

	 UNIVERSITY OF GOTHENBURG	

Women's Rights in Kosovo: Cultural and Religious Barriers

by

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Declaration form

The work I have submitted is my own effort. I certify that all the material in the Dissertation which is not my own work, has been identified and acknowledged. No materials are included for which a degree has been previously conferred upon me.

Signed  Date . 22.05.2015

Abstract

Women's Rights have often been a subject of the debate between universal rights versus cultural relativism. In Kosovo women's rights have gone through drastic changes. After the NATO intervention in 1999, UN established international bodies to temporary govern the territory of Kosovo. UNMIK's mission contributed massively in establishing frameworks to support, protect and empower women. In this thesis I am going to analyze this process of imposing universal ideas such as women's rights in a country that has had a long history of patriarchy. Was UNMIK mission successful in terms of framing these sets of ideas and adopting them to the state legislature? Or did that fail because of cultural and religious barriers? This thesis will focus on three main actors including; the international community, women's rights activism and religious resistance.

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I would take this opportunity in acknowledging people who work in promoting gender equality and women's rights in Kosovo. Equality it is a very important attribute for the future of Kosovo. Further, I would like to thank the interviewees who managed to take out time from their busy schedules and generously contribute to this research.

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CHAPTER 1: Introduction

One of the core issues in Human Rights today is the question of universality of Human Rights and the significant debate on cultural relativism confronting universal human rights. Donnelly (1984) discusses the tensions between universalism and cultural relativism by touching upon terms such as radical universalism and radical cultural relativism in an attempt to find a balance between the two extremes. He states that moral rules, including human rights function within a moral community and that radical universalist must give priority to the demands of a cosmopolitan moral community over lower communities in order to preserve complete universality of fundamental rights (Donnelly 1984:402). On the other side he argues that radical cultural relativism or “moral nationalism” is something “that may be based on reasons such as inability to agree on the structure of a supranational organization or a fear of creating an instrument of universal tyranny” (Donnelly 1984:402). Women are one of the groups that are often a subject of the debate between universal rights and cultural relativism. The understanding of women’s rights may vary from one culture to another, as the role of women is seen differently in different cultures. But often this fear of creating an instrument of universal tyranny as explained by Donnelly is used as an excuse to violate different women’s rights which are protected by the Universal Declaration of Human Rights and other relevant conventions such as CEDAW in order to keep the status quo of a society dominated by men.

Despite the fact that having conventions assuring gender equality and promoting and protecting women’s rights have had a significant impact regarding the progress on gender equality, in a lot of countries they have struggled to be implemented and one of the reasons is the difficulty to translate these universal ideas into local context. Sally Engle Merry (2006: 41) asks the question of how can universal ideas such as violence against women become meaningful in the local context? She talks about the concept of “framing” which was developed by social movement theorists to analyze what makes an idea persuasive and how these frames that are not themselves ideas but more of a way of presenting an idea can motivate collective action. Merry also identifies “the problem human rights activist confront: if they present human rights as compatible with existing ways of thinking, the ideas will not induce change”(Engle Merry 2006).

This thesis is focused on the evolution of women's rights legislation in Kosovo and their struggle to be implemented in practice because of incompatible social norms. In the research, I will analyze the influence of the international community's presence in Kosovo in establishing legislation regarding women's rights and the potential reasons why they have struggled to be implemented.

To get a fairly understanding of the situation, I will also be focusing on the role of the government in Kosovo, women's rights activists, and religion. The government of Kosovo has been passive in efforts to implement all women's rights ensured by law. Women's rights NGO's and activists have been highly influenced and encouraged by the international community and foreign funders in taking a universal approach to empowering women. The religious community on the other side has raised its voice against international influence on women's rights in attempts to preserve existing gender roles and morals, which they consider to be a part of the culture. The reaction between the above-mentioned groups will present an understanding of the current situation in regards to women, drawing upon which I will suggest recommendations in order to challenge inequalities and work on the empowerment of women.

The primary data for this research project was collected from reports, historical sources, contemporary media, and interviews.

1.1 Historical Background

Kosovo is an independent state since claiming its independence from Serbia on 17 of February 2008, and it has been through drastic historical changes. After the fall of the Ottoman Empire in the Balkans, Kosovo's status was decided by the Treaty of London in 1913 which dealt with the territorial adjustments and was assigned as a territory within the Kingdom of Serbia, later to gain a status of an Autonomous province with the right to self-determination during the period of Yugoslavia. After the disintegration of Yugoslavia, Kosovo remained as a province of Serbia and Montenegro with a lot of ethnic tensions growing during the Milloshevic's¹ regime because of the oppression towards ethnic Albanians living in Kosovo. The struggle against oppression and

¹ Slobodan Milosevic: former president of Serbia.

the fight for human rights lead to an armed conflict in 1998 between Kosovo's Liberation Army and the Republic of Serbia. In 1999 after the NATO intervention, Kosovo was given a special status under the "UN Resolution 1244" which saw the establishment of a UN interim administration mission in Kosovo (UNMIK). UNMIK's role was to help in the state building process by establishing an interim civil administration. UNMIK mission ended after Kosovo declared its independence in 2008. During this period, UNMIK established the Kosovo Women's Initiative (KWI) in 1999 whose main goals were to help mobilize women throughout Kosovo and empower women to become agents of change and solidarity.

Kosovo Constitution was drafted by an expert commission including a significant involvement of the international community. At the end of 2007, the Commission had produced a draft constitution that was adopted later on June 2008. Many of the provisions were derived from the Ahtisaari plan². Many of Kosovo's academics questioned the effectiveness of a progressive constitution adopted in a post war country with a cultural background not very compatible to the modern ideas included in the Constitution. Under the Kosovo Constitution, gender equality is protected by the state. The Constitution states that international human rights conventions including CEDAW and the European Convention on Human Rights (ECHR) precede national legislation.

Kosovo is a multiethnic state predominantly populated by ethnic Albanians who cover 92% of the entire population of 1.824 million inhabitants, with Serbs being the biggest minority comprising around 5% of the population. Other minorities include groups of Roma, Ashkali, Egyptians, Bosnians, Turks and Gorani. Most off ethnic Albanians identify themselves as Muslims with a small minority who identify themselves as Catholics. Albanian's strong attachment to ethnicity has contributed to the nationalism in Kosovo's struggle for independence.

² The Ahtisaari Plan: is a status settlement proposal covering a wide range of issues related to the Kosovo status process for Kosovo.

1.2 Purpose of Research

The purpose of this research is to identify the difficulties in implementing universal ideas such as women's rights in a country such as Kosovo who has had a long history of patriarchy, and look at the approaches taken by different actors to empower the role of women. This topic is of high importance considering that Kosovo is going through a period of socio-economic and development reconstruction. Officially the government of Kosovo recognizes that a real democratic nation is built on the sound basis of the principle of equality of all people and that any form of discrimination harms the pace of development. In pursuit of this aim, inequality between genders must be seen as a major obstacle to socio-economic and political development.

In the process first I will be identifying the gap that separates the existing legal frameworks from the situation in practice. In the process I will go through the legislation adopted by the Kosovo government and their responsibilities towards protection and empowering of the women and compare it to the situation in reality by looking at the local and international reports on different statistics in regards to gender-based violence, education, employment etc.

Secondly I will try to identify the main obstacles preventing women from accessing these rights that are ensured by the government focusing on the role of the international presence in Kosovo and their influence in decision making. I will argue whether their presence and influence in decision making could have had an adverse effect on the society by causing a backfire that resulted in some of the prominent religious leaders using harsh language towards women.

Some particular women's rights ideas one can find in the CEDAW Convention may clash with cultural and religious interpretation and practices. Article 16 in the CEDAW Convention explicitly states that:

States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women: (a) The same right to enter into marriage; (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent; (CEDAW)

In Kosovo, the imposed marriage is still a very common cultural practice, especially in rural areas and small towns. This was regulated by the “Kanun of Lekë Dukagjini” which still has a lot of influence in the Albanian culture. In the section concerning marriage verse 31 Kanun states that a young woman cannot choose her own husband: “she must go to the man to whom she has been betrothed” (Gjeçov & Fox: 1989). Unfortunately it is impossible to find any data on this issue since it is considered as a standard cultural practice, but as someone who grew up there I have come across many cases of imposed marriage and the issue has been identified by other local and international actors as well. Islam in the other hand legitimizes polygamy and gender-based violence that also contradicts with CEDAW’s Article 16 and it affects the dignity of women to have equal rights. This was also one of the main issues that influenced me to choose this topic for my thesis and work on empowering the role of women in Kosovo. Other examples of cultural and religious clashes will be critically elaborated and analyzed in the thesis.

