



The Ritualistic Crimes and Criminal Code of Albania

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Abstract

Albania continues to be a high risk country in ritualistic criminal activities, due to absence of appropriate legislation to fully and institutionally react with proper measures to condemn the perpetrators. Enforcement agencies are facing serious challenges regarding efforts to combat this phenomenon, due to lack of trainings and information. Investigators are having many difficulties to identify and professionally prevent, investigate or reveal the core scopes of these criminal acts. The crimes committed in fulfillment of the rituals of secret cults, abusing vulnerable persons until the loss of their lives, have been unknown until recent years to the Albanian reality. In the US and Europe there is a long history and criminological studies, which have subsequently dictated the legal and institutional reforms of the respective states. Regarding cruelty and danger in public security elements, this kind of activities has been reported continuously with high level of concern by media outlet and civil society, which repeatedly emphasize the risks of deterioration of this illegal activity. In 2020-2021, according to media reports and official statements of the State Police, 4 people lost their lives in mysterious circumstances, where the collected evidence raised strong doubts about the application of rituals by secret sects. All four victims were attached to alternative rituals and beliefs, and esoteric items and signs were found, proving their participation in certain circumstances. By the end of this year, Albania is planning to adopt new criminal code with new relevant articles in order to improve national anti-crime strategies. In the above context, the new legislation and the amendments on this regards, are very important to track, denounce and punishes such ritualistic activities toward human beings and animal as well. This paper aims to analyze the current situation and to point out the challenges that Albania is facing to combat the ritualistic organized criminal activity, focusing mainly on legislation amendments and other institutional or education reforms. During these analyses, will be given other European and western in comparative way, in order to explore the best system adaptable to our national security necessities. This paper will analyze also the notion of occult criminology, including their reasoning and definition, raising some questions as follows: What is the cause of these crimes in Albania? What are the categories of victims who lose their lives from these rituals and what is their victimology profiling? What is the profile of the perpetrators and the ideology they follow for committing these crimes? At the end of this paper, in addition to the general conclusions that have been presented, a special part is preserved to figure out some recommendations, which should be taken into account by law enforcement agencies in order to intensify the activity and improve legislation to prevent this kind of criminal activity in Albania. This paper aims also to realize and identify the damage caused by occult crimes, their main causes in the Albanian reality and the measures that must be taken to prevent them in the future. The subjects of these crimes are different and their division and identification enables the development of an appropriate strategy for their prevention. The typology of crimes will be analyzed through legal proposals and statistics of recent years related to this typology of crime. The dynamics of these crimes will also be taken into account in the analysis. Another importance is the increase of awareness for occult crimes, which is another goal of this paper.

Keywords: ritualistic, criminal code, occultism, legislation reform, institutional organization

1. Introduction

From 2005 onwards, based on the statements of the State Police, a series of suicides have been ascertained, mainly of minors, who, according to the testimonies, family members or other relatives, are suspected to have been committed under the influence of ideologies or sect rituals based on alternative beliefs with criminal consequences. Following the above events, during the years 2020-2021, based again on the communications of the State Police and the news made public by the media, in our country were found 3 events with 4 victims, which have strong suspicions that continue to have regarding the involvement of victims in community of occult sects and alternative faith rituals that inspire their self-sacrifice or criminal sacrifice.

In the last report of the event of May 18, 2021, where it was announced by the State Police that the citizen E. B was found dead in an apartment in Tirana, in some media outlets, were published symbols drawn on her body. These symbols amplified a great public debate, which included criminology professors, theologians, forensic experts, criminal profilers, etc. The latter unanimously agreed in the conclusion that the symbols found on the body of the deceased belong to the belief of an occult ritual performed with the aim of sacrificing her in a sophisticated, exoterically and criminal way.

The Republic of Albanian has been a full member of the Council of Europe since July 13, 1995. The Parliamentary Assembly of the Council of Europe has adopted a series of recommendations and resolutions, which raise concerns about the uncontrolled and secret activity of some religious groups, which pose an eminent danger to European society and values, calling for concrete measures to be taken by member states. Individual Western states with increased criminal activity related to occult rituals such as Italy, Austria, Great Britain, France and the USA have taken long institutional and legislative organizational measures to prevent the spread, penetration and development of this illegal activity in their places. Seeing that the above cases are of a criminal nature, Albania has the obligation to start taking measures to respond with a legislative and institutional plan to save lives, preventing such crimes from occurring in the future.

