

**“THE CODE OF LEKE DUKAGJINI” IN OPTICS  
OF THE ITALIAN WRITER, GIUSEPPE  
CASTALLETTI**

(In the work “Consuetudini e vita nellemontagne albaanese secondo il  
Kanuni Lek Dukagjini”, Studi Albanesi, 3-4, Rome 1933)



**Social Science**

**Keywords:** Code, Gjecovi,  
Castallet, foreign scholars,  
translation.

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**Abstract**

The Code of Leke Dukagjini, an important monument of Albanian tradition and spiritual culture, was compiled and codified by Father Shtjefën Gjecovi, who due to his early death (killed by a Serbian Gendarmery in 1929) failed to see the light of publication of his work. The publication of this monumental work took place in 1933, under the auspices of Gjergj Fishta, the Albanian national poet and close friend of the late author. The work "The Code of Leke Dukagjini" continues to awaken the curiosity of scholars to this day and has been published to date in many languages of the world such as Italian, German, Swedish, Turkish, Norwegian, Japanese and most importantly in English. After the publication, but also before the publication, *the Canon of Leke Dukagjini* echoed among the foreign scholars, especially those of Albanology and Anthropology. Italian scholars, who published two study books on the Code during 1933-1940, were of particular interest. In our paper we will focus on the study of Italian professor Giuseppe Castalleti entitled "*Consuetudini e vita nellemontagne albaanese secondo il Kanuni Lek Dukagjini*" (*Traditional forms and social life in the Code of Lek Dukagjini*), to see the concerns and findings of this the insistence on the Albanian customary law on the name of the work, but also on many aspects which he deals with in his study of great interest, which relate to the Code of Leke Dukagjini. Professor Castaleti's study was published in 1933, the same year that the Code was published.

**Introduction**

Shtjefen K. Gjecovi, one of the most prominent figures of Albanian culture in the first three decades and twentieth century. He is regarded as the founder of several areas of Albanian culture and ethnicity, such as ethnography, archeology and prose and poetry. He was killed on October 14, 1929, by the Serbian Gendarmery. His death was not a natural death, but a violent death, an assassination death, staged in a well between the Krajk and Zym villages of Has in Kosovo (Jugoslavia).

One of these works of this devoted collector of Albanian customary and doctrinal traditions was the Code of Leke Dukagjini, in whose collection and codification he had worked for almost a lifetime. He would publish some of the chapters of this work in the magazine "Hylli i Drites" (1913-1914 and 1921-1924), which appeared in those years in Shkodra. Whereas, after the murder of the author, in a sign of gratitude and respect for the work of this colossus of Albanian culture and tradition, the work "Code of Lekë Dukagjini" will be published as a posthumous work, four years after the murder of the author. One of the most prominent figures in our literature at the time will be the publisher of the work and a close friend of Gjecovi, Father Gjergj Fishta, who will also write the foreword of the book which, together with that of Pashk Bardhi, that are also considered as the first analyzes and evaluations of this monument of Albanian culture.

The publication of the Code of Lek Dukagjini, in addition to marking a special act for our spiritual culture but also for the social organization of a given time, will also be a fortunate sign that signaled a rebirth of the author or codifier and its collector, Shtjefen K. Gjecovi. The publication of the Code, under the authorship of Shtjefen Gjecovi, marks one of the most significant acts of embarking on a long journey towards immortality and eternal gratitude for it. The Code of Lekë Dukagjini's work, besides the Albanian cultural circles of the time, will also arouse great interest among the cultural and academic circles of Europe and, in this case, the Italian ones that were more present in Albania at that time. So, soon after the publication of the Code, in 1933, in Italy, respectively in Rome in the issues of Albanian Studies "Studi Albanesi" in Issues 3 and 4, will be published the study of Italian professor Giuseppe Castalieti, entitled "Customary forms and social life in The Canon of Lekë Dukagjini ", and seven (7) years later, in 1940, Professor of Colonial Law at the Royal University of Rome, Salvatore Vilari publishes the study entitled "The customary legal forms of Albania - the Code of Leke Dukagjini ".

