

**Albania: Violations of the Right to Freedom
of Thought, Conscience and Religion**

**A Preliminary Report of the
Minnesota Lawyers International Human Rights Committee**

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INTRODUCTION

In 1967, the People's Socialist Republic of Albania adopted legislation which institutionalized and "legitimized" its campaign to destroy every manifestation of religion. What had been, since the present government came to power in the wake of the Second World War, a haphazard program of coercion, intimidation, and sporadic violence, aimed at the clergy and their followers, became transformed into a systematic campaign of repression, violence, and destruction, sanctioned by law. Government decrees in subsequent years and an extensive security apparatus further solidified the anti-religious nature of the self-proclaimed "first atheist state in the world." Albania remains today the only country in the world that forbids religion in any form, including its teaching, practice, texts, and symbolism.

Many provisions of Albania's laws and constitution, on their face, violate the United Nations Charter and the Universal Declaration of Human Rights. The laws and decrees which form the foundation of Albania's institutionalized effort to annihilate religion contrast completely with internationally recognized human rights standards. Although Albania is a member of the United Nations, it has yet to ratify the international human rights covenants, and it is the only European country that refuses to accept the Helsinki Accords.

Neither diplomatic nor economic pressure by the international community has succeeded in moderating the anti-religious stance of the Albanian government. The government of the late First Secretary Enver Hoxha used foreign criticism to support and confirm its suspicions that Albania was a socialist island in a sea of hostile "imperialist and revisionist" powers which were

bent on the destruction, division, and exploitation of socialist Albania. Religion was seen by First Secretary Hoxha and his followers as antithetical to Marxist dialectical historical materialism and as a tool in the hands of foreign adversaries. Such an inimical force had to be destroyed completely, using any means available.

Although this climate of isolation persists, the death of First Secretary Hoxha in April 1985 has, in the minds of many Albania watchers, created a possible opening. The new Albanian leader, First Secretary Ramiz Alia, has continued the rigorous control which the ruling Albanian Party of Labor maintains over the political, cultural, and economic life of the highly centralized Albanian state, although he has been described as a more pragmatic, less dogmatic leader than former First Secretary Hoxha. Under First Secretary Alia, the Albanian Party of Labor has expanded slightly its foreign and economic relations, and it has begun exploring some very modest changes in the domestic economy. Whether the new contacts or relative pragmatism will affect human rights in Albania in any meaningful way remains to be seen. First Secretary Alia has instituted a partial amnesty for prisoners, and there are reports that fewer arrests are being made on political or religious charges.

The Minnesota Lawyers International Human Rights Committee (MLIHRC), which is an independent nongovernmental organization committed to promoting and protecting human rights and to investigating human rights violations in the United States and abroad, is investigating the status of human rights in Albania and allegations of abuses. The MLIHRC has no affiliation to any political movement, political party, or government. The MLIHRC is reviewing the entire spectrum of human rights in Albania, but this preliminary report will focus exclusively on the institutionalized intolerance of freedom of thought, conscience, and religion in Albania.

This preliminary report on institutionalized religious intolerance in Albania will begin with a review of the constitutional and legal decrees on which the state-sanctioned repression of religion is built and some of the justifications for such a campaign from Albania's particular ideological viewpoint. These articles of Albanian law will then be contrasted with the relevant provisions of international law. Then, the consequences of Albania's repressive campaign against religion will be described briefly as they apply to Orthodox, Catholic, and Muslim believers.

There will be only a summary treatment of the consequences of religious repression during the time of First Secretary Hoxha because this period has been documented fairly well by Amnesty International¹, various academics², and other interested individuals and organizations³. These parties base their descriptions on the testimony of people who have escaped from Albania, those who have contact with residents of Albania, reporters, government officials, and others who have gained access to Albania, and official pronouncements and actions of the Albanian government.

This preliminary report will attempt to focus on the period since First Secretary Alia came to power to determine what, if any, changes have occurred in the government's attitude toward freedom of thought, conscience, and religion, and the consequences of any such changes for the Albanian people. As always, the Albanian government's strict control of the flow of information

¹ Amnesty International, *Albania: Political Imprisonment and the Law* (London: Amnesty International Publications, 1984).

² See, e.g., Nikolaos A. Stavrou, Ph. D., *The Politics of Religious Persecution in Albania*, and *The Albanian Gulag: A Big Hell in a Small Place*. Professor Stavrou has written numerous articles concerning Albania; and Peter R. Prifti, *Socialist Albania Since 1944*, (MIT Press, 1978).

