

Policing race, ethnicity and culture: ethnographic perspectives across Europe

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Part IV: Police officers and ethnographers

11 Albanian culture and serious crime: Challenging culturalist assumptions among investigating UK police - Stephanie Schwandner-Sievers

Introduction

When social anthropologists are called upon for their 'cultural expertise' (Holden, 2019) usually regarding migrants' background in courts of law or by the police, they are set to engage in multiple cultural translations in ways that are not always immediately obvious. Particularly when called as 'experts' for an ethnically defined group which is disproportionately identified with crime and violence, such as I will demonstrate further below for the Albanians in the UK, they must disentangle essentialising and stereotypical representations, on the one hand, from the social context, agency, cultural changes and practices, on the other. I argue that prejudicial and culturalist assumptions can divert from the real reasons and concrete motives of ethnically labelled crime. More widely, they might also contribute to reproducing the geo-political or societal structures of exclusion which ultimately cause and perpetuate such crime. In this contribution, I explore whether and how culturalist explanations of crime can influence police investigations and the role of the social anthropologist as 'cultural translator' in this.

As a social anthropologist specialising in Albanian cultures and societies since the late 1980s, I was regularly asked to provide cultural expertise in UK immigration and criminal proceedings (and to other governmental agencies, more below). In the UK, such engagement started when I led the first Albanian Studies programme at the School of Slavonic Studies, University College London, from 1997 to 2003. Subsequently it continued when I directed my own academic consultancy company, Anthropology Applied Limited, until 2013. When called upon as an 'expert of Albanian culture', I soon realised that the relevant questions and perspectives arising across different jurisdictions mirrored each other. Just as with other minority groups

in the UK, also for Albanians most 'victimisation occurs between people from the same ethnic group and this is most obvious in personal violence including homicide' (Phillips and Bowling, 2017: 207-8). Instructions received in Albanian asylum cases mostly related to risks arising from criminal threats by other Albanians, e.g. blood feuds; criminal rivalries and threats; and trafficking histories.

Whether in criminal, immigration or other civil cases, the instructions received regularly included a request to explain how supposed Albanian *kanun* traditions, usually described as ethnically specific, historical Albanian customary law,¹ informed the violent deeds in question. For immigration concerns, this served as an essentialising prism through which I was expected to explain the potential return risks of Albanian victims of Albanian perpetrators' crimes. In criminal cases, police sought to probe the perpetrators' potential rationale or an assumed, underpinning cultural logic when seeking my expertise in these terms. There were also

¹ The original Ottoman-Turkish term, *kanun* (from Greek *canon*), referred to local rules of self-regulations across the peripheries of the Ottoman empire; it was subject to codification attempts until the early 20th century in Albania and indicative of the empire's indirect rule (Reinkowski, 2005). Locally, people also always simply referred to 'our ways', or 'customs', or 'traditions' when explaining their practices; or perpetuate habits which are so implicit that they are not specifically named at all (cf. Polanyi, 1966). Best known, in English, is the *Kanun of Lek Dukagjin* (Gjeçov, 1989 [1933]), an impressively large, conspicuously red book, which offers parallel English-Albanian translation of this prominent north-Albanian variant of local customary rules, proverbs and oral traditions. Collected by a Franciscan priest in the service of early nation-building attempts at the turn of the 19th to the 20th century and printed in 1933, several years after the priest's murder, it is organised in semi-legal, numbered paragraphs assembling customary proscriptions regarding marriage, conflict regulation, oath taking and similar. It also carves out a prominent role for local clerics. This important source, without due historical contextualisation, is often referred as 'the *kanun*' and used as if this was a static, timeless representation of Albanian culture (Schwandner-Sievers, 1999, 2006, 2008 [2004]).

individual cases when local Social Services initiated instructions for ‘cultural expertise’ evoking *kanun*, such as when Albanian asylum seekers came in contact with police in family conflicts. At first sight, the UK authorities’ short-cut reference to *kanun* might appear not without empirical reason. In the early 1990s, following the collapse of previously totalitarian, communist state power, locals in Albania’s northern mountain regions faced a vacuum of state power. In this poverty-ridden ‘periphery of the periphery’ (Fuga, 2000), I observed how members of formerly persecuted, extended patriarchal families deliberately re-constructed pre-communist recourse to *kanun* rituals. Such processes served to re-establish their identity, status, authority, and land rights as well as to regulate local conflicts amidst resurging blood feuds (e.g. Schwandner-Sievers, 1999). Soon, however, *kanun* turned into a business opportunity. A budding NGO sector learnt to acquire foreign funding for *kanun*-inspired mediation work. Some extracted ‘fees’ from compatriot asylum seekers abroad for certifying blood feud risks. When Albania tumbled into civil war in 1997, a new generation of young men, informal entrepreneurs outside the re-collapsed legal framework of the state, discovered *kanun* as a useful discursive frame to demand, and violently enforce, utmost loyalty from their team; compliance from the specific community within which they were situated; and respect from their rivals (Saltmarshe, 2001: 195-6). First this happened only locally; soon, transnationally.

