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Article

The Evolution of Village (Self)Governance in the Context of Post-Communist Rural Society

Edvin Zhllima^{1,2,*}, Nicolas Hayoz³, Drini Imami^{1,2}, and Iliriana Miftari⁴

¹ Faculty of Economy and Agribusiness, Agricultural University of Tirana, Albania

² Center for Economic Research and Graduate Education—Economics Institute (CERGE-EI), Czech Republic

³ Interfaculty Institute for Central and Eastern Europe, University of Fribourg, Switzerland

⁴ Faculty of Agriculture and Veterinary, University of Pristina, Kosovo

* Corresponding author (ezhllima@ubt.edu.al)

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Abstract

The role of the village headman and council of elders is very important in many societies. The focus of this article is to analyse the evolution and the role of the (informal) intermediary institutions and actors in the context of changing society's patterns and political landscape transformations. This article focuses on Albania and Kosovo, where village self-governing mechanisms played a crucial role in avoiding (often deadly) social conflicts during the post-communism transition. The article relies on in-depth interviews with involved actors at the local level, using the framework of evolutionary governance theory. The study shows that the role of the council of elders and village headman has been strong and important in times of weak central and local governance, while it weakened in times of strong politicization and increasingly patronizing role of the central government, thus not allowing for a right balance between legitimate community representation and accountability toward upper levels of governance.

Keywords

Albania; communism; council of elders; informal institutions; Kosovo; self-governing mechanism; village headman

Issue

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1. Introduction

A significant theoretical and empirical contribution to informality debates has come from post-socialist countries (Giordano & Hayoz, 2013). In this group of countries, after the demise of central regimes, the whole institutional hierarchy, including local government, passed through a series of transitional reforms, which due to institutional weakening and reshuffling, gave rise to pre-communism self-organizing and self-governing (SOSG) mechanisms in local communities (Rose-Ackerman & Palifka, 2016). SOSG mechanisms are considered in this study as crafted organisations in which villages organize themselves to make decisions and solve problems without relying on external institutions (Ostrom, 2014).

There is a wide literature presenting a static view of the SOSG mechanisms and the role of their related actors in the local societies (Pesqué-Cela et al., 2009; Schwoerer, 2018) but the dynamic transformations of these structures and actors in a changing political landscape is not explored and reflected by a solid literature. The changing role and performance of the SOSG mechanism and actors in cases of powerful autocratic states, in cases of post-transition state building, and in rapid processes of democratisation reforms are scarcely researched (Benjamin, 2008). For instance, in Western Balkans, a rapid decentralization accompanied by the deconcentration of state power brought forward the formalization of village structures. In some areas, this process can create a de-instrumentalization of village SOSG

mechanisms. In other cases, they can become prone to patronage-based networks led by central political elites, thus risking community representation and legitimacy. In addition, while institutional transformation in the village has been studied earlier (Bierschenk & de Sardan, 2003; Xu & Ribot, 2004), the changing SOSG actors' roles have not attained significant attention.

Therefore, it is interesting to explore how the functioning of SOSG mechanisms in rural areas has been influenced by the surrounding political landscape and the changing social context and how has the role of village headman evolved in terms of functions and representation. The objective of this study is to analyse the evolution and the role of the SOSG actors based on formal and informal institutions in the context of changing social patterns and political landscape transformations in post-communist countries. We focus on the role of the village headman and the council of elders as actors, whose power and legitimacy are based on SOSG mechanisms.

The study covers two post-communist countries, namely Albania and Kosovo, which are known as clan-based societies (Hille, 2020), where SOSG and related actors, namely the village headman and the council of elders, have a long history. These mechanisms and the associated practices were (to a large extent) abolished under communism. However, during the early post-communist transition phase, a combination of factors such as the failure of state institutions to regulate social and economic status or even to protect the population (in the case of Kosovo) brought a revival of SOSG mechanisms (de Waal, 1995; Saltmarshe, 2000) which played a crucial role in avoiding (often deadly) social conflicts.

This article is an added contribution to the literature on village self-governance theoretical frameworks using components of evolutionary governance theory (Van Assche et al., 2013) and social capital theory (Ostrom, 2005). The findings show that, in post-communist countries, the self-governing mechanisms at the local level and the created social capital can be undermined when formal rules overcome local rules. In cases when the SOSG mechanism is controlled by external political actors or when the village headman is elected through external mechanisms, the village SOSG actors emerge functionally weak or even adverse toward the community will. Thus, measures to strengthen state power to control the SOSG lead are accompanied by a decreasing legitimacy at the community level. This article highlights the importance of long enduring social networks and trust in sustaining self-governing mechanisms and argues that communities with eroding social capital, due to migration effect and loss of control of the SOSG leadership, are less likely to successfully engage in self-governance.