³ See, e.g., the *Albanian Catholic Bulletin*, edited by Gjon Sinishta who is also the author of *The Fulfilled Promise: A Documentary Account of Religious Persecution in Albania* (Santa Clara: H & F Composing Service, 1976); reports by the Panepirotic Federation of America, Canada & Australia; and reports by the Northern Epirus Committee.

out of the country and the inability of most foreigners to gain access to Albania makes difficult the verification of the numerous allegations of human rights violations, and there is a relative paucity of information concerning the period of First Secretary Alia's leadership. Although this information is limited, it is growing as First Secretary Alia's tenure lengthens; and it needs to be incorporated into the analysis of institutional religious intolerance in Albania and, in turn, incorporated into the broader picture of human rights violations in Albania.

THE LEGAL STRUCTURE OF THE ANTI-RELIGION CAMPAIGN

As far as religion is concerned, there is no reason to get upset. To believe or not to believe is an individual right; it is a matter of conscience, not an institutional matter; nor is it an issue which can be determined by the will of priests, bishops or the Pope of Rome.⁴

This statement by First Secretary Hoxha was partially in response to international criticism of his anti-religious policies. He also argued that religion had declined in Albania because of its own internal contradictions and as a result of the superiority of the science of Marxism-Leninism, not because of any institutionalized attack by the Albanian government.⁵ While there may be disagreement about the specific effects of particular laws, decrees, and constitutional provisions, there is little doubt that the Albanian government has played a significant role in the destruction of religion in Albania.

The government attack on religion, which had been accelerating ever since 1946, reached a new level on 6 February 1967 when a speech by First Secretary Hoxha encouraged the Albanian

⁴ Enver Hoxha, "Speech Before His Constituency," *Zeri i Popullit* (Voice of the People), 11 November 1982, page 1. Cited in International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, *The State of Religious and Human Rights in Albania*, A Preliminary Report Submitted to the Commission of Human Rights, United Nations, Geneva, 1987, page 6.

⁵ Nikolaos A. Stavrou, Ph.D., Professor of Political Science, Howard University. Statement Before the Subcommittee on Human Rights and International Organizations, Committee on Foreign Affairs, U.S. House of Representatives, Washington, D.C., 25 January 1984, page 15.

youth to undertake a campaign to close down mosques and churches, and to eliminate the "backward customs and beliefs" of religion. According to the Albanian literary journal *Nendori*, 2,169 religious institutions were destroyed, confiscated, or converted to secularized uses such as theatres, grain depots, and stables.⁶ Repression against the Orthodox, Catholic, and Muslim clergy gained new momentum.⁷

The legal centerpiece of the Albanian "cultural revolution" was promulgated on 13 November 1967. Legislative Decree 4337 cancelled the legal status of the religious organizations and made illegal all manifestations of religion. Thus, article 18 of the 1946 Constitution of the People's Socialist Republic of Albania, which called for the separation of church and state, the liberty of religious organizations, and freedom of conscience and religion, was rendered meaningless. Radio Tirana proclaimed that Albania was the "first atheist state of the world."

The campaign was extensive. Even the cemeteries were cleansed of religious symbolism; all crosses and religious expressions were removed. Only the Red Star was allowed on the gravestones. Further measures were employed in an attempt to eradicate even religious connotations from Albania. Legislative Decree 5354, adopted in late 1975, stipulated mandatory changes of "culturally unacceptable" and "offensive" proper names. Although the authorities were not able to implement the decree retroactively, a list of "appropriate" names for newborns, from which parents are expected to select, was drawn up by the Albanian Party of Labor.

⁶ Association internationale pour la défense de la liberté religieuse, *Albania Needs International Help for the Elimination of the Total Religious Intolerance Demonstrated in its Constitution and in Practice*, 1984, page 2.

⁷ Amnesty International, *supra* note 1, at 13-15; and Sinishta, *The Fulfilled Promise: A Documentary Account of Religious Persecution in Albania*. (Santa Clara: H & F Composing Service, 1976).

Executive Decree 225, adopted in September 1975, required the change of geographic designations which had religious significance. ". . . in the region of Sarandes, Argrocastro and Delvino, approximately 90 towns and places which were named after religious figures were given 'culturally acceptable names.'⁸ Nationalist as well as anti-religious motivations were involved in these changes. The intent of both decrees was to eliminate proper names which would be anachronisms in the "new" Albania.