In contrast with any culturalist assumptions, as this cursory historio-ethnographic overview suggests, *kanun* – as rhetoric or set of practices - has a history of being reinvented, instrumentalised and propagated. Criminal Albanian entrepreneurs benefited from culturalist assumptions tallying with a reputation of culturally entrenched proclivity to violence, both, at

home and abroad.² However, although such explanations can have an effect on real lives (Merton, 1948), they are not to be confused with causal explanations of crime. A social-constructivist focus on context and its potential impact on recourse to existing repositories of local knowledge allows for agency and choice, processes and change. This is epistemologically different from static, ahistorical, culturalist explanations. As British social anthropologist, Adam Kuper suggested, 'some form of cultural explanation may be useful enough, in its place, but appeals to culture can offer only a partial explanation of why people think and behave as they do, and of what causes them to alter their ways' (1999: xi). For the applied anthropologist, the challenge of cultural translation is thus predominantly an epistemological one: interrogating common-place ideas about 'culture' and instigating a reconceptualisation, both, generally and, here, specifically, for Albanian culture.

Not all my academic colleagues, both in Albania and internationally, have always shared this radical social-constructivist, processual focus on the culturalist constructions of Albanian identities. In the past, many, more or less inadvertently, effectively contributed to culturally essentialising Albanians at large when explaining supposed Albanian characteristics and exotica as based on *kanun* (e.g. Young, 2000; Littlewood, 2002; Arsovska, 2006). Nowadays, however, there is much wider agreement that - whether *kanun* is understood as a cultural fact or a set of practices, a 'legal system' or a discursive construct - it always has been subjected to re-inventions, modernisations, re-traditionalisation, and other transformations, including criminalisation (e.g. Schwandner-Sievers, 1999; Reinkowski, 2005; Bardhoshi, 2016).

² An illegal entrepreneur's reputation of being culturally prone to violence served pre-empting claims to stakes by rivals (Schwandner-Sievers, 2008 [2004]). Similarly, in the northern Albanian village context, a reputation of readiness to take blood revenge could pre-empt victimisation, while surrender mean expulsion and exile (Schwandner-Sievers, 1999).

My cultural translation work with courts and police in the UK, when called upon as an ‘expert of Albanian culture’, always aimed at deconstructing culturalist constructions of difference. On the one hand, I explored how perpetrators took recourse to the readily available culturalist trope of *kanun* to justify or give meaning to their deeds; and asylum seekers invoked it to illustrate return risks. On the other, I traced the ways in which the same trope affirmed bureaucratic, migrantised constructions of difference (cf. Beek, Bierschenk and Kolloch, Introduction). I discovered that these simultaneously were informed by, and contributed to, wider, epistemological feedback loops (e.g. Schwandner-Sievers 2006, 2008 [2004]). In the early 2000s, it seemed that every single one of all the non-anthropological parties involved in court proceedings or criminal investigations – in discursive complicity (cf. Hammond, 2004; Schwandner-Sievers, 2008 [2004]) -- mutually reinforced a static, essentialist notion of Albanian culture, usually subsumed under the rhetorical short cut of *kanun*, as an explanation of the violent deeds, threats, or risks in question. Beyond UK state officials’ culturalist representations of Albanian crime, and Albanian victims’ and perpetrators’ teleological culturalist branding of Albanian Selves in these terms, also culturalist media representations of Albanians in the migrant recipient countries played their part. Such insight, to be described further below, raises the question whether and how the investigating police detectives’ ways of approaching a given violent Albanian crime might have been shaped, originally, by external, common-place popular assumptions about the alleged offenders’ ‘cultural dispositions’.³ It

³ This research question was previously suggested by social anthropologists Martin (2018: 142); see also Comaroff and Comaroff (2016); Ballard (2010); and the Introduction by Beek, Bierschenk and Kolloch to this volume.

would have been these culturalist assumptions which I confronted, then, in my cultural translation work with UK police officers.

'Discursive complicity' raises difficult questions in cultural translation practices with formal authorities: could the same explanations of culture which would support an asylum seeker's claim for protection be used to divert from a murderer's responsibility for their crime? Meanwhile, how can we, as anthropologists, stay true to our mandate, as dictated by disciplinary ethics of never inflicting harm on our interlocutors and co-researchers, while simultaneously fulfilling the legal obligation of providing independent expertise? (Schwandner-Sievers, 2006: 224). British anthropologist Anthony Good summarised my cultural-translation dilemma - as described then (Schwandner-Sievers, 2006) - through the following question, which this contribution revisits:

Faced with police and courts seeking to explain crimes in terms of 'Albanian traditions of violence', does she grit her teeth and accept the [police's or court's] premise that culture itself is the explanation for strange or questionable behaviour, thereby contributing to 'the reification of these contexts by articulating them within the constraints of ... legalism' (Hepner, 2003), or try to explain the fluid and processual character of culture, and thereby risk raising doubts as to the validity of the appellant's motives? (Good, 2008: 56).

