractive system exploiting the weak and benefiting the nobility. This is of course a very suggestive evaluation of his writings, but it does go some way towards understanding his concept of the 'social bandit'.

In a field of study notorious for microscopic preoccupations, Hobsbawm commanded an impressively wide field of subject areas in great detail. This is perhaps one of the reasons why his publications *'Primitive Rebels'* and the subsequent *'Bandits'*, received so much criticism, as he is attempting to make far-reaching connections and conclusions between the occurrence of brigandry and banditry in all corners of the world. His view was that no matter when, where or how banditry made its presence felt, it would always reflect the same phenomena – a symptom of a proletariat revolt.

Hobsbawm discusses several aspects of social banditry and differentiates between three main types of bandits: the noble robber, the primitive resistance fighter, and the terror-bringing avenger. Of course, there are different motives amongst them but they all represent a voice of popular discontent.³¹

³⁰Alan Woods, "Was Hobsbawm a Marxist? - Part One," (2012), <http://ireland.marxist.com/marxist-theory/8569-was-hobsbawm-a-marxist-part-one>.

³¹Ibid.

As much as Hobsbawm has been criticised for his categorisation of banditry and those who are often viewed as petty criminals, it does at least go some way to breaking up the mass labelling of ‘outlaws’ who were incarcerated for their crimes. Understanding the possible differences in the perceptions of crime is important to gain a thorough sociological understanding of the relationship between citizens and the state. By law, anyone belonging to a group of men who attack and rob with violence is a bandit, from those who snatch payrolls at an urban street corner to insurgents or ‘freedom fighters’ who happen not to be officially recognised as such.³²

Criticising Hobsbawm’s original edition of *Bandits*, Anton Blok states that when comparing it to Hobsbawm’s original concept of ‘social bandits’, contained in his 1959 publication of *Primitive Rebels*, there is little more on offer than self-fulfilling examples that support his hypotheses. In fact, in an attempt to find additional evidence for his theory, the author avoids discussing the many cases contradicting them. Blok contends that there is much more to banditry than the fact that it may voice popular protest. He believes that even though Hobsbawm mentions several other aspects of banditry, his model fails to account for these complexities, and even obscures them, because Hobsbawm insists on the interpretation of new data in terms of his original model.³³

However, acknowledging the need for the noble bandit as a symbol of hope or a mythological tool may help explain why peasants and romanticists indulge in an unrealistic view of the rural bandit as an avenger of social injustice, despite clear evidence to the contrary. Hobsbawm himself admits that few bandits lived up to the role of popular hero. “Such is the need for heroes and champions, that if there are no real ones, unsuitable candidates are pressed into service. In real life most Robin Hoods were far from noble.”³⁴

It seems appropriate to compliment this observation with psychologist Edward Thorndike’s description of the Halo effect.³⁵ The Halo effect occurs when we develop a bias in which our overall impression of a person colours our judgment of that person’s character and actions. If we know (or believe) that a criminal once lived up to the ‘Robin Hood’ standard, we can attach that same standard to other criminals and even networks of criminals. Then every

³²Ibid., 19.

³³Blok, 496.

³⁴ Hobsbawm, 47.

³⁵ Richard E. Nisbett & Timothy DeCamp Wilson, "The Halo Effect: Evidence for Unconscious Alteration of Judgments," *Journal of Personality and Social Psychology* 35, , no. No4 (1977).

action supporting that idealised picture reaffirms our bias and convolutes the reality of their actions and whom they are as a person.

The 'social bandit' as conceptualised and described by Hobsbawm is such a construct, stereotype, or figment of human imagination.³⁶ Though such constructs may not match up to real-life conditions, they are psychologically real and represent fundamental aspirations of people (in this case that of peasants). Successful bandits stand out as men who rose from poverty to relative wealth, and who acquired power.

Hobsbawm states that bandits are defined by their practice of terror and cruelty, it is what forms part of their public image. They are heroes not in spite of the fear and horror their actions inspire, but in some ways because of them. They are not so much men who right wrongs, but avengers, and wielders of power. Revenge and retaliation often go hand-in-hand with justice in certain societies particularly where blood calls for blood and bandits often appear to live by those ancient codes.³⁷

Precisely for the same reason, Anton Blok believes that we should instead see bandits as aggressive opportunists rather than hold any romantic notions that there is a noble purpose to their existence. Blok coined the term 'violent entrepreneurs' to counter Hobsbawm's overarching description of those engaged in banditry.³⁸

Political Marxist thinkers have consistently argued that peasants are reliant upon outside leadership in order to change their conditions. Bandits, however, are not instrumental in turning peasant anarchy and rebellion into sustained and concerted action on a wider scale. Hobsbawm believes this is because their ambitions are modest and that they lack organisation and ideology. However, historians such as Blok contend that this is instead due to the fact that their first loyalty is to themselves and not to the peasant.

Hobsbawm writes that 'social bandits' such as Robin Hood, Pancho Villa, Ned Kelly, or Frank and Jesse James are a unique type of robbers and gangsters. For although they are seen as outlaws or criminals by the state, the peasant community regards them as; "heroes, champions, avengers, fighters for justice, leaders of liberation, or perhaps just men to be

³⁶Curott and Fink, 477.

³⁷Hobsbawm, 66.

³⁸ Anton Blok, *The Mafia of a Sicilian Village, 1860-1960: A Study of Violent Peasant Entrepreneurs*, Pavilion Series (Oxford: Blackwell, cop. 1974, 1974).

admired, helped and supported.”³⁹ They support them because they fervently defy the state against the laws which the lower classes see as injustices or wrongs.

*The peasant society creates him and calls upon him, when it feels the need for a champion and protector – but precisely then he is incapable of helping it. For social banditry, though a protest, is a modest and unrevolutionary protest. It protests not against the fact that peasants are poor and oppressed, but against the fact that they are sometimes excessively poor and oppressed.*⁴⁰

The arguments of Blok and other revisionists that ‘social banditry’ is purely a mythical theory is plausible for several reasons. First, the ‘Robin Hood’ story fits in with our moral principles and ethical norms. It therefore seems possible that storytellers used an outline version of bandit exploits and altered their stories to fit with an idealised image of the noble robber, a story that reflects what we wish they had done. Harking back to an idealised past can work as a powerful political motivator when wishing to celebrate or demonise the current political establishment. Secondly, the bandit is a fascinating and compelling character. Bandits break social rules and stand outside the circle of ordinary members of society, thereby developing a unique subculture. People like to imagine the adventures of fantastic protagonists so they can escape the humdrum of their daily lives. The fact that the hero bandit makes for good stories that speak to our moral inclinations is undoubtedly partially responsible for its prominence.⁴¹

As Hobsbawm argues, even if the stereotypical ‘Robin Hood’ types never really existed, it does not mean that they were not real in people’s minds. Psychologically speaking ‘social banditry’ represents a deeper frustration by those subjugated by the ruling elite. The criminals who are assigned this ‘pseudo-hero’ or ‘noble’ status, either by the community of the time or historians thereafter, become social bandits by proxy. Even if their actions were tainted by immorality, the belief that they somehow represented the frustration of the lower echelons of society and could ‘stick it to the man’, gave them a moral halo.

³⁹Ibid., 20.

⁴⁰E. J. Hobsbawm, *Primitive Rebels : Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries* (Manchester : Manchester University Press, 1959, 1959), Non-fiction, 24.

⁴¹Currott and Fink, 477.

The Relationship with the State

The study of banditry or organised crime cannot be fully grasped until one acknowledges the importance of the relationship the phenomenon has with the state and its citizens. Hobsbawm was not incorrect when he saw bandits as a reflection of the greater peasant society. However, the ambiguous position of bandits is much better understood when one appreciates the significance of the links that tie the peasant community to the larger society. Principally the nobility and the state.⁴²

Ensuring territorial sovereignty was always a problem in the pre-industrial world. It is easy to forget, that before the nineteenth century no province with a territory larger than could be walked across in a day or two, possessed enough accurate knowledge to know exactly who lived on its territory, was born and died there. No state, before the railways, and the telegraphs, ancestors of the modern communications revolution, could know what happened in its remoter corners or move its agents rapidly to respond to threats. In fact, to say that any state before the nineteenth century could control its borders would be a bit of a stretch. No state had the capability to maintain an effective rural police force acting as the direct agent of the central government and covering its entire territory.⁴³

Without the rule of law and governance of the state, the crimes and violence perpetrated by bandits wouldn't take on the same dimensions, nor would there be any glory or justification in their endeavours. They would simply be stealing from the common man. When one considers the opposite case, where the rule of law and legitimacy of the state is strong, banditry struggles to find roots and there is no sense of honour or righteousness in its pursuit. However, under a weak state, with limited control and a lack of legitimacy amongst its citizens, banditry thrives. The same can be said of a predatory government which is only interested in furthering its own members' interests, rather than the overall welfare of the people and institutions it presides over. Therefore, it is the strength of the state and the public's respective relationships with power holders that determines the draw, appeal and scope of banditry.