The campaign against religion in Albania, which had existed since 1946 and had intensified since 1967, finally became institutionalized with the adoption of the new constitution in 1976 and the new criminal code in 1977. With the following articles, Albania became the only country in the world to outlaw religion and mandate the propagation of atheism in its constitution:

Article 37: *The state recognizes no religion whatever and supports atheist propaganda for the purpose of inculcating the scientific materialist world outlook in people.*

Article 49: *The parents are responsible for the upbringing and communist education of the children.*

Article 55: *The creation of any type of organization of a fascist, anti-democratic, religious, or anti-socialist character is prohibited.*

The restrictions on freedom of thought, conscience, and religion set out in the constitution are solidified by the provisions of article 55 of the new penal code:

Fascist, anti-democratic, religious, warmongering or anti-socialist propaganda, as well as the preparation, distribution or the possession for distribution of literature with such a content in order to weaken or undermine the state of the dictatorship of the proletariat are punishable by deprivation of liberty for from three to 10 years.

⁸ Stavrou, *supra* note 5, at 19.

If the offense is deemed serious, or in times of war, the punishment is a minimum of 10 years or death.

Even though all manifestations of religion have been banned by the fundamental provisions of Albanian law, the government denied that religious believers had been persecuted. On 26 October 1983, an article in *Zeri i Popullit* asserted that religion had not been attacked "with laws and state decrees or with restrictions and force." The article claimed that religious faith had only been opposed with arguments.⁹

ALBANIAN JUSTIFICATIONS FOR THE STRUGGLE AGAINST RELIGION

Although there are provisions in the Albanian Constitution for the protection of many basic human rights, the constitution makes clear that the general interest of socialist society takes precedence over the interests of the individual.¹⁰ This provision, combined with the explicit ideological nature of the penal code¹¹ and the various articles of the constitution, gives the Albanian government an array of instruments with which to uproot elements which are perceived to be detrimental to the socialist order.

Religion is seen as such an element by the Albanian government. Not only is the idealistic base of religion antithetical to Marxist dialectical materialism, it is an alternate source of authority or foreign influence which could challenge the authority of the Albanian Party of

⁹ Amnesty International, *supra* note 1, at 15.

¹⁰ Article 39 of the *Constitution of the People's Socialist Republic of Albania*.

¹¹ Article 1 of the 1977 Criminal Code provides: "The penal legislation of the People's Socialist Republic of Albania expresses the will of the working class and other working masses and is a powerful weapon in the dictatorship of the proletariat in the class struggle. Penal legislation has the task of defending the socialist state, the Albanian Party of Labor as the sole guiding force of the state and society, socialist property, the rights and interests of citizens and the whole socialist order from socially dangerous acts by means of the application of penal measures against those who commit them."

Labor. Furthermore, it is perceived by the Albanian Party of Labor as a detriment to national unity.

Paskal Haxhi, 60, a former Supreme Court judge who now teaches constitutional law at Tirana University, explained the anti-Marxist, regressive nature of religion:

They say religion is a human right. We cite Marx, who said that religion is the opiate of the masses. As Marxists, therefore, we have abolished organized religion. . . . Our constitution doesn't forbid a religious conscience, but any organized expression of religion such as a Mass, a baptism, or a religious funeral service is prohibited. We think religion -- any religion -- poisons society and plays a negative role, slowing progress down.¹²

The Albanian leadership believes that its stand against religion and all of its manifestations is one of the most important elements which separate its "true" Marxist-Leninist party from the "revisionist" parties in other Marxist-Leninist states.

Religion is also seen by the Albanian Party of Labor as an agent of foreign powers, subverting the authority of the party and the discipline of the masses. The party leadership believes that religious people "move from an ideological opposition to our social order, to political opposition to it, as well." Religious expression or practice is seen only as a mask which conceals hostile political intentions and goals. Hulusi Hako, an Albanian author and propagandist wrote, in a paper for participants at the Ninth Congress of the Albanian Party of Labor, held in November 1986, that every attempt:

. . . to reactivate and resurrect among us the remnants of religion, conforms completely with the intentions and goals of imperialism, modern revisionism, the Vatican and the entire world reaction. As in the past,

¹² Lee Stokes, United Press International, "Stalinist Regime in Albania Keeps a Tight Rein on its Citizens," *Los Angeles Times*, 24 May 1987, page 6, col. 1.

so also today, our national and class enemies have hopes of using religion as an ideological and political weapon . . .¹³

Religion is also a detriment to national unity, according to the Albanian Party of Labor. National cohesion and unity could be achieved only when the diverging elements of Orthodox, Catholic, and Muslim religions were removed. According to First Secretary Hoxha, "The religion of Albania is Albanism."¹⁴ Albanism has been constructed on the eradication of religion, and the propagation of "active atheism" and "correct" Marxism-Leninism throughout the educational system and society. Albanism consists also of pressures for cultural assimilation of ethnic minorities and linguistic conformity.