This research is important to understand how cultural practices can make it difficult for the state to implement universal ideas such as women’s rights and help the state and other actors discover different approaches to tackle this issue. The research can be beneficial for other countries as well, who share similar problems regarding women’s rights and can serve as an example of dealing with cultural differences. Understanding local traditions and values is crucial to identify why some human rights are difficult to be implemented and accessed. Understanding a certain culture can be very abstract because there are a lot of things that influence a culture. Anthropologist Edward Tylor defined culture as a whole which includes knowledge, beliefs, morals, law, customs and any other capabilities and habits acquired by man as a member of society (Tylor 1870; cited by Avruch 1998). One should try and identify at least some of the components of a certain culture in order to find ways to adapt universal ideas in the society.

1.3 Research Questions and Hypothesis

This dissertation will be focused in two main questions:

1. What is the gap between legal framework and women's rights in practice?
2. What are the effects of the International community's role in decision making specifically regarding women's rights? Is it working or is it contributing in exacerbating the conflict between universal ideas and cultural relativism?

Through this project I will try and answer these questions by analyzing different actors involved regarding the situation of women rights in Kosovo. I have used different sources of data, including interviews to get a broader perspective on the issue and I have used different theoretical approaches in order to get a deeper understanding of this complex reaction between universal rights and cultural rights.

CHAPTER 2: Theoretical Approach

For this thesis I will be using a number of theoretical approaches in order to better explore the issue and go deeper into understanding the problem in an environment that has been a subject to a lot of changes in a recent years, such as the case of Kosovo. The problem of gender inequality has many roots such as a long history of patriarchy, the practice of the Kanun, religious and cultural influence and the masculine mentality that has dominated for decades around the Balkans. Although this has seemed to change slightly during the Yugoslavian period where Women were much more engaged into labor market and during that time the number of domestic violence reported was lower. But that did not change the women's status in society, meaning that they still did not have leadership roles and were mostly obliged to deal with domestic work.

From the post war period until today things have changed in many directions. In one side there are a lot of women's rights and feminist movements, but in the other side according to reports and statistics the situation of women's rights has seem to have gotten worse, where the number of domestic violence reported is really high. There is a vast difference in labor market compared to man, and an offensive language has been used to judge and describe women of "today" from some respected Imam's but not only, this has also been very present in the media as well, where the use of a sexist and discriminatory language has been present and not questioned by the people. To analyze these changes I will use the theory of the social construct of reality and social construct of gender and the idea of ethnicity as a cultural identity. According to Berger and Luckmann 'reality' is socially constructed and the sociology of knowledge must therefore analyze the process in which this occurs. They argue that knowledge should analyze "what people 'know' as 'reality' in their everyday lives" how this knowledge emerges and how it is connected to the social reality they live in. The emergence of knowledge is thus connected to the relation between the individual and society. (Berger & Luckmann 1967: 37)

Through the interaction between the self and the socio-cultural world, culture is constructed and maintained in a dialectical process in different levels: externalization, objectivation and internalization (Berger and Luckmann, 1967). According to Berger and Luckmann society is a

product of human activity; society is an objective reality and the human being is a product of society. The externalization process is best described by Berger and Luckmann's own words: "social order is a human product, or, more precisely, an ongoing human production. It is produced by man in the course of his ongoing externalization. Social order is not biologically given or derived from any biological data in its empirical manifestations. Social order is not part of 'nature of things' and it cannot be derived from the 'laws of nature'. Social order exists only as a product of human activity" (Berger and Luckmann, 1967).

Kosovo has very good tools when it comes to gender equality. It has ratified CEDAW convention, the law on gender equality, agency on gender equality and the UN Resolution 1325 but because of the patriarchy and very strong gender stereotypes that are embodied in the culture it seems hard for women to access these tools because they are brought up to believe in these gender roles. Lorber and Farrell argue that gender is such a familiar part of daily life that it usually takes a deliberate disruption of our expectations of how women and men are supposed to act to pay attention to how it is produced. Gender signs and signals are so ubiquitous that we usually fail to note them, unless they are missing or ambiguous. Then we are uncomfortable until we have successfully placed the other person in a gender status; otherwise, we feel socially dislocated (Lorber & Farrell, 1991). According to Lorber and Farrell the gender construction starts since birth where the babies are dressed or adorned in a way that displays the category because parents do not want to be consistently asked whether their baby is a girl or a boy. A sex category becomes a gender status through naming, dress, and the use of the other gender markers. One of the NGO's in Kosovo called Peer Educators Network (PEN) has been specifically working with this issue which is one of the positive steps to challenge these stereotypes in Kosovo and it's a very different approach to other NGO's and associations where PEN works more with men and youth to specifically touch the gender roles and stereotypes and make a difference between sex and gender.

Feminist theory will be used to identify gender inequalities, differences and oppression that exist in such a society. The feminist theories and the feminist movements have vehemently demonstrated that knowledge cannot be considered neutral or objective. Traditionally, researchers have engendered knowledge on the basis of the dominant perspective and behavior in society, which was the male one (androcentrism). As a consequence, knowledge has been blind

to the specific historical, political, social and personal conditions on which it was reported, making invisible gender differences. The feminist perspective provides productive avenues of collaboration with sociologists who adopt other theoretical views, especially conflict theory and symbolic interaction. The feminist perspective is compatible with conflict theory in its assertions that structured social inequality is maintained by ideologies that are frequently accepted by both the privileged and the oppressed. These ideologies are challenged only when oppressed groups gain the resources necessary to do so. Unlike conflict theory's focus on social class and the economic elements necessary to challenge the prevailing system, feminists focus on women and their ability to amass resources from a variety of sources—in their individual lives (microlevel) and through social and political means (macrolevel). Feminists work through a number of avenues to increase women's empowerment—the ability for women to exert control over their own destinies (Lindsey, 2011).

Many scholars argue that bigger inclusion of women in the labor market and education help the country develop and there are a lot of research that have pointed the same thing including local researches done by organizations in Kosovo. But there seems to be a fear and a moral panic in countries such as Kosovo that have been isolated for centuries and now suddenly face a new era of democracy and globalization and with the international community having a lot of impact in Kosovo's legislations and funding for awareness campaign this fear of losing moral and traditional values becomes even bigger. This is an issue vastly debated in human rights, and it is about how universal ideas or concepts such as women's rights and gender equality can be understood in a society where these ideas have not existed before or have a different meaning. Donnelly (1984: 402) argues about the understanding of universality, stating that radical universalism is subjected to other moral objectors as well and he also explains the cultural relativism or "moral nationalism" as something "that may be based on reasons such as inability to agree on the structure of a supranational organization or a fear of creating an instrument of universal tyranny". Some scholars have even gone so far as to argue that by negating the diversity amongst global cultures and by promoting a monolithic set of social values, the mere notion of universal human rights reinforces neocolonialist arguments by obliquely signifying Western hegemony over the developing world. In this thesis I will also use the theory of Donnelly and other authors arguing about universalism versus culturalism and try to find a balance or present the difficulties on trying to find a balance within the two. One of the issues

that has been debated lately in Kosovo is concerning the hijab. Kosovo has a law that prevents the wearing of hijab in public schools or public institutions before the age of 18, because 18 is considered as the age of maturity according to Kosovo's laws, but according to Islamic traditions a girl matures after she gets her periods and that is when she is suppose to start wearing the hijab, and this has become an issue debated a lot in the public opinion and it also presents us with a case of clashes between culturalism and universalism.

CHAPTER 3: Methodology

3.1 Choice of Method

For this dissertation used qualitative research methods as I believed would be more appropriate to the study and would help me gather data that will be important to analyze the situation. I used historical sources, contemporary media sources, information materials from different protagonists, legal frameworks, reports from various NGOs, interviews, observations, etc. I traveled to Kosovo twice, first in early December 2014 mainly doing participant observation during the “16 Days No Violence” campaign organized by UN Women office in Kosovo. Each year, the UN Women Project Office in Pristina coordinate activities through the Security and Gender Group a multi-stakeholder group chaired by UN Women, to ensure that UN agencies, international organizations, local institutions and civil society organizations working on gender and security issues are united in marking the 16 days of activism against gender-based violence. During this campaign, I participated in some workshops in primary and high schools and roundtables that were organized to encourage public debate regarding the issue of gender-based violence.