2. Understanding the Occult Crimes and Risks Toward our Society

The occult has much in common with magic where the individual is involved in attempting to force the supernatural into accomplishing tasks for the individual. Some scholars consider the occult to be a form of magic whether "white" or "positive" where the practitioner seeks to enhance some aspect of themselves, others, or the world.

Some who are involved with the occult are claimed to be practicing "black" magic where the alteration of the physical world is focused upon achieving a harmful or criminal result. These distinctions are a matter of some disagreement (see Cavendish 1967) with some occultists advocating a position from a host of political and personal positions (such as gay magic). The occult is not a specific religion, although occult practice can be associated with unique body of adherents or churches such as the Church of Satan or Temple of Set.

Many people consider occultism to be sick, perverse, heretical, dangerous, evil and even illegal because believers' actions and identity are far removed from mainstream religious practice.

Most occult activities, however, are neither illegal nor evil and are, in fact, protected under the First Amendment guaranteeing Americans freedom of religious choice. What the Constitution does not protect are illegal activities conducted by those motivated by the occult in conjunction with their belief system.

It appears that, to the occult practitioner, the type of magic practiced is largely perceptual; that is, practicing magic really involves what the practitioner believes is being invoked. To the criminal justice system, however, the practitioner's perceptions are moot; he or she is either involved in legally protected spiritual activity or in illegal criminal activity. This tension between belief and perception is critical in understanding occult crime.

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The occult rituals are similar with magic manipulation, where the individual is enrolled in attempting to use the supernatural power accomplishing tasks for his paranormal fantasies. Some studies⁶¹ consider the occult ritual to be an alternative of magic powers, where the member seeks to improve some weeks of themselves above all others in the world. Some people who are participating in occult rituals, are convinced to be practicing "black" magic, which is considered to be another alternative of the physical world accomplishing a harmful or criminal consequence.

The occult rituals are not a historical or traditional religion, although some of their esoteric procedures can be associated with churches such as the Church of Satan etc. Many civil societies groups and religion congregations in Europe consider occultism to be illegal, heretical and dangerous, because their followers' actions are in the opposite part of moral and positive religion philosophy. In major part of free societies in the world, freedom of religion is protected under national constitutions and also by international treaties. What the international principles and constitutions do not protect are criminal activities conducted by occult groups, incited by the metaphysical belief antihuman rules.

The occult rituals member's beliefs strongly insist that hiding their activity is crucial of fulfilling their duties. The perception of law enforcement agencies and criminal justice institutions in occult rituals theories and criminal consequences are important to establish a unique approach against those crimes. Therefore some recent definition of occult crime is related also with sub religion cultures of hate crime. Some law enforcement agencies in US are placing the occult and occult-related criminal activity into categories new criminal behavior, linked in occult or spiritual crime. Other European security agencies are strongly placing the occult and occult-related criminal activity into religion hate crimes category. Both above law enforcement communities stands in the definition that occult crimes are related in spiritual or personal belief alternatives, who commit a crime, whether or not to further their beliefs, religion, or organization, has committed a crime and should be treated accordingly by the criminal justice system.

Occult crimes are criminal actions based on supernatural or spiritual beliefs, implemented by rituals and other ceremonial actions. Regardless of the specific beliefs, esoteric symbols and other so called divine motivations are reinforcing occult-related group's behavior, to take even criminal actions. Most of those who are participating in the occult rituals and crimes, are individuals who are often abandoned or in series stages of sociopathy. They test their beliefs in experiments in human and animals with a variety of sub religions, spiritualities, and the occult procedures. These individuals experiment their way into occult activities, basing their attitude in ancient books, and being exiting of the reveals of supernatural expectations. They tend to create an addicted attitude toward vary occult activities, which complicate their metaphysical ideas and their existence. Therefore some of them change rapidly into severe depress mood and often chose to make suicide.

Although the majority of those members involved in the occult are law-abiding, some others choose to see their criminal activity in occultism as a hate crime toward other traditional religions. Ritualistic abuse is main form of occult crimes. This crime is a category of occult crime enrolling repeated physical, sexual and psychological abuse that affects symbolic rituals. Some more serious forms have to do with the mutilation of people and animals, using mainly their blood. While more serious form of this criminal activity is the ritual attack on babies and children for devilish sacrificial purposes. These rituals are performed in special places, on days based on magical calendars provided in ancient books and require specific items for use threatening life of the victims. The world alarm is the secrecy and hermeticization of these groups, their codes of silence and the risk of murder of cult members if they want to cooperate with the police. The terror that the cult inflicts on its members makes their frequent detection impossible.