⁴² Anton Blok, "The Peasant and the Brigand: Social Banditry Reconsidered," *Comparative Studies in Society and History* 14, no. 4 (1972): 502.

⁴³Sampson, 330.

Take away justice, then, and what are governments but great bandit bands? And after all, what are bands of bandits but small states? - St. Augustine of Hippo - The City of God vol. IV⁴⁴

Narratives of social justice being pursued by bandits and organised criminal networks are especially prevalent when the government is not viewed as a proponent of prosperity and security, but rather as an extractive or oppressive force. States which act in a parasitic manner toward the population are less likely to garner the support of constituent power bases, unless these are 'cut-in'. Conversely a state can seek to further its own aims by casting bandits or criminal networks as public enemies which must be combatted for the common good, justifying repressive measures or garnering support for a cause. In reality, both governments and organised criminal networks are (by and large) composed of rational actors who will most likely act in their own interests, with the audience employed as a resource for both sides of the legal divide. However, public approval can often be fickle and easily manipulated.

Research conducted by Haziri in 2003 indicated that overall power holding institutions are not viewed positively by a large proportion of the civilian population of Southeast Europe. The study found a clear division along ethnic lines, with minority groups, especially ethnic Albanians, demonstrating hostility to the police force, the judiciary, armed forces, and paramilitary groups.⁴⁵

When cast in opposition to a predatory government, bandits and members of criminal networks can become folk heroes as, in some cases, they provide spill over benefits to ordinary members of society. Bandits are violent, calculating, ruthless, and indiscriminating in their exploitation. However, revering them could be logical if they were to help mitigate oppression coming from dysfunctional and predatory governments. Bandits can unintentionally increase social welfare by diverting government suppression and high taxes, as well as providing state services and protection where the government does not. In these cases, individuals who support bandits favour a known evil, albeit it the lesser of two evils.⁴⁶

This highlights another aspect of the relationship between crime and the state. Neither of these two entities can operate in a vacuum, both are dependent on the general populous that

⁴⁴Augustine, *City of God, Volume Iv* (Harvard University Press, Originally Published 426 AD), Book.

⁴⁵J. Arsovska, *Decoding Albanian Organized Crime: Culture, Politics, and Globalization* (University of California Press, 2015), 222.

⁴⁶Curott and Fink, 471.

are neither civil servant nor criminal. Collectively this amalgamation of people can be thought of as fodder for both criminal and state actions. Neither the state nor an effective criminal network can act without taking this third factor into account, any strategy engaged will affect the wider public.

Historian Thomas Gallant, in his contribution to bandit studies, has redefined bandits and mafia as ‘military entrepreneurs,’ very similar to Blok’s ‘violent entrepreneurs’. Common to such groups is the provision of various illegal goods and services, especially the supply of ‘protection,’ which includes protection from other mafias.⁴⁷ In some cases, there can be little functional difference between the security provided by states and the protection provided by bandits. The only marked difference is that states have the right to the monopoly on violence on the basis of public legitimacy. Writing about the issue of organised crime in Russia, sociologist Vadim Volkov argues that there is little observable difference between illegal mafias or brigands that provide protection and the legally sanctioned private security agencies (both tend to recruit from the same social pool).⁴⁸ Anthropologist and Historian Steven Sampson argues that for this very reason, from one perspective, the mafia can be seen as a type of state and from another it is simply an illegal business. Where the state becomes privatised so that it is the instrument of individual enrichment, we might speak of the criminalisation of the state.⁴⁹

Political scientists Curott and Fink provide an economic explanation for the phenomenon of the positive perception of bandits, stating that when bandits provided a valuable service to society it was unintentional, merely a consequence of their pursuit for economic gain. They agree with Hobsbawm that banditry provides a social function for the least advantaged by interfering with elites who benefit from the forceful redistribution of wealth.

Besides the benefits realised by the bandit, or those who share in the economic gain, the act of banditry inspires those in society who wish to see the laws enforced by the state broken and the exploitative authority being offended in the process. Even in the absence of Hobsbawm’s ‘social bandit’ (those who actively right wrongs or with a sense of nobility feel associated with the exploited lower classes of society), banditry can provide social benefits. Bandits routinely flout inefficient laws, raise the cost of state predation, and in some cases

⁴⁷T.W. Gallant, *Brigandage, Piracy, Capitalism, and State-Formation: Transnational Crime from a Historical World-Systems Perspective* (Berg Publishers, 2001), 23.

⁴⁸Vadim Volkov, *Violent Entrepreneurs : The Use of Force in the Making of Russian Capitalism* (Ithaca, N.Y. ; London : Cornell University Press, 2002, 2002), Non-fiction.

⁴⁹Steven Sampson, "Trouble Spots: Projects, Bandits and State Fragmentation," (AltaMira Press, 2003).

directly provide an alternative to official protection and adjudication services. These tactics, which work efficiently for the bandits in terms of economic gain may explain why the knock-on effects allude to a noble purpose which helps to explain the mystery of its heroic depiction.⁵⁰ If the government is sufficiently exploitative, the welfare gains from banditry can become great enough for bandits to acquire a positive reputation. In other words, when those in power are ‘bandits’ themselves, ordinary bandits can become heroes.

⁵⁰Curott and Fink, 489.

Chapter 2 - Setting the Crime Scene - The Historical Development of Modern Albania

The Hajduks

When it comes to the history of Balkan bandits, historians and anthropologists such as John Koliopoulos and Paul Sant Cassia have criticised Hobsbawm's 'social bandit' theory, and assert that it does not apply to this breed of bandit. They make particular reference to the mercenary role hajduks and klephts played during this period, where Ottoman authorities would hire them as irregular soldiers for the suppression of the peasants in defence of the state. Sant Cassia observed that Mediterranean bandits; "are often romanticized afterward through nationalistic rhetoric and texts which circulate and have a life of their own, giving them a permanence and potency which transcends their localized domain and transitory nature".⁵¹ In Hobsbawm's case, the romanticising was Marxist/class-based rather than nationalistic, yet the fluid, ambiguous figure of the bandit remains.

Throughout the Ottoman period, Albanians were forced to migrate to find arable land or other means of making a living, because population pressure often pushed the limits of what their rural homelands could support. In the late eighteenth century food shortages also appear to have been a recurring problem. Desperate times call for desperate measures and there are evident reasons why banditry became an attractive option (if not one of the only options) to rural workers in the region.

Ottoman Europe suffered turmoil in the late eighteenth century and this truly tested Istanbul's hold on provincial authority. Violence and lawlessness go hand-in-hand with frictions and tensions within a society, and the larger the state (or Empire) the more difficult it is to control. The epidemic of brigandage in the Balkan region points to a much deeper weakness within the Ottoman system and perhaps gives an indication as to why the issue accelerated so quickly. The Albanian 'mountain bandits', hajduks and other outlaw groups were at their most prominent during the reign of Selim the Third (r. 1789-1807). The problem of banditry affected a considerable area of the Ottoman Balkans and it is the empire's record's which show that the magnitude of banditry involving Albanians grew through the 1770s and 1780s to reach crisis proportions in the 1790s and 1800s.⁵² At the same time rival Ottoman

⁵¹Cassia Paul Sant, "Banditry, Myth, and Terror in Cyprus and Other Mediterranean Societies," 1993.

⁵²Frederick F. Anscombe, "Albanians and "Mountain Bandits" " in *The Ottoman Balkans 1750-1830* (Markus Wiener Publishers, 2006), 88.

