The political activity developed by the Illyrian ancestors of the Albanians was characteristic of a long tradition of local governance. The political traditions, laws and customs that later became known as Albanian political sociology has its origins in the Balkan Peninsula and is rooted in the collective experience of the people. Albanian customary law, the Albanians have preserved the law through the centuries. The assembly in the most famous Adriatic cities, such as the assembly of the Illyrian states, has manifested itself as democratic and self-governing character ever since the early period of the establishment of the Albanian state, which consisted of the council of elders, the council of the family, the council of the tribe, and the council of the nation. The council of the nation was the assembly of the people, for the people. It had its roots in the legal tradition and Roman norms of the country was developed and observed. By preserving the customary law, the Albanians have been subjected to continuous change and undergone centuries of legal tradition and deliberation as the oldest and most original way of the Code of Lekë Dukagjini is presented as the main axis for keeping this national heritage, and as the basis for the legal system of the Republic of Albania.

According to the Code, the ruling strata had no other option but to accept this law, having had to survive in a different environment from other customs and religious affairs, covering even such matters as the irrigation system, which was codified as customary law ever since for at least two millennia and survived three different empires.

Some scholars who have studied the Komuna and examined this phenomenon are the opinion that the history of Albanian political sociology as well as the traditions of other ancient peoples, but an evolution away from them is also noticeable. A resemblance between the main redaction of the Komuna, the Code of Lekë Dukagjini, and customary laws of other ancient cultures extends all the way to Japan. One of the great similarities of the Albanian and Japanese codes can be seen in their notions of the guest and that of food. (Yamamoto, 2001, p. 6).

According to the Code of Lekë Dukagjini, which has been subjected to continuous change and undergone centuries of addition and amendment according to the will of the ruling aristocracies or teams of jurists. The Albanian political tradition and customary law, however, has survived in a different environment from other customary laws, seems to have changed that in the last five centuries. Its preservation from change has had a twofold effect within the Albanian people. The Albanians had no doubt that an isolated entity cannot easily endure over time. Therefore, a respect for and an extraordinary disregard for the law in the law of the country was developed and observed. By preserving the customary law, the Albanians have preserved their own being. This guardianship has enabled the maintenance of tradition and deliberation as the oldest and most original way of the Code of Lekë Dukagjini is presented as the main axis for keeping this national heritage, and as the basis for the legal system of the Republic of Albania.

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Dukagjini fought for twelve years after the death of Skanderbeg. Legend has it that Dukagjini surrendered to the Ottomans only after extracting promises from them that the Albanian unwritten laws would be respected in the Albanian mountains and that the Ottomans would not interfere in the Albanian life of those who would not fight against the Ottomans. Until the death of Dukagjini, the Code served as the main pillar of the medieval Albanian society, both in the judicial and political spheres. During Turkish rule, the assembly was formed in units of n@a, a word deriving from Arabic via Turkish, meaning assembly, council. However, the term was used to mean that the body that was supposed to be the highest in the political and legal hierarchy of the territory. The first kuvend ever registered was the “Ku- vendi i Lezhës” (The Assembly of Lezhë), followed by several in the XVII century.