From mid-February to mid-March I traveled for the second time to conduct interviews with Women’s Rights activists and Imams. I chose to interview these particular groups in order to get contrasting perspectives on the issue since both groups represent an important factor in current women’s rights situation. In one side women’s rights activists are trying to use (slightly more) universal approach to empower women and change the social reality by fighting the existing gender roles and gender stereotypes. On the another side religious leaders are trying to keep the existing gender roles fearing that women are losing their moral and traditional values that have been an important part of our culture for centuries and arguing that this is happening due to western influence in Kosovo including the effect of globalization.

3.2 Initial Interest and Background

Born in Kosovo, a former province of Yugoslavia and later Serbia, I grew up in a small town in the south of Kosovo called Gjakovë. I come from an ethnic Albanian background that now makes 92% of the population in Kosovo. I was brought up influenced by Islamic values as my family identifies themselves as Muslim and so do 95% of Albanians, according to the statistics from the official government site. My interest in women's rights began after experiencing vast inequalities between genders during the time I grew up. I started engaging in women's rights activism since 2011 by the time I was working for the civil society in Kosovo. Now I am a master student in the Erasmus Mundus Human Rights Policy and Practice program and at the same time I am volunteering for International Women's Initiative an NGO based in London. In this thesis I chose to focus more on Religion for two reasons; one because of some hate speech and vulgar language used towards women from some respected Imams in Kosovo, and two because I believe that religion, in this case particularly Islam has been used as a tool to maintain the oppression of women and gender roles. I conducted all my interviews in my native language Albanian and used some of the data in Albanian such as reports, videos from contemporary media sources and news articles.

3.3 Interviews

I had arranged a few of my interviews prior to my field work with some of the women's rights activists in Kosovo but did not manage to arrange any interview with any Imam due to difficulties in contacting them by email or telephone.

I conducted semi-structured interviews and by using this method I could collect profound information since it allowed the informants to talk about the topic in their terms and give their opinions in their own time. This method also enabled me to capture unexpected issues and information (Somekh & Lewin, 2005:42). The interviews provided me with information about the informants' experiences, opinions, attitudes and feelings (May, 2001:148). The informants were asked slightly different sets of questions in regards to their background but maintaining the same focus on five to six main issues.

The main informants for my fieldwork were:

Women's Rights Activists:

Igballe Rugova: Executive Director of Kosovo Women's Network the largest network of women organizations and associations. (21/02/2015)

Linda Sanaja: Project Coordinator at the office of the UN Women in Kosovo. (22/02/2015)

Agon Maliqi: Women's rights activist, HeforShe movement (22/02/2015)

Besnik Leka: Project Coordinator at CARE International office in Kosovo (22/02/2015)

Religious Leaders:

Imam Koshi: Head Imam of the Islamic Community of Gjakova (17/02/2015)

Imam Rrustemi: Imam based on the region of Klina (24/02/2015)

Imam Flugaj: Imam from the Islamic Community of Kosovo (25/02/2015)

3.4 Ethical Consideration

While approaching the Imams, I made clear my stand on the issue, and I made sure they were aware that I am a women's rights activist, and this thesis is for my masters' degree. I tried to maintain as neutral as possible although I was on the side of women's rights activists. I assured all the Imams that the aim of this research project was not to criticize or present Islam as something negative; it is only to present the readers the other side of the argument and their beliefs and stand on the issue. Before I conducted the interviews I made sure that the informants were informed about the purpose of recording the interview, why I wanted to interview them, and that I was the only one who was going to listen to the material and that the information was going to be deleted as soon as I finish with the research (Bill, 2005:164; Somekh & Lewin, 2005:56).

3.5 Limitations

I had previously planned to interview government officials specifically people working for the Kosovo Agency for Gender Equality in order to get a broader representation but I did not manage to arrange an interview with any of the representatives despite having contacted them a few times prior to my field work.

I found it difficult to arrange interviews with Imams. Initially, I was planning to interview at least six religious representatives, but every imam that I approached I noticed a hesitation to talk about the topic and accept the interview. I believe this was due to the fact that about ten Imams were recently arrested on charges of spreading religious extremism that had led to many Kosovo Albanians fleeing to Syria to join the ISIS. Another reason could be that women's rights is often considered a sensitive topic in Islam and most Imams felt uncomfortable to agree to an interview, which was why most of them were asking me to address to the Islamic Community because they told me that they were not allowed to give personalized interviews without the permission of the Islamic Community. Finally with the help of my grandfather, who is much respected among the Islamic Community in Gjakovë and to whom I owe much, I managed to arrange an interview with the Head Imam of the Islamic Community of Gjakova, Imam Koshi. Through him, I managed to arrange another interview with Imam Rrustemi, who has a background on women's rights in Islam. And finally I managed to arrange another interview by approaching the Islamic Community of Kosovo, this time it was Imam Flugaj.

Some of the activists that I contacted responded to me that they were unable to give an interview due to their current location or they had a busy time at work.

CHAPTER 4: International Community in Kosovo

Following the NATO military intervention that expelled Serbian forces out of the territory of Kosovo in United Nations Security Council passed Resolution 1244 of 10 June 1999. The resolution established an international civil and security presence to administer Kosovo and help in the state building process. UNMIK's mission in accordance with the Resolution 1244 was to "establish a functioning interim civil administration; to promote the establishment of substantial autonomy and self-government; and finally, to facilitate a political process to determine Kosovo's future international status" (Lemay-Hebert 2011: 67). One of the features of this plan's design was the concentration of powers to the Special Representative of the Secretary-General (SRSG), the role of whom was to assure coherence of the entire mission, and as the legal head of the state of Kosovo he enjoyed unlimited powers (Mertus 2003). All the executive and legislative authority, including control over the judiciary, was vested in the SRSG. Thus, UNMIK had essentially the same powers as a state would have.

With the establishment of UNMIK, Kosovo adopted the CEDAW Convention as early as 1999, which showed their immediate interest in Women's rights. Many women in Kosovo had already suffered psychological trauma from being victims of sexual abuses by the Serbian military forces. Although there are no official statistics regarding the number of women who were subjected to sexual abuses, a few reports show that around 20.000 women have had experiences as such. Most of these women have to carry these dark secrets with them for the rest of their lives. Many of them were abandoned by their families and friends for bringing shame to their husbands and families (Smith 2000).

During its mission in Kosovo, UNMIK in cooperation with local actors and NGOs went on and developed more mechanism to empower and protect women. In October 1999, an Office of Gender Affairs was established within the framework of UNMIK, according to UNIFEM. New structures that conform to international standards on the protection of the rights of women were developed upon that foundation.

Following the establishment of the Office of Gender Affairs, UNMIK passed a regulation 2001/4 that prohibits trafficking in persons and criminalizes it. UNMIK Regulation 2003/1 extended the crime of rape to cases of marital rape. In August 2004 under UNMIK Regulation 2004/32 the Anti-Discrimination Law was promulgated. The law seeks to combat discrimination and promote equality.

In July 2004, the Law on Gender Equality entered into force. That law was based largely on UNMIK Regulation 2001/9 on a Constitutional Framework for Provisional Self-Government in Kosovo. Its stated purpose is to “preserve, treat and establish gender equality as a fundamental value for the democratic development of the Kosovo society, providing equal opportunities for both female and male participation in the political, economical, social cultural and other fields of social life.”

In the same year, the Government of Kosovo established the Office for Gender Equality within Office of the Prime Minister and each ministry appointed a Gender Equality Officer. With the decision of Kosovo Government the Gender Equality Office which was within the Office of the Prime Minister became the Gender Equality Agency on September 1st, 2006. The aim of AGE following its mandate is to implement and monitor the implementation of the Law on Gender Equality by promoting values and equal opportunities regardless of gender.

In addition to that and accordance with the above law, the AGE works closely with public institutions, EU, and international government, and as well nongovernmental organizations which are active in the field of gender equality and ensures partial financing for their projects or activities.