The Albanian leadership believes that religion is a tool in the hands of inimical foreign powers. In this paradigm, the Vatican is an agent of world imperialism and reaction, the Patriarchate and the Greek Orthodox Church are guilty of agitating the Greek minority in Albania (with decidedly geo-political goals in mind), and the authorities in Yugoslavia are using religion to alienate Yugoslav ethnic Albanians from Albania.¹⁵ Therefore, religion must be suppressed completely in order to forge the unity and inviolability of socialist Albania.

INTERNATIONAL NORMS

Albania's institutionalized campaign against religion contravenes articles 55 and 56 of the United Nations (UN) Charter which Albania, as a member of the UN, is pledged to uphold. UN Charter articles 55 and 56 charge each member state with the responsibility of promoting

¹³ Hulusi Hako, "Toward the Creation of a Totally Atheistic Society," published originally in the APL's theoretical journal, *Rruga e Partise* (The Road of the Party), XXXIII, March 1986, pages 61-73. Translated by the *Albanian Catholic Bulletin*, Vol. VI & VII, 1986-87, page 29.

¹⁴ Hoxha was appropriating and redefining a nationalist slogan that was used by the founding fathers of modern Albania during the late 19th and early 20th century.

¹⁵ Hako, *supra* note 13, at 30.

"universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."

Albania's institutionalized religious intolerance ignores article 18 of the Universal Declaration of Human Rights which states:

Everyone has the right to freedom of thought, conscience and religion; this includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Likewise, Albania disregards the 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.¹⁶

Ironically, First Secretary Alia cites some of these same instruments when complaining about the treatment of ethnic Albanians in the Kosovo region of Yugoslavia:

We have condemned and continue to condemn the injustices which are being meted out to the Albanians in Yugoslavia. The defence and concern for minorities are undeniable rights. These are provided for by international laws and practices, and even in the UN Charter.¹⁷

This appeal to the authority of the UN may signal a slight change in attitude of the new Albanian leadership toward minority rights and freedom of thought, conscience, and religion, an issue which will be taken up in the concluding portion of this report.

¹⁶ Albania has not ratified the two major UN treaties on human rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and it is the only European country that has not accepted the Final Act of the Conference on Security and Cooperation in Europe (the "Helsinki Accords").

¹⁷ Ramiz Alia, "Report to the Ninth Congress of the Party of Labor of Albania," *Zeri i Popullit*, 4 November 1986. Cited in Patrick Artisien, *Albania: Recent Developments*, National Association for Soviet and East European Studies, Annual Conference, Fitzwilliam College, Cambridge, 28-30 March 1987, page 25.

CONSEQUENCES FOR THE VARIOUS RELIGIONS

Pre-war polls and estimates by various interested organizations on the religious affiliation of the Albanian population show a general consensus. About seventy percent of the population was Muslim (either Sunni or Bektashi), about eighteen percent (including ethnic Greeks) were Orthodox Christian, and about ten percent were Roman Catholic. No such consensus exists, however, on the estimates of the number of ethnic Greeks presently in southern Albania. Individuals and groups attempting to promote the interests of the ethnic Greeks in Albania estimate their numbers to be from 200,000 to 400,000. Other organizations, which are not seen as directly promoting the cause of ethnic Greeks, tend to have lower estimates. These groups place the number of ethnic Greeks at around 50,000. According to the Albanian government census of 1961, there were 40,000 ethnic Greeks in the country.

The disparities in the estimates of the numbers of ethnic Greeks spring from ambiguities about the characteristics which make one "Greek." Language and Greek Orthodoxy seem to be two of the most important factors. One possible explanation for the disparity is offered by the International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities. The Federation describes how the infusion of non-Greek-speaking Albanians into Greek-inhabited towns affects the estimates. "Once new transplants are introduced, instruction in public schools is carried out only in Albanian (irrespective of the number of Albanian-speaking children) and the entire town is officially declared 'Albanian'-speaking."¹⁸ This policy, according to the Federation, explains the wide disparity between the estimates of the Albanian government and those used by advocates of the rights of the Greek minority.

