

MEDIA REPORTING ON DOMESTIC VIOLENCE AGAINST WOMEN IN REPUBLIC OF ALBANIA

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ABSTRACT

Domestic violence against women is a global infestation that transcends boundaries and occurs in all cultures and societies around the world. Albanian society has had a long history of male domination, a reflection of the strong patriarchal traditions of the Balkans. The roots of maltreatment of Albanian women by men date back to the 15th century and are connected with the traditional code of customary law known as the Canon of Lek Dukagjini. Forty years of communist rule in Albania (1946 – 1991) did not completely eradicate the deep-seated patriarchal attitudes, including those related to the Canon of Lek Dukagjini. During the communist period, ideological doctrine formally promoted women's equality. However there was a gap between the promoted equality and the reality of everyday life. Since 1991, the Government of the Republic of Albania has ratified numerous important conventions in this field. Albania developed a national strategy for gender equality and the reduction of gender-based and domestic violence for 2011-2015. Nevertheless domestic violence against women remains a widespread issue for the Albanian society. Violence against women is often in the news, whether it's in the papers, on the radio or on TV. It is vitally important that the media get their reporting about violence against women right. The media has a vital role to play in increasing public understanding of violence against women and challenging its place in our society. However, stories about violence in the home are often trivialized as domestic matters and misogynist violence and honor killings are dismissed as cultural norms. Most disturbing is the disproportionate coverage of sensationalized violence. The paper aims to analyze the media reporting and narrative of coverage of domestic violence cases. The media reporting of domestic violence remains problematic, even though there has been improvement since the Law on Audiovisual Media in the Republic of Albania entered into force in 2013.

Keywords: Domestic violence against women, customary law, media reporting.

INTRODUCTION

Domestic violence against women is a global infestation that transcends boundaries and occurs in all cultures and societies around the world. Albanian society has had a long history of male domination, in which women were taught to obey their husbands and accept their submissive roles, a reflection of the strong patriarchal traditions of the Balkans (Gjipali & Ruci, 1994).

During centuries, Albanians developed an entire corpus of norms, unwritten rules and customs, serving as a general regulator of the social organization of the Albanian people in every field of life. Rates of Albanian customary law are summarized in canons, the most influential of which, is the Canon of Lek Dukagjini. The roots of maltreatment of Albanian women by men date back to the 15th century and are connected to the traditional code of customary law known as the Canon of Lek Dukagjini (UNICEF Report, Mapping of Existing

Information on Domestic Violence in Albania, 2000). According to Canon rules, a man had the right to beat and publicly humiliate his wife if she disobeyed her husband. The Canon specifies that a man might even kill his wife for two reasons: infidelity and betrayal of hospitality (Article 31 of the Canon of Lek Dukagjini).

Forty years of communist rule in Albania (1946 – 1991) did not completely eradicate the deep-seated patriarchal attitudes, including those related to the Canon of Lek Dukagjini. During communist period, ideological doctrine formally promoted women's equality. However there was a gap between the promoted equality and the reality of everyday life.

Domestic violence emerged as an issue of concern in the 90's when Albania was undergoing significant political and social change. Although domestic violence existed long before this period of transition, it reportedly escalated in the 90's. The sharp economic decline, high unemployment rates, escalating social unrest had a great impact on people's lives and influenced the escalation of domestic violence. The democratization process that started in the country opened Albania to foreign assistance, expertise, and investment as the country began the process of transitioning and reforming its economic, legal and political structures (Haarr & Dharmo, 2009).

With the opening of the country came an influx of international organizations to support the reform and reconstruction, and an emergence of nongovernmental organizations (NGOs). With the assistance and expertise of international organizations and under the pressure of women's right NGOs, the country began the process of adapting its legislation in order to prevent and reduce the phenomenon of domestic violence against women, and to offer a better protection to the victims of domestic violence.

