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CUSTOMARY RIGHTS IN ALBANIAN SOCIETY AND ISSUES RELATED TO GENDER (KANUN OF LEKE DUKAGJINI AND KANUN OF LUMA)

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ABSTRACT

The richness of the Albanian culture, its traditions, and customs easily fascinate any researcher. Amidst the diversity of these traditions and customs, certain elements have played a role in reinforcing gender role divisions and strengthening patriarchal mentalities. Through this article, it is intended to explore customary laws that have nurtured and strengthened gender role divisions, by exploring the customary rights in the Kanun of Leke Dukagjini and Kanun of Luma, which have been implemented in the northern and northeastern part of Albania. The Kanuns, as customary rights, and codes of laws, have served as a legal basis for a long time in the Albanian society, and they are an important part of the cultural tradition of Albania. This article highlights elements that have influenced the strengthening of patriarchal mindsets, which contributed to the unequal position of women in family and society.

Although nowadays the customary rights in the Kanuns are considered obsolete, the Kanun norms have often served as the opposite of the current legal regulations and continue to do so. In many cases, the rules of the Kanuns have been followed by the people in different areas of life, often conflicting with the law in force. The customary rights of the Kanuns and the mindset created by them have contributed to the strengthening of the patriarchal mentality and the division of gender roles. Gender roles perpetuate inequalities between females and males, where there are clear divisions inside the Kanun regulations, which are still strong and influential on gender-related issues.

Keywords: gender roles, Kanuns, customary rights, patriarchal society, Albanian society

INTRODUCTION

Many social researchers have constantly emphasized the irreplaceable and key role of girls and women in the development of society. Many social studies conclude that the progress of society is related to emancipation and equal opportunities for women. Women are more challenged than men by social gender constructs. Their position in society and opportunities for advancement have been challenged by gender roles, which have served as an obstacle creating many difficulties for women's advancement, especially in the public sphere.

Families serve as one of the first social institutions where children learn gender roles. Education about gender roles is done both by rewarding "proper" gender-related behaviours or by "punishments" for behaviours that do not "belong" to their gender. Even if the parents do not intentionally educate children about gender roles, children learn a lot by observing and imitating the roles of their parents. "Children learn more from these [different gender roles practiced by parents] even when there is no specific purpose for adults to impart gender roles" (England and Farkas 1986, 187). Even nowadays, in Albanian families, the division and differentiation in the separation of tasks according to gender are still reflected. Women and men, mothers and fathers, have traditionally had different roles in the family (Burns et al. 2001, 362). Thus, in traditional families, children are constantly in contact with the figure of the mother, who generally performs all household duties, and with the figure of the father, who is occupied with matters beyond domestic obligations and does not spend much time at home.

Not only in the family but at all institutions of society, examples of traditional female and male roles are conveyed. It is enough to take a glimpse at schools, workplaces, media (Dolby and Rizvi 2008, 141) institutions, which are dominated by masculinity (Brake 2003, 40; Tyyskä 2009, 254).

Since gender roles have served as an obstacle, especially for girls and women, this made them challenge and fight more against gender roles than men. Studies show that women are the ones who have been constantly fighting gender roles and stepping out on the so-called men's sphere. They have constantly faced the dilemma of choosing between their career and family duties. They are the ones who have to sacrifice their commitments outside the home, such as work, education, and career to take care of the children or other domestic obligations. They have often been discriminated

and judged for involving in the public sphere, especially if they did follow their career or were involved in politics. Men have not been challenged in the same way, as public sphere development is considered their domain, and when the family needs more attention or someone to be at home, women are expected to take charge of those duties and obligations.

Several barriers, both cultural and structural, can prevent those who wish to participate in education or careers from doing so. Domestic obligations have often been seen as one of the main factors influencing the confinement within the domestic sphere of girls and women. According to the sociologist Zyhdi Dervishi, the domestic duties of girls and women are obligations that sap the energy and time of women, especially those who are also mothers, who “in most cases deprive themselves of progress in the professional and social career for the benefit of the spouse’s career and especially of the children” (Dervishi 2004, 28).

Gender roles contribute to the perpetuation of inequalities between girls and boys, women and men. The changes that occurred after the fall of the communist regime and the social events that the Albanian society experienced afterward have only made the position of girls and women more difficult.