¹⁸ International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, untitled, Geneva, 5 March 1987, page 3.

Another possible explanation comes from the tendency of some advocates to assume that all or most of the Orthodox believers are Greek Orthodox. They tend to overlook the fact that the adherents of Greek Orthodoxy were a subset of the roughly eighteen percent who belonged to the autocephalous¹⁹ Orthodox Church of Albania. An accurate count of the ethnic Greek minority is an important first step in documenting the discrimination aimed particularly at this minority.

Another group which has allegedly been targeted for discrimination is the small Jewish minority which numbers several hundred or a couple thousand according to various estimates. Samuel Matathia, an Albanian Jew who escaped in August 1986, says that Jews are denied work and moved from their homes simply because of their Jewish heritage.²⁰ Costas Gigas, president of the Athens Society of North Epirots, has visited Albania more than forty times in the last ten years. He confirmed Matathia's testimony and said that Jews were made scapegoats for the country's problems because they had some economic independence before World War II. But Matathia's and Gigas' testimony was contradicted by the *American Examiner-Jewish Week* which, responding to the Matathia article, stated that "there is no active discrimination against or persecution of Jews apart from the religious prohibitions under which all believers suffer in Albania."²¹

The consequences of Albania's institutionalized intolerance of religion seem to have been equally harsh for the various religions. Orthodox, Catholic, Muslim, and Jewish religious leaders were imprisoned, executed, or forced to engage in non-religious work. All church

¹⁹ Independent of external authority.

²⁰ Stefan Fatsis, "Fugitive Accuses Albania of Anti-Jewish Practices," *The Associated Press*, 29 August 1986.

²¹ *Albanian Catholic Bulletin*, "Albanians Provided a Haven for Jews," Vol. VII & VIII, 1986-87, page 38.

properties and houses of worship were confiscated and either destroyed or transformed for secular usage. All manifestations of religious sentiment among the Albanian public have been suppressed and punished according to Albanian law. The Greek minority, however, faces dangers of cultural assimilation and Albanian linguistic uniformity in addition to the destruction of its Orthodox religion.²² Greek refugees have offered vivid testimony of forced relocation, restrictions on the right to speak and teach Greek, and severe economic and social discrimination on the basis of their ethnic background. The "culturally acceptable" name list and the mandated change of geographical designations strike at Greek ethnicity as well as at their religion. There are allegations of disproportionate numbers of the ethnic Greek minority in prisons and internal exile.²³

For its part, the Greek government has renounced its territorial claims to North Epirus and, in August 1987, Greece formally ended the technical state of war which had existed since 1940.²⁴ By making these concessions, the Greek government had hoped to gain more access to the ethnic Greeks in Albania. But no guarantees have been won for the Greek-speaking minority.²⁵

²² International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, *The State of Religious and Human Rights in Albania*, A Report Submitted at the 39th Session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Item 6, United Nations, Geneva, 1987, page 6.

²³ Hearing Before the Subcommittee on Human Rights and International Organizations, Committee on Foreign Affairs, U.S. House of Representatives, Ninety-eighth Congress, Second Session, 25 January 1984, (Washington: U.S. Government Printing Office, 1985); Statement by Vassilios Mikelis, Representative of the Minority Rights Group and President of the Panepirotic Federation of America, Australia, and Canada, before the Commission on Human Rights, Forty-fourth Session, Geneva, February 1 - March 11, 1988.

²⁴ Greco-Albanian diplomatic relations resumed in 1971.

²⁵ No guarantees may be needed if the situation of the Greek minority in Albania is as Karolis Papoulias, Alternate Foreign Minister of Foreign Affairs of Greece, describes it. Following his visit to Albania in late 1984, Papoulias said, "The Albanian government has not taken steps to de-Hellenize the minority, as many people have claimed but on the contrary it has strengthened its characteristic features." He went on to say, "no person who claims to be

According to the Albanian leadership, the Greek minority willingly renounced religion and is enjoying a flourishing life in socialist Albania. "Relying on sound reason, experience and the line of the Party, the members of the minority have expressed themselves without any vacillation against clericalism and the shackles of religion."²⁶

More investigation is needed to make an independent determination regarding the human rights of the Greek minority in Albania. An assessment of the broad spectrum of human rights for the Greek minority in Albania is beyond the scope of this report. This subject will be a topic of future study. In regard to religious matters, persecution and repression have appeared quite uniform in Albania, including the Greek Orthodox.