Violence against women is the most pervasive yet least recognized human rights abuse in the world (Baban, 2000). Thus, in the international arena, only in 1993, at the UN World Conference on Human Rights in Vienna, violence against women for the first time was recognized as a violation of women's human rights (Article 18 of the Vienna Declaration and Programme of Action). The United Nations General Assembly, in December 1993, adopted the Declaration on the Elimination of Violence against Women. Other international mechanisms of protection of women against violence would follow.

Since 1991, the Government of the Republic of Albania has ratified numerous important conventions in this field. The new Constitution of 1998 advanced the principles of equality and non-discrimination, as well as promoted protection and respect for human dignity, rights and freedoms. The Criminal Code was amended in March 2012 to criminalize domestic violence, prescribing a punishment of up to five years imprisonment for the perpetrators (Article 130/a of the Criminal Code). Albania developed a national strategy for gender equality and the reduction of gender-based and domestic violence for 2011-2015. Nevertheless, domestic violence against women remains a widespread issue for the Albanian society.

The media plays a crucial role in shaping our world; and journalists' words have a lasting impact, this is the reason why the way media reports on domestic violence is very important. As Malcolm X once said "The media's the most powerful entity on earth. They have the power to make the innocent guilty and to make the guilty innocent, and that's power. Because they control the minds of the masses"

LITERATURE REVIEW

Since 1991, the Government of the Republic of Albania has ratified numerous important conventions dealing with the phenomenon of violence against women, including: UN Covenant on Civil and Political Rights (ratified on 4 October 1991); UN International Covenant on Economic, Social and Cultural Rights (ratified on 4 October 1991); UN Convention on the Rights of the Child (ratified on 27 February 1992); UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (ratified on 11 May 1994); UN Convention on the Elimination of all Forms of Discrimination Against Women (ratified on 11 May 1994); European Convention for the Protection of Human Rights and Fundamental Freedoms and the related Protocol to the Convention of the Protection of Human Rights and Fundamental Freedoms (ratified on 10 February 1996); European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ratified on 10 February 1996); the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (ratified on 4 February 2013).

In 2006, the Albanian parliament passed the first domestic violence law in Albania. The purpose of the law, entitled “On Measures against Violence in Family Relations,” is to prevent and reduce domestic violence in all of its forms by appropriate legal measures, and to guarantee protection through legal measures to members of the family who are subject to domestic violence, paying particular attention to the needs of women, children, disabled, and the elderly. The law “On Measures Against Violence in Family Relations” clearly defines domestic violence as “any act of violence (i.e., any act or omission of one person against another, resulting in violation of the physical, moral, psychological, sexual, social, and economic integrity) committed between persons who are or used to be in a family relation (Article 3 of the Law on Measures against Violence in Family Relations).

It is important to note that this law also provides protection measures against domestic violence, including court ordered protection orders (a decision that is issued by a court providing protection measures for the victim) and emergency protection orders, a temporary court order that is valid until the court issues a protection order. In 2010, the law “On Measures against Violence in Family Relations” was amended. The amendments included a commitment to set up a national centre for services of social care for victims of domestic violence. It also included a focus on confidentiality of victim’s personal data and information. Even though, Republic of Albania is a member state of all International legislation that addresses the rights of women as well as a member state of the more specific ones on domestic violence, and has taken important steps in the effort to amend its legal framework in line with International legislation, violence against women and domestic violence in Albania, continues to rise. The first national population-based survey on domestic violence was undertaken in Albania by the National Institute for Statistics for the Republic of Albania (INSTAT) in 2007. One of the main findings of this survey was that at least 56% of women between 15 and 49 years of age had experienced domestic violence in their marriage or intimate relationships. More specifically, 50.6% of women experienced emotional violence, 39.1% experienced psychological violence, 31.2% experienced physical violence, and 12.7% experienced sexual violence in their marriage or intimate relationships (Haarr & Dharmo, 2009).