Like many other countries, the Albanian society is involved in facing the challenges to provide girls and women with equal opportunities and to show their potential in society. Among these efforts, we can specifically mention the ratifications that the Albanian government has made to some of the most important documents, which emphasize the empowerment of girls and women, such as CEDAW, the Convention on the Elimination of All Forms of Discrimination against Women, ratified since 1993 by the Albanian Government, The Beijing Declaration and Platform for Action of 1995 was supported by the Albanian state, The Millennium Declaration, signed in September 2000 at the UN high-level meeting, where objective number three is related to the “Promotion of gender equality and empowerment of women”, etc. All these efforts show the importance of addressing gender issues to ensure the widespread development of the Albanian society. Also, they show the importance of ensuring equal chances for girls and women to have the same opportunities and make their contribution to the development of society, without confronting them with constant choices and contradictions, where they are forced to give up their careers or pursuing further education to concentrate on the obligations and duties coming from marriage, children and domestic sphere.

Gender roles have been passed down from generation to generation, intentionally or not, and despite the advances made they continue to serve as a barrier. These gender barriers affect the status and roles of women and men. Gender roles and discrimination in their name are the result of many factors such as social, economic, political, and cultural. It is important to study these factors to address gender issues and understand deeper the position and the role of women in a certain society. This study aims to explore the Kanun norms and highlight some elements that indicate patriarchal elements and the differentiation of rights and roles based on gender. Kanun norms have contributed to the strengthening of the patriarchal mentality, as they are important elements of cultural tradition in the Albanian society. This article is intended to investigate how the mentality of the customary law has nurtured and strengthened gender divisions, taking as a case study the Kanun of Leke Dukagjin and the Kanun of Luma. These Kanuns have been applied mostly to the northeastern part of Albania.

THE ORIGIN OF CUSTOMARY RIGHTS AND THEIR USE TODAY

Customary rights existed long before the written Kanuns and were passed down orally from generation to generation. These customary rights were collected later in the written Kanun books. Kanun of Leke Dukagjini and Kanun of Luma are two of the customary laws that have operated in Albania. Renowned scholar Edit Durham asserts that the customary laws delineated in the Kanun of Leke Dukagjini predate the fifteenth century (Durham 1928, 63).

Customary rights include longstanding practices deeply rooted in the traditions and customs of a community, effectively acquiring the status of legal norms (Tarifa 2014, 31). These traditions conveyed through oral transmission, have historically served to regulate legal interactions across the centuries within Albania (Luarasi 2007, 229). More than mere regulators of social and economic transactions, Albanian customary rights have also been shaped by these very transactions, functioning as expressions of ethnic and cultural identity, particularly in the face of external forces (Elezi 1983, 29). Albanian customary law, inheriting elements from Illyrian heritage, has continually evolved through the incorporation of new norms while shedding obsolete ones. Even amid foreign rule, particularly the Ottoman occupation, this

legal framework managed to withstand assimilation efforts, thereby preserving Albanian distinctiveness (Elezi 1999, 326). Over extended periods, customary rights have functioned as *de facto* laws governing various aspects of Albanian society, including legal, social, and economic domains (Kastelli and Ahmetaj 2009, 5–23).

During the communist regime, the prohibition of customary rights by the state apparatus attempted to erase this age-old tradition (Xheraj 2016), but the eradication of a popular tradition from ancient times was not something that could be achieved easily. Following the fall of the communist regime, as the new democratic state and legal system were being established, customary Kanun rights resurfaced as a means of addressing and managing various matters in a context of legal instability. It is crucial to note that although the regime suppressed Kanun customary rights, they persisted in memory and practice.

After the regime's collapse, particularly in northern Albania, customary Kanun laws found a renewed application in resolving issues amidst the absence of a consolidated legal framework. Notably, matters such as blood feuds were being mediated through the regulations of the Kanun's customary laws. It should be acknowledged that during the nearly five decades of the communist era (1945–1991), these customary practices lay dormant, thus failing to assimilate the socio-economic shifts within Albanian society.

Consequently, the introduction of Kanun regulations, originally designed for divergent socio-economic and cultural contexts, hindered societal progress as they were employed outside their intended temporal and geographical parameters (Dedaj 2010, 55). This anachronistic application led to a resurgence of patriarchal perspectives, with Kanun-rooted patriarchal attitudes perpetuating notions surrounding gender roles and authoritative power (INSTAT 2013, 9).