RELIGION IN ALBANIA UNDER FIRST SECRETARY ALIA

The institutionalized campaign against religion in Albania has not succeeded in obliterating every last vestige of religion, but it has severely retarded and distorted its expression.

Asked how religious rites, if any, are performed, the refugees described how the few remaining priests are reluctant to officiate at any secret religious service. In fact, they refuse to even discuss religious matters, for they know those who do are immediately sent to labor camp. Our representative asked who performs baptisms or blesses newlyweds. Another young man volunteered that family members have assumed these functions.²⁷

objective can deny the fact that the Greek language is presently cultivated with the support of the Albanian government." (From an interview with Mr. Papoulias in the Greek monthly, *Panepirotiki*, December 1984. Translated by the *Albanian Catholic Bulletin*, Vol. VI, 1985, page 66.)

²⁶ Hako, *supra* note 13, at 30.

²⁷ *Albanian Catholic Bulletin*, "Religious Oppression Continues in Albania," Vol. IX, 1988, page 30. Interview by representative of the *Albanian Catholic Bulletin* with newly arrived refugees in New York and San Francisco.

Some families continue to perform religious services surrounding baptism, marriage, and death. The Albanian Party of Labor recognizes that the family has become the last bastion of religion.²⁸ A twenty-year old youth recounted how his mother instructed him in her faith. "At Christmas, Easter and the feasts of Our Lady of Shkodra and St. Nickolas she would take out her rosary and icons from hiding and they would pray together."²⁹ Another refugee, who escaped in 1979, gave a similar description. His family continued to pray in their home before bedtime and before meals, and the family held services for Christian holidays in their home.³⁰

Giorgia Papayanni, who left Albania in December 1986, said, "people still light candles at home and pray. . . . They remember saints' days and keep icons and crosses hidden away."³¹ According to Paskal Haxhi, a former Supreme Court judge who now teaches constitutional law at Tirana University, "It is not illegal to have icons or wear crosses, but the climate is hostile to such things, so the people avoid it."³²

Recent ethnic Greek escapees give similar descriptions about the secret continuance of religious practices. Alexandros Mihilis, an ethnic Greek who escaped in September 1987, said that most people do believe secretly and worship secretly at home.³³

²⁸ Hako, *supra* note 13, at 29.

²⁹ *Albanian Catholic Bulletin*, "Religious Oppression Continues in Albania," Vol. IX, 1988, page 30. Interview by representative of the *Albanian Catholic Bulletin* with newly arrived refugees in New York and San Francisco.

³⁰ Interview with an Albanian refugee, 22 July 1988, San Francisco, California.

³¹ Stokes, *supra* note 12, at 6, col. 1.

³² *Id.*

³³ Testimony in *The Struggle of Northern Epirus*, Athens, October 1987.

Muslims also continue some religious practices in limited ways. Some continue to practice their faith in their own homes, and tourists have reported seeing Muslim Albanians praying along roadsides "with apparent impunity."³⁴

In addition to the secret religious practices, some people have held on to religious convictions where the government was perceived as unable to enforce its anti-religious provisions. Although the government has tried to promote intermarriage among people of different outlawed faiths, the majority of the Albanian people continue to marry within the old faith boundaries. A survey conducted by an Albanian government sociologist in 1980 showed that less than four percent of marriages took place between people of a different religious background.³⁵ Some individuals violate the name law, both in letter and intent. One refugee said that some individuals refuse to take an accepted name for their child despite a public posting place where families who refuse to comply are publicly ridiculed, and despite the certainty of future discrimination for the child in school and the military. The same refugee said, however, that many people select a state-accepted name for use in public but call their children by family names in private.³⁶

Thus, religion continues to survive in Albania in a severe state of atrophy imposed by the ruling Albanian Party of Labor. The last refuge of religion in Albania is the discreet family unit. The faithful persist in a secretive manner, well aware of the consequences and penalties for their religious actions. They persist in the hope that a relaxation of the Albanian Party of Labor's institutionalized religious intolerance will someday come to pass. Reform or

³⁴ U.S. Department of State, *Country Reports on Human Rights Practices for 1987*, 100th Congress, Second Session, (Washington: U.S. Government Printing Office, 1988), page 846.

