

# Customary Laws, Folk Culture, and Social Lifeworlds: Albanian Studies in Critical Perspective

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The Institute of Comparative Law in Belgrade launched this year a Festschrift in honour of Valtazar Bogišić (1834–1908), a jurist, law historian and folklorist. His most notable works are researches on family structure and he is primarily known as a codifier of civil law in Montenegro, which he prepared on the basis of a voluminous questionnaire.<sup>1</sup> One of his main informants was the leader of the Kuci lineage, at the border of Montenegro and Albania and reputed of Albanian stock. Obviously, he was also well acquainted with the customary laws of the neighbouring Albanian lineages of Gruda, Hoti and Kastrati. In this way he came to know considerably the structure of the traditional lineage society not only in Montenegro and Herzegovina, but also in northern Albania. Actually, he collected a very precious material, which will be published much later,<sup>2</sup> and his contributions might be considered as a basis for later researches on customary laws and traditional societies in Balkan studies, including Albanian studies.

Surely, of utmost importance in Albanian studies, as elsewhere, is the critical handling of ethnographic and historical sources of information on actual Albanian life. Taking lead from the Bogišić Festschrift, in this paper I will show how and why the exploitation of North Albania in particular at the beginning and at the end of the twentieth century turned out to consciously or unconsciously promote a kind of literature, as a pure constructed act of ethnocentrism and

1 *Valtazar Bogišić*, *Opšti imovinski zakonik za knjaževinu Crnu Goru*, 1<sup>st</sup> 1888, 2<sup>nd</sup> 1898, 3<sup>rd</sup> 1913; Engl. transl. *General Property Code for the Principalities of Montenegro*, Podgorica 2006.

2 *Valtazar Bogišić*, *Pravni običaji u Hercegovini, Crnoj Gori i Albaniji* [Legal Customs in Herzegovina, Montenegro and Albania], Titograd 1984.

a mixture of exoticism, ‘Balkanism’ and other ‘nesting orientalisms’ on the ‘margins of Europe’. Similarly, in their efforts to seize the ‘authentic’ traditions and ‘popular’ culture such as they were supposed to have ‘really’ functioned in a society of official ideology, Albanian scholars of ‘folk’ or ‘people’ culture were devoted primordially to description, which served the ultimate goal of constructing national specificity and a particularly antiquated view of national culture. In the last analysis, all of these studies may have reproduced old patterns of cultural particularism and cultural determinism, while unduly undercutting a more important potential to generate more informative insights into the specificities of Albanian cultural logic.

### I. Classic collectors

Important and easily accessible ethnographic sources of interesting information on actual Albanian life and the operation of customary laws, more specifically about the regional variant known as the *Kanuni i Lekë Dukagjinit*, still remain the accounts given by a few classic collectors of Albanian traditions and customs. Among them, Shtjefën Gjeçov (1874–1929) was an Albanian Kosova-born Franciscan priest and freedom-fighter, while Edith Durham (1863–1944) a Victorian British traveller and human-right activist, and Franz von Nopcsa (1877–1933) a Hungarian nobleman and interferer in Great Powers politics. All travelled to North Albania at practically the same time and all regarded the local custom laws, based on blood relations, as the very essence of Albanian *Volksgeist*. Very different genres are represented in the works that resulted from their documentation. Durham and Nopcsa left a series of travel writings of genuine value to posterity, whereas Gjeçov provided a remarkably competent piece of work wherein customary social institutions are described with textbook precision.

At the turn of twentieth century Gjeçov dedicated himself to the record of North Albanian traditions and legends and began to publish them from 1913 in the Franciscan journal *Hylli Dritës* that was printed in Shkodra. After his tragic death at the hand of nationalist Serbs in Kosova (Mata 2000), the stylized text of customary law based on his research was published by the Franciscans of Shkodra (Gjeçov 1933 [1993]). The Albanian Franciscans had a clear social and political agenda, for they saw themselves as working toward an enlightened revitalization of their own nation. As they worked over Gjeçov’s notes, their overarching goal and barely disguised objective was to provide Albanians with a national identity, to strengthen and unify their new nation, and not incidentally, bolster the standing of the Catholic Church with a law code to be used by Christians and Muslims alike. Where there was variety in the unwritten law, they would set a standard; where there was diversity, they would show unity. Their goal was not to record the law, but to improve it. Sixty years later, the Church published another unwritten law, in which the author selectively suppressed and upgraded

material in the code to support an explicit agenda of strengthening family and church, regarded as a higher good (Ilia 1993).