Albanian notables became ever more aggressive in their attempts to secure for themselves wealth and power.⁵³

During this period, the local notables took advantage of the imperial government's preoccupation with immediate threats to its own existence, and many Albanians who had no secure place to live or work chose to emigrate. Given the lack of viable peaceful opportunities next to the opportunity to plunder from chaotic and poorly-defended provinces, it is no surprise that so many opted for banditry. For the Ottoman Empire, pressed by severe external threats, mounting internal challenges, and suffering a visible loss of domestic authority and power, little could be done to quickly repair the damage suffered in the Albanian provinces.⁵⁴

The most apolitical (or 'quasi-political movement') of all bandits in Hobsbawm's view are the Balkan hajduk. They were more removed from sedentary peasant communities, and had an established tradition of collective organisation. "Unlike the 'noble robber', the hajduk does not depend on personal moral approval; unlike the 'avenger' his cruelty is not his essential characteristic, but tolerated because of his services to the people."⁵⁵

Hobsbawm makes reference to the infamous Albanian bandits of the mountain regions, hajduks, and describes them with evident fascination. When discussing the distinctive clothing worn by bandits he comments on the strong and elaborate symbolism of the Balkan hajduk or klepht, clad in a "gold-and-steel festooned" costume. He states that in all traditional and slow-changing societies, even the loose group of the non-conformist poor becomes formalised and recognised by outward appearance. "The hajduk's outfit is a code which reads: 'This man is not tame.'" ⁵⁶

In his description, he comments on their reputation for cruelty and ferocity and is careful not to wholly connect them to his archetypal 'social bandit'.

Unquestionably the hajduk was far more permanently cut off from the peasantry than the classical social bandit, not only masterless but also – at least during their bandit career – often kinless men ('without mothers all, and without sisters'), living with the

⁵³Ibid., 96.

⁵⁴Ibid., 106.

⁵⁵Eric Hobsbawm, "Social Bandits: Reply," 1972, 81.

⁵⁶Ibid., 40.

*peasantry not so much like Mao's proverbial fish in water, but rather like soldiers who leave their village for the semi-permanent exile of army life.*⁵⁷

However, he stuck with his contention that the hajduk, just like all other 'social bandits' was an expression of a political revolt by the peasantry. He believed that the definition of the hajduk hero is fundamentally political. In Albania and the rest of the Balkans, they were national bandits adhering to certain traditional rules, i.e. a defender or avenger of Christians against Turks (despite the fact that many Albanians had already converted to Islam). However, this description is again accused of romanticising the position of the bandit within Albanian society and indeed as a defender of Christendom against the Muslim Ottomans.

When looking into the reasons behind this extended rise in brigandage, they are rather less elegant or heroic than some theorists of Ottoman banditry would suggest. Sociologist Karen Barkey is one who asserted that banditry was an expression of a negotiation between the government and provincial groups feeling pressure from a centralising state.⁵⁸

Historian Frederick Anscombe contends that there is a distinct lack of evidence that the Albanian bandits or hajduks demonstrate the slightest comparison to Eric Hobsbawm's 'social bandit'. The mythology around the Christian hajduks or klephts as 'national' proto-revolutionary figures fighting against an oppressive, alien, Turkish system do not live up to the realities of the time. In fact, as far as can be determined, a great majority of the Albanian brigands (and their leaders) were Muslim (as were many of the population who had converted to Islam during the Ottoman period) and certainly plundered whoever was vulnerable, both Muslims and non-Muslims. Rather than motivated by ideology, most simply sought marginal profit. Small though the rewards often were, they nevertheless offered an escape from the often-dreadful poverty and living conditions found in the brigands' homelands.⁵⁹

Anscombe states that when analysing records of the Ottoman Empire, within Albania during the 1790s, there was no interest by those operating in brigandry in bargaining for state favours. Most brigands showed a clear understanding that the real, immediate rewards were to be won by taking advantage of the state's weakness. Those who did try to seize provincial offices seem to have been motivated more by the obvious opportunities for immediate

⁵⁷Ibid., 80.

⁵⁸K. Barkey, *Bandits and Bureaucrats: The Ottoman Route to State Centralization* (Cornell University Press, 1994).

⁵⁹Anscombe, 88.

enrichment through abuse of office in a time of weak oversight, rather than by a desire to gain rewards from the state for service.⁶⁰

Perhaps one of the strongest reasons for the rise in banditry was Istanbul's loss of control over the provincial authorities in the Balkan region. The administrators in charge of these authorities quickly discovered that the government would turn a blind eye to almost any unjust act, as long as they continued to send men to serve in the army. Like the bandits themselves, the notables took advantage of the state's distractions to seize land, wealth, and power. The Ottoman government was not able to re-establish effective control over its representatives, and therefore conditions in the Albanian provinces continued to deteriorate, meaning poor (yet armed) Albanians would seek to make a living in any way possible throughout the reign of Selim the Third.⁶¹

Since the nineteenth century, many nationalist Balkan historians and intellectuals have romanticised the role of the klephts and the hajduks so far as to equate them with being the bringers of social justice and equality. They described them more as 'freedom fighters' who were inspired by patriotic and religious sentiments. These bandits were in fact the liberators of the Balkan peasantry, who allegedly saw them as the only force capable of protecting local freedoms from subversion by the Ottoman government and the indigenous elites.⁶²

The hero notion of the bandit has had a lot of influence on political discourse throughout the Balkans. The bandit or hajduk has been used as a national symbol, capturing modern political goals and personifying national movements with the justification of state history. When used correctly, this idealised hero can represent both the struggle for freedom and also the strength of a nation.⁶³

Serbian folklorists and historians for example often quote a derogatory comment made by Lajos Kossuth a Hungarian patriot who said that Serbs think of themselves as having a nation but in reality, they are "nothing but a pack of hajduks". But the Serbs took this label and wore it as a badge of honour since it was such men that helped build the Serbian state.⁶⁴

⁶⁰Ibid.

⁶¹Ibid., 89.

⁶²André Gerolymatos, *The Balkan Wars : Conquest, Revolution and Retribution from the Ottoman Era to the Twentieth Century and Beyond* (Staplehurst : Spellmount, 2004, 2004), Bibliographies Non-fiction, 100.

⁶³Norman M. Naimark and Holly Case, *Yugoslavia and Its Historians : Understanding the Balkan Wars of the 1990s* (Stanford, Calif. : Stanford University Press, cop. 2003, 2003), Non-fiction, 24.

⁶⁴Ibid., 25.

Historian Andre Gerorymatos argues that, as well as instigating a centuries long challenge to law, order, and internal stability, the hajduks left a deep mark on the cultural heritage of the Balkan peoples. Banditry, brigandage, and irregular warfare are pivotal elements of Balkan folklore and history. Moreover, the bandit ethos became an integral part of state building strategies adopted in the nineteenth century by the newly created Balkan countries. Gerorymatos believes that the traditions of brigandage and guerrilla warfare had a direct impact on the development of the regular armed forces of the Balkan states, as well as citizens' perception of obligatory military service.⁶⁵

In the mountainous Balkan region, banditry has a long tradition as a military, social and cultural institution. Its history spans from classical antiquity, through the Byzantine era and into Ottoman rule, all the while developing and enhancing a symbolic and practical repertoire. By the early nineteenth century, the decay of imperial rule propelled bandits into the process of nation building – elevating murderers and outlaws to freedom fighters, through the process of nationalist historiography.⁶⁶

The Evolution of the Bandit

According to criminologist Paul Lunde, "Piracy and banditry were to the preindustrial world what organized crime is to modern society".⁶⁷ This is true to some extent, as it was the transition from feudalism to capitalist and industrial society that changed the nature of exploitation and large scale theft. Organised crime is a consequence of capitalism and utilises its mechanisms whereas banditry was orchestrated in more of an opportunistic way, targeting routes of trade rather than creating trade itself.

The main problem with the social banditry model is whether-or-not it can be effectively proved. The chief criticism of Hobsbawm's work was that he paid too much attention to folksongs and stories when conceptualising his arguments rather than historical fact. However, in his defence, given that the 'high times' of banditry were in the pre-capitalist feudal age, there is little sociological evidence for the historian to work with. Equally, those

⁶⁵Gerolymatos, 97.

⁶⁶Ibid., 98.

⁶⁷P. Lunde, *Organized Crime* (2004).

who contest against his 'social banditry' theory argue this was mythological reconstruction of a violent social phenomenon provide little evidence themselves to the contrary.

It therefore makes sense to test the validity of this theory against a modern-day context of crime in order to see just how far the same working principles of 'social banditry' help explain the strength and allure of criminality today. As explained previously, modern day organised criminal networks compare well with the model of banditry in the feudalist age. The difference between them has been the impact of capitalism and the mass profit to be made through tapping global trading markets. There is much more money to be made in creating an illegal trade network than stealing from legitimate ones. Although banditry, as historians and criminologists may understand it, has long since died, I would argue that the same principles of moral justification and sense of righteous purpose come into the sociological makeup of modern organised criminal networks as well. As novelist John Barth so poignantly put it; "Everyone is necessarily the hero of his own life story". This will also feed into how these criminals are perceived by their relevant audiences, and here the hero status and code of honour comes into play.