³⁵ Palok Plaku, "Grave Violations of Religious Rights in Albania," *Albanian Catholic Bulletin*, Vol. VI, 1985, page 44.

³⁶ Interview with an Albanian refugee, 22 July 1988, San Francisco, California.

liberalization of the Albanian Party of Labor position against religion was unthinkable as long as First Secretary Hoxha remained in power. The change in leadership brought faint hope, but few expected any meaningful change in government tolerance of religion from First Secretary Hoxha's protégé and successor, First Secretary Alia.

Some changes which have taken place in Albania since the death of First Secretary Hoxha in April 1985 and the rise of First Secretary Alia, have however, encouraged foreign observers. The Albanian Party of Labor has begun exploring the effects of some very modest changes in the domestic economy. Foreign relations are also changing, with a limited degree of opening toward East and West, excluding the superpowers.

Foto Cami, a member of the Politburo of the Albanian Party of Labor and one of the youngest and most outspoken leaders in Albania, has advocated more openness in dealing with the public and he wants the government to provide the people with more information about the domestic and international situation. "Cami has emerged as a point man in the Albanian leadership calling for reforms."³⁷

This climate of limited change has seen a slight relaxation of the institutionalized intolerance of religion. Leaders in Albanian society, including First Secretary Alia, are talking differently about religion. "A recent report in a Czech Catholic journal reports that Ramiz Alia, the General Secretary of the Communist Party of Albania, has declared that the people should not be imprisoned, or otherwise punished, for praying at home."³⁸

³⁷ Elez Biberaj, Nicholas J. Costa, and Eduard Lico, "Albania: Experiments in Reform," *Freedom at Issue*, March-April 1988, pages 4-5.

³⁸ Dan Wooding, "Imagine Albania," *Albanian Catholic Bulletin*, Vol. VII & VIII, 1986-87, page 69.

According to Hamid Beqja, Professor of Psychology at Tirana University, "Institutional religion does not now exist. Religious consciousness does exist. We cannot stop that, ever, through legal means." He said in an interview that, "every man in his own house may practice religious rites," and he rejected suggestions that the *Sigurimi*, the state security police, would seek to prevent such private practices.³⁹ Even Dr. Elez Biberaj, head of the Albanian Service of the Voice of America, an information agency supported by the U.S. Government, says of the new tack of the Albanian government, "The anti-religious campaign continues but it is significantly less intensive than during the Hoxha era."⁴⁰

Symbolically, the Albanian Party of Labor is taking a new path by not celebrating, for the first time, the birthday of Joseph Stalin.⁴¹ Stalin has traditionally been revered in Albania, and statues and portraits of him can be found in most Albanian towns.

Although the government seems to have toned down its campaign of "active atheism," it would be a mistake to assume that there has been significant or meaningful change in the Albanian Party of Labor's institutionalized intolerance of religion. The government is simply allowing "deviants" a little breathing space, a space which the government would have tremendous difficulty closing under any circumstances.

Persecution persists for detectable manifestations of religion. Two brothers from Shkodra, who recently fled to Italy, Gjovalin and Franc Vacaj, declared that the continuous denial of

³⁹ David Storey, "Banned Religious Customs Revealed in Albanian Egg Lines," *Reuters News Service*, 4 May 1987.

⁴⁰ Biberaj, Costa, and Lico, *supra* note 37, at 8.

⁴¹ *Albanian Catholic Bulletin*, "Is Albania Drifting Away from Stalinism?", Vol. IX, 1988, page 32.

their basic human rights had forced them to flee. They stated that religious persecution continues under the leadership of First Secretary Alia.⁴²

Prisoners of conscience were not affected by the partial amnesty of prisoners under First Secretary Alia. The only remaining Catholic Bishop in Albania, seventy-year old Nicholas Troshani, remains confined in the labor camp of Tepelana near the port of Vlora.

The few priests and religious still alive remain in prison and forced labor camps. Among these is Mark Hasi who, for the second time, is serving a long prison sentence for "conducting religious services." Confined to labor camps are also Fathers Injac Gjoka, Rrok Gjuraj, Ndoc Sahatcia, Zef Nikolla, Ndrec Gega, Jesuit Gjergji Vata, Simon Jubani, and Simon's older brother, Lazer, Fran Illia, Federik Mazi, and two Franciscans.⁴³

Fran Mark Gjoni, who, according to Amnesty International, was sentenced to twelve years in prison in 1977 for possessing Bibles,⁴⁴ remains incarcerated.