A second edition of Gječov's text, expanded with his unpublished manuscripts on marriage and family customs as well as with his fieldwork notes and many other cases of the application of the law he had witnessed in local assemblies is published by the official academic presses of the communist era (Gječov 1989). This new publication is highly critical of the Fransiscan compilation, but still shows the vaunted identity and unity of the Albanian society and culture, something actively promoted by both Catholics and Communists alike. In these texts a metaphor for "nation revitalization" was rediscovered, independent of historical teleology and religious differentiation, the notion of "blood" kinship relations, which was the basis for the "blood laws" and could at the same time be used to express national connectivity "through blood". The law was therefore meant to regulate what reproduces the most fundamental structures of society and its cultural identity throughout the world. The aim was not only to conserve this cultural identity and to hand it down to later generations but also to separate it from the identity of neighbouring cultures. Other more recent books are also published following much the same tradition on adjacent areas, whose authors clearly identifies with Gječov and other "enlightened patriots", with "a sense of mission" to promote a positive national image (Meçi 1995, 2002; Martini 2007).

Gječov's law codes are essentially timeless. An unchanging, all-encompassing and all-powerful law also surges through Durham's now classic writings on North Albania. Durham was a plucky Englishwoman who spent many long years in Albania, travelling into the most remote parts of the northern highlands, and became an almost legendary figure, being remembered as the "queen of the highlanders". A foremost champion of Albania's merits and its rights, she served up information in a glorious, largely anecdotal and opinionated travelogue on *High Albania* (Durham 1909 [1994]), which provides many colourful, eminently readable and invaluable detailed accounts of the incidents which she witnessed, the conversations in which she took part and the circumstances in which her observations were made. Twenty years later she put much the same information in a more 'scientific' style and created her tedious book on *Some Tribal Origins, Laws and Customs in the Balkans* (Durham 1928 [1979]). The formal ungainliness of collating notes from her travels into the new book is suggested by its awkward title, even though it is still a wonderful treasure house of lore and custom. At least for the non-professional reader, the attraction of the book is heightened by its still anecdotal quality, and it is also permeated by a personal nostalgia, both for travels which she will never undertake again and more painfully for a society that has vanished.

Durham declared that she found in North Albania the "land of the living past", a kind of reservation where the origins of European civilization could be approached *in vivo*. "For folk in such lands time has almost stood still" (Durham

1909 [1994]: 1). An external observer, with her somewhat trivial social Darwinist style, she held up a picture of society in its “infancy” and searched for common roots, a common past, which, once it is known and acknowledged, will provide the key to true understanding. Durham’s work is typical of late nineteenth-century ethnography, when Europeans suddenly realized that tribes also had laws and “that hypertrophy of rules rather than lawlessness is characteristic of primitive life” (Malinowski 1926: 9). The heathen therefore went overnight from lawless savage to primitive but proud democrat. In this vein, as in everything else, Durham did her best to boost Albanians into first place. Far from being lawless, she wrote, there is perhaps no other people in Europe so much under the tyranny of laws. The only real difference is that the Albanians were living in the “past of others”.

Unlike Gjeçov, Durham paid relatively little attention to economic questions and kinship structures of family relations, but she was extremely detailed about the heathen background to the blood customs and about the mountain peoples’ ignorance of religious matters in general, which Gjeçov either didn’t notice or tactfully overlooked. “The most important fact in North Albania is blood-vengeance, which is indeed the old, old idea of purification by blood. It is spread throughout the land. All else is subservient to it” (Durham 1909 [1994]: 31). And she did state directly that blood feudalism is in itself a religion: “it is an offering to the soul of the dead man” (Durham 1928 [1979]: 162). Her introduction to the metaphysics and the historical scope of vendetta begins with the allegation that the belief is still alive and well in Albania that a murdered soul can find no rest until blood is spilled in return. And with this Durham began the mental gymnastics with which she attempted to insert Albania into the general framework of world history, which would give a certain credibility and presentable pedigree to the Albanian blood laws. Durham is revered partly because her view of Albanians was so favourably blinkered as to border on reverse racism. Her sympathetic analyses of rural Albanian life, albeit limited to the particular northern areas and deeply flawed, have been consulted repeatedly over the years by most subsequent writers on Albanians, most of whom native Albanian scholars themselves.