This study provides empirical added value. Little has been done to explore the role of the village headman and council of elders in recent decades when radical reforms of decentralization and a rapid exodus from villages took place in post-communist countries, such as Albania and Kosovo. Different scholars (de Waal, 1995; Jusufi, 2018;

Rama & Theesfeld, 2011; Saltmarshe, 2000; Zhllima et al., 2010) acknowledge that further research in this area is needed. In this research, the role of the village headman is in some cases described jointly with the activity of the council of elders as both are village representatives. This study explores the dynamic nature of the surrounding social circumstance and political landscape of the Albanian village and articulates the need for a fully-fledged, adaptive, and benevolent central and local government that can save the existing social capital and accommodate the legitimacy of the existing SOSG.

2. Methodology

This research consists of both secondary and primary data collection. Initially, it focuses on a literature review that consists of designing, conducting, analysing, and writing up the review (Snyder, 2019). The document review included reports and chronological news about the evolution of the local governance mechanism, institutions, and historical context in Albania and Kosovo (McCulloch, 2004). The documentary review was chosen as a proper method of historical inquiry into the self-governing mechanisms. A stepwise process of choosing a topic, sourcing, selecting, and managing evidence was followed to assure authenticity, credibility, and representativeness (Dunne et al., 2016).

Semi-structured interviewing following the interpretative approach was the main research method for generating primary data in this study. An open format and purpose enable the exploration of how theoretical lenses can be articulated through the behaviour and perceptions of significant actors (Horton et al., 2004). To build the interview guide, we started by identifying prerequisites and using key points selected in the literature review (Kallio et al., 2016). The empirical research was pursued until the saturation of findings and arguments was reached (Hennink et al., 2017).

In total, 24 interviews were conducted: including 14 interviews in Albania and 10 in Kosovo. In the case of Albania, given that it is a larger country and it has a deeper geographical and cultural heterogeneity (particularly between North and South), we conducted interviews in the North (Dibër and Kukës), South (Ersekë and Përmet), and central Albania (Lushnjë and Tiranë). Also in Kosovo, the interviews considered regional variability. Four interviewees are current village heads (CVH), nine former village heads (FVH), four Former Village Aldermen Council Members (FVACM), four other local government officials (OLGO; e.g., mayors or other types of officials in local governments who were well-acquainted), and three experts of whom two anthropologists (EXP). All interviewees are male—so far, not a single case of a female village head was identified or heard of; even the name in Albanian language, *kryeplak*, has a strict male connotation (since it translates to headman/alderman/male).

3. Theoretical Background and Literature Review

The SOSG mechanisms and the derived role of the village headman in this study are viewed through the evolutionary governance theory (EGT) and social capital theory. Being inspired by the biological evolutionary theory (Van Assche et al., 2013), EGT considers all the institutions (being those formal or informal), actors (village headman and council elders or commune and party leader), and organizations (commune, political party) as well as their interactions and their transformation rules as being under a process of autopoiesis (i.e., everything inside the biological system is the product of the evolution of that system). Using this framework, the governance path of the village is always embedded in other paths and the continuation of this process results in dead institutions (that lost their coordinative power but with the possibility to be revived), formal institutions (legal rules provided by central and local government), and informal institutions (Van Assche et al., 2013).

According to EGT the formal and informal institutions and actors are in a dialectical relation with each other (Van Assche et al., 2013). The self-organizing mechanism in villages results from specific informal rules, which in conjunction with local government legislation (formal rules), may get weakened, reinforced (e.g., in democracies) or compete (Helmke & Levitsky, 2004; Lauth, 2015). As adaptive governance theories indicate (Cleaver & Whaley, 2018), in this process of confrontation or compromise between inner village actors and rules (informal or semi-formal) and off-village actors and rules (formal) there are power shifts and knowledge creation which alternates and increases the stock of social capital. Social capital is created in the village, derived from “the shared knowledge, understandings, institutions, and patterns of interactions that a network of actors brings” (Ostrom, 2000, p. 172). The social capital crafts the SOSG mechanisms, which materialize themselves in commonly shared goals, namely enforcing land rights (Murtazashvili & Murtazashvili, 2015), management of common resources (Neudert et al., 2019), or village justice (Schwoerer, 2018). Lowndes and Roberts (2013, p. 62) emphasize the constraining effect that rules have on actors in the fact that these actors follow “the logic of appropriateness which tells them which rules they should follow in any given situation, while third-party enforcement reflects the ‘binding expectations’ of other actors in the immediate context.”

The theoretical framework interprets the SOSG mechanism in the village as a part of informal institutions and formal institutions interaction. There are various factors influencing the SOSG mechanism’s evolution. Political conditions are the main force disrupting the SOSG. Aiming to gain control, the state rulers impose a new modus of governance structure by enacting laws, financing, and fiscal rules or programs, or by changing the access to resources. This counteracts informal rules in rural areas through a process of constant nego-

tiation (Ostrom, 2005). By inserting their control measures through party lines and inducing values not commonly shared within the communities, political forces can change communities’ behaviours, increase distrust, and discourage the free will participation of community members. For instance, in a fast process of democratic decentralization, competitive local-level electoral politics may clash with the power of the village headman, which is a component of SOSG. In these new circumstances, the role of a village headman, a traditional authority created in the past, is reduced in favour of locally elected government councillors. Thus, a new democratic form of politics introduced in the village also brings new values related to participation, accountability, and responsiveness (Englebert, 2002).