Still relatively little is known about the concrete cultural translation work that ensues between social anthropologists and the police in British serious crime cases involving migrants in the UK. Just as with the US legal system (Rodriguez, 2018: 3), most of specialist engagement as cultural experts occurs in the context of asylum decisions. In line with the 1951 Refugee

Convention, British courts use 'country experts' in immigration proceedings to place 'applicants' stories ... within their cultural, socio economic, and historical contexts' when deliberating return risks and protection chances (Good, 2008: 56). The typical cultural translation challenges arising in such context have long been subject of critical anthropological inquiry (e.g. Gibb and Good, 2014; Good, 2004; Grillo, 2017; Schwandner-Sievers, 2006). However, only '[f]ew British anthropologists have experience of acting as experts across a range of jurisdictions' (Good, 2008: 55), including working with criminal courts, defence teams, the prosecution or police in serious crime cases.

In contrast to immigration cases and different from the US, where much debate relates to questions of 'cultural defence' (Van Broeck, 2001), judges in the British criminal justice system are hesitant to engage with questions of culture altogether, erring on the side of 'cultural denial' rather than 'cultural reductionism' (Pannia, 2017: 2). Ethnographic evidence and insights about the complexities of social lives it might reveal, are barely admissible in criminal cases at all (Good, 2008: 55). It was probably for these reasons that most of my dealings with criminal courts in the UK was mediated through working with police detectives, directly, rather than with the courts (as in asylum cases). Thus, detectives of Metropolitan police (Scotland Yard) and other UK police forces from across the country approached me, sometimes for informal advice only, normally at investigating stage of alleged serious crimes committed by Albanians in the UK. I was also invited, on rare occasions, to interview detained perpetrators in high security prisons directly (e.g. HMP Belmarsh, London).⁴

⁴ Requests by police, now often only for brief, informal advice (not least for public funding constraints), continued when I took up a full-time position at Bournemouth University in 2013. At the time of writing, I am the academic lead for the research components of a large Prevent project on Albanian Serious Organised Crime, funded by

Initially, British police officers, upon first approaching me for ‘cultural expertise’, indeed, often presented their understanding of assumed cultural specificity as an explanation for crime with considerable confidence. This is evident in instructions such as these (anonymised): ‘... since the investigation began it has become evident that the *kanun* has governed the actions of the Albanians within the inquiry. It will therefore be necessary for us to evidence the impact of the *kanun*, and it is this area we seek your expertise’ (first cited in Schwandner-Sievers, 2006: 223). Yet, during our collaborations, increasingly, many of those anthropologically untrained representatives of the UK’s criminal justice system astounded me in their openness to recognising and changing their original assumptions.⁵ Police detectives in serious crime investigations thus resemble ‘para-ethnologists’ (Beek and Bierschenk, 2020).⁶ This means, they were capable of critical intellectual (self-)reflection and cognisant agents of shared knowledge production (Holmes and Marcus, 2005). I aim to demonstrate through two anonymised ethnographic vignettes how, in mutually thought-provoking collaborations, my attempts to challenge and shift their original culturalist assumptions led police to consider new angles of the case, thereby advancing their investigation in new directions.

While role ambivalence, as described by Sedgwick (2017), was evident in my ethnographic interest in, both, British police detectives’ work and Albanian lives, simultaneously, there were

the UK government’s ‘conflict, stability and security fund’, continuing my applied anthropological work in collaboration with senior UK and Albanian police, development agencies and civil society organisations.

⁵ It is possible that wider social constructivist (social anthropological or ethnological) discussions in the public realm may have had an impact on this (cf. Ellmer, 2020); for some background to this possibility, see footnote 8.

⁶ A term developing the concept of the ‘para-ethnographer’ (Holmes and Marcus, 2005) from its methodological leanings to the epistemological focus in question.

also limits to our professional ‘complicity’, despite these analytical collaborations. Our joint work was always only temporary in character, restricted to a distinct case and specific issues only (arguably in contrast to ethnographers ‘embedded’ with para-ethnologists at work; cf. Beek and Bierschenk, 2020: 12). Although we communicated across different fields of professional expertise around a shared question of interest (‘Albanian culture’ and its explanatory value for a specific crime), when we parted after a consultation session, we continued to inhabit work-worlds independent from each other (in the police and academia, respectively).

Yet, acknowledging the investigating officers’ para-ethnological capacities, regardless of these caveats, allows ‘[p]utting the “human question” at the forefront of an anthropological inquiry into policing’, as Karpiak and Garriott suggested (2021: 7; cf. also Beek, Bierschenk and Kolloch, Introduction). Avoiding the classic dichotomy of ‘denunciation versus “making the police seem nice”’ (Karpiak and Garriott, 2021: 7) can offer new ethnographic insights. Contrary to the adversarial positioning towards police evident, for instance, in critical ethnographies of racialised, brutal crowd policing (e.g. Susser, 2020), from my work across jurisdictions, I knew that police detectives in service of the Crown Prosecution offer many victims of crime concrete hope for securing justice. Co-working with, and studying, police requires engaging with ‘the operation of multiple modes of power and resistance, simultaneously’, indeed (Karpiak and Garriott, 2021: 4; cf. also Sausdal, chapter 5). Nowhere would this seem more evident than when working with police investigators of serious crime while simultaneously conducting research with and about, victims and perpetrators of the crimes in question.