Like Durham, Franz von Nopcsa spent much of his time in northern Albania at the beginning of twentieth century. Being active in politics as well, he interfered actively in Austrian foreign affairs and took part in the First World War as a volunteer in Albania, not to mention his participation on the selection of a European peer to become the crowned head of the newly independent Albania (Robel 1966). His works on Albanian studies concentrated in the fields of prehistory, early Balkan history, ethnography of northern Albania and the customary law. Together with his five-volume memoirs recently published (Nopcsa 2005), they contain a myriad of fascinating observations and many stand as ambitious works of a sound scholarly quality (Nopcsa 1912a, 1912b, 1923,

1925). From his ethnological manuscripts, one on the mountain communities of northern Albania and their customary law is only partially published recently (Nopcsa 1996), while another on Albanian religious beliefs and customs remains unfortunately unpublished up to the present day (Nopcsa ms).

## II. Othering studies of an other culture

Nopcsa, often lauded as a leading specialist on Albanian studies of his time, belonged to a group of German-speaking writers, mostly Austro-Hungarians scholars with a strong interest in Albania and its history. Several of them belonged to the founding generation of Albanian studies. Many dealt with archaic features of the Albanian society, especially concerning customary behaviour and the so-called tribal organization, or the ethnogenesis of Albanians, which included the question of the Illyrian heritage and the extent and results of successive processes of Hellenization, Romanization, Slavicization and Islamicization of present-day Albanian-inhabited areas (e. g. Thalloczy 1916). It is possible that many of their observations turned out to be wrong or misleading on further research, but their contributions are still a useful basis for further studies.

The main problem with many of these writers is that they consciously or unconsciously promoted the idea that at the beginning of the twentieth century Albania and the Albanians were still at the stage of being ‘unknown’, the last ‘undiscovered’ region in Europe and in the Balkans, so close and yet so far, full of archaisms, blood feuds, and “tribes”. As the new generation of German-speaking scholars acknowledge (Kaser 2002), it was in particular the Orientalizing and Balkanizing images of old German-speaking writers who selected and reported observations almost exclusively from the northern Albanian regions that singled out certain seemingly ‘archaic’ phenomena which labelled and reified as ‘Albanian’. They put emphasis on the so-called Albanian “tribes” and their primitive laws, archaic blood revenge, primitiveness and pureness of the indigenous people, Spartan simplicity yet incomparable hospitality, and so on. A special genre of “historiography of vendetta” developed, which was inspired especially by those Austrian and German writers who primarily aimed not at providing information or conducting scholarly work but at presenting sensational discoveries to acquire artificial prestige. According to the writer’s intention, Albanian “tribesmen” were depicted either as savages and barbarians or as outstanding virile and heroic “sons of the eagle”. The impression is always given that life of the people was concerned with vendetta, and nothing else, and the very appealing sentiment of heroism was used, in a definite tendency towards an idealization of Albanians, especially the northern mountaineers, depicting local life and customs in a heroic and glorious light, idealizing patriarchal society and its manly features, such as bravery, honour, and hospitality. But all these were phenomena isolated from their general distribution area and did not represent Albanian society in its already complexly

structured reality, based on urban culture and a set of links to the Western world, which represented without any doubt a variant of European civilization.