As highlighted by Agrawal and Ribot (1999), village representation is related to the effective transfer of two democratic concepts of governance: (a) the downward accountability of local government to their constituencies through elections, lobbying, and other pathways; and (b) the secure transfer of discretionary powers which permit local leaders (e.g., village headman and elders council) to make meaningful decisions for their constituencies. Therefore, the role of the village headman and council of elders is observed in terms of legitimacy and power. For instance, there is evidence in the literature for increased power and a larger role of the village head at the beginning of the transitional phase of institutions (Schwoerer, 2018), cases of weakening following reforms due to the creation of autocratic regimes (Howell, 1998; Jacka & Chengrui, 2016), and cases of the achieved balance of local autonomy with accountability to higher-level government officials (Benjamin, 2008).

The literature is very scarce in considering the effect of other factors in SOSG change, such as access to economic sources, services, information, technology, and migration. SOSG mechanisms and the role of the village headman can be influenced by a changing social and economic context that emerges due to changing systems of education, healthcare, and social welfare as well as access to information and technology since they affect the capacities of actors to interact (Nikolakis & Nelson, 2019). Access to information and technology can also influence SOSG by easing communities to unlock themselves toward new modes of communication with the external social structures. Considering a polycentric structure of governance, village inner mechanisms can be influenced by power shifts happening in a decentralized or deconcentrated delegation of services and programs at the central level. This relational change reduces the need for the mediating role of the village headman. Last but not least, a strong dynamical force is the demographic change in the villages which brings new circumstances and new social order. Rural depopulation and ageing as well as inflows of social groups due to migratory movements, can affect the social networks and minimize or change the legitimacy of village SOSG (Matysiak, 2015).

Few studies observed the importance of the village headman and elders in post-communist countries. Authors have provided insight into the role of Albanian village headmen as land distribution commission members (see de Waal, 1995), as blood feud resolution actors (Celik & Shkreli, 2010), as natural resource safeguards (Rama & Theesfeld, 2011), as military recruitment facilitators (Saltmarshe, 2000), as land dispute and conflict resolution mediators within and between villages (Zhillima et al., 2010), as community workers ensuring education and health (de Waal, 1995), and as village representatives to upper levels of governance and lobbying (de Waal, 2004; Saltmarshe, 2000). In Kosovo, in the 1980s, the role of elders was completely informal but also very important in securing a parallel education system while widening as well as strengthening a traditional mediation and reconciliation system in the years preceding the conflict. These mechanisms were later also embedded into the legal base for mediation (Sadiku, 2017).

None of the studies has observed the role of these actors in time. In summary, we expect the role of village headman to change due to their interaction with external economic and political forces which may influence these actors or the values shared by the community they represent. Legal changes brought forward by the processes of deculturation, because of the centralization of power (in the case of autocracy) or decentralization in post-socialism, might have affected the village headman's legitimacy. Central political forces and top-down control may increase social divisions, weaken self-organization capacities and overall social capital, and undermine the village headman's role. Section 4 observes the occurrence of these features in the earliest phases of state-building in Albania and Kosovo.

4. Village Self-Organizing Mechanisms During the Ottoman Empire in Albania and Kosovo

The Balkans (including present-day Albania and Kosovo) were ruled by the Ottoman Empire for five centuries until the early 1900s. In the Ottoman Empire, local communities lived under both customary norms and legal rules. In lowland areas and nearby important agglomerations, Sharia law dominated, while in remote areas the local customary laws prevailed and were structured under the Kanun (Sadiku, 2014), which consists of an "orally transmitted set of rules which was handed down from one generation to the other" and is internalized in the mountainous structures of today (Voell, 2012, p. 88). The Ottoman government recognized local customary rules because they covered some areas of the legislation which were not subject to Islamic law. In important cities (e.g., Shkodër), they even created special conflict resolution offices named "Gibal," which dealt with civil issues using both legal structures (Sadiku, 2014).

Since their early existence, customary laws regulated the leading role of the village headman (Bardhoshi, 2012; Celik & Shkreli, 2010; Voell, 2012). One of the main

Kanun codebooks' versions, mostly dominant in North Albania and Kosovo (known as *Kanuni i Lekë Dukagjinit*), highlights the fact that rural community was structured in a multilevel hierarchy starting from the ultimate cell: the family or the *vllazni* (brotherhood)—meaning a group of families, clan (*fis*)—which could cover a village (*fshat* or *katund*), groups of villages and clans (*flamur* or *vojvodë*), and an entire region (*bajrak* or *krahinë*). The representation of each family or clan was part of the council of elders (*këshilli i fshatit, pleqësia, pleqnarët*) led by the village headman (*kryeplaku*). At the top of the village hierarchal order, was a higher council (*Kuvendi* in the North of Albania and Kosovo, or *Këshilli i Pleqve* in the South of Albania) headed by the *Bajraktar* or *Kapedan* (who was the head of the *bajrak* or *krahinë*).