Equally the psychological term 'cognitive dissonance' is a theory that can be applied to understanding the reasons for the number of people who turn to crime. This is the concept that refers to the conflict produced by simultaneously holding two sharply opposing ideas or by acting in a way that contradicts one's strongly held beliefs.⁶⁸ So criminals themselves can be fully aware of the immorality of crime and condemn the phenomenon but when it comes to any illicit actions that they partake in, they view themselves as merely temporarily taking the same actions which criminals take – they do not fall into the category of 'criminals'. They can rationalise their temporary criminal behaviour to being forced into a corner with no other options available. Again, this is a product of the justification technique.

I believe that applying the 'social bandit' theory to Albanian organised crime will offer up some very interesting findings into its strength and character. I am in no way contending that this theoretical method will provide a universal explanation as to the nature and existence of Albanian organised crime. However, I believe it will offer some thought-provoking insights into the moral complexities of this 'profession'.

⁶⁸ Ben Lieberman, "Nationalist Narratives, Violence between Neighbours and Ethnic Cleansing in Bosnia-Herzegovina: A Case of Cognitive Dissonance?," *Journal of Genocide Research* 8, no. 3 (2006).

The Birth of a State

When discussing ethnicity with Albanians, most consider themselves descendants of the Illyrians, who were the original inhabitants of the western Balkan Peninsula over two thousand years ago. While the population of Albania is almost entirely (over 90 per cent) ‘Albanian,’ they are divided into two major groups, Ghegs and Tosks, according to which Albanian dialect they speak. Generally speaking, the Ghegs occupy the northern part of the country while the Tosk live in the South.⁶⁹ Many of those living in Kosovo also consider themselves Ghegs and therefore, a lot of the Albanian cultural analysis within this thesis can also be applied to the Kosovan experience. It is the Ghegs that have the strongest connection to the hajduks, as they inhabited the mountainous regions to the north.

Although the nation has claim to a long cultural history, in terms of being an independent state it is still in its infancy. After falling to Roman authority in 165 BC, modern-day Albania remained under the control of various foreign powers until the dawning of the twentieth century. After the break-up of the Roman Empire in 395AD, the Byzantine Empire established its control over present-day Albania, followed by over 500 years of occupation under the Ottoman Empire. This was interrupted only by a brief period in the fifteenth century, when an Albanian warrior known as Skanderbeg united his countrymen and fought-off Turkish rule from 1443-78. He is revered to this day as the national hero of Albania and statues, memorials and museums commemorating his memory can be found throughout the country. Skanderbeg alongside the ‘fearless’ hajduks has been the source of myth building efforts by the Albanian nation.

During Ottoman occupation, communities in the more inaccessible mountain regions remained virtually free of state control, and the inhabitants there preserved their own self-administration by paying the Albanian nobles fixed tributes to live by the rules of their own common law. The law, known as the *Doke* and later as the *Kanun of Lek*, remained in widespread use till the 1930s. It regulated all aspects of life, including such matters as the arrangements of marriages, the boundaries of fields and payment of taxes.⁷⁰

In 1912 during the Balkan Wars, Albania achieved its first independence after hundreds of years of occupation. However, the outbreak of the First World War saw their independence interrupted with parts of the country falling under Italian, Serbian and later Greek

⁶⁹Gerolymatos, 116.

⁷⁰M. Vickers and J. Pettifer, *Albania: From Anarchy to a Balkan Identity* (Hurst, 1997), 132.

occupation. Following their reestablishment of nationhood, the country went through a series of internal conflicts culminating in 1928 with the establishment as Albania as a monarchy under King Zog. Poor stability and the economic devastation of the Great Depression, however, soon led to the overthrow of the King when Mussolini's Italy invaded in 1939.

Following the Second World War, during which time both Italy and Germany occupied Albania, the country went through a fifty-year period of communism secured by an extremely isolationist policy. Led by Enver Hoxha, Albania adhered to a strict Stalinist philosophy, alienating many of its fellow communist states (except Maoist China). During the Hoxha regime, the Kanun codes, some of which link to the concept of blood feud, were strictly prohibited. It was claimed by those in power to have been wiped out, however, arguably it had only been suppressed. The blood feud, a system of revenge killing, still lingers within northern Albanian society and the Kanun laws survive in popular oral tradition.⁷¹

Hoxha's death in 1985 ushered in the gradual fall of communism in Albania and brought widespread changes within society. After the collapse of communism, the country was submerged in deep conflict as well as political, social and economic turbulences. Political pluralism was introduced at the beginning of the 1990s. However, the transition from a totalitarian regime to democracy led the nation into the grips of corruption, privatisation fraud, protection rackets, violence, and other forms of organised crime. Between 1990 and 1991 the number of homicides doubled, and armed robberies tripled.⁷² As explained in the first chapter, a weak state is the grounds on which 'social banditry' can appear.

New political establishments sought support through ideology that would provide them with the national legitimacy they needed to justify their parties' politics. There was a surge in nationalism and a promotion of the pre-socialist past as a source of inspiration. This involved the reinforcement of historical myths about Balkan warriors who inspired their countries toward prosperity through wars.⁷³ The association of violence as a way of finding one's lost nationality can no doubt have had an influence on the rise of criminal networks. Furthermore, citizens would have excused violent behaviour as an expression of the political or national

⁷¹ Piotr Smolar, "Ancient Blood Feuds Cast Long Shadow over Hopes for a Modern Albania," (2011), <https://www.theguardian.com/world/2011/jul/05/albania-kanun-blood-fueds-smolar>.

⁷² Arsovska, 30.

⁷³ *Ibid.*, 223.

struggle. Whether or not you wish to consider these actors ‘bandits’ of their time, this type of action is the hallmark of ‘social banditry’.

In 1997, the pyramid schemes which the national economy was based upon started to collapse like poorly stacked cards. Weak and unprotected financial regulation led to around two-thirds of the entire population sinking an estimated US\$1.2bn into these schemes. Violent protests and demands for then president Sali Berisha to resign erupted into mass unrest, bringing the country to the verge of civil war. This can be described as a period of great social upheaval, allowing for opportunistic members of society to elbow their way into positions of local authority and influence.

The criminal-political ties that were established during this period had lasting effects on the social fabric of the country. For instance, the selling and buying guns was closely linked to ethnic pride and national duty. Arms dealers, were often referred to as ‘patriotic bandits’, and they proudly supplied the paramilitary organisations in their community with much-needed weaponry.⁷⁴ By appealing to patriotic ideals, many arms traffickers managed to win the support and respect of the community as their actions were seen as supporting the right cause. Weapons thereby became glorified as tools for independence and freedom, whilst also becoming symbolic of nationalism and patriotism.

Extortion rackets also pursued this nationalistic representation. This illicit market found fertile ground due to the demand for protection and security, citizens did not trust their government nor did they trust one another. So those working in these unofficial ‘security groups’ and providing ‘private protection’ often justified their actions by stating they were protecting their country’s future. Many of these extortion rackets also had political backing. Fundamentally, the social upheaval in Albania and the ongoing crisis in the Balkans allowed criminals to don a patriotic mask whilst pursuing their illicit activity.⁷⁵

The criminal ties with the political elite that had grown stronger in the mid-1990s and culminated in the 1997 collapse of the pyramid savings schemes yielded an estimated US\$13 million in illegal proceeds.⁷⁶ The deteriorating domestic situation in Albania also resulted in the development of smuggling channels and a massive exodus of refugees fleeing economic

⁷⁴Ibid.

⁷⁵Ibid.

⁷⁶V. Hysi, *Organised Crime Control in Albania: The Long and Difficult Path to Meet International Standards and Develop Effective Policies*, ed. C. Fijnaut & L. Paoli, *Organised Crime in Europe: Concepts, Patterns and Control Policies in the Eu and Beyond* (Rotterdam: Springer, 2005).

decline. Around 600,000 Albanians emigrated to Italy and Greece, where they often became easy recruits for Albanian speaking organised crime groups.⁷⁷

For those who decided to stay or simply couldn't afford to leave, desperate measures became amongst the only options left. The failed pyramid savings schemes wrought anger among the population and rebels looted army stockpiles, unleashing a flood of weapons in Albania. More than 550,000 guns, 839 million rounds of ammunition, and sixteen million explosive devices were looted from army stockpiles during the protests. Some sources estimate that the 1997 Albanian pyramid crisis led to one million weapons and 1.5 billion rounds of ammunition becoming available on the European black market.⁷⁸

Albanian organised criminal groups have risen to prominence due to a plethora of geopolitical and national changes. However, perhaps one of the most significant impacts on their development was the Kosovo war and the build up to it in the late 1990s. Supporting ethnic Albanians suffering persecution in Kosovo against the Serbs was a notion which most Albanians citizens supported and the organised criminal networks were quick to hijack this sentiment to suit their own cause. The smuggling operations then took a more patriotic flavour and it was much easier to justify illicit activity. There is supporting evidence to show that extortion and protection rackets in Albania demanded money for protecting ethnic Albanians in Kosovo from Serbs.⁷⁹ In this way, the oppression and violence against ethnic Albanian Kosovans played into the nationalist portrayals of bandits or hajduks from an earlier era. By serving to provide protection outside the law Albanian organised crime networks were able to garner tacit public support, much as did the bandits of the feudalist age when they invoked feelings of pride amongst subjugated ethnicities.