METHODOLOGY

The challenges of the Albanian society concerning gender issues and the progress made by it cannot be understood and judged without considering all the factors that have contributed to the situation in which gender issues are today. Gender issues, especially the status and role of women, cannot be clearly understood if all cultural, social, economic, and political elements and their combinations during the history of the development of Albanian society are not taken into consideration.

Cultural customs and traditions have a special role in shaping the role and position of women in society, from which mentalities regarding gender stereotypes have been formed. Considering the important role of customs and traditions, the understanding of gender issues would be superficial if they were neglected. Customary rights have played an essential role in the sanctioning of gender roles; therefore, for obtaining the research data, the content analysis approach is used to explore gender issues in the Kanun norms. Customary rights in the Kanun of Leke Dukagjini and the Kanun of Luma have been studied to show how the sanctioned rules for the rights and duties of men and women have shaped and reinforced the patriarchal mentality and the division of gender roles. It is relevant to acknowledge that the scope of this analysis is limited to selected parts of the Kanuns, given the expansive nature of these customary law texts. Consequently, this limitation is acknowledged as it may potentially compromise a holistic understanding of the content and may truncate their clear meaning, potentially diverting readers from the contextual richness encapsulated within the larger body of the Kanuns.

GENDER ROLES AND CUSTOMARY RIGHTS

The customary rights have had an important role in the formation of mindsets. They have been applied with fanaticism in the Albanian society for a long time, rooting and strengthening the patriarchal mentality regarding the positions of men and women. It is important to specify what mindsets about women and men have prevailed in society, and how the relationships, roles, rights and duties between them have been regulated throughout the history of the development of the Albanian society. Although their influence has faded nowadays, it should not be forgotten that the patriarchal mentality is difficult to eradicate, especially when it is combined with other issues, which help this mentality to strengthen.

One of the main causes of gender-based discrimination in Albanian society is the prevalence of patriarchal customs. These patriarchal traditions are combined with issues related to unemployment, poverty, and many other social issues, making the position of girls and women even more vulnerable (UNICEF and INSTAT 2006, 8). As it will be noted below, customary rights in the Kanun have nurtured the role of the housewife and the subordinate position to the men of the family for women and girls, while precisely these roles have served as one of the main obstacles to

their progress in the public sphere. Gender roles have contributed to increasing pressure and dilemmas for women between domestic obligations and progress and engagement in the public sphere.

Numerous instances of female discrimination trace their origins to enduring patriarchal traditions and customs, which persist in their influence to this day (INSTAT 2004; INSTAT 2019, 4). According to the study by UN Women (2020), regardless of the progress that Albania has made, especially in the legal framework, gender stereotypes continue to serve as an obstacle to women's progress, while they continue to bear the brunt of domestic obligations (8–12). Women face the double burden of professional commitments outside the home and domestic obligations within it (*ibid.*, 5).

According to UN Women (2020), stereotypes of gender roles continue to have an impact on the progress of girls and women in the labor market, as well as in the education system where the division according to the so-called female and male professions is still noticeable (8–12). "The segregation according to fields of education is still prominent, with female tertiary students concentrating in the areas of education, health and welfare, humanities and arts, and male students studying in these fields in small proportion" (INSTAT 2020, 1).

According to INSTAT data, in 2020 the representation of women in the Albanian parliament was 29.51% compared to 70.40% of men. Regarding the labor market for the same year, women make up 52.0% compared to 67.0% for men. Meanwhile, the participation of women in secondary or higher education for women is 94% compared to 90% for men. Also, there is still a gender gap concerning salaries, men have a gross monthly salary 6.6% higher than women (INSTAT 2021, 70, 156). In recent years, the higher participation of women in education levels, especially at the university level, has been noticed, but this has not been accompanied by a significant increase in their participation in the labor market, decision-making positions, etc.

This article shows the importance of studying the challenges that one society faces to understand more clearly and deeply its situation today. Thus, to understand the issues related to gender in the Albanian society today, we must study all the elements that have influenced the situation and status of girls and women.

Although the influence of customary rights has faded, the influence of the canonical mentality, especially the patriarchal mindset of the society, continues to be considerable.

MAN AS A LEADING FIGURE

In the Albanian family, the figure of the father and his role is very important, especially in cases where families have had more than one married couple living in the same household. Although the current trends are for couples to live separately once again the spouse seems to have the right to make decisions within the family and to have the last word on various issues. Although nowadays there is a tendency for a balance between the role of the father and the mother, again in terms of direction and decision-making, the father remains the main figure. Mothers continue to have the biggest burden of household duties, regardless of the load they may have in other commitments outside the home. It also seems that girls, compared to boys, are more dependent on their families and they are required to be more accountable and ask for permission from both, their parents and siblings, if they want to go somewhere, buy something, etc., even changes in their look.