The Ottoman system used these structures. For instance, one of the duties of the *Bajraktar* was to collect taxes, while the village headman (*myhtar*, in Ottoman language) was appointed to collect land and population statistics (Miller, 2012). During the demise of the Ottoman Empire, the council of elders and village headman played a large role in the social and political movement for independence and in advocating for ethnic region boundaries (Bardhoshi et al., 2020).

5. The Evolution of the Role of Aldermen After Independence in Albania

In the early period after gaining its independence in 1912, the Albanian state although fragile, searched to formalize and transpose the role of the village headman into the local government structure. In the legislation framework developed in the early 1920s, it was required that a village (containing up to 250 households) had to be led by the headman elected by the people, every three years, based on a meeting of the village population. With him, a commission of elders could be elected. Usually, males of the families were the voters. The village headman was responsible for the implementation of laws as well as the social life of the village (Morina et al., 2021).

With the establishment of the communist regime after WWII, new administrative structures emerged, disregarding the previous linkage of the village with the commune and *krahina* (region). In the 1960s, local governance structures covered groups of villages instead of individual villages, which reduced the power of the village headman. Thus, village councils, united village councils (comprising several villages), and united village courts were created (Morina et al., 2021), which increased the control of and pressure on the village headman. The (s)election was strictly carried out by the Labor Party of Albania.

Interviews confirm that during communism in Albania, the village head, similar to other structures, was de facto chosen and dominated by the Labor Party. One former head of the village stated: "The chairman of the council was elected by the people but with the guidance of the Party cadres" (FVH). During communism, the

village head was a crucial player between community and state institutions. As one interviewee explained regarding the experience during communism: “If a policeman was to come for conflicts, he would meet first the village head” (OLGO). While another stated that “the village head was the most informed person in the village” (FVH).

Later, in the early 1990s, drastic changes took place in the context of the post-communist transition, resulting in the revival of customary practices in several areas of the country, especially among the rural population (de Waal, 1995; Rama & Theesfeld, 2011; Saltmarshe, 2000; Voell, 2012). Weak law enforcement by central governments with low reputation limited the ability of formal institutions to regulate the life of peasants (Bardhoshi, 2012), stimulating the revival of the old Kanun rules, practices, and forms of village organization in rural areas.

Many villages re-introduced the pre-communist councils of elders. Each clan, in a village, elected a representative to sit on the council, and they, in turn, chose the headman (de Waal, 2004). The size of the council varied from three to five members depending on the size of the community (Rama & Theesfeld, 2011). The village headman, during the early post-communist transition, was considered the lowest representative of the government as well as the highest representative of the traditional hierarchy of the village (Saltmarshe, 2000; Voell, 2012).

Legitimacy was key for their constituency and was partly related to power delegated by the government. Communities often choose the village headman based on reputation (such as descendants of pre-communist clan heads). Different interviews confirmed that during the early transition, belonging to a big kinship/family, reputation, and work experience were important criteria for choosing the village headman. These are required features for gaining trust and achieving effective enforcement in a situation of continual institutional changes. One former head of the village (FVH) during the early transition (1993–1997) stated that:

During the 1990s, the head of the village [*kryeplaku*] was elected by the village. More specifically, the village elected the council [of elders]—which in our village had three members—who then elected the village head. Depending on the size of the village population, the size of the council was determined. At that time, we did not have written instructions or regulations.

Although there was a strong politicization of most public institutions during early transition, this does not seem to have been the case (at least for some parts of the country) for village headman: “The village headman had nothing to do with the ruling party. He was chosen as the most righteous person. Later the influence of the political party in power emerged” (OLGO).

Another respondent reacted by saying that “the head of municipality or commune needed political affiliation,

while for the village headman, the trust of the families and clans was the most important” (FVH).

During the transition, local government reforms affected village representation. Post-communist legislation has been, to some extent, in line with the pre-1945 rules of elders’ councils and village headman in major parts of Albania. Thus, contrary to the behaviour of the authoritarian state in communism, there was no willingness to delete social memory, but instead to recall the distant past (Bardhoshi, 2012).

The role of the village headman was very important during this period since most of the decisions made for land reform required the distribution and titling of land at the village level (Zhillima & Rama, 2014). In addition, the village headman was a person who “had many tasks but vaguely defined administrative tasks” (EXP). An interviewee explained the strengthening of the role of the village headman in the early 1990s: “People were nostalgic for the village headman roles vested in the pre-communist period. Communes were not strong enough yet and, therefore, the role of village headman was endorsed and trusted to manage organisational issues in the village” (OLGO).

Disputes within a family or among families were discussed by clan members. They often called their eldest people to serve as witnesses. For most villagers, local governance was perceived as the first step when trying to solve disputes (Zhillima et al., 2021) due to distrust in the judicial system. The village headman served as the last village resource of mediation. If disputes were not solved, they were discussed by the council of elders. The council of elders dealt with dispute settlement, property division, and rights of a pathway in the village by using the Kanun since the legal base was absent or poor and weakly enforced (de Waal, 2004). The council of elders was faster and less costly. It resolved the issue in a face-to-face context and continued to monitor, administer, enforce, and/or amend community rules according to the changes in livelihoods. In mountainous areas, the council of elders and village headman based their decisions on Kanun rules (Bardhoshi, 2012) and in lowland areas on customary rules transmitted from the past. De Soto et al. (2001) witnessed cases where the council of elders used legal matters to solve problems, like calling the head of the commune or the police if required. Thus, both formal and informal laws were present and combined according to the presence and power of the state in the area. As an interviewee affirmed “the main function [of the village headman] was solving conflicts...as we just came out from the communist system” (FVH).