In conjunction, the Kosovo Liberation Army (KLA) expanded, thanks to financing and support from the smuggling networks. The interaction and overlap between the two became mutually beneficial. The KLA became stronger militarily and had the needed public support from most ethnic Albanians, whilst this also paved the way for more extensive drug trafficking in the region for the organised criminal networks. In terms of the motives of the rebel groups, it was a political grievance – the perceived mistreatment of ethnic Albanians in Serbia that motivated popular support and resistance. It was actors with motives of profit

⁷⁷Svante Cornell & Michael Jonsson, *Conflict, Crime, and the State in Postcommunist Eurasia* (University of Pennsylvania Press, 2014), 180.

⁷⁸Arsovska, 38.

⁷⁹ Svante Cornell & Michael Jonsson, *Conflict, Crime, and the State in Postcommunist Eurasia* (University of Pennsylvania Press, 2014), 182.

who managed to appropriate this cause. One can argue that this occurrence at least helped defend the rights of ethnic Albanians in Kosovo, however, the true victors from this development can be found in the evidence of the growth of the black market. A study by Yannis Papadopoulos revealed that Albanian-Kosovan groups now handle twice the levels of heroin that they did before the 1999 war.⁸⁰

The various conflicts culminating in the break-up of Yugoslavia lead to the development of the black market throughout the region. With strict international embargoes and desperate need for supplies, illegitimate trade routes opened up and this strengthened the need for criminal networks. Following the war in former Yugoslavia, the countries of Europe began to realise how strong the link between organised crime in the Balkans and much of the increase crime in Europe was. Some commentators went so far as to call the Dayton Agreement - 'Pax Mafiosa' and describe NATO's support for the KLA in the Kosovan war as allowing the Mafia to guarantee peace.⁸¹

Research conducted in the early 2000's, showed how the so-called Albanian freedom organisations in Kosovo and Macedonia were more or less criminal organisations, which in principle meant that wars on both sides of the fighting had profound contributions to the consolidation of organised crime.⁸²

A few years after the 1990's war, research showed that Albanian criminals were more extensive and better organised than their European rivals. They had come to dominate the underworld of the Balkans. For example, the Albanian leagues were the largest exporters of heroin to Scandinavia, Poland and Slovakia, and were involved in the heroin market in Germany, Switzerland and the United States. In 2005, Albanian criminal networks delivered up to half of the heroine to Western Europe. Many ethnic Albanians arrested in Europe for crimes involving the subjection of young women into prostitution are actually KLA veterans.⁸³

Doubtless the deterioration of the state in the 1990s, coupled with the growing relationship between Albanian authorities and organised crime, fostered the development of a secretive society permeated by crime. In this society, being a figure within organised crime did not

⁸⁰Jenny H. Peterson, *Building a Peace Economy? Liberal Peacebuilding and the Development-Security Industry* (Manchester University Press, 2014), 76.

⁸¹Sanimir Resic, *Jugoslaviens Undergång - En Tur-Och-Resturresa Från Balkan Till Europa 1991-2017* (Unpublished Manuscript (Will be Published Spring 2018)), 341.

⁸²Ibid.

⁸³Ibid., 342.

have an outspoken negative connotation. Government bodies and the public were not prepared for these new forms of crime, and therefore they were not officially acknowledged by politicians and state representatives. It was only after the fall of communism that Albania started to legally recognise different types of crime, particularly human trafficking and drug smuggling.⁸⁴

The vigilante gangs formed during this period were the precursors of many later criminal organisations. Violent groups created, what were essentially, small armies offering protection and imposed their influence on Albanian citizens. Methods of extortion, kidnapping, and corruption became common place. Vasilika Hysi, a professor at the University of Tirana in Albania, argues: “After their collapse (the pyramid schemes), Albanian criminal groups [but also common people] became intensively involved in illegal activities and organized crime, trying to recover their lost money”.⁸⁵

Criminal organisations tend to operate clandestinely, trying to protect their financial or business operations by making themselves invisible to law enforcement, as well as the competition. However, conflict or major upheaval will often change the environment in which organised criminals operate, leading to a far more transparent display of their influence and means of operation. This has clear reflections to the workings of ‘social banditry.’

Due to the nation’s history and its geographical location, Albania is a key player on the European black market, for crimes ranging from drug trafficking to people smuggling. The immediate gains to be made from criminal activity against the backdrop of political illegitimacy and a stiflingly weak economy cast a deep shadow on the boundaries between ‘right and wrong’. Even the normative power of the EU, with the allure of membership, struggles to reverse the force of the deeply embedded criminal networks which have rooted themselves in the framework of Albanian society. Corruption is critical to the success of all illicit business, and unfortunately in Albania it bleeds into so many cracks of everyday life.

The long presence of corruption in Albania has meant a lack of accountability for criminal activity from the lowest to the highest levels. This lack of liability is perhaps best illustrated by the nation’s high-level of car theft. During the Hoxha regime, car ownership was reserved as a privilege for certain dignitaries, so there were no large-scale car dealerships in operation.

⁸⁴Arsovska, 41.

⁸⁵Hysi, 540.

Following the fall of the regime, a huge influx of Mercedes appeared in the country, despite the fact there was no registered dealership importing the car. There is no record of the precise number of individuals accused of theft, because the national law does not register this type of criminal activity.⁸⁶ This can feed into the justification of certain crimes, where theft against those ‘who have enough’ is vindicated by the breadth of the persecutors hardship. If the justification is a sense of the redistribution of wealth, then one could argue that the ‘Robin Hood’ myth mentality comes to the fore here or indeed the condition of cognitive dissonance.

A clear example of a situation where organised crime networks are openly and directly challenging state law is in the case of Lazarat. A municipality in southern Albania close to the Greek border, Lazarat was, until recently, known as the cannabis capital of Europe. Political determination to deal with the problem was lacking, most likely due to the huge amount of revenue the cultivation was reaping and the subsequent power it produced. However, one week before a decision on Albania’s candidate status to the EU was made, the state took action.⁸⁷

In June 2014, 800 police officers were deployed in Lazarat as part of a nationwide operation to crack down on cannabis plantations. The authorities seized control of the village after a five-day shootout between heavily armed villagers and the police. Thirty suspected cannabis growers opened fire with rocket-propelled grenades, heavy mortars and machine guns.⁸⁸ The village had been producing about 900 tons of marijuana per year, worth €4.5 billion (US\$ 4.9 billion) or nearly half of Albania's gross domestic product.⁸⁹

The drugs traffickers had used the town as an essential base for their operations and installed a form of ‘social control’ on the farmers who lived there. The residents, either by their own free will or by coercion, were soon involved with the cultivation of the crop and provided storage space (their own houses and sheds) for the drug. It was the political power vacuum, that caused Lazarat to descend into this state. Even before the fall of communism the municipality was abandoned by the political establishment and allowed to plunge into disarray, with no running water, no roads and no law. The community therefore took charge

⁸⁶United Nations Development Program (UNDP), Albanian Human Development Report, at p.30.

⁸⁷ Financial Times, "Albania: Europe’s Cannabis Capital or Eu Candidate?," (2014), <http://blogs.ft.com/brusselsblog/2014/06/18/albania-europes-cannabis-capital-or-eu-candidate/>.

⁸⁸ The Guardian, "Albanian Cannabis Growers and 800 Police Battle in Lawless Village of Lazarat," (2014), <https://www.theguardian.com/world/2014/jun/17/albanian-cannabis-growers-800-police-battle-lazarat>.

⁸⁹OCCRP, "Albania: Cannabis Production Far from Coming to an End," (2016), <https://www.occrp.org/en/daily/5441-albania-cannabis-production-far-from-coming-to-an-end>.

of themselves and over time Lazarat essentially became pariah town. Two local ‘criminal entrepreneurs’ brought back cannabis seeds after a trip to Italy in the early 1990s and obviously, the financial returns far outweighed the potato growing that was previously their main source of revenue.⁹⁰ This is a clear example of ‘social banditry’, where a local community feels abandoned by the state and individuals acting outside the law provide them with a better alternative.