3. Amendments in Criminal Code of Albania to Prevent and Punish Occult Crimes

The US Federal Criminal Code definition about ritual acts has mention those acts undertaken as part of a ceremony, rite, initiation, observance, performance or practice that result or are intended to result in:

- a) Mutilation, dismemberment, torture, abuse or sacrifice of animals.

⁶¹ -Rodney Stark & Williams Sims Bainbridge (1986), "The Future of religion, secularization, revival and Cult formation",

- b) Ingestion of human or animal blood or human or animal waste.
 - 1. The actions set forth in this subsection are determined to be destructive to the peace, health, morals, and safety of the citizens of this state and are hereby prohibited.
 - 2. Any person who commits, attempts to commit, or conspires with another to commit a ritual act, shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding five thousand dollars, or to both.
- c) No person shall perform mutilation, dismemberment or ritualistic torture of a human being as part of a ceremony, rite, initiation, observance, performance or practice.
 - 3. No person shall commit ritual sexual abuse of children or adults with physical or mental disabilities as part of a ceremony, rite, initiation, observance, performance or practice.
 - 4. No person shall commit ritualistic psychological abuse of children or adults with physical or mental disabilities as part of a ceremony, rite, initiation, celebration, performance or practice.
 - 5. Any person who commits, attempts to commit or conspires with another to commit a violation of this article shall be punished with imprisonment of not less than five nor more than twenty-five years and may be punished with a fine of not more than twenty five thousand dollars.
- d) Any violation that occurs under the provisions of this article shall be considered a separate violation.⁶²

Referring to the above, the Criminal Code of Albania has shortcomings and gaps in relation to the punishment of criminal acts of an occult nature. In relation with this it is necessary to set new amendments which will affect the above crimes and will improve domestic legislation by provisions as follows:

First of all, the phraseology of crimes from occult rituals based on esoteric ideologies must be clarified in the law. In this case, these crimes are committed by one or more people organized in groups, who fulfill a series of procedures in the form of rituals, based on ideologies or non-traditional beliefs, which, among others, have as their goal with indecipherable means of communication, often with symbols to achieve the goals of their faith, causing a bull of health and life to people or animals. On Article 50⁶³ of Albanian Criminal Code related with aggravating circumstances, an amendment should be added, in which the criminal offense will be committed within the framework of secret rituals based on esoteric and non-traditional ideologies, which aim to sacrifice, cause suicide, mutilate or abuse people or animals, as well as damage property or other assets in direct forms or through different technologies.

On Article 79 of Criminal Code of Albania related with murder in other qualifying circumstances,⁶⁴ an provision should be added, which can foreseen that the criminal offense of intentional homicide was committed within the framework of secret rituals, which have as an esoteric ideology the sacrifice of the person's life. Moreover in Article 88⁶⁵ of Criminal Code of Albania related with intentional grievous hurt, in the second paragraph of this provision, should be added the serious injury that resulted in mutilation, disfigurement or any other permanent damage to health, termination of pregnancy, or was life-threatening at the time of its occurrence, also be added content that this act was carried out within the secret rituals of an esoteric ideology directed against the physical integrity of the victim.

On Article 99 of Criminal Code of Albania related with cause of suicide, the provision should be added, in which causing suicide or attempted suicide of a person, should include, in addition to systematic ill-treatment or other systematic behavior that seriously affects dignity, committed by the person who depends on him or by the person with whom he is dependent. Moreover provision should emphasize that there are links with family or cohabitation relationships, also from other persons, who through the literature of esoteric ideology and continuous emotional induction, have resulted in the self-sacrifice of the person through his actions or inactions.