The recent local governance reform, resulted in a higher concentration of local government structures (from 361 communes and municipalities to 61 municipalities), including the abolition of communes (the pre-2015 local government units governing the rural areas), whereby the centre of weight of local governments was shifted towards urban areas. In this context, the distance between the people (particularly in rural

areas) and their formal (local) government representatives increased. At the same time, the role of the headman of the village as an intermediary has diminished—while in the past he reported to commune mayors which covered typically a dozen villages, after the reform, the number of villages per municipality increased to 50 on average, weakening the weight and access of the headman to the mayor.

The power of the village headman was also weakened due to morphological changes happening to the network of families' clans. Migration fragmented the structure of the clans and nearly eradicated the power of the elders' council. As the social fabric eroded, it seems that the village headman's role was reduced to a witness and rapporteur of village life to the municipality's administrative apparatus. This "new version" of the village headman risks being against the community's will:

Nowadays, elders are not heard anymore, they are paid by the state [modest honorary] and they serve mainly a few administrative requirements of the local government—they are reporting but not solving [problems], sometimes even they are obliged to spy in cases when legal rules are broken. (FVH)

Meanwhile, the growing politicization of the village headman selection has further delegitimized their role in the eyes of the community. For instance, a recent observation in 10 villages of seven administrative units of Tirana (Porta Vendore, 2020) found that none of the villages has properly implemented a new legal act that regulates local governance. The heads of the villages or elders were elected by the heads of the administrative units, while none of the residents knew who was in charge of representing the village or whether their village headman officially existed.

The process escalated due to the nearly absent role of the political opposition to local government reforms, in 2015, and the missing representation of the political opposition in the last local election, in 2019, in Albania. One former village headman, whose son was a mayor stated that "not only the village headman, but even the mayor does not have any power anymore now. All is decided by the tall guy [nickname for the Albanian Prime Minister Edi Rama]" (FVH).

Interviews reveal that the village headman is subject to pressure from the state but is also adapting and changing his view toward the community and the local government. An interviewee said:

Nowadays, the village head does not have many official functions...people solve problems through e-Albania [an e-governance system for service delivery]. Therefore, one has to deal mainly with issues concerning local administration needs and become open to hearing the problems of the community, but not more than that. He cannot solve problems. (CVH)

Another expert explained:

Recently, the high migration has depleted and weakened the social structure in the village. There is not a mass of people to maintain this structure. No one is called for reconciliation since the major part of the village lives elsewhere. The council of elders is absent due to the missing numbers or distantly living members, and the village headman is weakened. People have lost their ties. Distant communication [means] are accessible and village members can call for help from higher authorities in cases of conflict or emergent needs [e.g., cases of forest fires, floods, etc.]. Yet claims toward the state or few requests to tackle formal impediments, such as mediation for having free access to wood fuel and hunting are posed to the village headman, but the trust and expectations toward him are very low. (EXP)

To sum up, the combination of social, economic, political, and institutional factors has contributed to the change in the role and importance of the village headman in Albania. These factors, in recent years, have reduced the role of the village headman and nearly eradicated the existence of the council of elders.

6. Kosovo During Yugoslavia: Conflict and Post-Conflict

Following Ottoman rule, Kosovo was under Serbia/Yugoslavia's jurisdiction. Like Albania, Yugoslavia (thereby also Kosovo) was also under a planned economy and socialistic system after WWII. While, on one hand, the version of socialism implemented in Yugoslavia was more liberal compared to Albania, on the other hand, the Albanian population in Kosovo (which historically made up the vast majority), faced ethnically motivated pressure.

During the socialist period (under Yugoslavia), there were two parallel "political" structures: the traditional authority of the elders or council of elders (*pleqësia*) and the political party (*partia*), which was the official body. These two parallel bodies were constantly in competition over authority and influence. Later on, especially during the war, the *pleqësia* dominated in terms of authority (Backer, 2003). However, during the socialist period—especially during the early decades—the socialist government embraced the existing local institutions.

The communist comrades were mostly relatively young men whose main authority was derived from their affiliation with the party. On the contrary, elders (*pleqnarët*) were from traditional well-known families who proved trustworthiness and that knew the roots of the Kanun. They were usually older men highly regarded in their respective rural communities. As highlighted by Backer (2003, p. 181): "elders are the real leader of the village since they cannot promote their careers outside the village, they keep a sharp eye on what is going on inside it." Their positions within the kinship system were parallel to the political structure while the "party people"

were simply representing “the external” political system. A village head stated that “usually, the elders’ councils were not part of the communist party or state structures” (CVH). Another village head stated that “before the war, they had more power” (CVH).