### **The Code Study - Recognition of Psychological Values of Albanians**

In the introduction to his study, titled Customary Forms and Social Life in the Code of Lekë Dukagjini, Rome 1933, Italian Professor Giuseppe Castalieti gives interesting information on the organization of the social and legal life of the inhabitants in the mountainous regions of Upper Albania extending north of the Mat River, which was regulated and directed a few years ago by the characteristic customary norms, whose trace of the norm he finds even when researching and writing his study. According to Castaliet, the highlanders, even at that time, recognized the entirety of these customary norms under the name of the Code of Leke Dukagjini, a title which had already been sealed by a use that tradition and chronicles rightly considered centuries old.

The Code of Leke Dukagjini, according to Giuseppe Castalieti, has aroused interest over time, that even those who had not written about Albanian issues, without any deep knowledge of it, were now talking about the Canon of Lekë Dukagjini. But for Kanun, says Castalieti, had also written those who dealt with the Albanian issue and Albania. In this case he mentions the eminent professor Antonio Baldaci, who in his writings, namely in the work Albania (Albania) had devoted whole pages to "such an impressive document of the jurisprudential and social consciousness of the Highlanders". Castalieti also mentions Professor Thaloci, one of the renowned Balkan and therefore Albanian scholars. In his study, Castaliet mentions Professor Thaloc's merits in the study of the Dukagjini's Code, qualifying him as one of the most profound and prominent scholars who had "studied most of all the Dukagjini's Code and who to give a complete picture in his valuable edition Albanische Forschungen (Albanian Traces) ", but, as we learn, with the exception of the compilation of the Dukagjini Code, compiled in the journal "Hylli i Dritës" in 1912, 1914 and 1921- 1922, by Father Shtjefen Gjeçov and some studies of Albanian priests, there is no real and serious bibliography on the subject in question.

Considered also from another point of view, according to Castallet, the study of the Code of Lek Dukagjini's undoubtedly of great direct and special importance since, being its customary norms, it was an intrinsic and inherent expression of popular consciousness in the past created and then lived by practicing them, their knowledge will be able to enlighten us and lead us to recognize the psychological values of the mountain populations or of the entire Albanian population if they so wish, as they express with them the best remaining clean and unspoiled, despite the Turkish invasion."

The important data that the author in question offers, always from an examination carried out with the stated intentions, he considers valuable for the Albanian legislator and citizen, who, by adapting laws and social organizations to the psychological traits of the Albanian people, he will manage to act in a timely manner, but Castaletti considers them also important for Italy, which, guided by its duty to the Adriatic nation in close and close relations with the Albanian people, could recognize them find a convenient lead to tailor these relationships to make them close and consistent over time.

### **The origins of the Code of Lek Dukagjini**

Concerning the belonging of the Code, Castallet refers to folk tradition, namely folk traditions, which state that it must be the work of Prince Alexander Dukagjini, who lived and acted in the 15th century and who would have created these norms. or would have at least codified them, gathering them among his subjects to enclose them in a single corps that would be passed on to future generations." Later, Castallet refers to Thaloc as one of the most adamant defenders of such a tradition, who out of curiosity mentions some writers who wished to wear the Code to Alexander the Great, whether because it was Leke meaning Alexander, it could have been Alexander the Great, even if, if the Code norms were accepted by the Turks, they say this came about because these norms had a general character that only a civilization like that of Alexander the Great could embed them in memory.

Such a hypothesis is rejected by Castaletti, in that "if Leke means Alexander, the rest namely Dukagjini is more peculiar, no doubt to Alexander Dukagjini, even Alexander the Great does not enter in the middle; even though the Turks did not accept the Kanun, as one would wish, for their legal social life, but allowed it only for its use by the Highlanders, realizing that in order to keep the subjugated people calm, it was necessary to leave to live by his most cordial and expensive social and legal habits".

### **Leke Dukagjini, a reassessor of his country's customary norms**

Acknowledging that the collection of customary norms, that is, the Code of Lek Dukagjini, can in any way be linked to the name of Alexander Dukagjini, Castalletti is of the opinion that one should see where his real work lies with the Code. In a word, was he a lawmaker or a codifier, or further just a zealous enforcer of the customary norms that enlivened his people?

