

The function and content of the enterprise during communism in Albania

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Abstract

Marks, Engels and Lenin's ideologies were the foundation of the theory of law, in the Albanian legal system. They were not contra positioned to the private law system, but were in contradiction with the bourgeois society and its private ownership (Reich, 1972, 27). Socialist law literature was based on the principle that state-owned enterprises had great advantages not only compared to enterprises but also compared to large capitalist corporates; not only because of their socialist nature which led to the disappearance of the exploitation of the masses, but also because of their economic nature, as part of a large and mechanized economy in which the successes of modern science and technology could be maximally implemented (Marjani, Malindi, Shtepani, 1982, 16).

Either Article 8 of the Constitution of 1946, nor legal changes to 1950, or Article 26 of the Constitution of 1976 did contain a definition of the enterprise. The Constitution regulated only the basic principles of the planning economy, which was based on the planning economy and state-owned enterprises, cooperatives and other workers associations. Article 26 and 27 of the Constitution of 1976 define the following:

“For the administration of the means, which are in ownership of the people, the state creates companies, which operate in the interest of the society, defined in the state plan”.

“The prices of selling products of the companies and purchase prices of fruit products and animals are determined by the state”.

These constitutional norms forced state-owned enterprises and agricultural cooperatives, to use the means of production in a centralized form, to meet the obligations of the plan and to ensure the interests of society (Çela, Çami, Hysi, Omari, 1978, 125).

In this context, main aim of this article is the function and content of the enterprise during communism in Albania.

Keywords: state-owned enterprise, Albania, communism.

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