Nevertheless, while Carleton Coon's study (1950) is in the tradition of racial anthropology, Margaret Hasluck's book on the *Unwritten Law in Albania* (1954) still remains a classic of Albanian ethnography. Hasluck's contribution is to show that variation was the essence of the unwritten law. While much of her writing is trapped in the 'ethnographical present', the book periodically points out sweeping social change over time. Indeed, her book is an exhausting catalogue of variation. No sooner does she give a law than she gives the manifold regional variations, then the exceptions to the variants, then she goes on to say how people actually lived. Importantly, she related these alterations to broader currents of change in highland society. Her unwritten law adapted to life, not the other way around, and her book constantly compares law-in-theory with law-in-practice. Hasluck's unwritten law refused to be a single, coherent set of rules. "What chiefly precluded modern Albanian governments from adopting the unwritten laws, she said, was their diversity" (Hasluck 1954: 12), not primitiveness or bloodthirstiness, but diversity.

Her relative dismissal, however, is not so much because she was out of step with the prevailing romanticized view of North Albanian highlanders and their customary laws, nor that her 'unpatriotic' questioning of national myths was not acceptable to many Albanians. Hasluck's book is of course an empirical gold mine, but a relentless stream of facts and examples exhausts any reader. There are seldom pauses to organize the information at some meta-level which would help grasping larger patterns and meanings, and there is no narrative structure, no ranking or hierarchies to anchor the examples. More importantly, her work depended in many respects on Gjeçov's material and his codification, while she differed from either Gjeçov or Durham or Nopcsa in temperament, in her methods of work and in the kind of relationship that she established with local people. Hence, she was in a number of ways much less adequately equipped for the collection and interpretation of material on Albanian cultural practice and customary law (Kastrati 1955; Clark 2000).

Interestingly enough, the image of the Albanians from the beginning of the twentieth century was frozen until the end of the century when the country opened again to foreign travellers. The exploitation of the North Albanian mountain territories at the beginning and at the end of the twentieth century turned out to be very similar, an eldorado for discoverers and adventurers. Reports of a traditional social structure based on kinship, together with the blood-feud and the archaic customary and legal institutions, have aroused the enthusiasm of many Western scholars and journalists. Marriage codes, blood feuds, religious beliefs, hospitality, as well as certain peculiar customs such as the "sworn virgins", those women who allegedly obtained male status by pledging eternal virginity, were put under the spotlight and have conventionally been described by foreign

writers with a colorful and exotic touch, addressing readers' curiosity with a set of amusing reflections, portraying the "Land of Eagles" as an untamed, ruthless and archaic society cut off from the modern world, an unconventional destination, a picture from another era, a land of tribal warriors and fairytales.

Particularly after the translation in Western languages of the famous *Broken April* by Albanian novelist Ismail Kadare, they continue to flock to the highlands of northern Albania in search of what they imagine to be the distilled essence of the mountain spirit, a barbarous and splendid anachronism embodied in a sort of primitive and fearless mountain clansman living according to an ancient code of honour enforced by "tribal" law, in a "tribal" society, on the fringe of modern Europe. After the recrudescence of criminal murders in the hard times of post-communist turbulence many Western commentators are easily willing to believe that Albanians still live by the strict laws of the *Kanun*. While some try to acknowledge the historical and political complexity of related practice and discourse (e. g. Schwandner-Sievers 1999; Resta 2002; Voell 2004), others do not hesitate to amount virulent rhetorical attacks of denigration and vilification on the ground of a presumed "irrationality" of such "culture-bounded" people (e. g. Krasztev 2000).

A lot of similar publications over the last decades have been using overlapping elements of Balkanization and Orientalization over and over again, mixing frozen images up with new elements, like the one about thousands of bunkers which were built in the communist times, or the standard stories about Albanians being the highest percentage of Mercedes Benz owners in Europe (Kaser 2002), or again the country of Miss World Festivals. The problems of the transition period during the 1990s fuelled again the pictures of a Balkan otherness, cementing the impression that despite all efforts this part of the world is not able to Europeanize itself. This kind of literature, as pure construction and as an act of ethnocentrism, created a certain stereotype, not only of a land of the living past, but also a mixture of exoticism and 'Balkanism' (Todorova 1997), partaking in the logic of many 'nesting orientalisms' (Bakić-Hayden 1995), which promoted an image of Albania and the Albanians that approximated almost any people in the world, but never Europeans. The discussion on this topic, opened by Edward Said's *Orientalism* (1978), has traced the West–East conceptualization of cultural differences to its intellectual roots of eighteenth-century Enlightenment (Wolff 1994). But more seriously, already Lévi-Strauss bitterly deplored similar stances in his *Tristes Tropiques* (1955). To borrow his terms, this literature would represent another instance of the same mistake of a whole profession to believe that men are not always men, that some are more deserving of interest and attention only because in the midst of Europe they astonish us by the strangeness of their customs.