However, Castalleti ultimately thinks in this regard that Alexander or Leke Dukagjini was not a lawmaker. Therefore it states that: "If indeed the norms we are talking about were a creation of it or at least belonged to a group of legislators who acted at different times but always on the footsteps of the one who would have beginning with the work, they would have to be presented with some sort of coherent logic and some organic order, which in many ways lacks them, even in the most important and fundamental. So far as we can think, if one wants to support the hypothesis of the legislator or the group of legislators, that they have been particularly keen to create controversy in their work".

The author succeeds in proving what has been stated above by examining the norms pertaining to blood feuds, which "are essentially one of the most important and constitute one of the main foundations of the Code penal system": "On the one hand, it is found in The Code of the "blood for blood" principle, which should give the basic measure of all norms belonging to such a form of savage justice, and which succeeds in its iron and mathematical application when admitting that the master of the rifle who accidentally falling and being ignored causes a person to die, forces blood (that is, subject to blood feud) on his family; and on the other hand, there is a special arrangement of intentional homicide that strips it of the character of the crime, almost as if to try to eradicate in this case the inhumane application of the "blood for blood "principle.

Here the author is of the opinion that if the two aforementioned norms are set at two opposite ends and if they are contradictory to each other in the degree of blood crime sanctions; and, if we were to accept them as produced by a single legislator or by some legislators acting on the same footing, we would inevitably have to blame them for unexplained opposition".

Whereas, when it comes to accepting the Code norms, Castallet thinks that if we accept that all the Code of Dukagjini's norms would only be customary norms born at different times, under the influence of different states of moral conduct, to various authors and furthermore unknowns, the hypothesis of unexplained contradictions disappears. He concludes that in this case the contradiction of norms is explained by their different position, in times and circumstances, in the moral performance of society. If the first, tougher, almost barbaric, rate of blood feud in the case of objective responsibility is only an expression of an older time, perhaps that of the genuine application of the tylon principle to its extreme; the other, in contrast, may be called the attempt of the right to become more humane and more reasonable criteria".

The longevity of these norms the Italian scholar sees in their rooting in the consciousness of the people, which were considered appropriate either to meet societal legal requirements or because they were passed down through generations along with the more expensive traditions.

Taking a good look at the problem of Code laws drafted by Leke Dukagjini or his contemporaries codifying the Code, he expresses doubt here, which he bases doubt on the Turks' attempts to eradicate it. Castellette sees the Code beyond Leke's time because, according to him, the laws or norms that were in the Code were so deeply rooted in the psychology and tradition of the Albanians that it was difficult to eradicate them within a short time. For, "if there had been

laws created by Leke Dukagjini or his contemporaries, the Turks who became lords of Albania at the time when Leke Dukagjini lived also, would not have undoubtedly removed the root of what was born almost at the same time as their influx, it would not even have the power of tradition to help it. On the contrary, the Turks never did so, even in the space of five centuries they sealed the importance of these customs, trying to make a codification of them. " history, mentioning *Biem* and *Anonymous Venet*, who had written about Skanderbeg but also Leke Dukagjini, but who had never spoken of "*any law-making act committed byhim*".

The question that Castelletti puts to himself is that those who wrote about either Skanderbeg or Princes and in the particular case of Leke Dukagjini were silent because they did not know, or because Alexander Dukagjini's legislative activity seemed so insignificant to them ignoring or not mentioning it, he replies, that it considers their ignorance or information about such an important work impossible if it was in fact written or codified by him. He is convinced that had it existed, they would have been impossible to bypass without mentioning it. Therefore, Castelletti rejects the existence of such a work by LekeDukagjini:

*"If there had been a codification work, that code would have been written because, just by writing them, a codification of customary norms can achieve its real and fundamentalgoals".*

Castelletti rightly asserts that if we had had a codification in written documents but lost afterwards, then all those customary norms united as in the preceding code would certainly have been orally conveyed by the generation in the generation. Such a hypothesis is also valid for Castelletti, though he sees in this hypothesis another unsolvable contradiction, such as a lack of organic linkage of norms.

