

# A Comparative Study of Albanian Customary Law with the Code of the West and the Common Law of England *Lex Scripta vs. Lex Non Scripta*

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## Abstract

In this study we are going to compare some of the most important aspects of social life among the three customary laws. Customs that are going to be mentioned and compared here are: family, hospitality and honor, blood feud, and the solemn oath (spoken word), etc. Also, the differences between unwritten and written laws communicated from the former ages are going to be explained, extensively. The purpose of this study was to identify if there is a match among the three codes (canons), and to determine the main differences that exist among the selected customs taken for our study. These canons were bodies of customary law and they were either written (*lex scripta*) or unwritten (*lex non scripta*). For centuries, they had existed in an unwritten form, and thus it is impossible to be too definite about their origins. For example, Kanun of Lek Dukagjini among Albanians written by Shtjefën Gjeçovi, a Franciscan priest, who began collecting the works that first appeared in printed form in 1913, and the completed Kanun was published in 1931 after his death. Then, *The History of the Common Law of England among English written by Sir Matthew Hale in 1739. And, the Code of the West which was first chronicled by the famous western writers like Ned Buntline, Prentis Ingraham, Owen Wister, Max Brand and Zane Grey. The latter states in his 1934 novel The Code of the West that no 'written' code ever actually existed. Lack of written law made it necessary for Grey to frame some of his own, thus developing a rule of behavior which became known as the 'Code of the West.'*

**Keywords:** customary law, *Kanun of Lekë Dukagjini*, *Code of the West*, Common Law of England, *Shtjefën Gjeçovi*, Sir Matthew Hale, Zane Grey, family, *hospitality and honor, blood feud, and the solemn oath*, etc.

“There is no fine for an offence to honour. An offence to honour is never forgiven. The person dishonored has every right to avenge his honour; no pledge is given, no appeal is made to the Elders, no judgment is needed, no fine is taken. The strong man collects the fine himself. A man who has been dishonored is considered dead according to the Kanun”

*Kanun of Lekë Dukagjini (2-600)*<sup>1</sup>

## Introduction

According to Mark Sulkowski “Law developed from the bottom up, customary law, requires widespread acceptance.”<sup>2</sup> Moreover, James A. Donald in his article ‘Natural Law and Natural Rights’ states that “We have the right to defend ourselves and our property, because of the kind of animals that we are. True law derives from this right, not from the arbitrary power of the omnipotent state.”<sup>3</sup> Whereas Karolina Bielenin says that “A common law is a set of norms, prohibitions and obligations, that functions in a tradition and - in reference to the Roman law - is the will of the people.”<sup>4</sup> Customary laws grow up only where legislators have done a particularly poor job, leaving a need for elaborate statutory construction and legislative gap-filling.<sup>5</sup> As regards the customary law, Jeremy Bentham describes it as the “sinister” interests of self-interested reactionaries, and at best the eccentric tastes of scholars, antiquarians and those purporting to be international lawyers who work in what, on such accounts, is really a lawless international world.<sup>6</sup> Christoph Kletzer *develops a Hegelian argument that “Custom and habit are not social expressions opposed to freedom, they are not expressions of the ‘daily grind’ to be overcome by self-expressive, heroic subjectivity but they rather are conditions of this subjectivity, play-forms of freedom.”*<sup>7</sup> *The Free Dictionary defines the Customary Law as “a body of unwritten norms, called*

<sup>1</sup> <http://www.gdnet.org/CMS/conference/presentations/Arsovska.ppt>

<sup>2</sup> <http://jim.com/custom.htm>

<sup>3</sup> [http://www.constitution.org/cmt/jad/natural\\_law\\_rights.htm](http://www.constitution.org/cmt/jad/natural_law_rights.htm)