Surely, other publications on Albanian social structures and ideologies are available which give very much reliable and useful information and analysis. Among modern ethnographers, Berit Backer was a Norwegian human rights

activist, in particular in defence of the cause and rights of Albanians in Kosova, who became a virtual legend of her time, like Durham or Nopcsa in the past. Her master thesis has been a very serious and good effort to describe Albanian rural society in Kosova and its logic in the 1970s, focusing in particular on the formation and evolution of household and family structures (Backer [1979] 2003), even though, being left unfinished after her tragic death, it betrays some of the weaknesses of a student in the process of entering the world of scholarly research, not completely rid of the Marxist-Leninist straitjacket which dominated Norwegian student life of the time. Janet Reineck's doctoral thesis (1991) also presents another well-done study of attitudes toward gender relations among Albanians in Kosova in the 1980s which includes a wealth of remarkably candid remarks by men and women of various ages and backgrounds and is a valuable resource for understanding Albanian social organization. Jane Sugarman's book on wedding songs in an Albanian community of Macedonia, although primarily an ethnomusicological study (1997), and Gilles de Rapper's doctoral thesis on family, society and collective identity in a border area of South Albania (1998), provide further information on southern Albanian family life, gender relations, and household structures, about which far less information is available than for northern Albanian communities. In other even more recent works the transformation of traditional society is set in direct relation to political contextual changes, by using either fashionable developmental approaches (Saltmarsh 2001) or old-style wandering snapshot ethnography (DeWaal 2005).

In this context, it must be noted that the study of family structures is less developed in anthropology than history, where a number of historical works have widely explored western European family and household structures as the transmission of familial property through generations in its consequences on social structure and economic development. Historical studies are also available which address questions of kinship structures, the composition of traditional complex families and the principles of household formation in Southeastern Europe. In particular, contemporary German and Austrian historical studies have developed in the last decades a strong historical research specialization, especially at the universities in Vienna and Graz, and produced a series of publications on the Albanian and wider Southeast European kinship structures or family systems in an European comparative perspective (See Kaser, Gruber & Pichler 2003).

### III. Folkloric studies of 'people' culture

While recent Albanian studies produced in the western modern tradition of scholarship may show a more concern for historical source-criticism and a higher level of academic sophistication, native Albanian scholars have also provided a unique view of Albanian tradition in historical perspective, especially on social organization or mythology and beliefs, with also useful observations on social

changes during the whole of Communist period. Their researches are scattered in a number of publications or lost in the archives, like works on customary laws by Rrok Zojzi or on oral literature by Qemal Haxhihasani. Yet, some of them may have been reedited recently (Gjergji 2002; Ulqini 2003; Tirta 2004), which still explore Albanian issues in a relatively balanced way, but many others may be empiricist in focus and unanalytical in depth or may lack basic academic standards of referencing.

In Albania, as in other countries of Central and Eastern Europe, there was no equivalent to social anthropology before or during the socialist period; and there is still not, even though during the first decade of 21<sup>st</sup> century some people in Albania as in other East European countries simply wake up one morning and decide that they have become anthropologists. The field has been dominated by what is called 'national ethnography' as practiced by 'native ethnographers' (Hofer 1968). Known in Albanian as studies of 'folk' or 'people' culture (*kultura popullore*), they subsumed subjects such as folklore, oral literature and material culture. Clearly, anthropology is something quite different from the definition of the folkloric 'people' culture studies, even though from the post-war period to date, one of the predominating opinions throughout Eastern Europe has been that this is essentially the same field, that national ethnography, folklore, 'people' culture studies, European ethnology, and anthropology are temporal or regional variations of the same discipline.