Since most villages were inhabited predominantly by Albanians, they were often neglected by the central governments. Village representatives tried to play an active role to fill in the gap to provide investments and services, and mobilize local resources to tackle local needs.

Tito’s death led to the outbreak of the ethnic conflict (1980s). Following the revocation of Kosovo’s autonomy, in 1989 a state emergency was imposed and a repressive regime was established—heavy sentences handed out for minor offences, expulsion from workplaces and schools for ethnic Albanians, and restrictions on free movement (Pula, 2004). Albanians were forced and chose to abandon their presence in Yugoslavia’s institutional hierarchy and established a parallel (informal) system of governance out of Serbian control. In this context, the village headman (and the council of elders) became a crucial focal point.

The role of elders’ councils was even more important at this stage in securing a parallel education system. The Albanian community established a complex voluntary fiscal system, collecting contributions both from residents and from the diaspora to finance local needs (e.g., pay teacher salaries, finance local infrastructure, etc.), organized by the Democratic League of Kosovo party (which was a unifying pan-Kosovo Albanian movement). Village representatives were highly respected and often educated (e.g., teachers by profession).

They continued to play a crucial role within the traditional mediation and reconciliation system in the years preceding the conflict in Kosovo. For instance, Pirraku (1998) describes the establishment of the mechanism of mass reconciliations in Kosovo at the end of the 1980s. During the period from 1990–1991, through the Blood Feuds Reconciliation Campaign in Kosovo, 1169 blood (death-related) feuds were forgiven. Such an action had a large ripple effect by involving academics, professors, doctors, teachers, and religious leaders, while elders also played a key role. An expert explained that “the goal of the elders of that time was to reconcile families in conflict and unite Kosovars against Slobodan Milosevic’s regime” (EXP). These actions were closely coordinated with representatives of large families/clans/tribes: “Whenever there were problems or conflicts, the village head would meet and require help from heads of the greatest families [clans]” (FVH).

During 1998–1999, Kosovo underwent a notorious ethnic conflict, which ended with NATO intervention. During the conflict, elders’ councils continued to play an important role to support their communities. Also, during the early post-war period, the elders’ councils were important, given the fragility of newly established institutions. These mechanisms were also later embedded into the legal base for mediation, namely Kosovo

Mediation Law—which aimed to reduce excessive costs in the court system from cases of conflicts and disputes (Sadiku, 2017).

As an expert stated: “In Kosovo, the council of elders is still very important in case of conflict because it settles disputes between individuals before they are brought to court” (EXP). Another expert added that “in many cases, the court takes as a relief the reconciliation between the conflicting parties if there is a reconciliation for the forgiveness of blood through the mediation of the eldership” (EXP).

The work of the village headman has been carried out voluntarily and there have been no regulations that determine the election. Often, the headman was not changed regularly because it was important to keep the same person, who is known by the villagers and had authority over them. For example, as a former village headman stated, “in Isniq village there has been the same headman for 30 years” (FVH).

In some cases, the informal structures of rural communities’ representations are more elaborate. For example, in the Isniq village they have a reconciliation council [këshilli i pajtimit], that deals with the conflicts occurring between families, an irrigation council [këshilli i vades], responsible for the use of irrigation channels in the village, and a mountain (pasture) council [këshilli i bjeshkës], dealing with the management and use of pastures. Members of the different councils are chosen based on their reputation. An interviewee explained that “the reconciliation council is led by a more authoritative elder” (FVH).

Over the years, the power of the Kosovo political entities grew stronger. Nowadays, political forces have greater influence that has “forced pleqësia to only operate in the sphere of family matters and village customs, acting like a guard of reputation vis-à-vis other villages” (Backer, 2003, p. 181). This trend has been fuelled by the local government legislation of post-war Kosovo: “After the war, village heads and councils were appointed by the political party winning local elections” (CVH). While in some villages, it appears that the winning party was keen to engage the village headman with reputation, this has not always been the case since political affiliation is prioritized, as a result “people became dissatisfied” (CVH).

Recently, legal changes, happening in 2019, were introduced, which stipulated that village heads should be chosen by village residents directly. While these changes should, in theory, strengthen the direct link between residents and the village headman and the village council, it appears that the local election process is guided by political parties: “It is the parties that mobilize people to assemble and vote” (FVACM). The relationship of the village with the political forces seems to awaken the functioning of the village councils, but it reduced the authority needed to create harmonization

within the village self-organisation and materialize community undertakings.

7. Comparative Analyses

Village headmen and councils of elders were powerful during Ottoman rule—state presence in rural (especially mountainous areas) was weak and life was largely regulated by the Kanun mechanisms. Their power persisted and remained important, as they were contributing directly both in events of confrontation or cases of compromises with the formal Ottoman governance. During communism in Albania, village headmen were simply agents of the state and the communist party, whose power and legitimacy were largely based on relations with the party.