<sup>4</sup> <http://www.ethnology.pl/?page=pages/in-accordance-to-kanun>

<sup>5</sup> <http://www.law.cam.ac.uk/faculty-resources/10005692.doc>

<sup>6</sup> *ibid*

<sup>7</sup> *ibid*

customs (rules of conduct), that have arisen spontaneously and have been sanctioned by the state.”<sup>1</sup> WIPOMAGAZINE defines customary law, as follows: “Customary law refers to the laws, practices and customs of indigenous and local communities which are an intrinsic and central part of the way of life of these communities. Customary laws are embedded in the culture and values of a community or society; they govern acceptable standards of behavior and are actively enforced by members of the community.”<sup>2</sup> According to Mustafa and Young (2008) “customary law and its diverse local manifestations may facilitate rather than deter the intergenerational persistence of blood feud conflicts.” Whereas Qerimi and Berisha (2011) state that “Albanian customary law was a conglomerate of legal rules, which has planned the rule of conduct in accordance with legal norms in the areas where it has been applied.”<sup>3</sup>



### Literature Review

The customary law among Albanians still in existence is called Kanun. According to Boman and Krasniqi they state that “The Kanun of Lekë Dukagjini is the most famous and comprehensive compilation of Albanian customary law. For centuries it strictly governed social behavior and everyday life among Albanians in different historical periods.

Even if the Kanun is not legal today, it is widely respected and still practiced in parts of Albania and Kosova.”<sup>4</sup> Regarding content, Malcolm (1998, p. 18) states that the “Kanun is a formal expression of the deeply felt concept of honour of the Albanian people.”

Moreover, he adds that: “The foundation of it is the principle of personal honour. Next comes the equality of persons. From these flows a third principle, the freedom of each to act in accordance with his own honour, within the limits of the law, without being subject to another’s command. And the fourth principle is the word of honour, the Besë (def: besa), which creates a situation of inviolable trust.”<sup>5</sup>

Kostovicova (2005, p.116) Trnavci (2008, p. 1) and Elsi (2011, p.151) state that “the Kanun of Lekë Dukagjini (Kanuni i Lekë Dukagjinit) is the most famous and comprehensive compilation of Albanian customary law of several regional codes, applied by Albanians in different historical periods.”<sup>6</sup> Moreover, Elsie (2011, p.151) Trnavci (2008, p.1) and Fox (1989, p.17) state that Kanun of Lekë Dukagjini was initially an unwritten code of law that, for centuries, strictly governed social behavior and everyday life in northern Albania, Kosova and among the Albanian population in Serbia, Montenegro and Macedonia.<sup>7</sup> Then, Trnavci (2010, p.201) adds that Kanun of Lekë Dukagjini had a particularly strong influence in Kosova and northern Albania.<sup>8</sup> De Waal (2005, p.72) states that “The Kanun provided a complete moral and legal framework for social interaction, covering all areas of everyday life from dispute settlement procedure to rules of marriage, division of property, blood feud, etc.”<sup>9</sup> Krug et al. (2002: 5) as cited by Arsovska (2007, p.9) as regards analysis of violence stated that “the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, mal-development or deprivation.”<sup>10</sup> Kanun helps to resolve interpersonal violence between two families or sometimes larger groups, such as neighbours. According to the Albanian customary laws, e.g., the Kanun of Lekë Dukagjini, - regarded as the foundation of the Albanian culture, the ability to use violence and take justice in your own hands has been considered main criteria for assessing the value of the Albanian ‘Man of Honour’.<sup>11</sup> See photo 1 above.

In this regard, Krug et al. (2002, p.13) as cited in Arsovska (2007, p.10), states “Various studies show that

<sup>1</sup> [http://www.vanuatu.usp.ac.fj/sol\\_adobe\\_documents/usp%20only/customary%20law/Bennett.htm](http://www.vanuatu.usp.ac.fj/sol_adobe_documents/usp%20only/customary%20law/Bennett.htm)

<sup>2</sup> [http://www.wipo.int/wipo\\_magazine/en/2010/04/article\\_0007.html](http://www.wipo.int/wipo_magazine/en/2010/04/article_0007.html)

<sup>3</sup> Qerimi, I. & Berisha, M. (2011). *Criminal Offences, Sentences and Its Enforcement Under the Albanian Customary Law*. GRIN Verlag GmbH. ISBN: 978-3-640-97671-3.

<sup>4</sup> Krasniqi, Njomza; Boman, Sofia (2012) The Kanun of Lekë Dukagjini among Kosova Albanians in Sweden. Department of Global Political Studies. Malmö University, Malmö, Sweden.