After Dukagjini’s death, conditions improved for the Albanians, as the military forces of the Ottoman Empire began to decline toward the end of the XV century. The Albanians were able to form their political and economic system in the mountainous parts of Albania. The Turks, like the Romans, did not want to subdue these people due to the resistance that they faced from the Albanian moun- tain people, who once again withdrew to their own regions, forming a governing system that had become a new obligatory framework of a governing system. The center of governing was again the assembly, which usually convened in order to reach understandings or agreements on governance and political issues, and in much rarer cases, judicial issues. The Code now completely regulated essential issues such as marriage, inheritance, religion, and livestock, or landed estates, land was turned more to it when they realized the extent of decline of the Ottoman Empire. Integration of the Albanians into the Ottoman Empire, the kain did not lose its authority, especially in the north. The Albanians were able to form their own political system in the mountainous regions of Albania. Some Franciscan missionaries and some Albanian writers and scholars 일부, respectively, the Code served as an official link with the Turkish Empire and was described as one of the most outstanding among them. Paqe. Malcolm, N. (1998) "The Albanians. The Ottomans made serious efforts to establish their own economic and political rule in these areas. Here, under the system of Timur or landed estates, land was given to those who were successful in the military field, for loyalty and service to the Empire. But the Timur system did not produce the expected effect that was shown in the low- lands where Ottoman rule was es- tablished. The northern tribes were not willing to surrender to the might of the new Empire that had been formed, so almost two centuries the wars between the northerners and the Empire were an everyday business. During the XVII century the Ottoman Timur system disintegrated. As the decline of the Ot- tomans began, the central au- thority gave way to autonomous local self-government. The northern tribes were pashas of the Bushati family that ruled the northern Albanian lands in Montenegro, Kosovo, and Northern Albania. Ali Pashe Tepelena of Janina ruled southern Al- bania, the local center of Corfu and West Greece. Within the Ottoman state, these Albanian pashas had created their own states. Following the era of the regional pashas, the Ottomans in 1831 abol- ished the Timur system altogether. The fall of the Timur system re-ulted in the need of the Empire to recruit paid soldiers. The northern part of Albania was well known for good soldiers and the Ottomans turned to them. This had been a clever move of the Ottomans be- cause by engaging Albanian fighters, they gained in military strength and avoided the possibility of rebellions of the Albanians, as the military power that they had to be en- gaged elsewhere. Albanians fighters, being paid reasonably, gained mil- itary experience and benefited from the new status that the Ot- tomans and the Albanians realized the need for each other. Therefore a new system was found by both parties. The northern Albanian mountainous were allowed to reg- ulate their own economic and judicial matters by continuing to apply their traditional law. The parties accepted the previously-made agreement; every house- hold would pay to the Empire one Dukat a year and provide a fighter when needed. This agreement re- sulted in the formation of the bayrak being established as a new system. (Ujgini, 1991, pp.14-17) The bayrak was an administra- tive unit with military and judiciary functions. The bayrak was the leader of a certain territory who had duties toward the Ottoman Empire. His first duty was to provide the Empire a certain number of sol- diers from his territory when the Ottomans needed them or when the occasion of war arose. The Ot- tomans had to pay the Albanian bayrukars from the state treasury. The second function of the institu- tion of bayruk was of a judicial character. In territories covered under the bayrak the Council of Elders would convene and take de- cisions on judicial matters. It has been difficult to establish an exact date when the system of bayruk was formed in the Albanian lands. Some Franciscan missionar- ies and some Albanian writers and Ottoman chroniclers observed this fact during the XVIII century. The earliest document is to be found in the Central State Archive of Albania. It is an official document issued by the High Military Command of the Ottoman Empire in 1738. The Ot- tomans commander writes to the bayrukars and elders of the district of Hoti, asking them to appoint Hasan Hoti bayrakdarc of that area, that is a military officer with re- sponsibilities for public order. But the system of bayruk was es- tablished gradually. The system was initially introduced in the Sancakhs of Shkodër and Dukagjini, in locali- ties such as Missirica, Mealei and Madhe, Mealei and Gjakovë, which were most resistant to Ot- tomans. By the beginning of the XIX century there were 96 bayrukars and bayrukars in the territories today called Northern Albania and Kosovo.

In the southern regions of Alba- nia the Ottomans established their rule and influence with less difficulty. By the beginning of the XIX century the majority of the Albanians were converted to Islam. The Ottomans with their culture had also changed the portrait of the country and the majority of the population had comfortably integrated into the system of the Empire. In return the contribution of the Albanians to the Ottoman Empire was considerable. By the beginning of the XXI cen- tury the empire was practically run by Albanians. In the military field the contribution of the Albanians could not be ignored by anybody. The personal guards of the Sultan were traditionally Albanian. The number of the Albanians that served as the military force of the Em- pire as Sadrasman (Grand Vezir or Prime Ministers), Veizir, gover- nors and other officials was high. Nevertheless, notwithstanding this integration of the Albanians into the Empire, the kanun did not lose its authority, especially in the north. The Albanians turned more to it when they realized the extent of decline of the Ottoman Empire. They then decided to assert their national interest. To defend and promote their patriotic aspirations, Albanian leaders met in Prizren (in the town in Kosovo) in 1878, and the Albanian League was formed. The aim of the League was to proclaim the autonomy of the Albanian land that was divided in four Vilayet: the Vilayet of Kosovo, of Shkodër, of Manastic and of Janina. Feared and alarmed by the strong nationalistic orienta- tion of the Albanian League, the Ot- tomans violently suppressed it in 1881. However the League became powerful in Albania’s national awakening and its aims later culminated in the advent of independence. The main personalities of the League were the Frashéri brothers. The most outstanding among them was Sami Frashéri or Cemal Frasheri. Sami Bey (1850–1904) as he was known in Istanbul. Sami Bey was a journalist, writer, educator, linguist, reformer and above all a critic of imperial institutions. He was a major figure in the late Ottoman Empire and was described as “The most important Albanian intellectual, enlightener.” Albanians were also the main power in the engine of the Young Turks. But the latter, when they seized power in 1908, ignored their commitments to the Albanians. Albanians then embarked again in an armed struggle and forced Istanbul to agree to demands for independence.

### SOURCES