Castelletti justifies this suspicion by the fact that when a coder commits a codification act, he does so on an organic basis excluding all norms that contradict it, so that from the codification written any amount of norms, living in popular habits, are eliminated and out of order, so that, even when losing written code, outdated norms, as opposed to inspirational summary criteria, no longer have the power of oral code that will present you with hence a feature of organic connectivity".

In the end, Castelletti, on the question of the admissibility or inadmissibility of linking the name of Alexander Dukagjini with the common law community, namely the Code we have today codenamed by his name (hence the name of Lek Dukagjini), concludes that it is only if it is not intended to assign Lek Dukagjini the special role of legislator or codifier."

In Professor Castelletti's view, Leke Dukagjini, with the practical application he made to them, was only a reassessment of his country's customary norms. Whereas, with the study of the Code of Lek Dukagjini, Castelletti calls important the fact that the recognition of norms enables the recognition of the psychological values of the mountain populations or the entire Albanian population:

In general, the work of Italian professor Castelletti, written and published in the thirties of the last century or more precisely in 1933, the year when the Code of Leke Dukagjini was published, as a posthumous work of Shtjefen Gjecovi, is of interest, in particular, not only for the importance of the work in question, but also for the interest it aroused in foreign scholars, who were among the first to deal with her study in many respects, making her the author or codifier of her, therefore, Gjecovi a prominent personality who left an indisputable mark in this area as well.

The work "The Code of Leke Dukagjini" continues to be his culminating work that is still being studied, translated and published in many foreign languages, especially in the major languages of the world that continues to arouse interest and interesting debates even in today, nearly one hundred years after its publication and the violent death of its author.

Focusing on the posthumous work of Lek Dukagjini's Code of Shtjefen Gjecov, both Castelletti and Professor Vilari paid great attention to it, analyzing it, in general and in many respects, at a time when it had just been published and with which Albanians were slightly involved. The Italian publication of these two studies by Italian professors in the forty years of the last century is of particular value and of permanent importance, both for the approach to study of the material collected by Gjecovi and for the thesis that they inquire about the existence of such a document as well as the belonging of the coder, namely its author, Lek Dukagjini, for whom they provide interesting and very convincing information. They even persistently try to find the roots of his ownership in him, namely the family or tribe of the Dukagjini's, which strengthens the title given to Gjecovi four times. It turns out that Gjecovi, was convinced that the Code belonged to Lek Dukagjini. Gjecovi was a tireless worker in the tracing of our antiquity, but also a profound connoisseur of it.

The studies of two Italian professors on the work in question, the Code of Lekë Dukagjini, as well as other subsequent studies that continued for almost a century, testify to its importance, listing Shtjefen Gjecovi in one of the prominent figures of our heritage collection. Therefore, publishing, reprinting, studying and translating the Code of Lek Dukagjini into many languages of the world, work that continues today, is one of the most relevant acts and a rebirth for Gjecovi after his assassination by the Yugoslav regime in a time when he was giving the last hand to his grandiose projects, started for years.

## Conclusion

Focusing on the posthumous work *of the Code Lek Dukagjini* of Shtjefen Gjecovi, Castelletti has devoted much attention to this important Albanian document, analyzing it, in general and in many respects, at a time when it was just published and with which work more at least Albanians were involved. The Italian publication of Castelletti's study of the thirties of the last century is of particular value and of permanent importance, either for the way in which he studied the material he collected, or for the theses he wrote or for research into about the

existence of such a document and about the affiliation of the coder, respectively of its author, Lekë Dukagjini, for whom it provides interesting and very convincing information.

The study of the Italian professor, Giuseppe Castelletti, shortly after the posting of Gjecovi's posthumous work, but also subsequent studies that continued for almost a century, testify to the importance of The Code Lek Dukagjini, listing Shtjefën Gjecovi in among the prominent figures of the Albanian cultural heritage collection. Therefore, the publication, reprinting, study and translation of the Lek Dukagjini Canon into many languages of the world, work that continues today, is one of the most relevant acts and a rebirth for Gjecovi after his assassination by the Yugoslav regime (1929). ), at a time when he was giving the last hand to his major projects, such as the Lek Dukagjini Canon, for which he worked for thirty years of his life.

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