A second attempt to measure the extent of domestic violence in Albania was done in 2013. The data of the survey shows as many as 59.4% of women between 18 and 55 years of age

had experienced domestic violence in their marriage or relationship. 58.2% of women between 18 and 55 years of age experienced psychological violence, 23.7% of women experienced physical violence and 7.9% of women experienced sexual violence in their marriage or intimate relationship (Haarr, 2013).

The main challenge in present Albania is not the absence of legal rules against domestic violence, but the lack of efficient application of them (Vokshi & Rustemaj, 2013). It appears that much more needs to be done in terms of development of coordinated community responses to cases of domestic violence against women and awareness-raising efforts to prevent domestic violence. In this sense the role of the media is crucial to the issue of violence against women, both in terms of how media cover, and often distort the issue, and how media may be used as a tool to help activists and governments raise awareness and implement programs on this issue.

The Law on Audiovisual Media in the Republic of Albania entered into force in 2013. It mandates that radio-television activity shall impartially comply with the right to information, political and religious beliefs, personality, and dignity and with other human fundamental rights and freedoms. Broadcasts are not allowed to incite or justify use of violence (Article 4 of the Law on Audiovisual Media). This implies that the media coverage of rape or other violence cases should be done with respect for the dignity and personality of the victims of domestic violence.

The Importance of Media Reporting on Domestic Violence

Domestic violence against women remains a widespread issue for the Albanian society. Dealing with domestic violence is distasteful to most. People simply do not want to get involved. They salve their consciences by assuring themselves that “it’s a private thing,” or, “it’s none of their business.” But silence is the enemy. The silence of victims prevents help from coming to them. The silence of those who suspect abuse prevents victims from gaining the encouragement and support needed to make changes in their lives.

Violence against women is often in the news, whether it’s in the papers, on the radio or on TV. It is vitally important that the media get their reporting about violence against women right. The media has a vital role to play in increasing public understanding of violence against women and challenging its place in our society. However stories about violence in the home are often trivialized as domestic matters and misogynist violence and honor killings are dismissed as cultural norms. Most disturbing is the disproportionate coverage of sensationalized violence. As Frieda Werden of the Women's International News Gathering Service (WINGS) points out "Men's violence against women is treated like a "dog bites man" story and women's violence against men as a "man bites dog" story (www.wings.org).

The media not only informs the audience about what happens, but any public opinion turns into a pure media promotion. Therefore each consumer of media "product" regardless of individual perceptions is influenced by the way the media disseminates the message. Often stories that reflect the use of violence and that focus on women are treated by the media as sensational phenomena. And this definitely attracts audiences. Media reporting of gendered violence can trivialize or sensationalize, as well as over simplify what are very complex issues.

There is much debate about whether the media shapes societal views or simply mirrors them – and in terms of violence against women, whether the media sometimes over simplifies stories because the public is not ready to accept the scale or complexity of the problem or whether in fact, the public takes its cues from the news it reads, hears and listens to every day. One thing is certain: violence against women is a hugely prevalent and complex social problem, and the media can play a key role in ensuring the public knows and understands that (Handle with care: A guide to responsible media reporting of violence against women).

Media plays an important role in the formation of attitudes and values of individuals, as well as, serves as a useful instrument for social change (Council of Europe Recommendation on Equality between Men and Women in the Media, No.R 84-17). Protection and representation of women rights should be the main objective of the electronic and written media and states should promote a balanced and non-stereotyped portrayal of women in the media (Platform for Action of UN Fourth World Conference on Women, Beijing).

The potential and influence of media outlets on the audience should serve to prevent or cure some social wounds that are problematic for the society. Given the fact that the media promotes and monitors the development of public debate, media should not be limited to coverage of the case of violence, but must do a thorough analysis to sensitize the audiences. But what's really happening?! The way the media reports on domestic violence against women affects the audience emotionally. When the public comes into contact with visual images depicting violence it positions itself in the role of the victims. Therefore, this phenomenon should be treated with responsibility and sensitivity by the journalist.