The broad contrasts between folkloric 'people' culture studies in Eastern Europe, and the comparative enquiries carried out by anthropologists from Western Europe, have long been recognized and articulated (Halpern & Hammel 1969). In particular, as Katherine Verdery noted (in her comment to Hann 2007), the place of anthropology in an empire-building project is clearly distinguished from that in a nation-building project. Anthropology emerged well after the consolidation of west European national states to play any role in nation-building, but the colonial context enabled anthropologists to study 'others' and encouraged knowledge that was comparative and theoretical, that is, creating models from different colonies that might apply in other colonial contexts. By contrast, the general focus of folkloric 'people' culture studies that developed in Eastern Europe were on one's own nation. They took shape together with the creation of national states across the region, as 19<sup>th</sup>-century movements of national liberation threw off Ottoman, Russian, Prussian, and Habsburg overlords. Although much of this scholarship was concerned with local and regional variations, its founders shaped nationalism and constructed a particular idea of the nation. Their dominant temporal mode is determined by this political context: their mission is, above all, to build up national cultures by looking to the 'folk' to document the 'people' culture of the peasants, in the conviction that among them one could reveal, in unsullied preindustrial settings, the nation's essential traits and original character.

The problem is not just that we are dealing with a large gap between folkloric 'people' culture studies and anthropology, but these are two traditions with clearly opposed origins, philosophies, and epistemologies. If anthropology was the creation of European states that established overseas empires and if 'people' culture studies were that of Europe's colonized, there must have been expectable differences of emphasis and it is hardly surprising that there was not much overlap of these discourses and that dialogue was difficult. Therefore, I find some western scholars naïve in arguing that folkloric 'people' culture studies and anthropology are 'closely related' or that their 'various strands belong together', even though they may not argue that the two traditions are 'the same' (Hann 2007).

What is at stake here is the more serious matter of the gulf between the social sciences in Western liberal-democratic social settings and in the regions that had been under the control of communist regimes since the end of the Second World War. Essentially, the difference between the situation in Western European and in post-communist academic institutions has been a confrontation between the archaic, pre-scientific, descriptive field of folkloric 'people' culture studies, with no theory or methodology of its own, and a modern, theoretically and methodologically elaborated social science that endeavours to reflect on a broad and diverse array of fundamental issues in the sphere of social and cultural development, and to do so in literally a global comparative context.

It is generally assumed that relatively little attention has been paid to the remarkable persistence of the nation-centred tradition in the era of socialism, in which one might have expected that the ostensible ideology would have prescribed quite different approaches. For the sake of comparative approach, also characteristic for social anthropology, there are by now some collections of testimonies to the 'interesting, sometimes fascinating vicissitudes' within many East European analogies of 'people' culture studies during the era of communist rule (e. g. Hann, Sarkany & Skalnik 2005). However, to one of the editors' mind (in his comment to Hann 2007), they are basically fruitless, being characterized during most of the studied period by intellectual sterility, inability to study the present in which we live, parochialism, isolationism and ignorance about world trends in social anthropology.

Similarly, the specific problem with many Albanian texts of a relatively high academic standard is not simply that their dominant stream was national, in the sense that the subject was defined primarily in terms of their own people or nation. The 'national' versus 'comparative' attitude is of considerable importance when regarding methodologies. If the public legitimacy of the anthropological pursuit has been to advance the goal of a cosmopolitan and comparative science of human history, which has helped anthropologists to transcend the colonial and reach for the post-colonial, in a still nation-centred project, neither comparison nor theory-creation is useful.

The Albanian field of 'people' culture studies is mainly a re-worked version of the German *Kulturhistorische Schule*, which has been easily institutionalized as 'a deliberate, organized, conscious effort to construct a more satisfying culture' by what is known as a 'revitalization movement' (Wallace 1956). In order to unearth patterns of human creativity in the 'people' culture of rural society, the 'people' culture studies emerged out of the application of individual specializations of high culture to a detailed knowledge of folk culture. They aimed at demolishing professional barriers by assigning equal value to high and low culture. While this involved a kind of cultural relativism, it was not a question of making relative value judgments on the culture of individual ethnic groups, similar to anthropological attempts to gain an understanding of the basic features of different cultures. 'People' culture studies tried to assign a new position in the spectrum of cultural values to the culture of individual social strata, including the culture of rural society, which were meant to form a single nation. They were interested in folk art, festivals and holidays, folk song and dance, as these are the elements that reveal the distinctiveness of the villagers, their creative skills, their aesthetic sense, and other values that high culture had previously separated from the 'people' culture by an insurmountable barrier.