This approach applied by the international community in Kosovo is similar to the concept of “framing” a concept that was developed by theorists of social movements to analyze what makes an idea persuasive in a social movement. “Frames are not themselves ideas but ways of packing and presenting ideas that generate shared beliefs, motivate collective action, and define appropriate strategies of action” (Engle Merry 2006: 41). David Snow uses the term framing to refer to the work of social movement activists: “They frame, or assign meaning to and interpret relevant events and conditions in ways that are intended to mobilize potential adherents and constituents, to garner bystander support, and to demobilize antagonists” (Snow and Benford 1988:198). In the case of Kosovo the international community played the role of the social

movement activist by using universal ideas such as women's rights and framing them by implementing laws and regulations which aim to empower women and promote gender equality. Although these ideas were new to a group of people who have had different understanding of gender roles and they had been living their lives without questioning these roles, they did manage to mobilize women to strive for equality and seek for their rights which were now given by the state and promoted by the international community. It was no coincidence that women's rights NGOs started blooming and more and more people got engaged in promoting gender equality and fighting for women's rights.

Snow believes that framing can produce significant changes in individual consciousness about a particular issue or a problem, and it can have an effect in a manner similar to religious conversion (Snow 2004), in this case, the gender inequality became visible only after UNMIK started promoting the opposite. A similar example happened in the United States where the success of women's movement depended on fundamentally changing the way women understood violence, shifting it from discipline to abuse.

A similar strategy was later adopted by local NGOs in order to mobilize women and young people to strive for equality. It comes as no surprise why Igballe Rugova believes that establishing these mechanism that aim to promote and protect women in Kosovo have been the biggest achievement regarding women's rights situation since 1999 (Rugova 21/02/2015)

UN Mission in Kosovo is considered as one of the most comprehensive and yet most challenged state-building attempts the UN have faced (Lemay-Hebert 2011).

CHAPTER 5: A Passive Government

After succeeding the UNMIK mission, the government of Kosovo now has a fairly advanced legal framework and various mechanisms in place in regards to gender equality. But the implementation remains a challenge. Many strategies exist to specify and implement institutions' legal obligations. However, action plans are rarely cross-checked with other action plans, potentially contributing to overlap. Strategies seldom receive sufficient funding for implementation. Government bodies at all levels tend to not understand how to mainstream gender within their work. Gender equality officers in different ministries and municipalities are very marginalized; few of them are ever involved in programmatic planning, impact assessments, budgeting and analyzing draft laws or policies from a gender perspective. Other actors like women's NGOs are rarely consulted by international stakeholders active in Kosovo when setting priorities. To implement Kosovo's laws, strategies, and action plans, as well as to strengthen current mechanisms, the government of Kosovo needs to allocate more financial support. EU integration processes can condition the Kosovo government, encouraging it to implement existing laws and policies (Orgut 2013).

The Law on Gender Equality (LGE) prohibits all direct or indirect forms of gender discrimination. The Electoral law requires a 30% quota for women's participation in national and municipal levels. The Anti-Discrimination Law (ADL) prohibits all forms of discrimination, including gender-based discrimination. The Kosovo Criminal Code, Law on Protection of Domestic Violence, Law on Prevention and Combating of Trafficking in Persons and Protection of Victims of Trafficking, and Law on Family and Social Services offer protection to victims of gender-based violence. There are many other programs on gender equality including actions plans for combating domestic violence and human trafficking.

Despite having drafted and adopted all this legislature protecting and promoting women's rights, Kosovo government has struggled to change the status of women and has failed to ensure equal rights to all women. Domestic Violence still remains one of the main violations according to a report published by United Nations Population Fund (UNFPA) in 2005, which also states that one of the main obstacles to raising awareness about gender disparities is the difference in

expectations based on gender perspectives. Not only do many men have a fixed image of what women must do, but many women, too, nurture stereotypical perceptions of themselves as nothing more than workers and cleaners of households. Another report published by The World Bank (2012) identifies massive gaps between men and women in education, employment, leadership roles, literacy, etc.

Other violations include trafficking of women and the right to inheritance. But abuses against women are not always visible. The majority of Kosovo's society still operates as a patriarchy. Although people argue that patriarchy in Kosovo has influence from Islam which is also the dominant religion amongst ethnic Albanians, a lot of it is influenced from the "Kanun" as well. Kanun was a set of traditional Albanian laws that were primarily oral, only to be published in the 20th century in writing.

The rules dominating the ordering of society prescribed in the Kanun of Lek Dukagjin in the fifteenth century still form the basis for local laws and social structures. Men and women had clearly specified roles and responsibilities, with men as protectors and providers and public decision-makers, and women confined to the domestic sphere (OSCE 2002).

Although the Kanun has stopped existing for years, the practices are still visible especially in the rural areas. Arranged marriage is still very common not only in rural areas but also in bigger cities, but it is not visible since it is considered a cultural tradition. Many women suffer restriction from their family regarding freedom of movement, and a lot of women are deprived of getting education abroad because of the fear of losing their moral values. Religion on the other side particularly Islam which is the dominant religion covering the majority of the population has seen a rise in radicalism since independence. Thus, it has changed its attitude towards women with many imams publicly speaking with a sexist and offensive language towards what they consider women without morals. The government of Kosovo has failed to address most of the above issues, and they have failed to find appropriate strategies to tackle cultural practices that harm women or deprive them of accessing their rights guaranteed by official mechanism. This includes problems of challenging the existent stereotypes; not allocating enough funds from the state budget towards women's rights and empowerment of women; not being able to have enough control over the use of the sexist language in media; and failing to have any control on religious preaching and practices.

5.1 Gender Differences

A report published by Orgut Consulting in 2013 on Gender Profile in Kosovo showed that the socio-economic situation in Kosovo is very challenging regarding gender.

Article 11 of the CEWAD Convention states that all state parties:

“shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to work as an inalienable right of all human beings;
- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment.”(CEDAW)

But yet no country in Europe has so few women in the formal labor market (18% of women participating, in comparison to 55% of men). Many young people are not working or studying. The very few women working do not manage to reach leading positions to the same extent as men; most remain at the administrative level. Less than 10% of businesses are women-led or women-owned businesses, and only 3% of all credits go to women. Few properties are women-owned (8%). The Ministry of Labor and Social Welfare does not have a valid employment plan, and the Women’s Economic Empowerment Plan for 2011-2013 has not had visible results due to insufficient funding. Looking forward, Kosovo has opportunities for economic progress: the youngest population in Europe and potential for development. However, more people need to enter the labor market. In education more and more women are entering all levels of education even though the choice of material for women and men are still very stereotyped (Orgut 2013).

Despite having quite well-established mechanisms against gender-based violence, Kosovo government has failed to put into practice these laws. Organizations, institutions, and a recently revised legal framework exist towards preventing domestic violence; protecting victims; prosecuting perpetrators, and rehabilitating victims, offenders and their children. Various

institutions provide relevant services: specialized police units, victim advocates who safeguard victims' rights, legal aid officers, courts, centers for social work and shelters, among others. The recent adoption of the Law on Protection against Domestic Violence in Kosovo (LPADV) and the Kosovo Program against Domestic Violence and Action Plan 2011- 2014 (PADVAP) are necessary steps forward. The report from Orgut Consulting showed that only in 2013, 869 cases of gender-based violence towards women were recorded.

Services that aim to address domestic violence cost around €3,060,116, including more than €1,923,124 from the state government and more than €1,136,992 from donors (37.2%). (KWN 2012) Only 0.13% of Kosovo's spending in 2011 were addressed towards the established state-funded services. To sum this up, services related to domestic violence cost €1.76 per capita and €1.11 per person in taxes annually. Kosovo government and other donors allocated notably more resources towards protection (€2,088,581) than prevention (€526,264) or reintegration and rehabilitation (€399,585). These approximations likely involve gross underestimates of the actual government funds expended addressing domestic violence. (KWN 2012)

The actual cost of domestic violence-related services following the legal frameworks is substantially more. In many areas, Kosovo institutions have not allocated any budget at all or the budget allocated was insufficient. This was due to many institutions' insufficient knowledge of responsibilities related to addressing domestic violence, poor performance indicators and inadequate coordination between budget, program and gender equality officers. Further, extensive secondary legislation and Standard Operating Procedures (SOPs) still must be adopted, requiring budget considerations. Thus, a very limited amount of funding is available for social services. This has an impact on the entire population although victims of domestic violence (among the most vulnerable) are arguably among the ones most negatively affected (KWN 2012).

5.2 Political Representation

In the political level, women are underrepresented despite having a 30% gender quota for the parliamentary seats.