As indicated by the BBC guide for journalists on domestic violence, photos efficiently transmit the terrible truth of a situation of violence, and video footage provokes an even greater tension. For this reason it is necessary to edit the intensity and the degree of repetition in the next news editions. The television uses images as primary means of transmitting and images have the power to fix the event in time and space. When a prestigious media disseminates on the screen the image of a violated woman it should take into consideration not only the sensational effect that the image will cause. Even if the audience grows, the sensational effect does nothing for the victim and the victim can conceive it.

Media Reporting on Domestic Violence in Albania

Data obtained from the General Directorate of State Police, Department of Public Security reported that the number of domestic violence cases brought to police significantly increased from only 94 in 2005 to 2,526 in 2012. In addition, the number of lawsuits for protection orders increased from 0 in 2005 (protection orders were not available in 2005) to 1,234 in 2010 and 1,562 in 2011. This increase signals growing public awareness and confidence in the legislation related to domestic violence and social assistance available to victims and survivors of domestic violence. In 2011, the first government-run shelter for domestic violence victims was also opened in Tirana. However, the phenomenon is in continuous rise. During 2014, 14 women lost their lives to domestic violence. During 2015, 11 women fall victim to domestic violence.

Despite the significant gains in promoting gender equality and addressing domestic violence in Albania, too often cases of discrimination and domestic violence against women fail to reach the police and courts because women who are the victims of such discrimination and violence do not know their rights and too often do not have the courage to come forward and

seek assistance and support. Some of the factors that favor violence are: the low level of education, the difference in age, the economical status, geographical factors, jealousy or moral formation (Haarr, 2013).

The most serious consequence of domestic violence against women is the denial of their human rights. Continuous violence and inability to cope with pressure can bring death or suicide of the victim. Undoubtedly the greatest fault lies with the perpetrators of violence, but the media has an important role in this matter.

The language used, especially by the press, in some cases is too exaggerated and contains a lot of literary nuances. We have witnessed bombastic newspaper headlines such as: *"Shakespearean murder"* or *"When love is shown with an axe"* (Newspaper "Koha Jone" dt.12.06.2007); *"Because of jealousy a 35-year-old slaughters his wife with a knife"* (Newspaper "Shekulli", 12.04.2008); or *"Hits his wife with an adze - "She offended me in front of others"* (Newspaper "Panorama", 08.02.2007). These cases not only do not analyze the problem in depth, but create a kind of acceptance and legitimization of the acts of violence. If the media itself uses unethical statements such as: *"... kills his prostitute sister" or "prostitute mother"* then what should we expect from the broad mass?!

Headlines like *"Domestic Violence: 100 Cases In Four Months in Fier"*; *"Domestic Violence: 202 Cases In Four Months in Elbasan"* which are accompanied by stories that rather telegraphically report on figures provided by public authorities fail to investigate deeper as to the underlying factors and reasons of such violent reality, thus creating the wrong impression of violence being a daily normality. Other examples of insensitive language are found in the following titles: *"Tropoja: A Woman Kills Two People"*; *"Jealous Woman Hits Husband with Hatchet Following Tiff"*.

The public accepts violent scenes in action and thriller movies where the events are far from reality. The use of violence cannot be considered as a normal phenomenon, therefore underestimating the consequences of violence increases the risk that they become acceptable. The media should be careful in transmitting scenes of violence that could be easily imitated and that involve tools that are easy to find such as: knives, hammers, picks, etc. Footage that transmits scenes of violence should be broadcasted at specific times. The reporting of violence against women cannot and should not encourage the concept that they are victims who accept the violence.

The male public should be made aware and not be prompted to violence. The media messages impact the audience and they should help increase the awareness of society to the fact that violence only hurts both parties, and should inform about the legislation in force that supports the victims. Media should focus on issues vital to the individual and society. Not all battered women are informed about the existence of legislation that does not allow the violation of one's integrity. Therefore the media volume should be turned up for everyone to hear.