Surely, some changes and innovations occurred in the socialist-era 'people' culture studies. They often tried, with varying success, to analyze the cultural values of rural population as backward customs of a stratified group or class and to apply the methods used in traditional village research to topics of the working class, industrial society, and urban culture. However, while they proceeded to take up new themes, it was in terms of changes connected with the adoption of socialist values and norms and they still had difficulty addressing the issue of methodology. They rarely succeeded in applying Marxism, and so they used evolutionist perspectives instead, which are relatively similar to Marxism in their historical reflection and the way they both work with stages of development of society. Yet, many preferred to shy away from contemporary studies and to continue working with the dominant temporality of a pre-socialist past. These studies had a retrospective focus and only rarely drew on the synchronic methods that had replaced evolutionism in the West. They were and still are typically considered as an auxiliary discipline to history and, alongside history, training also emphasized philology. However, even for the distant past the engagement with concrete processes of social change is very limited. 'People' culture studies may promise greater attention for local histories, but they encourage even less attention to the insertion in and interaction with global histories than anthropology is inclined to do. In the end, they may lead to a failure to address the core anthropological questions of local and global social change.

Apart from they typically indulged in citing national sources produced and reproducing each other within the national context only, the main body of sources in such nationalist academic literature usually consisted of classic

international studies from the mid-nineteenth to the mid-twentieth century only, largely influenced by the German *Kulturhistorische Schule*, to which belong as well the Italian missionary historical studies, and a number of classical anthropo-geographical texts on Albanian culture, all of the early twentieth century. In general, the typical canon of Albanian official historiography and folkloric 'people' culture studies usually referred to international texts only as long as they served the ultimate goal of constructing national specificity and a particularly antiquated view of national culture. This shows especially in how they deal with the idea and the occurrence of 'survivals'. Much of 'people' culture studies tend to be affected by what Roland Barthes called the "virus of essence" (1957 [1993]), very much historically orientated towards the folklorist paradigm of *Reliktforschung* (Bausinger 1993) and concerned with a search for the remainders of ancient times, while remaining grounded in the old bipolarity of an authentic peasant culture versus modernization. They continue to expand their collection of 'survivals' of the old ways in an effort to dispute the full hegemony of the new. Needless to say, this is a powerless position, which social anthropologists interested in power relations and international political economy know ever since the Malinowskian critique displaced the Frazerian interest in survivals.

Their best publications are certainly not contributions to a national tradition of theory and practice in comparative scholarship, but belong to the genre of folkloric 'people' culture studies, based in the empiricist descriptive norms of the communist and nationalist ideology in Albania or evolved during the relative cultural autonomy in Kosova. In their efforts to seize the "authentic" traditions and "popular" culture such as they were supposed to have "really" functioned in a society of official ideology, Albanian scholars were devoted primordially to snippets of localized descriptions suited for a folkloric atlas. Being hardly the equivalent of "descriptive collectors of local butterflies", they have been unable and unwilling to go beyond their own experiences and tolerate explanations that transcend their local setting. To date my own book on age-grading practices (Doja 2000) is still dismissed simply because of its comparative ground, which cannot help but show that 'the culture of our own Albanian people looks like African' (sic).

Clearly, in Albanian studies of 'people' culture there are few references to theoretical work and never are asked questions of distinction between real practice, ideal system and ideal-typical process, between behavioural norms and rules of what most people *actually* do and ideal norms and rules for what people *ought* to do and how they *ought* to behave. A specific problem thereby emerges in taking the way the localized descriptions are organized and codified in collected texts as a given evidence of life practice. A prime case in point is of course Gjeçov's text (1933 [1993]), which became the main historical source and the central point of reference for all discussions about Albanian customary law. More importantly, due as much to the form this work is published as to the historical

marginalization and cultural seclusion of residents in the North Albanian mountains and the rising awareness of local cultural practices introduced by foreign travellers, scholars, and politicians, the customary law now became a tangible presence, presented as a distinct set of rules, and codified in paragraphs like state law books.