The Law on Gender Equality calls for both men and women to hold at least 40% of positions at every level of decision-making. Nevertheless, this has not been aligned with the Law on General Elections in the Republic of Kosovo and with the Law on Municipal Elections in Kosovo, which both still calls for 30% participation. Despite improvements, women still remain very underrepresented both qualitatively and quantitatively in decision-making processes at every level. This is peculiarly true for women from minority ethnic groups and women with disabilities. Most decisions are made by male political party leaders, and democratic decision-making processes do not exist within most parties. (Orgut 2013)

In the last elections out of 22 cabinet members, only two women were appointed as cabinet leaders. One of them is Edita Tahiri from the Democratic Party of Kosovo, who has been appointed as State Minister and head of the technical talks between Kosovo and Serbia. The other one is Hikmete Bajrami as a Minister of Commerce and Industry. The parliament's steering committee will have no women at all. The three main parties will be represented by men. MEP and vice-president of the European Parliament, Ulrike Lunacek who is also a Kosovo-Rapporteur said that she is very disappointed by the composition of the government of the Republic of Kosovo, which only has two women in it. During a news conference delivered during her stay in Pristina, Lunacek said that the fact that out of 22 ministerial posts, only two of them are occupied by women "is a disappointment for both women and men". There have been promises by Isa Mustafa³ and Hashim Thaçi⁴ that there will be many women in the next government cabinet. "There must be an improvement and this is a disappointment" quoted Lunacek. Another interesting fact is that when the first agreement between Thaçi and Mustafa was signed, the US ambassador in Kosovo, Ambassador Tracey Ann Jacobson also demanded

³ Isa Mustafa: Current prime minister of Republic of Kosovo.

⁴ Hashim Thaçi: Former prime minister of Kosovo and current minister of External Affairs.

for the female gender to be respected along with her presence in the government. “It is difficult to the fact that the political scene in Kosovo continues to be dominated by men. But, women politicians in Kosovo offer the example of a peaceful society. We have women who are worthy to be trusted with the reins of power”, said Ambassador Jacobson after the announcement of the new government.

PDK lawmaker, Blerta Deliu, on the new government said that it is a difficult mission to be a woman politician in Kosovo. LDK lawmaker, Alma Lama said that she’s disappointed by the new composition of the governing cabinet, which contains only two women. She has warned the start of an incentive for the introduction of gender quotas in the government. During a speech at the Kosovo parliament Lama stated:

“We are all disappointed about the news that the current government cabinet of 22 ministers only has two women. No bigger discrimination could have been made. Since the list of the cabinet names was made public, I raised my voice inside of the party. But, it is clear that political parties forget about gender issues when it comes to dividing power. After the constant regress relating to the representation of women in the government, I believe that it is time to take concrete measures to change this situation. As of today, I will launch the incentive to introduce the gender quota in the government, the same quota that exists for parliament”

In spite of the numerous critics for the small participation of women in previous governments, PDK and LDK have not seen it fit to include more than two women in the cabinet. There have been promises in this aspect, but they have remained sheer words. It seems that high pressure within the party and the small impact of women on party leaders has led to this discrimination against them. This was a step back in gender equality especially considering that there was always international pressure to respect gender equality at least in the political sphere.

5.3 Sexism in the Media

One of the main roles of Kosovo’s Agency for Gender Equality is to monitor the media for the use of sexist language, promotion of gender stereotypes or any offensive attitude which can damage the image of women in the state. But they have failed to do so according to Igballe Rugova (Rugova 21/02/2015). Media serves as the main way of information in Kosovo, and it

has a significant impact on the population. The language that is used in regards to women in different mediums such as television, newspapers or online portals sometimes goes beyond sexism. They are a mirror of how society views them, but they also have a massive impact in creating sexist stereotypes and making the use of that language acceptable to the society. Although the Agency for Gender Equality is obliged to research within different mediums in order to have control over what is written or said, they have not taken any control measures when it comes to using sexist language or forcing gender stereotypes.

A group of women deputies highly criticized one of the TV station for using funny sounds in the background when covering one of their meetings. The TV station the next day not only refused to apologize for the incident, but they went even further using the same tunes while presenting the reaction from women deputies on another of their episodes. One online news portal published an article with the title “Ups President” using the female term for the president, in the Albanian language “Presidentë” showing a denigrating picture of the president for what the court had to take a decision to remove the article and the image from the site. One of the most popular newspapers named “Koha Ditore” or daily time in English, published an article about the Kosovo’s president meeting with German Chancellor Angela Merkel, with half of the article commenting on Kosovo’s president look (Koha Ditore 12/08/2014). The journalist was describing how her suit was perfectly covering her body lines and how well done her hair looked like trying to prove a point that she did not look like someone who is representing a country with the most negative social and economic indicators in Europe. One research conducted by Jeta Abazi “Situation of the media in Kosovo-Gender representation”, looked at how much are women covered in daily newspapers and what are the articles mainly about. Her research shows that women are mostly presented in newspapers as sex symbols; they are included in articles regarding love, showbiz, inside of crosswords and very rarely used in political, education or scientific articles (Abazi 2014).

It is also crucial the way the foreign women are presented including pop stars, actors and famous women that are not from Kosovo. They are presented in a way that creates a wrong perception of western women because in most cases they are presented as (amoral) and this has a negative impact in creating wrong stereotypes about western women which then makes people cautious about the international community’s influence in Kosovo.

CHAPTER 6: Women's Rights Activism

The ending of the war in 1999 saw a large amount of funding coming from UN and EU missions which created a new opportunity for women to engage in activism in promoting, empowering and protecting women's rights in Kosovo. Rugova stated that the high number of funding inspired her to open the Kosovo Women's Network, although she had been engaged in voluntary work before in regards to women empowerment. But the modern idea of Women's Rights and Human Rights, in general, was a new concept for the people of Kosovo. The establishment of women's rights framework from UNMIK opened the way for a lot of Women's Rights NGOs to promote the idea and engage in research. A lot of reports regarding women's rights were written in the last decade as a result of hard work from women's rights activists. NGOs adopted the concept of "framing" from UNMIK and went on to promote empowerment of women and promote gender equality. This was a new era regarding women's rights in Kosovo. Although despite many mechanism available to promote, protect and respect women's rights and the hard work of women's rights activists, the situation in Kosovo is still challenging in regards to women.

"Gender-based violence is one of the main issues that has been hard to address and unfortunately the number of cases has been only increasing during the years since the end of the war in 1999" (Rugova 21/02/2015). She believes that the current number of 45% unemployment in Kosovo affects both Men and Women, but the consequences affect much more the Women than Men. She gave an example of how the frustration of not being involved in the labor market within Men can be used on Women. The number of reported cases of domestic violence towards women only in 2013 was 869 cases. According to Rogova this is very concerning considering the number of cases which are not reported because of a mentality that dominates in the society where in most cases domestic violence is socially acceptable if it comes from one's husband.

Linda Sanaja from UN Women office in Kosovo, who is currently working in a project on domestic violence, was also concerned about the increased number of domestic violence cases. She stated that a lot of cases are not reported because the government has not been effective enough in creating mechanism for the protection of women who are victims of abuse (Sanaja

22/02/2015). Sanaja mentioned that their project had funded the establishment of two local offices that will serve as mechanisms for domestic violence prevention and protection of the victims. These two offices were established in two municipalities which they believed to be the ones with highest number of domestic violence cases, but they were working on establishing other offices in other municipalities as well. Both Sahatciu and Rogova mentioned that the government has not done enough to implement laws and regulations to protect women from domestic violence abuses.

In one of the reports published by KWN, Rogova quoted: "I'll never go to another conference. You know why? Because it's just words. You talk and talk, and these high-level people pretend to listen, but then they don't take any action. Then you go to another conference on the same topic two months later and say the same things again. I'm sick and tired of talking to people who don't listen. I want to see some action."(Farnsworth 2011: 8)

The unemployment number among women is also something to worry about. Rugova stated that some things were better concerning the situation of Women in Kosovo during the Yugoslavian time. Because it was a socialist system, the number of employed women was far better than the current number recorded from 2013 which shows that the number of employed women is 18% compared to 55% of men, although there are no official statistics during the Yugoslavian period because Kosovo was a part of Serbian Republic at the time (Rugova 21/02/2015). Another recently published report from Democracy for Development showed that "Women account for 61% (521,398 out of 853,265) of unused available working age individuals (inactive and unemployed). The pool of inactive women is twice as large as that of inactive men, about a third larger than the current pool of employed individuals" (Gashi & Rizvanolli 2015: 33).