Amnesty International has also documented testimony by refugees in 1986 who stated that Father Pjeter Meshkalla, an eighty-year old Jesuit, had been arrested in Guri i Zi, near Shkoder, after he had celebrated mass in a private house.⁴⁵ Father Meshkalla had been imprisoned on previous charges in the 1950s and 1960s and had been released in the early 1980s. This arrest shows that punishment for overt religious activities continues unabated.

⁴² *Albanian Catholic Bulletin*, "Refugees Tell of Persecution in Albania," Vol. VII & VIII, 1986-87, page 35.

⁴³ Plaku, *supra* note 35, at 43.

⁴⁴ Amnesty International, *Amnesty International Report 1985* (London: Amnesty International Publications, 1985), page 257.

⁴⁵ Amnesty International, *Amnesty International Report 1987* (London: Amnesty International Publications, 1987), page 280.

The government may recently have backed away from purging the family unit of religious sentiments, but its idealized or ultimate intentions are clear. "We realize that the family is the last fortress harboring religious remnants that has to be occupied."⁴⁶

One element that will be enlisted for the assault on "the last fortress harboring religious sentiments" is the Cultural Youth Brigade. These Brigades are made up of youth group leaders who travel throughout the country to investigate any attitudes or practices which deviate from the Albanian Party of Labor policies. When the Brigades locate deviationism, they organize meetings with the local youth to "reeducate" them in the "spirit of the Party." *Zeri i Rinise* (Voice of the Youth), the official weekly of the Albanian Youth Organization, reported on the Brigade's activities in the edition of 29 July 1987, and, "stressed their need to fight 'backward customs, superstitions and recalcitrant religious practices.' Seventy Brigades are currently operating throughout the country."⁴⁷

CONCLUSION

Religion continues in Albania in its underground, atomized fashion, and the administration of First Secretary Alia seems to be responding with a slightly lighter touch than that of its predecessor. Yet, the superficial impression, enhanced by limited movement in other spheres, such as the economy and foreign relations, cannot conceal the fact that religion in Albania remains repressed by law.

International human rights standards, which provide for the protection and promotion of the freedom of thought, conscience, and religion, are flagrantly violated by the Albanian

⁴⁶ Hako, *supra* note 13, at 29.

⁴⁷ *Albanian Catholic Bulletin*, "Religion Still Troubles Albanian Youth Leaders," Vol. IX, 1988, page 31.

government. No churches, mosques, or synagogues are allowed to exist. Religious names and symbolism are prohibited. Religious services and observances are ruthlessly repressed. Any detectable manifestation of religion by an individual is dealt with harshly by a hostile penal system.

The absence of any legal avenue for religious expression constitutes an ongoing violation of fundamental human rights. The Albanian government's institutionalized forms of repression are as much of an affront to human dignity and freedom as the overt repression of the 1960s. The blatant killings, imprisonments, repression, and mass destruction may belong to an earlier era, but the repressive institutionalized intolerance of religion and its devastating effects remain.

The softened rhetoric towards religion by the Albanian elite since the ascension of First Secretary Alia may be for foreign consumption or, indeed, a sign of pragmatism. Regardless, the official position toward religion remains unaltered. The official position of the Albanian Party of Labor is that considerable progress has been made toward the creation of a "totally atheistic society," but "even today we encounter in our life certain manifestations and remnants" of religion which are still "sufficiently extensive, harmful, and dangerous."⁴⁸

Thus, despite some limited changes in Albania since First Secretary Alia came to power, no significant departure from the institutionalized system of religious intolerance has occurred in Albania. First Secretary Alia is a product of the system, a protégé of First Secretary Hoxha:

As comrade Ramiz Alia has said, our Party teaches us that, "Behind foreign remnants, behind religious beliefs and backward customs, behind every non-socialist concept that someone harbors, there is the danger of

⁴⁸ Hako, *supra* note 13, at 24.

degeneration, there is source material for the class enemy, imperialism and revisionism."⁴⁹

The People's Socialist Republic of Albania has taken no steps to redress its systemic violations of freedom of thought, conscience, and religion. This preliminary report on the institutionalized intolerance of religion in Albania shows the need for additional research into Albanian human rights violations, particularly violations of the freedom of thought, conscience, and religion.

⁴⁹ *Id.*, at 32.