To be sure, the notion of customary law as a general cultural concept was present in North Albanian society and Gjeçov's book could be considered as a local version of the bodies of customary law which has prevailed in some Northern Albanian communities as a series of injunctions passed down essentially by oral tradition for several generations. But the texts, constructed to look like prescriptive law codes in the Western understanding of the term, give a thorough prescriptive picture and are regarded as a true depiction of the mountain law as it was, and by inference, of the people as they were. This has of course distorted the oral nature of customary law, making it appear as an abstract law dissociated from specific cases and the individual interpretation of the elders. As such it cannot give evidence of how actual communities have realized their operational and representational institutions, nor how their practice was closely interwoven with everyday social action.

The distinction between academic traditions is very important, depicting different methodologies and approaches. However, surely much more problematic are also the important political, social, ideological and cultural implications. Most of all, as in other former communist-ruled countries, the studies of 'people' culture were perceived primarily as a 'national science' that was supposed to dig deep into the 'soul of the people' and contribute to understanding of 'us' as superior to 'them'. The Albanian leading figures for the study of the 'popular' and 'national' culture were often caught up in celebrations of the nation, and blanket allegations of being a "nationalist discipline" are sometimes heard of, as it might have happened in Germany or elsewhere. The communist holders of the new totalitarian and autocratic power were initially hostile to this bourgeois discipline, with its curious obsession with the preindustrial peasantry, supposed repository of the unsullied essence of the nation. Before long, however, they seem to have concluded that such research was harmless enough, and perhaps even useful in legitimizing their own programme.

As I already showed elsewhere (Doja 1998), in socialist Albania, the principal trends of cultural norms and values were to go through many folkloristic reconstitutions. Under pretext of effectiveness or more simply by absence of any social and cultural project, such a pseudo-culturalist attempt generally reduced the legitimacy of identity claims to fixed values. More importantly, folkloric 'people' culture studies did recourse to the cultural idealist side by framing culture out of history and of social contradictions, in spite of the terminology advanced by the official Albanian scholarship. Because folkloric studies of 'people' culture are notoriously not interested in the social analysis of power, practice, and process,

and tends to isolate its subjects in ‘cultural quarantine’ as old style snapshot anthropology used to do, they have worked out a simplistic vision of culture that has denied in itself the universal trends and the common features that it shares with other cultures and societies, in particular with the Slavic or Greek neighbours. Not only has this stance gone against the dynamics of intercultural exchange, but such identity retreat became dangerous in many connections, more especially by authorizing actual political manipulation.

#### IV. Conclusion

Taking a critical notice of available studies will surely shed a better light on the whole interpretation undertaken in future anthropological analysis, one of the principal interests of which must be in the importance of substantiated information on a society inadequately and unsatisfactorily known. I am well aware, however, that in this type of work there is as well a strong tendency to present a compilation of historical, ethnographic and folkloric evidence on Albanian social structure and culture drawn from local scholars or the available literature. Similar descriptions have repeatedly been noted before and elsewhere and can easily be found in Western sources mentioned by most of the area specialists. To know the ‘real’ society, one cannot be satisfied any more with a research on groupings however ‘exotic’ they might be, and remain limited to the study of rural communities or to the study of either ‘surviving’ or ‘deviating’ aspects of social worlds and cultural behaviours. Such an approach can reveal invaluable detailed insights of particular cultural inventions, and even correct the culturalist claims advanced by local scholars. But to preserve itself against adopting concepts that might be pure reconstructions of arbitrary, ethnocentric and timeless structures and values (Herzfeld 1987), current anthropology prefers an approach in the theoretical perspective of a strictly historical and ethnographic cast, abiding to differences and rejecting any approach in terms of survivals and folklorism or external and ethnocentric definitions.

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