<sup>5</sup> Malcolm, N. (1998). *Kosovo: a short history*. New York. New York University Press.

<sup>6</sup> Cited by N. Krasniqi & S. Boman (2012) in “The Kanun of Lekë Dukagjini among Kosova Albanians in Sweden”

<sup>7</sup> Ibid

<sup>8</sup> Trnavci, G. (2010). The Interaction of Customary Law with the Modern Rule of Law in Albania and Kosova. The Rule of Law in Comparative Perspective. *Ius Gentium: Comparative Perspectives on Law and Justice*. Volume 3, 2010, pp. 201-215. [http://link.springer.com/chapter/10.1007/978-90-481-3749-7\\_11](http://link.springer.com/chapter/10.1007/978-90-481-3749-7_11)

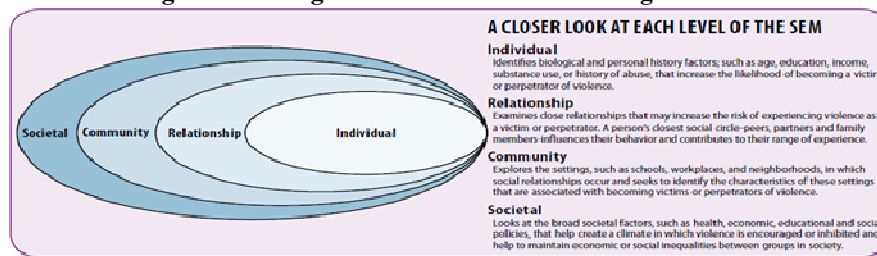
<sup>9</sup> De Waal, Clarissa (2005). *Albania Today. A Portrait of Post-Communist Turbulence*. Centre for Albanian Studies, London.

<sup>10</sup> Jana Arsovska and Philippe Verduyn. GLOBALIZATION, CONDUCT NORMS AND ‘CULTURE CONFLICT’: Perceptions of Violence and Crime in an Ethnic Albanian Context. Br J Criminol first published online December 6, 2007. DOI:10.1093/bjc/azm068

<sup>11</sup> [http://iweb.cerge-ei.cz/pdf/gdn/RRCVI\\_54\\_paper\\_01.pdf](http://iweb.cerge-ei.cz/pdf/gdn/RRCVI_54_paper_01.pdf)

opportunities for violence are greater in some community contexts than others – for instance, in areas of poverty which we also took into consideration when conducting this research.”<sup>1</sup>

**Figure 1. Ecological model for understanding violence<sup>2</sup>**



**Source: World Health Organization (Krug et al. 2002: 12)**

According to Krug et al. (2012, p.12), they present this ecological model for understanding violence and explains it into levels. The first level seeks to identify the biological and personal history factors that an individual brings to his or her behaviour. The second level explores how proximal social relationships increase the risk for perpetration of violence. The third level examines the community contexts in which social relationships are embedded.<sup>3</sup> According to Jashari (2009, p. 161) states that “In Albania, in the northwestern part of the country, blood feud is raised after 1991. It disappeared at the time of communism, 1945-1990. There are caught in a bind over 300 families at home. During February 2006, leaders of religious communities in Shkodër failed the initiative of reconciliation of some of these families in blood feud.” Reconciliation is a voluntary initiative from wise men, especially among Albanians who bring together the two parties who fell in a mishap.<sup>4</sup> Moreover about about this Jashari (ibid) adds that “Anton Çeta, a writer and a distinctive linguist, with others known in the field of science, culture and politics of Albania, were the only ones to establish the initiative for blood feud reconciliation.”<sup>5</sup>

Prior to the Norman Conquest of England in 1066, there was no unitary, national legal system. Before 1066 the English legal system involved a mass of oral customary rules, which varied according to region. The law of the Jutes in the south of England, for example, was different from that of the Mercians in the middle of the country (see map below).