⁹⁰ Channel 4 News (UK), "Inside the Albanian Village That Makes Europe's Weed," (Channel 4 2014).

Chapter 3 - Social Norms and Justification

The Role of the Kanun

The relevance of discussing culture and traditional norms for this research question is important as it reveals societal interpretations. However, there are many studies that overstate its influence and create a black and white image of a cultural conditioning to crime. Not only is this potentially discriminatory but it also obscures the effect of many other relevant factors contributing to the draw of the illicit market. Even while merely scratching the surface in an analysis of Albania, one finds a manipulation of traditional cultural norms by organised crime groups. They take ancient codes such as honour and revenge and use them to justify criminal endeavours.

The principal traditional source which criminal networks have hijacked as their 'legitimisation tool' is the Kanun. The Kanun is a collection of traditional codes compiled in the fifteenth century. This legal code, attempted to regulate the already existing widespread system of vengeance for the sake of honour. It applies specific norms to everyday life and specified institutions decide whether there has been a breach of those norms and, if so, whether a penalty is warranted. These customary methods have remained in use for centuries as a way to settle disputes such as the blood feud and 'Besa' (promise or given word), their prominence prevails despite the state's attempts to repeal their legitimacy.⁹¹

As an example, the Kanun decrees that if a man has been grievously insulted, his family has the right to assassinate the offender, but in doing so they would consequently be held accountable for a revenge killing by the victim's family. Then the original victim's nearest male relative is obliged to assassinate his relative's murderer and so on. This vicious cycle of revenge killings has passed through generations of Albanian families, causing countless deaths. Although the codes are not abided by in the same way today, many assassinations are passed off as revenge killings. Many ordinary citizens are finding themselves unable to leave their homes for fear of blood feuds which effectively turns their own house into a private prison. One reported example is an Albanian national who lost his father and two uncles to

⁹¹Zhilla, 395.

a blood feud. Apart from a year or so when he was living in Sweden, he has been confined to his home since he was six years old.⁹²

Homicide rates are alarmingly high in Albania, in fact a recent UNODC report revealed that gun-related deaths are almost twice as common as in the U.S and more than 12,000 people have died in the country as a result of guns since 1991.⁹³ The fact that weapons are symbolic of honour will no doubt have an influence on these figures. Throughout Southeast Europe, there is arguably a romantic attachment to weapons as they symbolise courage and male honour. Guns are often fired into the air in celebration at weddings or births, and the Kanun itself places enormous emphasis on the importance of firearms.⁹⁴

However, a thorough research study by criminal law expert Fabian Zhilla, indicated that Albanian organised crime does not formally apply any particular legal instruments of the Kanun such as 'Besa'.⁹⁵ Nonetheless, criminals frequently justify their crimes on the grounds of traditional norms. Zhilla argues that organised crime takes these norms out of their social contexts and manipulates them towards criminal ends.

The same study showed that older generations appear to know the Kanun better and give their support to offenders that have committed 'honour' crimes more than to perpetrators of other types of crime. However, younger generations who only know the laws superficially, justify far more crimes as 'honour-related', and hold up the Kanun as a shield for their actions. In general, ethnic Albanian people have not forgotten the violent mechanisms for appropriating 'justice' and still account for traditional aspects such as blood feuds, the importance of guests, the word of honour (Besa) and the subordination of women. But most are not familiar with specific details of the Kanun or have even read the transcribed version of it. Therefore, it is not the nature of customary norms like 'Besa' and blood feud which account for the problem of high homicide rates but the modern 'interpretation' by organised criminal networks who use them to support their own interests.

⁹² Vincenzo Mattei, "Albania: The Dark Shadow of Tradition and Blood Feuds," (2016), <http://www.aljazeera.com/indepth/features/2016/03/albania-dark-shadow-tradition-blood-feuds-160318033023140.html>.

⁹³ Emma Henderson, "Albania's Rate of Gun-Related Deaths Almost Twice as Bad as Us," (2016), <http://www.independent.co.uk/news/world/europe/albanias-rate-of-gun-related-deaths-almost-twice-as-bad-as-us-a6821551.html>.

⁹⁴ J. Arsovska, *Decoding Albanian Organized Crime: Culture, Politics, and Globalization* (University of California Press, 2015).

⁹⁵ Zhilla.

Another way in which criminals have taken advantage of cultural themes to justify their extortion of innocent people is around the importance of hospitality and the guest. For example, some ethnic Albanian criminals claim to have been originally dishonoured by the bar or shop owners whom they have then gone on to extort. According to the Kanun, the 'owner' of a 'house' (in the modern context, a bar or restaurant etc.) must respect the demands of his or her guest. If he fails to do so, he has displayed dishonour and blood may be taken. The Albanian regard for the guest rises above all other relationships, even ties of kinship. The guest and host cultural theme has been exploited by ethnic Albanian criminals to extort money from victims, deny the rights of the victim, and to justify criminal actions. In order to provoke such circumstances, they themselves will often start an argument to lure the 'owner' into offending their honour, which will then in turn justify criminal behaviour. This neutralisation technique is also used in justifying revenge killings.⁹⁶

Furthermore, the Kanun places great importance on the submissive role of women in Albanian society, as well as on the masculinity of men. There is a deep patriarchal history which lingers within Albanian society today. By this traditional law, women are taught to obey their husbands and do not have the same rights to income or ownership. According to Arsovska, Albanian criminal networks often use cultural themes to make their arguments stronger, and perpetrators frequently deny that their actions are actually 'criminal'. The cultural defence and different neutralisation techniques shows that culture often serves as a tool in the hands of the manipulative and innovative offenders. It is also possible to argue that elements of the Kanun laws, specifically those regarding the subordination of women, are used to justify trafficking-related crimes.⁹⁷

However, to blame the ancient Kanun laws on the involvement of Albanians in trafficking women for sexual exploitation seems to be a bit of a stretch. It mirrors the attempts of far-right parties in the West blaming the Koran for Islamic fundamentalism. There are always individuals who justify their immoral behaviour on the basis of traditional, religious or cultural codes and loosely apply ancient teachings, out of context, into a modern-day setting. Understanding these justification techniques is important for revealing the sociological nuances or practices of criminal behaviour, however, to claim that ancient laws such as the

⁹⁶Arsovska, 214.

⁹⁷Ibid., 206.

Kanun are somehow responsible for igniting this type of illegal behaviour dehumanises the subjects of study beyond the point of legitimate reasoning.

The merging of traditional laws with criminal activities makes these networks very secretive and difficult to overturn, which obviously works to their benefit. One can then interpret that the main reasons for committing various criminal offences are more likely to be connected to social upheaval, political/economic dissatisfaction, and poor possibilities for personal gain inside the legitimate economy. The Kanun is therefore used as a justification method to rationalise this type of behaviour and distract from the harmful consequences of both crime and violence.⁹⁸

Ethnic Albanian organised crime networks are known to be pursuing criminal activities such as the trafficking of women for sexual exploitation, extortion, and smuggling illicit firearms. It seems that in order to justify these actions, many criminals have used cultural values such as valour, mutual aid, and secrecy to rationalise these crimes, distract from the financial intent of their actions, and to dehumanise their victims. The work of Arsovska has revealed some of the cultural influences behind a number of Albanian criminal activities which can help to clarify the intrinsic relationship between the two. For example, according to traditional Albanian culture, male honour is closely linked to the possession of firearms and the valour in using them. It is considered a dishonour for a man not to possess his own weapon, or to have his weapons taken away.⁹⁹ Despite the fact that these are ancient laws, that do not apply to legitimate state law, they will be used to justify such actions. Whether this is a strong enough argument to explain why Albanians get involved in the arms trade in the first place is difficult to assess. However, it does work as a justification technique.

It is important to realise that violent and organised crime amongst ethnic Albanians does not have direct origins in a traditional cultural code. That being said, some distinct cultural themes have been selectively exploited by Albanian organised criminal networks to justify criminal actions, neutralise moral reasoning, keep their membership in check and avoid arrest through bribery and corruption. Cherry-picked and modified Kanun codes have served as neutralisation mechanisms, helping individuals to continue criminal behaviour and justify their actions. However, a peek beneath the surface shows that many of these codes are not

⁹⁸Arsovska, 12.