The following section will introduce the first of two selected ethnographic vignettes describing my workings with the police. The relevant events to be described occurred about fifteen years

apart. Vignette 1 occurred in the early 2000s, vignette 2 in the late 2010s. Both cases are fully anonymised. This time gap allows exploring potential changes in UK police conceptualisations of Albanian culture. The first, introductory vignette will be followed by a section surveying official UK government information on, and media representations of, Albanian culture in recent history and today. Through this I aim to shed light on the common-place, popular knowledge and perceptions which might have influenced the police investigations, respectively, and trace any potential changes in their occurrence and impact. Specifically, I am interested in the perpetuation and place of culturalist tropes such as *kanun* and those of more general, ethno-nationalist differentiation.

I will specifically focus on the potential impact on police perceptions of, firstly, formal surveys and policy literature available to them (e.g. the National Crime Agency's [NCA's] publications); secondly, of media representations of Albanian crime in the UK. From previous work on police training (Bhugowandeen, 2013), it can already be inferred that courses, such as those on 'Community and Race Relations', have acculturated UK police officers into 'a set of parochial conventions' (Ballard, 2010: 19) around the concept of 'multi-ethnicity' (Bhugowandeen, 2013). These are reminiscent of managerial intercultural communication theory and its relatively static conceptualisation of culture and community as basis for establishing ethnic and racial differences (Bjerregaard, Luring and Klitmøller, 2009: 1; see also Beek, Bierschenk and Kolloch, Introduction).

The second vignette will allow me to further elaborate on my cultural translation work which I practice and identify the epistemological learning that redirected the investigative focus. I will conclude with a summary of my findings, including some reflections on the opportunities and limitations of the social anthropologist as translator of culture when working with police detectives investigating Albanian homicide in the UK.

Vignette 1: A Murder Mystery

My first ethnographic vignette harks back to a consultancy in the early 2000s, when investigating Metropolitan police detectives got in contact to inquire, literally, whether *kanun* might have governed the action of an elderly lady alleged to have killed a new-born baby. This child was presumed to be her grandchild, born most recently to a young Albanian mother assumed, but not confirmed, to be the defendant's daughter. Upon our first encounter, one of the officers proudly waved the 'big red book' at me, the translated 1989 *kanun* version (Gjeçov, 1989 [1933]), suggesting this would explain Albanian culture and the case.

'Granny', as the defendant was referred to, was suspected to have swung the new-born against the walls and banged its head on both sides in a premediated and successful attempt to kill it. This happened in the presence of her other grandchild, three-year-old 'Laurent' (all names and dates changed) while the baby's mother was out shopping. In court, 'granny' claimed that little Laurent had jumped on baby's head accidentally and thereby killed it, hence absolving herself from criminal responsibility. Several forensic experts disagreed with this possibility, but one submitted that there was a fraction of a chance that the wounds inflicted could have resulted from such an event as described by her, and so the trial stalled.

At this stage, the three investigating police officers sought my cultural expertise, in person, to explore whether any possible cultural logic might reveal the defendant's potential motives to kill this child. Apart from 'The Kanun' (see footnote 1), they brought with them a draft kinship diagram which depicted their vision of how any relevant persons around the defendant, the dead child and her mother might socially relate. However, it was unclear whether these people were possibly part of the same family and what social roles, obligations and potential motives could be associated with such type of relations. Investigations had been hindered by the fact that, during asylum proceedings, group members, including the defendant, had used

several aliases, and probably invented places and relations to Kosovo (during the early 2000s, many Albanian nationals claimed to be Kosovar war refugees to gain leave to remain). The officers' diagram was based on the logic of bilateral kinship and neo-local residence rules, as these prevail in the UK.

Without being able to identify any personal details of the case, suffices to say that I reshuffled the diagram according to the northern Albanian norms of post-marital virilocal (and patrifocal) and fratristic co-residence patterns that I had found to apply and prevail, ubiquitously, in the local context of utmost scarcity and insecurity in the early 1990s. Such traditional, classic patrifocal forms of social organisation had not just maximised survival chances outside any state support but been taken for granted to such an extent in everyday life that they were not usually explained or made explicit in reference to *kanun*. The 'red book' did not explicitly name these either, although the trained anthropological eye could distil much of this logic from the historical proverbs and proscriptions also assembled there. More relevant than this historical codification attempt's proscriptions, however, I could point to more recent, differentiated ethnographic descriptions of crypto-matriarchal forms of social organisation from the wider region. These illustrated the potential powers of senior female household heads with adult sons, as well as the ritual role of traditional 'family councils' in conservative contexts, where such kinship system still applied (e.g. Simić, 1983; Rrapi, 2003). My reorganisation of the kinship chart revealed that all relevant actors were kin-related and of one patrilineage. This included a number of adult sons of the defendant, who were brothers to the murdered child's mother. However, the child was born outside the patrilineage and out of wedlock to a mother, who could be proven to be the defendant's daughter. Probing the implicit cultural kinship logic on the diagram suggested that the child could have been seen as both socially and symbolically 'out of place' and of reputational damage to the entire range of these social actors.