**Figure 1: A map of pre-1066 Britain – a country with different regional laws**

Each county had its own local court dispensing its own justice in accordance with local customs that varied from community to community and were enforced in often arbitrary fashion. For example, courts generally consisted of informal public assemblies that weighed conflicting claims in a case and, if unable to reach a decision, might require an accused to show their guilt or innocence by carrying a red-hot iron or snatching a stone from a cauldron of boiling water or some other ‘test’ of veracity. If the defendant's wound healed within a prescribed period, he was set free as innocent; if not, execution usually followed.<sup>6</sup> On the effectiveness of customary legal systems, Bruce L. Benson (2000) in his book entitled ‘Justice without the State’ takes us back to the origins of

<sup>1</sup> Ibid

<sup>2</sup> [http://www.who.int/violence\\_injury\\_prevention/violence/world\\_report/en/summary\\_en.pdf](http://www.who.int/violence_injury_prevention/violence/world_report/en/summary_en.pdf)

<sup>3</sup> Krug, E.G., Dahlberg, L., Mreecy, J.A., Zwi, A. and Lozano, R. eds. (2002), World Report on Violence and Health. Geneva: World Health Organization.

<sup>4</sup> Jashari, H. (2009). Impacts of Blood Feud in the Social Life of Albanians. IDEST Journal. Volume I, issue 3 November 2009. Department of English Language and Literature. State University of Tetova. Macedonia. Arberia Design Publishing House.

<sup>5</sup> Ibid

<sup>6</sup> <http://labspace.open.ac.uk/mod/resource/view.php?id=415819>

kingship in Anglo-Saxon England. He says that Kings were originally temporary war leaders. But because Anglo-Saxon England was in a virtually constant state of war, kingship gradually became a permanent institution. To support it, and to pay for war, kings needed money. Customary law fines were a very visible source, and Benson shows how the British monarchy, particularly after the Norman conquest, and using a carrot and stick approach involving both inducement and force (coupled with the heavyweight backing of the Church) - though not without considerable resistance - gradually pushed its way into the fields of law-making and justice and slowly replaced Anglo-Saxon torts with 'crimes against the state' so that fines went to the crown, not to the victim. Also, he states that 'The historical norm was customary law which, spontaneously created and voluntarily obeyed, provided law and order in all early societies. Since customary law had precisely the same status and served the same purpose as the state-created law we take for granted today, the commonly-held belief that law and government develop together is mistaken.'<sup>1</sup> Harold Hazeltine, cited by Derek Roebuck (2006) states that "Anglo-Saxon laws and institutions survived the Conquest and formed a material part of the system of common and local law in later ages." In England during the Anglo-Saxon's period the first legislation had been oral adjudications in specific cases, in which the king declared the law on which he or some delegated body would make or had made a decision on the facts. The Anglo-Saxons called them dooms, decisions. Later, they were written down by those who wanted them kept. This first English legislation was intended for those who applied the law, not those who were expected to abide by it. The customary law of England was called folcright and it was King Edward who didn't neglect it and took it into consideration, although there were some doombooks during that time which people were called to be based on.<sup>2</sup> On the other hand, Sir Matthew Hale, late Chief Justice of the Court of King's Bench, as regards the customary law of English people, in his book 'The History of the Common Law of England and An Analysis of the Civil Part of the Law' printed for the first time by E. and R. Nutt and R. Gosling in 1739 states that:

*"... when I call those parts of our laws (lex) non scripta, I do not mean as if those laws were only oral, or communicated from the former ages to the later, merely by word; for all those laws have their monuments in writing, whereby they are transferred from one age to another, and without which they would soon lose all kind of certainty; for as the civil ... laws have their ... determinations extant in writing; so those laws of England which are not comprised under the titles of acts of parliament, are for the most part extant in records of pleas, proceedings and judgments; in books of reports and judicial decisions; in tractates of learned men's argument and opinions, preserved from ancient (sic) times, and still extant in writing."*<sup>3</sup>

According to Chronicle of the Old West it is stated that "In the Old west, there was an unwritten code of behaviour. This code was passed on both verbally, and by the actions of men and women. Western writer Zane Grey first chronicled it as the "Code of the West." This code stressed integrity, self-reliance and accountability. It relied on cooperation with neighbours in finding solutions to problems. Thankfully, this "code" is alive and well today. Not only individuals, but city and county governments are operating based on this code of behaviour."<sup>4</sup>