One interesting thing that Rugova mentioned was that after the war patriarchy opened the doors for sexism in Kosovo, including media and politics. The image of women has been objectified not only in media and public opinion but now also in religious preaching and if we do not challenge this, it is going to be very difficult to achieve equality that we have been striving for all these years.

“On the bright side, women’s rights activism has been expanding more and more over the years with a lot of young people choosing a universal approach to combat gender inequalities and gender stereotypes and this makes me feel slightly better about the future of women in Kosovo” stated Rugova. (Rugova 21/02/2015)

Many women’s rights activists young and old reacted very aggressively after a controversial paragraph was noticed in the Criminology book written by Vesel Latifi, a professor at the University of Pristina. Latifi in his book defined victims of sexual abuse as: “women who are deceived easily, reckless, frivolous and loose” (Latifi 2009). This is an example of blaming the victim and not the perpetrator. This is best described by Berger and Luckmann’s own words: “social order is a human product, or, more precisely, an ongoing human production. It is produced by man in the course of his ongoing externalization. Social order is not biologically given or derived from any biological data in its empirical manifestations (Berger and Luckmann, 1967). In our case, the role of women has been institutionalized within cultural practices which reflect on the social reality in Kosovo. Blaming women for being subjected to sexual violence has become a part of the everyday reality through externalization process to the point that students have to learn such definitions at the university level.

Agon Maliqi argued that *“Women are exposed to double standards since birth. They are told that it is not ok for them to go out at night, or do certain things that are acceptable for Men but not for Women. And when someone grows up in an environment such as this, it is very hard for them to question this social order that has been dominating in Kosovo for years”* (Maliqi 22/02/2015). He also mentioned that whenever he gets involved in activities regarding gender equality and women empowerment he gets aggressive and negative responses from random people, and this example just shows the level of patriarchalism in Kosovo.

6.1 Challenging the Stereotypes

All of the informants from the women's rights background mentioned that the existence of strong gender roles in our culture makes it difficult for them to do the work they do and to promote values they believe are necessary for a democratic country. Besnik Leka project coordinator at Care International Office in Kosovo stated that Women grow up in an oppressive environment with preconceived ideas of roles and behaviors, while Men grow up being taught that they should be responsible for their wife's, sisters, moms and these gender roles are very strong embodied in our culture. Lorber and Farrell argue that "gender is such a familiar part of daily life that it usually takes a deliberate disruption of our expectations of how women and men are supposed to act to pay attention to how it is produced. Gender signs and signals are so ubiquitous that we usually fail to note them unless they are missing or ambiguous. Then we are uncomfortable until we have successfully placed the other person in a gender status; otherwise, we feel socially dislocated" (Lorber & Farrell, 1991: 4). This is why Besnik and his colleagues at CARE have been working on a project specifically tackling gender stereotypes, and they have been mostly working with Men. They also organize workshops in primary and high schools, talking about differences between gender and sex and trying to raise awareness of the gender stereotypes that exist in our society.

Besnik and CARE have created a men's club called "Be a Man" which is a word often used to describe the masculinity and the pride of a traditional Albanian Men. This club consists a number of young guys who occasionally do activities which in our society are considered as "women related activities" or feminine, such as housework, cooking, cleaning, ironing, taking care of young children. They have been trying to reach the media and the general audience in order to make people question their attitudes and prove their point that gender stereotypes should not exist in a modern society and that a Women can do anything that a Men can and the same way around. They also made a documentary about the Men's Club (Be a Man) which was broadcasted in the National Television. During the international women's day they went to the main boulevard in Prishtina, cooking for people, ironing, sawing and doing other activities, they also cooked for most of the events during the "16 Days without Violence Campaign".

According to Lorber and Farrell (1991) the gender construction starts since birth where the babies are dressed or adorned in the way that displays the category because parents do not want to be consistently asked whether their baby is a girl or a boy. A sex category becomes a gender status through naming, dress, and the use of the other gender markers. Besnik believes that as a society we should free our mind from these stereotypes in order to have gender equality in the country which he insists is not something that would benefit only Women, but it would take a lot of pressure from the Men as well because of the existence of this idea that men should always be the one taking care of the family.

Gender stereotypes also contribute to the moral panic. Due to a long period of time of isolation during the Yugoslavian regime and the Serbian oppression, for a country such as Kosovo that suddenly became an independent democracy was a bit of a cultural shock according to Maliqi (Maliqi 22/02/2015). “That is mostly because Kosovo was exposed to Globalization at a time where it had almost reached its peak, and for the people of Kosovo it will take some time to get used to the unknown and new progressive ideas”(Maliqi 22/02/2015). Culture and religion on the other side will always make it difficult to change this mentality because it is strongly attached to the people’s identity. Berger and Luckmann describe the reality of everyday life as an ordered reality. Its phenomena are prearranged in different patterns that seem to be independent of one’s apprehension of them, and that force themselves upon the latter. The reality of everyday life appears already objectified, that is, made up by an order of objects that have already been designated as objects before my appearance on the scene (Berger and Luckmann, 1967). In the case of Kosovo the reality of everyday life of what people were used to suddenly appeared to confront the new era of globalization and democracy with the international community helping with the establishment of a governing body and general state building. This new reality had both positive and negative effects, according to Maliqi. On one side, it encouraged a new generation of women to start fighting for their rights and raise awareness of inequalities in the society. But on the other side it also initiated pragmatic reactions from religious leaders and the general population that western ideas are being imposed in our society and these ideas are dangerous for our cultural and religious values.

CHAPTER 7: Religion

7.1 Background on Religion

Kosovo is a secular republic with a very modern constitution adopted in 2008. The majority of the population is Muslim with Islam being dominant religion in the country. According to the official website of the Republic of Kosovo, 90% of the population in Kosovo is Muslims, 6% Orthodox, 3% Catholic and 1% other religions and beliefs.

Article 38 in the constitution of Kosovo states that:

1. Freedom of belief, conscience and religion is guaranteed.
2. Freedom of belief, conscience and religion includes the right to accept and manifest religion, the right to express personal beliefs and the right to accept or refuse membership in a religious community or group.
3. No one shall be required to practice or be prevented from practicing religion nor shall anyone be required to make his/her opinions and beliefs public.
4. Freedom of manifesting religion, beliefs and conscience may be limited by law if it is necessary to protect public safety and order or the health or rights of other persons.

The law provides that this right is protected by the state institutions. Article 8 in the constitution makes it clear about the secular status of the republic stating that: The Republic of Kosovo is a secular state and is neutral in matters of religious beliefs.

Many Albanians view Islam more as a part of their culture and a way of living rather than a belief or faith. But since the independence from Serbia, things seem to have changed in this aspect. People started to engage in Islamic activities more and more. Islamic leaders gained more recognition than they used to have before. Imams started using the internet and social media to spread their religious messages which saw Islam increasing in followers and popularity.

Many academics and political analysts interpreted this to be as a result of a bad economical situation taking place in Kosovo. Having an unemployment rate of 45%, many people presume

that people started using religion as a way of escaping the reality and spending the time dedicating to a cause which they believe will make their life better and also they see it a way of socializing and engaging in something that they believe in. Islamic Community of Kosovo (ICK) which is the institution that represents Muslims of Kosovo uses *Hanafi* school of thought. According to information book published by the Islamic Community of Kosovo the objective of the Islamic Community of Kosovo is to plan, organize and control religious life inside the territory of Kosovo. The book clearly states that "For organizing religious life, it is organized based on the constitution of the ICK". This constitution is based on the teachings of the Holy Qur'an and the *Sunnah* of the Prophet Muhammad (peace be upon him) as the main source and follows the *Hanafi* school of thought. (Shkodra & Mehmeti 2013).

But in the last four to five years, Kosovo saw a rise of extremism in Islam similar to groups so called *Wahhabis* or as they often prefer to be called *Salafis*, standing against international influence upon Kosovo, calling for boycott of the international community, viewing it as a threat to our Islamic values and norms.

Salafi is an Islamic movement which has been variously described as orthodox, ultraconservative and fundamentalist, movement" to restore pure monotheistic worship by scholars and advocates and as an extremist pseudo-Sunni movement by opponents (Wiktorowicz: 2006).Salafism takes its name from the term *salaf* (predecessors) used to identify the first generation of Muslims, who, its adherents believe, provide the epitome of Islamic practice not influenced by the western values. *Hanafism* different from *Salafism* it is an ideology that it adapts time and circumstances. It is the main school of thought used in the majority of the Muslim countries including Turkey, Balkan region, Lebanon, Iraq, India and most part of the central Asia.