⁹⁹Arsovska, 195.

rationality applied and some codes are ignored when they do not serve the groups' best interests.¹⁰⁰

Steven Sampson explains what is principally culturally significant for the Balkans, is the often-occurring application of 'alternative social arrangements' to achieve their own goals and to prevent others from achieving theirs. This is the common phenomena of 'parallel structures' operating throughout Southeast Europe where relatives, client affiliation, family ties, social networks and other informal loyalty bands often trump official networks.¹⁰¹

Sampson argues that while informal social mechanisms in the Balkans are tools which help society survive, these same structures also perpetuate conflict and can even start wars. It is strong family and social networks which are the roots of social loyalties, but also the roots of the kind of bitter conflicts we have seen in the Balkans. The same networks of loyalty which make families so ardently supportive may also prevent the emergence of a large sphere of public involvement which could combat phenomena such as banditry, mafia, smuggling and police corruption. To put it more concretely, the same informal loyalties which help groups survive oppression also help to carry out smuggling operations, corrupt police and keep members silent. "To celebrate the one is to accept the existence of the other."¹⁰²

Although the concept of 'blood feuds' is an ancient one, based on Albania's original code of law and honour the sporadic modern application of the Kanun deviates from its original context, degenerating from even the specific reasons that were allowable for revenge at the height of its influence in the sixteenth century. However, as Albanian society continues to modernise, the government strives to demonstrate to all Albanians that justice is best served through a strong and competent judicial system rather than vigilante acts.

Modern Myth Making and Glorification

Just as the hajduks achieved legendary status and were revered as honourable outlaws so too have modern organised criminal networks been subject to myth-making. The most definitive example being la Cosa Nostra of Sicily, the infamous association of criminals in Southern Italy known for their codes of conduct and sense of honour. The American import of this group took on their own sense of 'social banditry' by hijacking the vastly unpopular

¹⁰⁰ibid., 228.

¹⁰¹Resic, 278.

¹⁰²Sampson.

prohibition of alcohol and creating an illicit market for spirits for many grateful buyers. Despite the changes in state legality and the more violent and deceitful nature of their endeavours, this initial glamorisation of the mob stuck. Due to this association of nobility and courage, the *mafia* has been immortalised in Hollywood film and renditions of this dangerous yet romanticised type of outlaw is depicted in various films and television series to this day (The Sopranos, Peaky Blinders, Goodfellas, Reservoir Dogs etc.). The most famous of all, *The Godfather*, communicated the idea that mobsters were men who cared about the wellbeing of their communities and who lived by their own codes of honour and conduct, impervious to the political whims of the establishment.

Even though these films do not portray the accurate workings of organised crime networks, they still leave a lasting impression on both ordinary citizens and the criminals themselves. Investigative journalist Roberto Saviano, in his book *Gomorra* (portraying the Naples criminal syndicate 'Camorra'), claims that there is a fascination with copying the style of these Hollywood criminals, such as Scarface (portrayed by Al Pacino), particularly amongst the younger generation. Saviano reports of a case of a woman working her way up to the higher ranks of the criminal underworld who would, along with her associates, provocatively wear yellow type-jumpsuits, associating herself with the same cult figure status as Uma Thurman's character in Tarantino's film *Kill Bill*.¹⁰³

Equally some young people in the Balkans seem to be fascinated by the fast and rebellious lifestyle of certain organised crime figures. For example, when Alket Rizaj and Vassilis Paleokostas used a helicopter to escape from a high-security prison in Greece, many hailed them modern day 'Robin Hoods', as news reports fuelled their notoriety, saying they offered loot to the poor and vowed never to harm members of the public during their thefts.¹⁰⁴

Similarly, the Balkan crime group 'Pink Panthers' (their name taken ironically from the Peter Sellers film) posted YouTube videos of their notorious robberies of jewellery stores around the world and were praised for their 'amazing work' on social media. "Respect. You have to give it to them," an ardent fan of the 'Pink Panthers' commented on the YouTube video of their Dubai robbery. Another blogger added: "Nice job. . .They should be the new cast of OCEAN 14."¹⁰⁵ Their recent large scale robbery of celebrity Kim Kardashian's jewellery

¹⁰³Saviano, 145.

¹⁰⁴Arsovska, 221.

¹⁰⁵Ibid.

(US\$11.2 million) was highly commended throughout social media by individuals unsympathetic to the victimisation of an ‘unjustly’ rich celebrity.¹⁰⁶

Ethnic Albanians working within organised crime circles in Europe and the US have gained an infamous reputation for themselves. Their excessive use of violence, strict codes of silence, clan structure and sense of loyalty have made them the archetypal notorious criminal to portray. According to this reputation, Albanian crime figures have appeared in a lot of recent popular films. They are main characters in films such as ‘Taken’ and ‘Taken II’, ‘Casino Royale’, ‘The Nest’, ‘Pusher III’, ‘Dossier K’, ‘In with Thieves’, and ‘The Brooklyn Connection’.¹⁰⁷ They have been perhaps falsely interpreted as the new Sicilian mafia - clan-based and homogenous with a strong grid like structure.

Just as the Balkan nationalist historians of the nineteenth century depicted hajduks in a positive light (for the purpose of the creation of national identity), so too are modern organised criminal networks being both glorified or vilified (depending on the perspective) with blinkered descriptions. These simplified, black and white descriptions of what is a complicated phenomenon, only serve to support the illusion that one is a bandit by nature, a preconditioned outlaw standing up firmly against the ‘system’. It appears that our desire to view the world in such a polarised way, mean that the opportunity for ‘social banditry’ is still very much alive today.

One modern example that clearly fits the ‘social banditry’ theory is that of cybercrime. That being the moral vindication of hackers or ‘hacktivists’¹⁰⁸, individuals or groups who deface websites or tap into secret government information and release it online to the general public under the principle of ‘freedom of information’. Their actions are illegal but a substantial proportion of people believe that there is sometimes a principled act in what they do, that the public’s right to know the ‘truth’ about unjust government behaviour justifies defiance of legal practice. Wikileaks and the network known as ‘Anonymous’ are prominent examples of hacktivism and they present a distinct moral challenge to politics in the digital age. Political Scientists Wendy H. Wong and Peter A. Brown refer to these actors as ‘e-bandits’ and argue that what makes them fundamentally different to the bandits in Hobsbawm’s description of ‘social bandits’ or even the justification myths of the modern ethnic Albanian

¹⁰⁶Resic, 341.

¹⁰⁷Arsovska, 7.

¹⁰⁸ ‘Hacktivist’ - A person who gains unauthorized access to computer files or networks in order to further social or political ends.

criminal groups are that they see themselves as 'stateless actors'. "Using anonymising technologies to create a transnational 'politics of no one', e-bandits allege to be principled actors who capitalise on the Internet and other information technologies to lead disembodied, virtual attacks against physical targets in order to encourage political change."¹⁰⁹

Both Anonymous and WikiLeaks see themselves as taking from the powerful to empower the disempowered with information and access to the political process.¹¹⁰ In fact, they are more akin to the 'Robin Hood' myth than both the bandits of the late eighteenth century and modern organised criminal groups as they fight against the injustice of the elite, abstain from any violence against civilians and do not operate for personal financial gain. Furthermore, particularly with 'Anonymous', the covert nature of their operations means that the general audience are drawn into a romanticised notion of their personal makeup; that these are individuals who care about the 'common man'. The veneration of hacktivists as vigilantes or 'defenders of justice' is modern myth making in action.

¹⁰⁹ Wendy H. Wong and Peter A. Brown, "E-Bandits in Global Activism: Wikileaks, Anonymous, and the Politics of No One," *Perspectives on Politics* 11, no. 4 (2013): 1,015.

¹¹⁰ *Ibid.*, 1,016.

Discussion of Findings

In a society such as ours where emotions stand against the rational and material world, those without wealth are left only with the world of emotions to express their hurts, their injustices and their identity.¹¹¹

The bandit is someone that the lower classes look to as the champion of their cause and a figure to admire because of what he symbolises: resistance, justice and hope.¹¹² This idealisation creates a personality cult and a mythology surrounding the bandit's actions. Though an outlaw, the bandit is seen as a protector of local ethics and represents the larger struggle. Social banditry is a particular type of civil society that comes into existence when there is a lack of a legitimate local power base.

Interpretations of Hobsbawm's take on the 'social bandit' often overlook that it is not actually a question of whether or not this figure actually existed, it is more the perception that the noble thief was there. Rather the emphasis is on understanding this sociological phenomenon. If those at the time believed it to be true then in a sense it became true.