## Significance

This comparative study of Albanian Customary Law with the Code of the West and the Common Law of England carries a lot of importance since during this research a lot of work has been found by the researcher which discusses about the Albanian customary law, but as a matter of fact there is a little work found in this field of study where the purpose of canons is only to make comparisons among one another and provide more information to the reader and the respondents selected for this research are not only adult students but also scholars and professionals from different countries of the world. Therefore this research looks into some of selected and the most relevant customs designed from the researcher, such as: *family, hospitality, honor, blood feud, and the solemn oath (spoken word)*. *The selected students, scholars and professionals had different interpersonal and critical thinking of these canons and the selected customs.*

## Background

### *The participants*

The survey conducted by the researcher was internet based. Besides this, the selected students, scholars and professionals were all from the researcher's contact list, thus, knowing pretty little about their social and professional background. But, one thing was for certain that these respondents are all from Social Science background and that correlates directly with the researcher's topic. These selected students, scholars and professionals in the survey were ethnic Albanians and non Albanians and the total number of these respondents was 1906. The respondents are of both genders and their age ranges from 18 to 65.

<sup>1</sup> <http://folk.uio.no/thomas/po/enterprise-of-law.html>

<sup>2</sup> Roebuck, D. (2006). Customary law before the Conquest. *Amicus Curiae*. Issue 68 November/December 2006.

<sup>3</sup> <http://www.duhaime.org/LegalDictionary/L/LexNonScripta.aspx>

<sup>4</sup> [http://www.chronicleofthewest.com/living\\_the\\_code.shtml](http://www.chronicleofthewest.com/living_the_code.shtml)

### **The Objectives**

The major reason why these respondents took this survey was to see how they will answer to such questions provided about the selected customs which derive from these three canons. Important objectives for this study were manifold. First, the researcher wanted to see how is their social attitude towards these questions regarding these codes (canons). Secondly, the researcher could gather some relevant information about their cross-cultural knowledge, manner and behavior regarding the selected customs and canons and finally, to be able to work on future development of the research from the perspective of theory and application.

### **The Duration**

The duration of this research lasted at about five months and the aim of this research is to make the three canons more known among other people and the particular data more sustainable. During the whole time of this research, the respondents resided in their houses all around their computers answering to the questions of our survey.

### **The Questionnaires' Contents**

The content of this questionnaire is designed in such a way that it can develop the respondents' professional development and knowledge as well as it can provide to the researcher valuable records on this field. So, their particular questionnaire includes not only questions related to the selected customs, but also analyses of social *aspects of many of the principal issues involved in the canons of these three nations*. In doing this research, customs, social aspects and attitudes of these nations were studied while on the other hand, for better understanding of these customs *Kanun of Lekë Dukagjini*, Common Law of England, and the Code of the West are taken as the main documents for our questionnaire to be prepared. Besides all these, some movies and short documentaries were watched by the researcher and that helped a lot for the preparation of this questionnaire.

### **Methodology**

Our method has centered upon questionnaire with ethnic Albanians and non Albanian respondents. The questionnaire was submitted to the respective students, scholars and professionals and it was a combination of both quantitative and qualitative methodology. The purpose of bringing such combinations of two different methodologies is to comprise a holistic research finding that will help to come up with some ground information as regards the potential gap that these respondents may have along with the scholars and professionals related to the selected customs and the three canons. This questionnaire was designed to gather in-depth and valuable information as it gave these participants a chance to answer about their feelings, attitudes, experience and beliefs about the three canons and the selected customs. Before submitting the questionnaire to these 1906 respondents, they were made aware of the fact that it is strictly an inquiry of individual responses, so they should feel free to share what they really think, feel and believe prior to their knowledge about this.

### **Findings**

Our results are based on a cross-national survey with ethnic Albanian respondents from Albania, Kosovo, Western Macedonia, Preševo Valley, South-Eastern Montenegro, and Chameria, carried out during 2011-2012 and with non Albanian respondents from Europe, Asia, Canada and USA. The questionnaire was not anonymous but the respondents' names will be hidden since this paper is only an extract from the researcher's longitudinal study on this topic. The questionnaire was of an open-ended questions type following Likert scale which consisted of Multiple Choice Questions, Matrix Questions, Rating Questions, Textbox Questions, and Image and Descriptive Questions. Thus, the results of this questionnaire are presented in tables below.