In the post-communist period, inherited informal rules from the pre-communist period were reactivated (Zhillima et al., 2021). A traditional institution, the council of elders, re-emerged (Zhillima et al., 2010), starting in the early 1990s. As predicted in cases of balanced power, the vested role of the village headman matched with the required role of the government as well as the willingness of the communities for safeguarding social stability and dealing with land disputes. Being in the early process of democratization, communities still valued the role of representing the state and its delegated power (e.g., local government unit heads). Both village headman (semi-formal) and commune head (formal and higher in the hierarchy), had a pivotal role during the first two decades of the post-communist transition and decentralisation (Zhillima et al., 2020).

As highlighted earlier, in Kosovo, there was an established parallel (informal) system of governance out of Serbian control in the late 1980s. State authorities were distrusted and were widely seen as illegitimate by the local Albanian community. As such, the profile and role of the council of elders and village headman were completely informal but also very strong—especially in securing a parallel education system and widening and strengthening a traditional mediation and reconciliation

system in the years preceding the conflict (Sadiku, 2017). In rural Kosovo, before and during the war, life was (partially) regulated by Kanun and village heads and elder councils were chosen by the local community and typically disconnected from the central Serbian state. Different from the Albanian case, these informal structures were not complementing the formal institutions but were considered as a substitute.

During the early post-communist (Albania) and post-conflict (Kosovo) stages, the state was weak, and the village headman and council of elders were elected by the local community, while the daily basis was partially ruled by state legislation and partially by the Kanun (the latter was particularly important in mountainous rural areas). At present, political parties have taken over—village heads are typically agents of dominating political parties. Table 1 illustrates the evolutionary stages according to the historical periods for both countries subject of the analysis.

During the post-communist transition, rural communities in Albania and Kosovo have suffered from a lack of trust (in state institutions) in different ways and for different reasons. In Albania, state institutions and laws were characterized by a lack of enforcement during the transition, while in Kosovo, the Serbian regime was seen as illegitimate by the major part of the population. In this context, the village headman played an important role, often serving as a bridge between rural communities and the formal authorities or being embedded in parallel informal structures (in the case of Kosovo). Reputation, trust, and authority within the community, as well as acknowledged wisdom in social matters, were the main features of the village headman’s legitimacy. Community representation was strong in comparison to peripheral state power.

In recent years, in Albania and Kosovo, growing politicization and high migration have weakened the multifaceted role of the village headman. The strengthening of the central government combined with the high (and growing) politicization of the institutions contributed to the weakening of the role and power of the village headman.

Table 1. Stages of local SOSG mechanism and actors’ evolution.

Stages	Ottoman	Communism	Kosovo before and during the war	Early post-communist transition Albania and post-conflict Kosovo	Present
State	Weak, partially disconnected	Strong, one-party ruled	Disconnected	Weak	Strong, deeply politicized
Village head (and elders councils)	Tribal leader(s)	State agent, formally elected, but chosen by the party	Community informally elected	Elected by the community	Political party appointed and agent, formally elected by the community
Ruling institution	Kanun based (informal)	State legislation and party ruling based	Kanun based (informal)	Combined state legislation and kanun based	State legislation

Table 2 below shows the evolution of institutions and the level of legitimacy and representation of the village headman and council of elders in a dynamic view of a century of political changes. The current situation of the village headman can be interpreted by the historical legacies of the past political regimes. Considering the similarities of the power structures and relational ties of central and local structures, it can be illustrated (Table 2) not as a transitional linear narrative of self-governance but, mostly, a slightly repetitive path. In times of demise of central and local government power, an awakening of dead mechanisms and institutions gain power and affects the existing structures, as discussed by Van Assche et al. (2013) and Cleaver and Whaley (2018).

State formal rules' power has increased due to the dependence of communities on services and programs at the central level. A more direct relation of community members with the central state is mutilated by the access to information and technology, including e-governance dealing with important services (e.g., land cadaster, civil cadaster, and utility payment). Differently from Xu and Ribot (2004), this is not only weakening the SOSG but the entire governance system at a local level.

Emigration is also making the establishment of rigid SOSG even less probable. Despite the willingness of the communities to have elected village headmen, the lowering numbers and ageing is weakening social capital. This is an illustrative case of countries living in high urban-rural disparities and entering into new demographic transitional stages. The effect of emigration, although for decades becoming a force of village self-governance derogation, is yet not gaining the required importance in the current literature. Therefore, the study is not exhaustive in filling the literature gap in this regard.

8. Conclusion

This study uses components of evolutionary governance theory and constructed a multi-dimensional conceptual framework to explore the evolving role of the village SOSG mechanisms. Albania and Kosovo represent unique case studies (with similarities and differences) because of the long-lasting role of the village headman and council of elders, whose origin existed in the customary laws

and the Kanun and due to the harsh contrasting and influencing political regimes, including communism.

The study confirms the view of Lowndes and Roberts (2013) that rural self-governing mechanisms are specific to a particular political setting, survive as long as they are recognized and shared among actors within that setting, and remain enforceable based on this recognition. A continual autopoiesis happens to actors and SOSG themselves, as guided by the theoretical framework of Van Assche et al. (2013). In the case of Albania, the state increases the need for political control and legitimacy. On the other hand, it is crucial for the village inhabitants that the community is represented. The role of the village headman rests in the centre of these forces as a bridge or as a "boundary," which tends to be unstable when decentralization reforms and community transformation do not reconcile or converge and the power on both sides is imbalanced.