Much more importantly, however, given the migration context, several members of the family, including the defendant, were under acute threat of having their asylum claims rejected and being deported. It appeared likely that specifically the prospect of exposure to the home context and its social judgements exacerbated the extended family's concerns over a child symbolically 'out of place'. Further circumstantial factors might have aggravated concerns over family reputation even further and could not be excluded (was the young mother pimped? Was incest a possible background?).

The collaboration of the para-ethnologist police officers with the anthropologist in solving this 'murder mystery' was evident in the police officers' readiness to engage with complex and detailed anthropological knowledge and considerations. This included caveats regarding applicability of the implicit cultural logic described in time and space (cf. Polanyi, 1966). In this instance, the officers' originally sweeping culturalist assumptions proved to be irrelevant. Deep and differentiated historical and ethnographic knowledge, in conjunction with theoretically trained, social anthropological, epistemologies shifted the focus of the investigation. Relevant epistemological input related to differentiating historical prescriptions from descriptions of cultural practices; explicit from implicit cultural knowledge (e.g. regarding gender roles); cause from consequence (such as when considering the impact of context on choice and agency in recourse to cultural repositories of knowledge). In result, although the defendant could not be convicted based on any of these findings, police remained ever more convinced about granny's responsibility for the killing. As I realised in several cases, it was specifically the volatile migration context which had escalated the situation and risks, here: towards murder.

Commonplace knowledge of Albanian crime and migration and its impact on police perceptions

Albania's geographic situation in the midst of Europe, yet politically and economically excluded, has long been associated with disproportionately high emigration numbers (e.g. Thomas, 2021: 12). More than 60% of adults wish to leave Albania, according to a 2018 Gallup survey (Esipova *et al.*, 2018). Several studies featuring personal interviews with Albanian migrants or Albanian experts, suggest that contemporary Albanian migration decisions are triggered not just by wide-spread poverty, but a generalised sense of distrust into the authorities and political classes coupled with a desperate lack of hope regarding opportunities of education, employment and raising a family (e.g. Allsopp *et al.*, 2018; Bezati, 2020; Buxton 2020). Albanians top the charts of asylum seekers in the UK from countries considered 'safe' (AIDA, 2020), with numbers, particularly of minors, mostly men, having risen exponentially in recent years (Bezati, 2020). Regardless of the country's relatively small size with a population of under 3 million, nationals from Albania remain among the four major groups of illegal immigrants across the wider EU. They account for nearly 6% of illegal migrants (Eurostat, 2019). In this, the UK seems a particularly attractive destination (Allsopp *et al.*, 2018; Bezati, 2020).

As I described for the recent past, also to the present day, recourse to *kanun* and related traditions, namely blood feuds, remain an effective, albeit culturalist, trope for many Albanian asylum seekers arguing and justifying their claims in court (Allsopp *et al.*, 2018: 16-17; Madill, 2020; Thomas, 2021: 15). However, culturalist short-cut explanations in terms of *kanun* appear considerably dimmed and even viewed with a degree of scepticism in the latest Home Office (2020) report on questions of blood feuding risks. Yet, while 'a significant dearth of evidence exists regarding the actual threats facing Albanian youth in their country of origin' (Allsopp *et al.*, 2018: 2), a 50% success rate of Albanian asylum claims at appeal stage (AIDA, 2020: 60) points to the acknowledgement of risks and reasons for flight in immigration courts

in ways that still often connect questions of culture and crime in ahistorical ways. In Albania, it might be less *kanun*, as an entrenched, essentialising metaphor for Albanian culture; but the normalisation of crime in destitute, marginalised localities providing little but illegal entrepreneurial opportunities (IDM, 2018; Buxton, 2020), which explain continuous recourse to *kanun* and related risks.

In the UK, according to the Ministry of Justice, Albanian nationals also top the list of Foreign National Offenders (FNO), accounting for 11% of the FNO prison population in 2019 (last quarter; MoJ, 2020). Meanwhile, in Albania, according to a 2018 survey which conducted focus groups with young people considered vulnerable, 30% of those voluntarily or involuntarily returned from abroad, had been involved in crime, mostly in the UK (IDM, 2018: 8). A quick perusal of the UK's National Crime Agency's annual National Strategic Assessments of Serious and Organised Crime from 2013 onwards (NCA 2013 – 2021), using 'Albania' or 'Albanian' as keywords, reveals that this ethno-national group has been identified as one of the major serious organised crimes (SOC) threats to the UK since 2016. Albanian SOC activities during this time seem to have shifted in emphasis from human trafficking to the transnational drug trade.

Noticeably, transnational Albanians in the UK also populate victim statistics as a dominant group. According to the NCA's quarterly bulletins on national referrals of contemporary slavery and trafficking victims identified, Albanian women and minors peaked as the largest foreign national group exploited for sex in the UK in 2018 (947 persons; NCA, 2018-19); they also ranged among the highest numbers of ethno-nationally identified groups of victims of human trafficking and slavery in 2019, 2020 and 2021 (with a shift from 'trafficking victims' to exploitation on illegal cannabis farms by 2021).