Customary rights in the Kanuns related specifically to the figure of the master of the house, the lady of the house, the division of duties, etc., which have served as the basis for regulating relationships and the division of duties and rights within the family, are discussed below. In the Albanian culture and tradition, the role of the master of the house has been one of the most important figures in the family, so much so that it may even seem like a mythical figure, to whom according to the Kanuns belongs the “ruling” of the house. This was typical of traditional families where many people were living under the same roof, making the role of the master of the house even more important. As noted in the Kanun of Leke Dukagjini, these large families are headed by “i zoti i shpis”¹ [the master of the house] (Gjeçovi 1999, 7–8), whose position is very important, and which is indicated in the Kanun. Meanwhile, the figure of the “e zonja e shtepise” [the lady of the house], regardless of her special status, remains responsible for the domestic sphere, for which she is accountable.

Thus, the lady of the house “ka tager mbi te gjitha sendet, qi bahen ne shpi” [“has control over everything that is done inside the house”], but she cannot sell, buy or exchange anything without the permission of the master of the house.

¹ The quotes from the Kanuns are presented in their original (the standard Albanian language is not used in the Kanuns, but one of its dialects); followed by the translations made by the authors of the article.

In the Kanuns it is stated clearly that the master of the house takes the non-negotiable decisions, and all other members of the family must follow them. The lady of the house, on the other hand, has a special position compared to the other family members, but her rights are limited and she responds and takes permission from the head of the family. She cannot undertake initiatives without consulting and taking permission from the head of the family.

To become the master of the house or the head of the family was a right to which only men were entitled, usually the eldest man in the family. After the death of the master of the house, his eldest son takes the role of the master. “Djalit të parë i perket sundimi i shpis mbas dekës së t’et” [The firstborn son belongs the ruling after the death of his father] (Gjeçovi, 1999, 23), or the eldest male of the family, depending on the people living at that family.

Also, the same is found in the Kanun of Luma, where it is stated that “Shtëpinë e drejton i zoti i shtëpis” [The house is ruled by the master of the house], “Zot shtëpie mundet me qenë: ma i moqmi ndër meshkuj...” [The master of the house can be the eldest one between the men] (Hoxha 2013, 86–87).

The prevailing notion that positions of leadership are inherently male prerogatives has strengthened the enduring patriarchal mindset, firmly entrenching the belief that authority and decision-making are exclusively male domains. This mindset has imposed considerable challenges upon women who attempt to enter these traditionally labelled male domains, especially within the realms of politics and executive roles.

INHERITANCE AND GENDER ISSUES

Same as for the role of the head of the family, men seem also to benefit from the rules of inheritance. Canonical rules exclude girls and women from inheritance. As the right to be the master of the house belongs to men, the same is for the right to inheritance. If there is no male heir in a family, according to the Kanuns, the wealth and property of the family cannot be inherited by daughters.

Baba edhe në mos past djelm, nuk mundet me u lanë bijave as tokë, as plang, as shpi [If the father does not have sons, he cannot inherit the land or house to the daughters]. (Gjeçovi 1999, 26)

Kanuja njej për trashigues djalin e jo vajzën [The Kanun recognizes only the sons as heirs]. (Ibid., 28)

The same line is found in the Kanun of Luma where it is stated:

Djali njuhet trashgimtar, jo cuca [The boy is recognized as heir, not the girl]. (Hoxha 2013, 121)

“Cuca e pamartueme ka gjallesën në shtëpi të babës, ka të drejtë e detyrë me punue sa të jetë në ate konak, po hise s’i qitet kur të dahan vllaznia [The girl while unmarried, she lives at her father house, she has the right and duty to work as long she lives there but she does not inherit any part when inheritance is divided between brothers]. (Ibid.)

Mashkulli – shtyll’ e shpis, cuca – der’ e huej [The man is the pillar of the house; the girl is a foreigner]. (Ibid., 311).

In the Albanian tradition, there were many cases when a couple, who did not give birth to a son would take one of the man’s brother’s sons as his own. This son inherits everything, his wealth and property, and takes care of the family if the father dies. Women and girls cannot inherit from their father or husband in any circumstance, a male heir must be found in the line of the relatives.