Tensions within the wider Islamic community in Kosovo over control of mosques or other religious institutions likewise have been witnessed. For example, an elderly imam in the region of Drenica was attacked in January 2009 by numerous bearded *Wahhabis* from the area in an act of intimidation believed to be associated with a desire to "take over" the mosque.

In 2012 one of the most popular magazines not only in Kosovo but around the Balkans called *Kosovo 2.0* which is also an online portal, prepared to launch their third yearly magazine with the

topic of “sex”. The magazine had a lot of articles, studies and stories from LGBT community and was aiming to raise awareness about the LGBT community in Kosovo, something that was not covered before at this scale. The staff of the magazine was suppose to launch the new number as they do each year inviting guest speakers and audience making it more entertaining. Just before the event took place a group a religious extremists busted in the location where the event was about to take place and completely destroyed everything and used violence towards some of the staff members who were mainly women, while yelling “Allahu Akbar”. Just a few moments later about 300 people gathered in front of the building, throwing stones and saying: “Do not teach our children how to be gay, because this is against our religion”. This was the first time in Kosovo that religious extremist took it this far, and since then Islam saw a rise in power and influence and managed to be a part of a public debate more than ever before.

The situation went that far to a point where a group of, believed to be around 200 people traveled to Syria to fight for the ISIS, and the government assumed that they were influenced by local Imams. This saw about 10 Imams getting arrested in charges of hate speech and influence on terrorism. Many people questioned both the government and the Islamic Community of Kosovo about the situation and the government seemed to have no logical explanation on how or where did these extremist views came from. Since most of the population considers themselves culturally Muslim, to most of them it is irrelevant of what the Imam’s were preaching and teaching in the Mosque and Religious Schools. According to Berger and Luckmann ones knowledge of everyday life is structured in terms of relevances. Some of these are determined by immediate pragmatic interests of ones, and others by ones general situation in society. (Berger and Luckmann, 1967).

But a report on Kosovo published by American Foreign Policy Council shows that many Islamic charities organization originating from Saudi Arabia donated large amounts of money for the rebuilding of the Mosques after the war. Initially they allocated around 22.5 million American dollars to Islamic Community in Kosovo (AFPC 2013). One of the well known professors of Philosophy in Kosovo, Blerim Latifi, in a televised religious debate stated that: “*These extremist practices have Salafi influence which came from suspicious funds coming from Salafi organizations*” (Latifi 2014).

7.2 Islam Effecting Women

Unfortunately women became one of the main targets of this extremist era. Imams in a fear that women in Kosovo are being brainwashed by the western influence they started engaging on topics regarding women more often. Many of prominent Imams have their own shows either on TV or online, and they also use recording videos to talk about different topics regarding Islam. Some of them would also record their lectures in the mosques and post them in their YouTube channel online, which they use to attract more audience. In many of these videos the Imams would appear answering questions being asked through internet from the general audience and they would include question from all the aspects. One of the questions asked to Imam Bedri Lika was: Can men forbade his wife to work? The Imam answered that, *“yes the man can decide for himself if he wants to allow his wife to work or not and is advised not to allow her to work because women should be doing house work and serve his man”* (Lika 2014).

Imam Shefqet Krasniqi who is probably the most influential and popular amongst Islamic community is the Imam of the biggest mosque in the Kosovo capital Pristina. He has an unlimited number of videos discussing about women in Islam. People ask very personal questions to him through internet which shows how much authority Imams have, that people even ask about what to do in different situations with their wife's. In one of his videos he is asked by someone whether it is acceptable to beat his wife for not obeying him after he comes from work. The Imam answers using very demeaning attitude that *“He feels bad for him, because a women should not sit all day, but instead should obey her spouse and know what her spouse wants”* (Krasniqi 2014).

Because their influence is increasing each year, these kinds of interpretations and videos can have a very negative impact in the development of women's rights and gender equality. Imams receive an enormous respect from the religious community and people respect their word and do not take it for granted or question it. Imam Irfan Salihu uploaded a video of 47 minutes material called “Women's duties towards the Men”. He was highly criticized from feminist groups and women rights NGO's because in one of his videos he called women who have intercourse before marriage “whores” and asked for the men to throw them like a trash. This type of language was

considered as hate speech and demeaning towards women. Yet the government took no actions, stating that this is a free speech, and freedom of religion.

The head Imam of the Islamic Community of Gjakova stated that he agrees with what their colleagues Irfan Salihu and Shefqet Krasniqi are saying without necessarily agreeing with the language that they used. He stated that what women today are doing is embarrassing and calling ideas such as cohabitation without being married “unethical and immoral” (Koshi 17/02/2015). He admitted that globalization has played its part to this situation which according to him is embarrassing what some women do today. When asked about international influence on Kosovo laws and conventions ratified to empower and protect women, he stated that: *“they are necessary because we should take also what’s good from other European countries but in scenarios of clashes between these modern ideas and religious values he said that our moral values should be protected by any means”* (Koshi 17/02/2015).

7.3 Islamic Education and Ideology

Imam Flugaj mentioned that the Islamic Community has been constantly lobbying for the inclusion of Islamic Studies in public school which according to him is something very necessary for our society. This is a very interesting point to analyze coming from an Imam of Islamic Community’s in Kosovo. The idea that they have been asking for Islamic education to be adopted as a subject in primary and high school shows that they believe that it is a way to keep the Islamic values that we possess and pass them to the younger generation, through teaching it on the school. Berger and Luckmann explain the three step process of externalization, objectification and internalization as a chain of how society is constructed. Including the Islamic studies in primary school and high school is a form of an objectification process which is explained by Berger and Luckmann as a process through which the externalized products of human action are objectified or attain the character of objectivity. The objectivity of the externalized world is a humanly produced, constructed objectivity. “The institutional world is objectified human activity, and so is every single institution. In other words, despite the

objectivity that marks the social world in human experience, it does not thereby acquire an ontological status apart from the human activity that produced it”

This situation creates a paradox in that humans create a world that they later experience as something other than human-made. However, this relationship—between the creators and users of the institution and the product (the institution, itself)—remains an ongoing one. “The product acts back on the producer. Externalization and objectivation are moments in a continuing dialectical process” (Berger and Luckmann 1967).

Assuming that Kosovo would adopt the Islamic Studies in primary schools and high schools, students will be taught that:

“Men are in charge of women by [right of] what Allah has given one over the other and what they spend [for maintenance] from their wealth. So righteous women are devoutly obedient, guarding in [the husband's] absence what Allah would have them guard. But those [wives] from whom you fear arrogance - [first] advise them; [then if they persist], forsake them in bed; and [finally], strike them. But if they obey you [once more], seek no means against them. Indeed, Allah is ever Exalted and Grand.” - Surat An-Nisa’ [verse 34]

This is one of the verses in Surat An-Nisa which is a chapter in the Koran mostly dedicated to women and women’s duties to the Men. One can argue that no matter how culturally meaningful this can be to the society and how important religion is to the identity of Albanian people, verse 34 does legitimize the violence against women by religious standards. When asked to the head imam of the ICGJ about this particular verse, he responded stating that “striking” the women is the last option. He argued that the term strike or beat should be understood more as a figure speech and not literally, and that there are other steps of measures which are explained in the verse which are advising them and forsaking them in bed. “*A mentally healthy person after being advised would understand and behave, and if it comes to the striking this does not mean that you should beat her hard as some people might understand*” stated (Koshi 17/02/2015) failing to justify how is this gender equal where the same thing does not apply to the Men per say. But unfortunately that is only one example that derives from Islam and is considered oppressive and offensive to the universal human rights where violence against women is something completely unacceptable.