While NCA and other governmental policy reports might be the source of an ethno-nationally defined perception of Albanian crimes for UK law enforcement officers, particularly media reports reinforce popular culturalist categorisations. In the 1990s and 2000s, the British tabloid press routinely indulged in exoticising Albanians with reference to *kanun* and its associated components, such as blood feuds and *besa* (the latter usually translated as ‘the given word’, securing reconciliations, marriage and other social relations according to historical customary law, *kanun*). How such media representations related to moral panics (Cohen, 1972) around immigration flows and established ‘common-place popular assumptions’, which forced even the most decent Albanians into strategic mimicry (pretending to be of a different ethnicity) in everyday situations in the UK and elsewhere, has long been explored, and such studies continue to the present day (e.g. Allsopp *et al.*, 2018; Blumi, 1998; Mai, 2003; Schwandner-Sievers, 2008 [2004]).

On the European continent, external culturalist representations of Albanians have an entrenched history, harking back to depictions of endemically violent, stoic and heroic Albanians in the late 19th century fictive adventure literature of Karl May.⁷ In the UK, with more compassionate undertones, the early ethnographic travel writings of Edith Durham were once more relevant (Durham, 1909; Schwandner-Sievers, 2008 [2004]). Nowadays tabloids, such as *The Sun*, unabashedly connect Albanian crimes in the UK with the concept of ‘The

⁷ Known mostly for his *Winnetou* Trilogy, idealising American Indians as noble savages, several of Karl May’s earlier German fiction, a collection called *The Orient Cycle*, represent Albanians in similarly heroizing ways (as long as they can be described as local mountain warriors, or *skipetars*, rather than “displaced” *14rnauts* in the services of the Sultan). These include *Durch das Land der Skipetaren* (‘Through the Land of the Skipetars’, in German, 1892) and *Der Schut* (‘The Shoot’, in German, 1892), both works succinctly analysed by Schmidt-Neke (1994); an analysis further developed, in English, in Schwandner-Sievers (2008 [2004]: 120-2).

Albanian Mafia' and an allegedly all-prevailing (*kanun*) code of silence, reminiscent of the Sicilian *omerta: besa*, in an attempt to explain violence, ruthlessness and internal cohesion (e.g. Allen, 2018).

The term 'Albanian mafia', commonly used in the UK press, has been criticised as a myth which not just ethnicises and stereotypes, but also obscures the fact that Albanian criminal groups might collaborate across ethnic groups, rather than among themselves alone (Sergi, 2019). Similar research documented that Albanian criminal groups might not be as widely interconnected as the term 'mafia' suggests, yet rely on relatively narrow, horizontal-generational groups of friends and relatives (Barry, 2019). Recent, investigative journalism reveals that serious crime victims' appeals to *kanun* and its associated honour codes, with those exerting power and control within such networks (in contrast to historical proscriptions of *kanun*), is unlikely to succeed if contradicting any criminal entrepreneurial interests (Lala, 2021).

Nearly twenty years after my first observations of such strategies, contemporary Albanian criminal entrepreneurs can still be found to reference *kanun* in order to generate legitimacy and enhance or maintain their reputation in the spheres of their interest. However, nowadays they seem to have become much less inclined to use violence (Lala, 2021). Rather, they display great global-cultural adaptability and flexibility (e.g. when using a Chinese system for money transfers; Kemp *et al.*, 2021). In 2019, a special report by *The Guardian* (Townsend, 2019) suggested, in reference to the notorious London 'Hellbanianz gang' (more in the vignette below), that successful Albanian criminals' charisma and their reputation as particularly reliable partners facilitated their global collaborations, such as in procuring cocaine directly from Colombia. While the article still explains this in terms of *kanun* and the concept of *besa* (as well as the Kosovo war experience), possibly re-iterating convenient internal culturalist

branding strategies or their wide-spread external reproductions, the practices in question are entirely post-modern.

In interim summary, Albanians disproportionately occupy British statistics of crime and victimhood. While the reasons are likely to be found in Albania's and its people's geo-political, socio-economic history of marginalisation, large-scale migration flows have also long fuelled prejudicial, culturalist media panics in the destination countries. Locally, criminal entrepreneurs consolidated *kanun* as a culturalist framework of reference to support their interests during post-socialist transition times and civil conflict in the 1990s; and such discursive strategies continue to the present day. There is an obvious history and ubiquity of culturalist representations of Albanians in the UK media, evoking and exoticising culture in reference to *kanun* and in probable replication of these Albanian groups' self-branding strategies. Government and policy documents, in comparison, reproduce entrenched ethno-nationalist categorisations of serious crime risks. Notably, in contrast to my earlier observations regarding Home Office documents (gauging asylum seekers' claims of risks arising from blood feuds), there now appears to be some degree of caution in conjuring up *kanun* as a culturalist short-cut explanation.⁸

⁸ Arguably, this may even relate, perhaps just partly, to a trickle-down effect from my earlier, applied work as an academic specialist. For example, between 1999 and 2016, I participated at several thematic roundtables (such as on 'Corruption in Albania') at the, then, Foreign and Commonwealth Office's (FCO). I also was invited to a dozen pre-deployment briefings of freshly designated UK ambassadors to Tirana or Prishtina during this period. I thus had the opportunity to repeatedly disseminated my social constructivist take on question of *kanun* and its discursive instrumentalisation beyond academia. I also repeatedly served as an independent expert for the UK government's highest tribunal in immigration matters, cited in several major Albanian country guidance

Overall, it appears that police officers dealing with Albanian crime would have had little chance of exposure to any alternative information other than these readily available, common-place assumptions, prejudice, self-branded or externally categorised notions of Albanians as either ethno-nationally or culturally inherently prone to violence and crime. My first vignette already demonstrated how a social-constructivist approach can open up new avenues of investigations. The following vignette aims to update these findings.