This mindset affected women over decades and contributed to their economic dependence on men, as well as cultivated their mindset of working and not being rewarded or paid for their work. Property and wealth belong to men, although women work all their lives and contribute to their growth. This mentality, combined with all the obstacles and other discriminations made in society, contributes to the economic dependency of girls and women and reduces their decision-making power. Moreover, from the Kanun customs women and girls belong neither to their fathers nor even to their husband’s households.

THE DIVISION OF RIGHTS AND DUTIES

Even in the division of duties between men and women, the influence of the mindsets of the Kanun can be noticed. In both Kanuns, it is stated that the role of the provider of material goods is attributed to the man and that of raising children to the woman. Furthermore, it is stated that the children belong to their father. Thus, women give birth, educate, and raise children, and still, the

children belong only to their fathers. According to these mindsets, divorced women are entitled to nothing, neither wealth nor the custody of their children.

For example, in the Kanun of Leke Dukagjini, among other things, the husband's duties are mentioned: "a) me u përkujdesë per veshë e mbathë e për gjithshka të lypet per me mbajtë jeten" [To take care of everything that is needed to live] or for the wife's duties: "e) me rritë e me mkambë fmin me nderë;" [to raise the children with honor] (Gjeçovi 1999, 21).

Also, in the Kanun of Luma it is stated that the father has the role of the provider for his family:

Cullt janë të babës, jo të nanës [Children belong to the father not to the mother], Baba ka kto detyra ndaj cullve: a) Me u sigurue rres e gjalles dhe të veshme e të mbathme, derisa të bahen të zotit e vetit [The father has these duties toward children: a) to secure their living till they grow up]. (Hoxha 2013, 119)

Moreover, in the Kanun of Leke, in the section "Prindja" [Parents], you find the norms treating rights and duties of the man – father, the woman – wife, and of the son. Daughters are not mentioned in this section. In this section "the man–father", has rights over his house and children, the woman-wife does not (Gjeçovi 1999, 21). The same as in the norms established for the master of the house, the inheritance rights, the obligations and rights towards children, etc., the truncated role and rights of girls and women are noticed.

ISSUES OF ENGAGEMENT AND MARRIAGE

In the tradition of the Albanian society, marriages were arranged, and they were known as "martesa me shkuesi" [marriages with matchmaker]. The matchmaker was the person who went to the girl's family, met with the master of the house, and submitted the request/proposal for marriage. If the matchmaker was the one who had the idea to make this relationship happen, he first went to the young man's family and discuss it with the master of the house and the eldest men of the family. In other cases, the man's family appointed someone respected as "shkues" [matchmaker] to go to the girl's family and convey the request/proposal. Marriages in the traditional Albanian society were made through the agreement and arrangement of the families of the boy and the girl to be married.

The girl and the boy were not asked to have a say in this matter. If the engagement was agreed upon, the future couple was not allowed to meet each other, their first meeting was on their wedding night. The heads of the families of both parties and the elders of the tribes decided on the marriage. In these discussions and decisions, the opinion of the mother of the girl was not considered too, the decision was the right of the men of the family. Other forms of marriage were not approved. During the regime, this tradition was challenged for change considering it as outdated. Young people were encouraged to choose their life partners and be the main actors in this matter. Even if there were matchmaking cases, the final decision was in the hands of the future couple. Regardless of this, marriages with matchmaking have not completely disappeared, they are found even nowadays, but with major changes to the traditional form.

The Kanun states:

Vajza s`ka tager: a) me zgjedh fatin e vet; do të shkojë për atë, për të cilin ta fejojn [The girl does not have the right: a) to choose her fate; she will go for the one with whom they will engage her]. (Gjeçovi 1999, 10)

Likewise, in the Luma Kanun, it is stated that the male members of the family have the right and the duty to decide on the engagement of a young woman:

kanë tagër me dhanë cucë e me zanë nuse: baba, i zoti i shtëpis, mixha, kushrini, daja, barku e vllaznia, po vendos baba, pse i ka pjellë [Have the right to engage the girl and get a bride: the father, the master of the house, the uncle, the cousin, the brotherhood, but the father decides because they are his offspring]. (Hoxha 2013, 96)

As it is noticed by the rules of the Kanuns above, regarding the decision for the engagement/marriage, both for the girls and for the boys, the decision is in the hands of the men of the family. The last word for the decision belonged to the father of the girl, as she was his offspring. Thus, the right to decide, even for a very important decision such as this one, is given to the men of the family.