The evidence of a balance of local autonomy with accountability to higher-level government officials, as mentioned by Benjamin (2008), is hardly achieved. The system is similarly altered by political pressure and the community demands constant negotiations with the central government, thus weakening further the role of the village headman appointed by the central politics. However, differently from Albania, Kosovo's mediation mechanisms are more likely to maintain the role of village representation functional, despite the latest pressure from central politics. In this case, the embedded role of the council elders in conflict resolution is a positive example of the synergy of institutions in the context of community transformation.

The current situation in Albania and Kosovo is not characterized by rigid top-down control, similar to what happens in central regimes, but by an increasingly patronizing role of the central government, which has been attempting to control local political power in recent years. The process of recreation is not stimulated by a gradual push for democratic decentralization and an effective functioning of local governance as described by Agrawal and Ribot (1999), but rather as an attempt to control local-level electoral politics.

A gradual process of deinstitutionalization, implying the dissolution or transformation of old mechanisms of

Table 2. Mapping of the evolution of institutions and representation of the village headman and council of elders.

	State legislation		Communism and present	
Ruling institutions	Mixed		Early post-communist transition Albania and post-conflict Kosovo	
	Kanun	Pre-Ottoman and Ottoman, Kosovo before and during the war		
		Local community	Mixed	State/incumbent
Representation				

self-regulation at the village level, has been witnessed and has reduced the odds for a representation of people elected by the inner social structure of the village. Technology development, economic development, and emigration have raised community dependence on the state. The village headman institution is “substituted” by equivalent structures on the local level—which has to deal with the centre. This trend differs from Englebert’s (2002) understanding of a democratic form of politics. It was rather a result and driver of weakened participation, accountability, and responsiveness in village representation.

Therefore, there is a large distinction between a village headman appointed by village members to represent, mediate, or solve village affairs and a village headman appointed by external political elites or government officials. In the last, legitimacy is questioned and the capability of the village head to exercise his power is limited. In other cases, when state delegates power and their constituencies are weakened, due to rapid transformation or shock, the power of SOSG increases. The role of the traditional village headman is left in a vacuum to compensate for the political role of the incumbent. The function of the politically appointed village headman, due to local governance reform, abolition of communes, and continual migration, has lost its role and congruence with current social norms.

The case studies urge further efforts to assess the potential risk factors undermining the nature of the village headman and elders (council of elders). As Ostrom (1992) predicts, further confrontation would enable power shifts and knowledge creation, which alternates and increases the stock of social capital and materializes it into new stages. New processes may arise, pushed also by the European Union, promoting culture and associating bottom-up structures (e.g., local action groups). Considering the theories of adaptive governance (Clever & Whaley, 2018) a potential revival or alteration of the village headman and elders’ position in the upcoming years should be explored by considering the binding expectations of other actors (Lowndes & Roberts, 2013), especially in light of a rapidly changing rural society.

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Conflict of Interests

The authors declare no conflict of interests.

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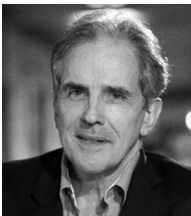
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About the Authors



Edvin Zhllima has a PhD in agri-food economics and policy from the University of Bologna and is an associated professor at the Agricultural University of Tirana (AUT). Edvin is a researcher and lecturer of development and institutional economics and has conducted research in several fields of study such as resource economics, behaviour economics, and gender economics. He has a long experience in development assistance toward the socio-economic empowerment of vulnerable communities, including women and youth in rural areas.



Nicolas Hayoz is a professor of political science at the University of Fribourg (Switzerland), with large teaching and research experience on issues of political developments in Eastern Europe. Nicolas is a member of the Department of European Studies and Slavic Studies and of the Interfaculty Institute for Eastern Europe of the University of Fribourg. He has published articles and co-edited several books, mainly on topics such as democratization, autocracies, authoritarian tendencies, informal structures, citizenship, and, more generally, political theory.



Drini Imami earned a PhD in agri-food economics and policy from the University of Bologna in 2011 and is currently affiliated with the Faculty of Economics and Agribusiness, Agriculture University of Tirana, CERGE-EI, and Development Solutions Associates. Drini has contributed as coordinator or principal investigator in six research projects, three of which were international projects involving various countries and institutions. He has conducted research in several leading European research institutions and has contributed to more than 70 scientific journal articles. Research interests include behavioral, political, and institutional economics.



Iliriana Miftari received her PhD degree in 2017 from the Faculty of Agricultural Sciences, Nutritional Sciences, and Environmental Management at the University of Giessen. Since 2006, she has been working as a teaching assistant at the Department of Agricultural Economics of the Faculty of Agriculture and Veterinary at the University of Prishtina. Iliriana has conducted several research projects and contributed to numerous scientific publications.