

## Historical context of the Albanian Constitutional Court

Ravesa Nano

### Abstract

The Albanian legal tradition is based mostly on the traditional and customary laws. The Ottoman Empire ruled Albania for nearly five centuries and applied some of its translation of Sharia law together with its own rules and procedures. However, the Albanian population, especially in the north was governed by its own customary laws that were included in the Kanun of Lek Dukagjini. For a long period of time, these customary laws were unwritten and were learned generation after generation. The Kanun of Lek Dukagjini had very few rules and procedures regarding penal law. They were not arranged properly and there were some repetition for different cases. The National Court was implemented by a popular gathering of the oldest man of the village called Pleqnia. It used to decide on issues immediately, and there was no review of their issues. The rules were clear, simple and strict. There are some ideas from different Albanian researchers that the communist system although exported as an idea from abroad, based its laws and rules very much on the Albanian tradition as for example the creation also People's Court. There was no institution of judicial review. These researchers point out that it was for this reason that the communist system in Albania lasted for nearly fifty years.

**Keywords:** Albanian Constitutional Court, History, Analysis.

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Academic Journal of Business, Administration, Law and Social Sciences ISSN 2410-3918 (print)

ISSN 2410-8693 (online)

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