The discrimination against women is clear in both of the Kanuns, this is seen not only in the stipulation of different duties and rights, but it goes further. If someone was being judged for

something they had done, being a man or a woman made a big difference. For example, regarding adultery in the Kanun of Luma, the following has been mentioned:

Burri njehet burrë, e grueja njehet grue, prandaj njisoj nuk janë. Burri asht zot në shtëpi të vet, grueja – rob në shtëpi të huej. Bani e shkeli kunorën burri, gjeje nuk i jep kuj; shkeli kunorën grueja, i jep gjegje burrit, e ka plumbin kres, pse ‘nuk asht e leme, por e bleme’, ‘asht rob i huej. [Man is the man, the woman a woman, therefore they are not the same. The man is the master in his house – the woman a slave in a foreign house. If the man is not faithful, he will not respond to anyone; if the woman is not faithful, she will have a bullet to the head because she is bought, ‘she is a foreigner’]. (Hoxha 2013, 107–109)

Furthermore, according to the same Kanun, women do not have the right to seek divorce. Furthermore, a divorced woman is not considered worthy of a second marriage:

Burri e lshon gruen kur sheh se s’vye, grueja s’e ka kte tagër edhe kur ai asht shëmtaq, don nji tjetër ose e ban me ortake: ‘rrno e duro, derë tjetër për të nuk ka!’, Të bamen e grues se lan Drini, e bamja e burrit lahet me një pikë uj. Grueja që lshohet nji herë, nuk merret ma. [The man can leave the wife if he sees that she is not worth, the wife does not have this right even when he is ugly, she loves someone else or if he gets another wife: ‘live and endure, there is not another chance for her!’, The woman that is left by the man will not be taken anymore]. (Hoxha 2013, 107–109)

Even in the Kanun of Leke Dukagjini, it is shown how the husband is the one who “I pret balluket” [cuts the bangs] of the woman’s hair (Gjeçovi 1999, 20), or in “The husband’s right over the wife” (Ibid., 21), the husband has the right to divorce her as well as punish his wife if she disobeys him. Meanwhile, in “Mother, Woman”, it is said that the woman has no authority over the children or the house. Even, apart from the husband, when he is dead, the son has the right to “expel the mother out of the house” if she causes fights “that stir the house” (Ibid., 22).

CONCLUSION

Gender roles contribute to the perpetuation of inequalities between girls and boys, women and men. Gender roles have been passed down from generation to generation, and despite the advances made today, they continue to serve as a strong divider and influencer in the status and roles between women and men. The Albanian traditions have served as a strong influencing factor in these divisions, which, despite all the changes that have occurred in Albanian society, are still strong and among the strongest obstacles to the progress of girls and women, especially in the public sphere. The Albanian cultural tradition is rich, and its traditions easily fascinate any researcher. Although traditional Albanian culture continues to be influenced by social developments, patriarchal elements are still challenging and influential.

The parts of the Kanuns briefly discussed above are just a small fragment of the elements with gender divisions found in the customary laws, and it is necessary to conduct a more in-depth study that goes beyond the space that this article can offer on this issue. Customary rights in the Kanun are so diverse and rich that each study seems to only scratch its surface. The parts of the Kanuns discussed in this article aim to give a modest overview of the issue of gender divisions and to encourage further studies and analyses in this field and beyond.

From the parts discussed above it can be concluded that gender roles are clearly separated and strongly punished if they are broken or violated. Ruling and decision-making in the family belong to men, while women are seen as outsiders first in their father's home and then in the husband's. The same line is followed with the division of duties, and further with the right of inheritance or decision-making, where women and girls must obey the decisions made by the men of the family.

Discrimination against girls and women is clear and sometimes harsh. Not only are they denied the same rights, but often the punishment is different for the same deeds. The exclusion of girls and women from the rights of inheritance, their treatment as outsiders in the house of the father and husband, etc., have left their mark on the position and role of girls and women in society, in the strengthening of the patriarchal mentality as well as the discrimination against girls and women.

Lastly, for a deeper understanding of gender issues, especially the status and role of women in the Albanian society, all the components (cultural, social, economic, political, etc.) and their

combinations during the history of the development of Albanian society need to be taken into consideration. Customary laws are just one of the components of the rich Albanian culture, but their role in shaping the mindset has been very important, especially mentalities regarding gender role division.

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