**Section 1(a). Multiple Choices (Only One Answer)**

1. Which of the following custom is the most important characteristic? (Sent to ethnic Albanians)		
	Response Percent	Response Count
Family	52.7%	430
Hospitality	51.2%	418
Honor	48.7%	397
Bloodfeud	27.5%	224
Solemn oath	21.9%	179
	answered question	816
	skipped question	1,091
1. Which of the following custom is the most important cultural element? (Sent to non Albanians)		
	Response Percent	Response Count
Family	27.7%	251
Hospitality	24.4%	221
Honor	23.6%	214
Bloodfeud	12.0%	109
Solemn oath	12.3%	111
	answered question	906
	skipped question	1,001
2. Are the traditional norms set in <i>Kanun of Lekë Dukagjini</i> important to you? (Sent to ethnic Albanians)		
	Response Percent	Response Count
Extremely important	35.5%	244
Very important	25.2%	173
Somewhat important	25.2%	173
Slightly important	7.4%	51
Not at all important	6.7%	46
	answered question	687
	skipped question	1,220

**Section 1(b). Ranking Questions (Only one question and Multiple questions)**

	1 Not at All Justifiable	2 Slightly Justifiable	3 Somewhat Justifiable	4 Very much Justifiable	5 Extremely Justifiable	Rating Average	Rating Count	
1. How justifiable the behavior of the offender would have been if the murder had happened outside the house before BEESA was granted to the guest-killer by the father.	14.7% (17)	15.5% (18)	31.9% (37)	19.0% (22)	19.0% (22)	3.12	116	
						answered question	1,377	
						skipped question	529	
2. Ranking section: The following questionnaire asks questions about beliefs and decision-making in your social relationships, family, and other areas of your life according to Kanun. Please answer the questions to the best of your ability. There is no right or wrong answer. Circle the numbers to indicate whether:								
	1 Strongly agree	2 Agree	3 Somewhat agree	4 Somewhat disagree	5 Disagree	6 Strongly disagree	Rating Average	Rating Count
1. There is no fine (financial compensation) for an offence to honour	45.1% (139)	20.5% (63)	14.0% (43)	8.4% (26)	4.5% (14)	7.5% (23)	2.29	308
2. An offence to honour is never forgiven and blood must be taken	21.5% (59)	42.2% (116)	13.1% (36)	11.6% (32)	7.6% (21)	4.0% (11)	2.54	275
3. A man has the right to beat and publicly humiliate his wife if she is disobedient. He can cut her hair, strip her nude, expel her from the house and drive her with a whip through the village	15.2% (34)	22.9% (51)	36.3% (81)	13.9% (31)	6.3% (14)	5.4% (12)	2.89	223
4. If someone threatens you, or beats you for no reason and you kill him you don't incur his blood and you are not considered guilty	11.7% (19)	13.5% (22)	17.2% (26)	41.7% (68)	9.2% (15)	6.7% (11)	3.44	163
5. The house of the Albanian belongs to God and the guest and guests are highly respected	8.2% (12)	13.8% (19)	15.1% (22)	11.6% (17)	39.0% (57)	13.0% (19)	3.99	146
6. Are you supportive of profit-oriented crime (such as 'house robbery')	12.4% (16)	8.8% (11)	7.3% (9)	14.7% (19)	12.4% (16)	44.2% (57)	4.39	129
						answered question	47	
						skipped question	1,860	