Vignette 2 - Hellbanianz

Little was publicly known about the Hellbanianz before late 2018. Then, British tabloids suddenly exploded with stories about this group (e.g. Laws and Spillett, 2018; Dirnhuber, 2018), which continues to provide tabloid storylines to the present day. At the time, such articles described this Albanian criminal group as ‘taunting’ the British public and law enforcement through their presentations of Self. This included a gun-based logo (displayed in body tattoos and available as golden medallions), expensive cars and other ways of ‘flaunting’ their wealth uninhibitedly on social media through Instagram and facebook as well as through rap videos on youtube. Nowadays this group has gained popular notoriety in the UK media as cocaine traders and running county-lines across the country. They also seem to have gained considerable traction as rap artists among some Albanian youth. A while before this group came to the attention of the wider public (precise dates anonymised), when their distinctly self-branded identity was yet unknown to the Metropolitan police, I was contacted by one of their police investigators. In this case, all communication happened via email and telephone alone.

cases between 2004 and 2012 on questions such as return risks arising from blood feuds or trafficking histories; which thereafter entered Home Office country guidance notes (e.g. Home Office, 2015).

The officer inquired about a young Albanian man on trial, who had been involved in an apparent 'hit' with handguns, but luckily missed his target. According to the police detective, the defendant aimed to divert attention from his alleged 'gang membership':

In the course of the trial [the defendant] was questioned about his link to guns which he said he had none and then he was asked about a distinctive tattoo he has which is of two revolvers. He provided an account that the tattoo represented the Albanian flag as the two revolvers represent the double headed eagle of the Albanian national flag. He states that the tattoo is symbolic of the 'House of Guns' which he stated is a term in Albania given to families that are all men. He states that he is one of three brothers and there are no sisters as such families of this make up are called 'House of Guns' (E-mail correspondence).

The officer requested my opinion whether this could have been, indeed, a diversion from a (legally significant) belonging to an 'organised criminal group', as he did not believe that this account was correct. He was unable to provide me with a picture of the specific tattoo, as 'the defendant ... declined to allow this to happen'. He described it as two outward pointing pistols arranged back-to-back. He also had a name for the group to which the defendant was alleged to belong: Hellbanianz.

When googling, using *kanun*-related Albanian key words, I came across the Hellbanianz blingy Instagram page, including their logo (the same as the tattoo) and their name. Meanwhile, the culturalist explanation provided by the young man on trial was not without credibility and offered – at first sight – a convincing and logical narrative for any expert knowledgeable about Albanian language, history and *kanun*-related language. *Shtëpi pushke*, or 'house of guns' is a

traditional Albanian reference to families considered strong because of their number of sons. A historically documented preference for the birth of boys (in order to perpetuate the patrilineage, i.e. 'the house'; a synonym for the extended family in *kanun* terminology), has long been linked to traditional *kanun* ideas of 'strength' or 'strong blood' (e.g. Durham, 1909). Most likely, the term derives from historical Ottoman military conscription practices (equating the sons of a house with 'guns'). This expression is still commonly known in Albanian, although to contemporary middle-class Albanians it would be ringing of outdated traditions and gender bias.

However, whether these historical ideas and terms applied to the defendant's family was, in fact, irrelevant. His culturalist explanation was part of a wider set of references, including links to Albanian nationalism (the double-headed eagle of the national flag); the 'brotherhood' concept of digital street culture, globally (evident in the Hellbanianz' rap videos and lyrics); merged with various traditionalist, Albanian metaphors. Nationalist, global and culturalist, these influences formed a post-modern pastiche of signifiers in the group's post-modern online presentation of Self. The defendant's culturalist explanation simply distracted from the more relevant, current social fact, evident from the Hellbanianz' presence on several social media: his tattoo literally branded and identified him as a member of this particular group.

The social anthropologist's task, in this case, required less localised background knowledge, although this helped deconstructing some of the relevant symbols and their meaning. Rather, anthropology's comparison-based awareness of the role of post-modern, global processes of youth and identity constructions proved relevant. The London-based group's social media presentations compared to digital street culture, globally (Ilan, 2020). My findings supported the officer's suggestion and affirmed the defendant's potential diversion strategy. For any expert less rigorous in social constructivist approaches to translations of Albanian culture,

the defendant's self-essentialising, culturalist explanations could have lend itself to an easy affirmation.

To the officer's regret, the prosecution was unable to formally instruct me beyond this informal communication. I am thus not sure whether the information I provided during our communications was formally used in court. It should have pointed the prosecution to post-modern processes of identity construction by the Hellbanianz, actively self-branding their group identity while navigating and distracting law enforcement and prosecution.