Other examples in Islam that can potentially clash with the modern women's rights regime include versus legitimizing polygamy: such as Verse 3 in Surat An-Nisa which says "*And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one or those your right hand possesses. That is more suitable that you may not incline [to injustice].*" Verse 282 "*Bring to witness two witnesses from among your men. And if there are not two men [available], then a man and two women from those whom you accept as witnesses - so that if one of the women errs, then the other can remind her.*"

Imam Rrustemi from Lipjan mentioned that very important values to our religion besides Koran are Mohamed's hadith's or teachings. He stated that if we do not find something in the Koran we can find it in the Mohamed's hadith's, mentioning one of his teachings that says: Who has three daughters, and raises them in a good way, educates them and treats them with care have automatically earned themselves the entry to heaven. This sounds nice to when you read it, but then again you would have to argue on the interpretation of the hadith. Treating them with care and educating them can still mean, limiting their freedom in order to protect them from what they consider to be haram or educating them to grow up and be ok with violence being used upon them by their significant other if they do not obey. And again it is one of the Mohamed's hadith that says: "A people who make a woman their ruler will never be successful"- Reported by Al-Bukhari, the book of Judgments.

Another practical example of clashes between religion and the state is the case of *hijab* which according to the state regulations it is forbidden to wear it in public places before you are 18 because 18 is considered as the age of maturity. Islamic Community of Kosovo in the other hand have been lobbying to change this regulation with the arguments that is against the freedom of religion and in this case it violates their religious regulations because according to Islam the women should start wearing the *hijab* when she gets her first periods, but despite the fact that around 94% of the population considers themselves Muslims, Kosovo is a secular republic and has been denying Islamic Community's request claiming that according to the constitution 18 is the age of maturity. This is still an ongoing debate and is yet to be seen how this situation will be resolved.

The head Imam of ICGJ commented on the *hijab* stating that “*most people consider it as a fanaticism of Men but that is a misconception. The hijab is very important for the protection of women and preventing women not to do dirty work. Women who wear the hijab can do anything that women without a hijab can, but the advantage is that women who wears hijab cannot go and do something wrong because it will drag the attention of people*” (Koshi 17/02/2015). A God fearing person will not do something wrong so the idea of carrying a *hijab* pressures the women not commit immorality. And again one thing missing from all the religious justification of any question asked on women is the fact that Men are not restricted to any limitation women are and as the verse 34 states: “Men are in charge of women”. So in a way Men is held responsible for women’s protection against immorality. But if women do something wrong according to Islamic standards and values then she is the one to be held responsible and not the Men which in a way contradict the whole idea of responsibility. Victim blaming is a very popular term within the women’s rights discourse, whether that’s concerning religion or tradition and values, women often tend to be blamed for being a subject of a domestic violence, sexual assault etc.

Social psychologist Melvin Lerner began investigating how observers respond to victimization in the 1960s. He found that when these observers felt unable to stop other people’s suffering, they began to blame the victims. They could do so because they believed in a “just world,” which is based on the idea that the world is a just place, where people’s actions are rational and have predictable consequences. This is a vision that reduces anxiety in a world that in reality is full of unexpected, uncontrollable developments. Those who believe in a religious interpretation of just, believe that people get what they deserve, that is, if they are women victims of rape, if they are sick, and if they are poor, it must be because they have done something to deserve being raped, being sick and being poor. These are sexist and unjust assumptions, and those who make them, must prove them, if they can.

Lerner wrote a book in 1980, *The Belief in a Just World: A Fundamental Delusion*, to explain his theory, which connected in interesting ways with the work of American sociologist William Ryan. In 1971, Ryan had published *Blaming the Victim*. One definition of “blaming the victim” that Ryan proposed was, “justifying inequality by finding defects in the victims of inequality.” For this sociologist, what was at work here were the bias and prejudice founded on stereotypes, those fixed ideas about people or actions that do not accurately reflect reality, but take a life of

their own. Stereotypes help making sense of injustice by blaming the victims, rather than the more powerful forces that cause injustice (Lerner 1980).

Conclusion

In the exercise of UN mandate, the international mission will face the daunting task of presenting their policies and the institutions it establishes as endogenous to the local society. In such a context, there is a risk the administrator to be seen as a colonizer and the whole process as illegitimate. For example, according to an internal UNMIK document, one of the lessons learned from the experience of the UNMIK administration of Kosovo, is that “the Mission demonstrated a lack of cultural sensitivity and an insufficient understanding of the dynamics of the society, in terms both of power structures and of negotiations.” Hence, “cultural sensitivity and understanding of local society must be the guiding principles for policy planning and implementation” for future civil administration missions (UNMIK 2007).

Kosovo represent a unique example of sets of rules implemented from the outside. But in terms of current mechanism available, UNMIK was very successful in managing to establish all those frameworks which can be used as tools in future to empower women despite being imposed. It is highly unlikely that Kosovo government will change any of these laws, especially considering the fact that they are aiming to join the European Union in the near future.

In regards to the two groups’ interviewed for this project these mechanisms represent different things. For the women’s rights organizations they created opportunities, support, and inspiration in accordance with international trends. For the Imams on the other side these mechanisms are seen to permit and even encourage activities prohibited by the Koran in an attempt to maintain cultural relativity and maintain moral values.

To answer the first research question, it is obvious that there is a massive gap between mechanisms available and the situation of women in practice. The statistics showed in this report conclude that such imbalances exist. This is mostly because the government of Kosovo who succeeded the UN mission failed to put any of these mechanisms to practice.

In regards to my second research question, it is quite hard to draw a conclusion whether the international community had any negative effect or not. But if they were not the cause of this moral panic planted in Kosovo, they were definitely contributors. Most of the interviewees hinted that UN definitely has had an effect, but in the end it is a mixture of UNMIK and Globalization. It is no doubt that Religion plays an important role in the identity of ethnic Albanians, but I believe that the Islamic Community of Kosovo should have more control on what Imams preach in their respected Mosques. Some of the statements from these Imams can have a very negative effect on women considering that they have a great level of respect from the religious community and they do influence the public opinion. Regardless of the importance and the following of Islam, it seems that most people and institutions do not pay enough attention to dogmatic part of the religious ideology. There is a lack of knowledge when it comes to Islam as an ideology.

I experienced this myself on the process of my field work that many people I engaged in conversation with or interviewed a part from the Imams, were surprised with some of the content that you find in the Koran in my case the verses in regards to Women. That made me understand, that lack of knowledge of Islamic ideology has a slightly negative effect in the society, mostly for the fact that it does not give people a base to question the belief enough and on the other side it gives more power and authority to Imams to interpret it in the way that better suits them. Donnelly (1984: 412) states that “traditional practices and values all too often are a mere cloak for self-interests or arbitrary rule”. He gives some examples including a case where President Hastings Kamuzu Banda utilized traditional courts in order to deal with political opponents outside of regular legal system and argued that such procedures have not the slightest connection with authentic traditional practices (Donnelly 1984). One should be aware of such examples in order to understand that Muslim leaders in Kosovo can use the same excuse to increase their power and authority and use that for their own self-interest rather than for the benefit of religion.

Every state, province, nation has their unique history which shapes their social norms their behavior and the way of understanding things, in order to make them question things that according to universal human rights are considered to be violations of such, first one need to carefully understand the culture, history and how the society operates. Certainly, robust accountability mechanisms along with cultural sensitivity and a bigger local ownership of the process can help an international mission garner a certain degree of legitimacy.

Recommendations

Drawing on the conclusions I would recommend some points to be taken into a consideration when dealing with similar issues.

It seems as the presence of strong gender roles and stereotypes can somehow create a barrier for women to access their rights given by the state. Breaking these stereotypes in a society that has been isolated for a long period of its history, it takes a little time for people to start questioning the gender roles and the morals of the society.

EXAMPLES OF BEST APPROACHES

The best approach so far seems to be by aiming directly at breaking the gender stereotypes through different activities such as Care International and Besnik have been doing.

NEED FOR BETTER EDUCATION

The lack of formal education makes it hard for a lot of people to even understand what human rights are, and there seems to be a big gap between human rights as an academic sphere and human rights in practice. The development of human rights has been quite outstanding since the Universal Declaration of Human Rights, but I believe there should be more focus on practice and raising awareness on what human rights are and what do they serve for. Anthropology as a discipline is very important to human rights practice, and it should be used vastly in countries where there are clashes between universal human rights and cultural traditions.

INTERNATIONAL FUNDERS

International funding organization should aim at funding more projects focused on human rights practice, such as workshops, different activities that aim to educate, inform and make people question the social norms that they are brought up with. There are a lot of funding going to research which is very important for the developing of the state but in countries such as Kosovo, research reports often end up in a deaf ear, meaning that the state is not interested in analyzing and using them and the only part of the population that will put them into use are people who are engaged in civil society. The language of those reports is often very difficult to understand from

an average citizen because of the educational level in the country, but in the other hand it is required as a standard from the funding organizations.

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