## Section 2. Matrix of Choices

1. Which of the following customs (customary laws) you consider more appropriate? (sent to ethnic Albanians)						
	Extremely appropriate	Very appropriate	Somewhat appropriate	Slightly appropriate	Not at all appropriate	Rating Count
Kanun of Lekë Dukagjini	71.1% (270)	28.3% (269)	39.9% (149)	19.1% (74)	14.4% (60)	826
Common Law of England	44.8% (117)	64.4% (168)	39.5% (103)	18.8% (49)	11.1% (29)	466
Code of the West	41.1% (78)	45.3% (86)	58.4% (111)	31.5% (58)	21.5% (39)	372
					answered question	1664
					skipped question	242
1. Which of the following customs (customary laws) you consider more appropriate? (sent to non-Albanians)						
	Extremely appropriate	Very appropriate	Somewhat appropriate	Slightly appropriate	Not at all appropriate	Rating Count
Kanun of Lekë Dukagjini	43.6% (129)	29.4% (87)	12.8% (38)	3.7% (11)	10.5% (31)	296
Common Law of England	28.5% (66)	36.1% (84)	15.6% (36)	9.1% (21)	10.4% (24)	231
Code of the West	24.7% (45)	26.9% (49)	23.1% (42)	8.2% (15)	17.0% (31)	182
					answered question	709
					skipped question	1197
2. Choosing the right option?						
1. Where did you hear about these customs? (Sent to ethnic Albanians)						
	Response Percent	Response Count				
Oral tradition	92.1%	-				
Books (including customs here)	76.3%	-				
Internet	55.3%	-				
		answered question	1,869			
		skipped question	37			
1. Where did you hear about these customs? (Sent to non-Albanians)						
	Response Percent	Response Count				
Oral tradition	92.1%	-				
Books (including customs here)	76.3%	-				
Internet	55.3%	-				
		answered question	1,654			
		skipped question	251			

## Section 3. Closed-ended questions.

3. Demographic Information		
	Response Percent	Response Count
Ethnic Albanians	70.8%	
Non-Albanians	29.2%	
	answered question	1,906

## Conclusion

This topic is a very interesting but at the same time needs to carry quality axes. During our analysis, we tried to focus mainly on cross cultural part of the study, such an area where there are common grounds for future cooperation and conference organization among people from all over the world. After performing the survey with 1906 respondents, we established that our initial hypothesis “all the three canons compared are issues of mutual interest and have certain points in common that need to be analyzed in-depth”. As seen from the results in Section 1(a) all the customs considered both from ethnic Albanians and non Albanians appeared with almost similar response percent comparing response counts. This correlating percentage clearly shows that all respondents are aware of the importance of these customs, as well, and that they have a large level of understanding of these customs. Other surprising answers from Section 1, question 2 were that the majority of ethnic Albanian respondents 35.5% or 244 of out 867 who chose to answer agreed that the traditional norms set in Kanun of Lekë Dukagjini are extremely important. There has been a question in Section 1(b), where ethnic Albanian respondents expressed their very reserved (neutral) attitude with 31.9% towards *how justifiable the behavior would have been if the murder had happened outside before Besa was granted to the guest-killer by the father*. We think that this feeling of reserve is coming as a result of the lack of knowledge that the respondents have from not having read Kanun because in the Kanun it is clearly stated that the murder could only have been justified if the murder had happened outside the house, before the killer was granted *Besa* (protection; word of honor). The general impression of the entire survey about the knowledge of Kanun that the respondents have can be seen from questions in section Section 1(b), 2. Ranking section (Q1,Q2,Q3,Q4,Q5 and Q6). The percentage of answers obtained from the respondents varied in each of these questions. For Q1 strongly agreed 45.1%, for Q2 agreed 42.2%, for Q3 somehow agreed 36.3%, for Q4 somewhat disagreed 41.7%, for Q5 disagreed 39.0% and for Q6 strongly disagreed 44.2%. The impression of the first question in *Section 2. Matrix of Choices* is that 71.1% of the ethnic Albanians consider Kanun of Lekë Dukagjini as extremely appropriate from other two customary

laws compared. Then, they chose the customary law of England as extremely appropriate with 44.8%, and for the Code of the West the percentage appeared to be 41.1%.

It is interesting to note that also non Albanians responded with the highest percentage for Kanun of Lekë Dukagjini with 43.6%, then for the customary law of England with 28.6% and finally for the Code of the West the percentage of appropriateness appeared to be with 24.7%. From the second question from this section 92.1% from the ethnic Albanians have information about Kanun of Lekë Dukagjini from the oral tradition and less from the books and internet, and for the non Albanians the highest response percentage with 87.3% was noticed that they've got information from books and less from tradition and the least from the internet.

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