On Article 107/a of Criminal Code of Albania related with sexual violence⁶⁶ the provision should be added in which the exercise of sexual violence carried out through actions of a sexual nature on the body of another person with objects is carried out within the framework of secret rituals, which have as ideology esoteric bodily abuse of victims. On Article 207/b and Article 207/c of Criminal Code of Albania related with intentional killing of a companion animal and maltreatment of an animal an addition article should approved in order that mistreatment or torture might be also committed within the framework of secret rituals, which have as an esoteric ideology the bodily abuse up to the killing of

⁶² US Federal Criminal Code, Acts 1989, No. 637, §1

⁶³ (The letter "b" was changed, the letters "h" and "i" were added by law no. 8733, dated 24.1.2001; the letter "dh" was changed by law no. 9275, dated 16.9.2004; the letter "j" was added by law No. 9686, dated 26.2.2007; the letters "ç/1" and "e/1" are added and the letters "g" and "j" are changed by Law No. 144/2013, dated 2.5.2013)

⁶⁴ (Amended by law no. 8733, dated 24.1.2001; letter "c" was changed by law no. 9275, dated 16.9.2004; articles 79/a, 79/b, 79/c were added by law no. 144/2013, dated 2.5.2013; repealed letter "c" by Law No. 144/2013, dated 2.5.2013)

⁶⁵ (Amended second paragraph by law no. 144/2013, dated 2.5.2013)

⁶⁶ (Added Article 107/a by Law No. 144/2013, dated 2.5.2013)

animals.

4. Institutional and Administrative Measures to Combat Occult Crimes Activity

Albania needs, in addition to legal amendments, to take institutional and administrative measures to respond to the danger of occult crimes. The measures must also be of a preventive, educational and preparatory nature, in order to set up a proper alert and preparedness system for any possible event in the framework of criminal occultism. Therefore, it is necessary that the Faculty of Security and Investigation at the Security Academy of Albanian Police⁶⁷, includes in the special curriculum for training program in recognition of occult crimes by cadets who expect to graduate with the initial rank of duty.

Another measure to take place soon is the establishment of special team at the General Directorate of the State Police, based on the Italian experience⁶⁸, which should be responsible as multidisciplinary experts to handle investigations or events whenever there are suspicions of occult crimes. The General Directorate of the State Police should also provide a special green number, which will be dedicated to help and initial counseling to persons/victims from occult crimes. Current reception centers for abused persons or for the purpose of trafficking should have an additional function in order to receive, accommodate and protect any person, especially former member, who feels threatened by groups that practice occult rituals.

The Border and Immigration Directorate, in cooperation and coordination with the Committee of Cults, must create a special register for all foreign persons who, as the purpose of their visit, self-declare activities of a religious nature within the Albanian territory. They should be kept in the register of data on the duration, location, financing and the type of religious faith they will predicate. Another duty in this context is that law enforcement services who deal with community policing should be trained to have as the scope of their activity also the phenomena of occultism in the community and counseling for their prevention in cooperation with state institutions, private entities and individuals.

Regarding the Cybercrime Sector at the State Police, is very important to follow special trainings and to continue monitoring, especially in social networks, any account, page or entity that develops occult propaganda and invites other people to certain areas, where there is a added risk to their life. Therefore, a special instruction should be sent to all Police Commissariats, through which they will be asked to increase readiness and attention to the occult activity, especially in schools and districts of young people presence. They will also report any suspicion related to the event, not only with people, but also with animals.

The above measures are necessary, due to currently lack of institutions and special training programs, which have created an advantage for occult groups to continue their criminal activity undisturbed.

5. Conclusions

Albania is a country with a high risk of being affected by the criminal activities of occult rituals. The lack of public information, training of law enforcement agencies and civil society projects in this field, have been very favorable for criminality of occultism.

Albania should intensify its legislative efforts to provide concrete provisions for the definition of occult crimes, their types, preventive measures and punishments that should be provided in each case.

Public institutions must unveil a special plan of measures, which must be brought to the attention of the public to increase awareness and vigilance for occult crimes. This plan must be in compliance with international acts and directives, as well as in unison with the best practices of counterpart countries.

Community policing, public propaganda, exchange of experiences with other countries, meetings in schools, training of groups at risk, engagement of civil society in special programs, preparation of psychological and social state services, should be institutional and strategic measures to start a preventive campaign.

Judiciary, Intelligent bodies, State Police and other public institution, should be the most important bodies to follow and evaluate in each case the risk of the criminal activity of occultism. In addition to them, institutions that deal with cults, housing and protection of victims, border and immigration, cyber protection, etc., have a key role to intensify the fight against any form of occultism that endangers the life and health of citizens and animals in our country.

⁶⁷ <https://akademia.asp.gov.al/index.php/al/>

⁶⁸ <https://www.romasette.it/servizio-antisette-numero-verde-a-fianco-delle-vittime/>

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