It is practically impossible to stop the broadcasting of graphic violence on television. Because of psychological mechanisms many people are interested in images depicting violence in general and violence against women in particular. Scenes of violence 'increase the audience' and therefore increase the economic benefits for the TV channel, thanks to the attracted publicity. If the director of the TV channel waives the transmitting of such scenes for ethical reasons this will harm the TV channel and the next time he will decide to behave differently under the pressure of market rules" (Zechi, 2005).

The coverage of violence despite being harmful is also necessary because the media pressures the aggressors and informs the public. Prestigious media by supporting victims of violence, intend to build a modern, democratic society free from violence.

Communication through violence serves no one and our society needs to reflect on this problem. We witness daily scenes that provoke tension. Media sometimes transforms or depicts events with superlatives. When dealing with the reporting of domestic violence, exhortation is excessive and harmful at the same time. A woman, victim of domestic violence will obviously experience trauma when watching her story transmitted on the TV screen. Not everything can be made public on television and not every type of pain can be shared with others... How can a violated woman go on, if the media describes her as the trigger for violence?

As pointed out in the Fourth World Conference in Beijing, "Violence against women is a violation of human rights as well as an obstacle to the achievement of equality, development and peace". Domestic violence is a violation of human rights therefore it cannot be presented only as sensational news, without analyzing its causes and consequences. The media should show more sensitivity to this phenomenon and take it seriously. The main priority should be to inform the public, but not only. This gigantic structure that functions through communication, contributes in all ways for shaping the public opinion. Increasing the audience is the main goal of every media outlet and some media try to achieve this by all means. But human interests should have priority to material interests. Therefore when reporting cases of domestic violence:

- Journalists should carefully choose language when reporting on violence against women and always avoid implying the survivor is to blame. They should avoid calling it a relationship problem.
- Journalists should conduct all contact with survivors of abuse or violence with respect for their experience, dignity and safety.
- Journalists should highlight the gendered nature and root causes of violence against women in all reporting.
- Journalists should make careful use of images in reporting on violence against women and ensure the images chosen do not distort the story, contribute to the problem or objectify women.
- Journalists should respect the privacy and dignity of abuse survivors at all times.
- Journalists should treat violence against women as a serious concern and use an appropriate tone in all reporting and provide details of local and national support services.

The mainstream news media in Albania continues to be based on the importance of political reporting over any other field, therefore the emergence of new, alternative media platforms benefitting from modern communication and information technologies add to the competition and will soon have an impact over the mainstream media. The last few years have seen the emergence of new, non-traditional online news media that are specifically focused on human rights and discrimination issues. The new era of digitalization can have a substantial impact on the quality of reporting by increasing competitiveness.

METHODOLOGY

The paper contains practical examples, media excerpts and statistics data, optioned through the usage of legal, statistical, inductive and deductive method. The analytical method has

been used for data analysis and knowledge of subject matter in order to get a clearer picture about the domestic violence phenomenon and media coverage.

CONCLUSIONS

Even though, Republic of Albania is a member state of all International legislation that addresses the rights of women, as well as a member state of the more specific ones on domestic violence and has taken important steps in the effort to amend its legal framework in line with International legislation, violence against women and domestic violence in Albania, continues to rise. Media plays an important role in the formation of attitudes and values of individuals, as well as serves as a useful instrument for social change.

The Law on Audiovisual Media in the Republic of Albania mandates that radio-television activity shall impartially comply with the right to information, political and religious beliefs, personality, and dignity and with other human fundamental rights and freedoms. Protection and representation of women rights should be the main objective of the electronic and written media. States should promote a balanced and non-stereotyped portrayal of women in the media. Domestic violence is a violation of human rights therefore it cannot be presented only as sensational news, without analyzing its causes and consequences. The media might play a crucial role in increasing the anti-violence response in the country and journalists should differentiate between public interest and commercial.

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