Described by Hobsbawm as a form of social protest, banditry emerges out of periods of unstable transition and gives agency to peasant classes who have been left behind by modern progress. Throughout the world, the process of state building, has created disenfranchised and overlooked classes of peasants that remain on the periphery, striving to assert their power in the face of great adversity.¹¹³ An expression of this struggle is that of 'social banditry'. Though whatever temporary positive impact social bandits could bring to the lives of 'destitute peasants' in terms of human dignity, the outlaws also bring anti-social and detrimental side-effects that run counter to prevailing norms. The same can be observed in a contemporary context when we witness organised criminal networks offering alternative routes to income and employment to the socially destitute. Although there may initially seem to be some benefits for poorer segments of the population, these are all but temporary as criminal enterprises have neither the intention nor the capability to further any gradual improvement to social equality. Profit margins, control and suppression dictate the direction of the illicit market.

¹¹¹M. Presdee, *Cultural Criminology and the Carnival of Crime* (Taylor & Francis, 2003), 4.

¹¹²Joel R. Pruce, "Outlaws, Rogues, and Robin Hoods in the Delivery of Human Rights Goods," *Conference Papers -- International Studies Association* (2009): 7.

¹¹³*ibid.*, 3.

Social banditry is not attached to any particular social culture, or political order, or, as I have argued here, time period. It emerges out of the lower echelons of the social framework as a symptom of frustration with the status quo. It is a symbol of struggle against injustice in society and an apolitical expression of opposition to the dominant authority.¹¹⁴ It is precisely because of the fact that it does not function as a legitimate social movement which could overturn the establishment that Hobsbawm describes it as a ‘primitive rebellion’.

When looking at the Balkan wars of the early 1990s, the Albanian political and economic crisis, as well as the Kosovo war, we can see this face of history parallels with the vulnerability and susceptibility of earlier transitional periods when social banditry took hold. Organised criminal networks emerged out of this period of social upheaval through chance events and opportunism. At pivotal moments of transition, the social structure is in a state of upheaval and before the cast of the new social order is set, gaps exist which are susceptible to criminal opportunists. This is when organised criminal networks establish their hold and act as glue that binds the national framework together. This is precisely what happened following the fall of the Hoxha regime, leading to the prominence of criminal networks, corruption and a reliance on the criminal economy. The most illustrative case of this development was that of the cannabis stronghold of Lazarat.

This is the trend of social banditry – emerging at the fault line of dramatic transitions and playing a necessary social role. However, contemporary organised criminal groups are even further advanced than the bandits or hajduks of old. As Hobsbawm writes regarding mafias;

*Mafias are both more permanent and powerful, since they are less a series of individual revolts and more of an institutionalised system of a law outside the official law. In extreme cases, they may amount to a virtual parallel or subsidiary system of law and power to that of the official rulers.*¹¹⁵

Organised criminal groups are respected as legitimate power holders because of their ability to provide alternate sources of income and employment for their community, even though it may be rooted in intimidation tactics and outright attacks on competitors.

Just like ‘social bandits’ at the time of the hajduks, modern organised criminal networks in Albania may be seen as standard-bearers against frustration and protest among the lower classes and therefore be construed as the perpetrators of revolt, but importantly they are not

¹¹⁴ibid., 6.

¹¹⁵Hobsbawm, 5.

revolutionaries in a political sense - one could argue that they are false prophets. The bandits of the late eighteenth century, as Hobsbawm argues, were not the harbingers of state upheaval, they were apolitical and thus incapable of producing revolutionaries. Whilst organised criminal groups of today don't inspire revolution or a common uprising because they realise that they need the state in its present weak condition in order to maintain their own strength - like a virus to a host.

The comparison of Albanian banditry of the late eighteenth century and organised criminal networks of today may seem far-fetched. With the arrival of industrialisation and the end of feudalism, the criminal landscape changed dramatically and the rules of operation were exploited in different ways. However, as discussed previously, the social codes of the Kanun act as a cultural line between the two periods of time. No matter how unrepresented these codes are today in state law, they still have a significant cultural impact, and as we have seen, criminals use them as justification to mask unethical practices.

The French Annales Historian Fernand Braudel, coined the term 'Longue Durée', as a way to theoretically describe how abstract concepts such as human behaviour could be connected over extended periods of time with a sense of consistency.¹¹⁶ These concepts may outlive or intersect, more definitive episodes of time such as the rise and fall of an empire or philosophical movements such as the Enlightenment. Yet historians can often, perhaps unbeknown to themselves, slip into analysing sociological or political movements within the context of generalised eras of history established by classical thinkers, which may indeed act as a limitation on their findings. The 'Longue Durée' postulates that there are abstract cultural codes which linger over greater periods of time despite economic and political changes. The theory may be an appropriate tool to use in the case of Albania which has shown a sluggish movement away from adhering to ancient cultural codes that do not sit well within a modern democratic European environment; A mentality that has been allowed to fester thanks to the recent turbulent history of this state and its Balkan neighbours.

¹¹⁶ Fernand Braudel and Immanuel Wallerstein, "History and the Social Sciences: The Longue Durée," 2009.

Conclusion

Despite the controversy, Hobsbawm's theory of 'social bandits' proves to be an insightful tool when discussing the role criminality can play within society, even in a modern setting. Of course, the literal concept of highway bands stealing from trade carts has all but disappeared and this Marxist theory is not mirroring the lower echelons of Albanian society as demonstrating the same behaviours of the proletariat of a feudalist age. However, the fact that criminal figures can act behind false cloaks of justice and retribution and often become venerated by ordinary members of society because of it, is still very much present.

There appears to be more evidence of seeing modern ethnic Albanian criminals as, Blok contended, 'violent entrepreneurs', rather than the definition of Hobsbawm's 'social bandit'. However, acknowledging the need for the noble bandit as a symbol of hope or a mythological tool may help explain why they can achieve such a strong and untouchable status. A status which occasionally leads to them garnering public support as fighters against social injustice or as indicated with Albanians during the Kosovo conflict – defenders of ethnic survival.

I believe that this model could be applied to many other states where organised crime is present as a way of understanding, not only the workings of the criminal networks themselves but the integral relationship between the state and its citizens. It could also deepen the understanding of the connection between organised crime and terrorism, as we often see the two forces working in tandem. There have been recent papers which have taken this modern application of Hobsbawm's theory. Ivan Manokha has analysed social banditry in the context of Al Qaeda¹¹⁷ and social scientist Joel Puce has used the theory as a way to understand the workings of both the Sicilian Mafia and Hezbollah.¹¹⁸

A very interesting study could be to apply the social banditry theory to the phenomenon of ISIS (Daesh). Although one could argue that this movement challenges Hobsbawm's claim to 'social bandits' being non-revolutionary, the movement does reflect the same principles of a group acting outside the law and utilising illicit networks to strengthen their cause. Despite the terror and fear that the movement brings, it still attracts followers and supporters who may see the movement as a popular uprising of those unrepresented in the world in which they live. Their members also utilise the same myth-making and justification

¹¹⁷ Ivan Manokha, "Al-Qaeda Terrorism and Global Poverty: New Social Banditry," *Journal of Global Ethics* 4, no. 2 (2008).

¹¹⁸ Joel R. Puce, "Outlaws, Rogues, and Robin Hoods in the Delivery of Human Rights Goods," *Conference Papers -- International Studies Association* (2009).

techniques practiced by bandits during the feudal age and the example given of modern ethnic Albanian criminal networks. In addition, the comparison of social banditry to hacktivists or 'e-banditry' offers up a lot of promise for future academic research.

The theoretical lens of 'social banditry' of course has its limitations and understanding the real intricacies of the strength of ethnic Albanian modern organised crime networks, requires a nuanced approach that analyses an array of political and economic influences. However, Hobsbawm's theory does offer unique sociological insights into the integral relationship between the state and its citizens as well as elements of moral justification (or cognitive dissonance) which cloak the reality of criminal activity. The important learning point from this study is that cultural codes such as the Kanun do not encourage violence but criminals manage to manipulate them to justify their behaviour.

The 'social banditry' theory also lends itself well to a humanist perspective, an approach sorely needed in a world that increasingly frames complex social issues in black and white through fast and easily digestible media platforms. It may indeed help our international approach towards Albania if we understand the strength of criminality amongst this ethnicity as not a cultural conditioning but as a 'primitive rebellion' that indicates a frustration of their current political and economic situation.

Even if real life social bandits don't exist, the psychological effect of this myth can have far reaching consequences when it comes to the methods and impact of criminal behaviour. It would therefore be wise to take this into account when encouraging political and social reforms in a nation looking towards EU accession.

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