Some final considerations

From the early 1990s, it had been through multi-sited, ethnographic research (Coleman and von Hellerman, 2011; Marcus, 1995, 2011), when 'following the plot' of *kanun* rhetoric and its effects on processes on social inclusion and exclusion, that the contingency of any culturalist knowledge production, both, about and by, Albanians became evident to me. I identified such processes at village level in Albania (e.g. Schwandner-Sievers, 1999) and later, when UK courts of law decided upon the fate of transnational Albanians (e.g. Schwandner-Sievers, 2006, 2008 [2004]). I thus traced how Albanians became subject to, as well as agents of culturalist knowledge reproduction in one of post-socialist Europe's vast 'movement of population backwards and forwards, with and between nations, as poorer people move to wealthier areas, and poor areas become the target of state and non-state funded intervention projects' (Kaneff and Pine, 2011: 1). The multi-sited, transnational continuum of culturalist identifications by, and representations of, Albanians as culturally defined by *kanun*, revealed how such discourse underpinned asymmetric processes of negotiating power, rights, interests and social exclusion at any level.

I described my collaborations with police investigators as cultural translation work, which included an invitation to the involved officers to reconsider their epistemological

categorisations of Albanian culture. The challenge required attention to context, situatedness, power and change, specifically. It involved deconstructing common-place assumptions and differentiating historical proscriptions from contemporary practices.

A social constructivist epistemology routinely considers the situatedness of power. It can support the arguments of victims of power abuse exactly because it exposes criminal abuses of power (such as through instrumentalised recourses to *kanun* and corresponding crimes). Beyond describing the constructions and transformations of *kanun* as driven by criminal interests, such an approach also focusses on the real, detrimental effect on social reality of such cultural constructions in practice. A rigorous social constructive approach thus doesn't disadvantage Albanian harm crime victims and their arguments, as Good (2008) previously summarised my dilemma, but it reveals the process of their victimisation.

Identifying common-place assumption requires a non-discriminatory gaze on all the actors involved: Albanian migrants (at home or abroad, asylum-seeking or in prison), judges and solicitors, police, the media, policy documents, the anthropologist and various others. I found such categorisations ubiquitously present in UK media, policy and academic studies about Albanian migration and crime. We also established that professional police training would have done little to diffuse ideas of ethno-national or cultural 'otherness', given the standard categories of difference employed.

To the investigating police detectives, I put that only close attention to victims' and perpetrators' situatedness can reveal why cultural traditions might be evoked, rhetorically; acted upon, intentionally; or being perpetuated, implicitly. I showed that, on the one hand, contextual and factors other than culture can shape concrete risks, agency, concerns and strategies, including murder. On the other, culturalist representations might obscure the

relevance of hidden socio-cultural continuities as much as processes of post-modern culture change.

My cultural translations in collaborating with para-ethnologist police were based, on the one hand, on specialist historical and ethnographic knowledge. On the other, without theoretical guidance of wider, comparative anthropology, the former alone still might have led to undue culturalist reifications. The analysis generated little doubt that contemporary, common-place popular assumptions about the alleged offenders' cultural dispositions, shaped the investigating officers' original ideas about the cases for which my cultural expertise was sought. However, police detectives emerged as para-ethnologists when responding to the epistemological invitation of considering the effects of specific contexts, within which those alleged to have committed serious crime, were situated. Unexpected arguments, identity constructions, motives, rationale for conduct and strategies of the defendants transpired, which contrasted with the officers' original, ethno-nationalist and culturalist assumptions. Particularly in the first case, the officers' para-ethnological qualities were evident when they abandoned their original understanding of Albanian culture in short-cut reference to the metaphor of *kanun*. Both vignettes demonstrated that the officers proved to be flexible in reconsidering their original ideas and redirected these when challenged. Perhaps such flexibility was possible because their aim was to understand and explore the defendants' case-specific motives and strategies (rather than evaluating generalised return risks such as in asylum cases). Be this as it may, when the police para-ethnologists changed their conceptualisations of Albanian culture, this, arguably, interrupted any potential 'feedback loops' and 'discursive complicity' as previously described for asylum cases. Yet, although our collaborations redirected the police investigations, indeed, and thus was considered useful by those involved, there are also limits to the applications of such cultural translations in UK

criminal courts (see above; and Good (2008: 557) on the ways in which positivist requirements underpin evidence considered admissible in courts of law). It could do no more but set the officers on different conceptual tracks to investigate their case.

Finally, some findings suggested that culturalist references now appear to have less traction in governmental documentation. However, they certainly prevail in popular culture as evident from the UK media perused. Today they continue to be celebrated, in particular and as part of new pastiches of culturalist signifiers, by groups associated with joint criminal activities themselves, such as the Hellbanianz. Overall, contemporary recourse to *kanun* emerges not as a traditional, but a postmodern phenomenon. As such, any cultural translation has to situate its evocations in the multiple, specific contexts where it becomes called upon to generate prestige, identity, fear or control, thereby producing new forms of social inclusion and exclusion.

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