

The Commons, European Heritage of the Local Collective Action

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Abstract A major recent transition of Western society we face is characterised by denying the existence of common values, in favour of immanence of narcissism and self-realization. Commons represent not only one of bottom up evolved historical institutions all over Europe, to which a role of institutional infrastructure for socio-political change is attributed, but also a living practice of common values. A brief overview on the European situation evidence is presented with the accent on Slovenia. The future of commons is seen in promotion and support of the local critical reflexive dialogue in the frame of (intentional) learning. As environmental change (e.g. in terms of climate changes) and society change (e.g. in terms of migrations) are not 'linear process of predictable causality but a complex of choices in the life-long learning', their practices all over Europe inspire further functioning, innovative responses and transmission of their tradition into the future.

Summary 1 Introduction. – 2 Conceptual Framing. – 3 A General Overview of the Origins, Development and Changes with the Emphasis on Slovenia. – 4 Framing the Commons into the Heritage Discourse. – 5 Conclusions.

Keywords Commons. Local collective action.

1 Introduction

A major transition of Western society that we have been observing for decades is, according to one of its analysts characterised by denying the existence of common values, immanence of narcissism and self-realization (Bahovec 2015 as quoted in Gallagher 2003). Indeed, a profound social change occurred in Europe right after the processes of urbanization and industrialization after WWII, when further political and technological development brought about also demographical changes, raised mobility and material welfare, and last but not least, privatization in ECE (Stark 2015). A possibility to develop individual abilities and preferences has led to heterogeneous individual developmental pathways. Consequently, difficulties in the common goal setting and its passionate (also socially controlled) realization are thus not unexpected.

Traditional self-organized *local communities* do share a goal and by definition this is primarily self-preserving while all the other goals may change

according to the moment of observation. Local communities root in times of survival from natural resources only. Their later organisational level rose (e.g. to municipality) and production mode at least partly changed (e.g. to services provision). Evolution of welfare States and market-based exchange was paralleled with decline of Commons but past traditions have remained and confronted with new circumstances e.g. multi-level policy arenas and the globalization of economy. This also means that past focus on the subsistence and primary resources has diversified while internal community processes eventually remained aligned with cultural tradition.

We present an institution of the *commons*, once present all over Europe, characterised by the local use of the *common land-ownership* and a joint management of the land and its resources. They are still active today, continuing the past activities of the common goal setting. Our perspective refers to their role in the common goal setting as an element of heritage worth to preserving.

We argue for the framing of the commons into the heritage discourse due to their longevity and survival, despite being marginalised for a long time in the public spheres. A link with CH is established through the definitions of the Faro Convention. Understanding the commons thus means entering a variety of regional and local situations, including colourful terminology, which includes slight, yet important differences in meanings that should be taken into consideration (De Moor 2012). To illustrate, Slovenian official term (an agrarian common) refers in terms of etymology to the production regime but field work revealed at least seven other terms (Bogataj, Krč 2014), reflecting historical contexts of the territory and its environmental characteristics.

The aim of this article is to argue why the commons are understood as heritage and to make a general overview on the European situation with the emphasis on Slovenia. The fundamental message is found in considering a common also as a community, able and willing of active transfer of past models and norms to the future. As environmental changes (e.g. climate changes) and social change (e.g. migrations) are not a “linear process of predictable causality but a complex of choices in the life-long learning” (Del Gobbo 2015), we also consider capacity dilemmas of the future. Methodologically, we base the claims, not only on the literature, but also on the (personal) field observations of the commons which have taken place (at intervals) during the last three decades in Slovenia with the emphasis on interviewing the leaders of Slovenian commons in the period 2010-2014.

2 Conceptual Framing

The commons are defined as groups who collectively own and manage resources. DeMoor (2012) distinguishes between a territorial type and its 'stretch' to open-access goods (oceans, air). Therefore, the priority is given to the groups of people linked to natural resources, particularly known from a research of Ostrom (1990, 2005).

In the literature, commons are considered from a sociological, an ecological and an economic point of view, representing not only different perspectives but also diverse interpretations (De Moor 2012, 270). The positive ones consider commons to be a vital element of agricultural production, a model of distribution, fulfilling the criteria of democracy and equality or a case of longevity due to the ability to adapt. The negative interpretations, on the other hand, underline their weak economy, creating and maintaining poverty. What is more, also their role is interpreted differently, varying from the institutional infrastructure for socio-political change (De Moor 2015) to the examination of a particular type of (private) ownership (Živojinović et al. 2015) and a model of adaptation close to the basic functioning of the local community (Gatto, Bogataj 2015).

However, even if we speak of the groups owning and managing land together, the meaning of the community broadens the meaning of the group. The construction of a relationship, network and corresponding commitment seems crucial for the development of feelings of attachment and embeddedness. Indeed, a community is more than only a sum of individual personalities, linked with an interest (e.g. into a chain) or a short-term team. It is particular entity with own identity, aim(s), empathy to members' needs and responsiveness to the internal and external factors, functioning as a self-defined unit, inclined to self-sustenance (Bahovec 2005). The use of the internal (social) rules and their change (*i.e.* adjustment) is needed due to the external unstable ecological, economic or socio-political world. Authoritarian undemocratic entities are excluded from the definition or the 'real community', as only those who respect the needs of all members (not only the needs of one segment) are understood as real communities (Bahovec 2005; cfr. Etzioni 1996). Regular communication is crucial for the development of shared values, common norms and identity intentionally transmitted to future generations. This also includes the ability to set a *common goal*, even if we are aware that the ideal situations are rare or even absent. A famous Italian personality, one of earliest juridical analysts of the commons, has just recently referred to the commons in terms of a community by claiming that

they are people with a very personal relationship with land, [...] practising traditions [...] just out of their souls [...] so their essence is spiritual community. (Grossi 2016)

A community is a dynamic entity, capable of an active response to internal or external challenges, but consisting of active and inactive members (Czerny 2014, Premrl et al. 2015). In (some) Slovenian commons active participation of members was obligatory (e.g. Ogrin 1989) at regular operational meetings and a yearly meeting. The participation rules have transformed through the centuries into practices implemented by the State authorities, sometimes by turning a membership into a citizenship of a municipality, or by being institutionalized into, for example, cooperatives. Even the commons themselves have changed their interests and, consequently, the participation. That is poorly examined and would call for a comparative European analysis. The challenge of rational (economic) interest, not independent from the social embeddedness (Granovetter 1985), is addressed with collective action studies and design principles (Ostrom 1990). However, we will not list these characteristics, nor will we dig deeper into the economy of the commons, but we will only warn of the differentiation between a stakeholder and a shareholder's conception, now dichotomizing once integrated ownership and management.

The conceptual categorization of the commons into heritage discourse calls for an extended recognition of a resource, interpreting the resource not only in terms of natural amenities, but also in terms of intangible characteristics of communities related to these amenities: values, beliefs, knowledge and traditions, rooting in history, and independent ownership. We argue that the commons are heritage. Furthermore, the same Faro Convention in its second article defines a *heritage community* as

consisting of people who value specific aspects of cultural heritage which they wish, within the framework of public action, to sustain and transmit to future generations (art. 2(b)).

According to this definition community is a wider and looser concept than a Common, which is linked with ties among shareholders, and ties with their land (formally owned or not) enriched with the ties (e.g. positive valuing) to the past and the future. And indeed, commons are one of the oldest institutionalized social structures, an example of long-term specific functioning, and transmitted orally through generations. This can only be possible when juridical interpretation of (full) ownership of a person over an object is, generally speaking, considered improper because it may endanger existence of an object. In case of commons the nature of an object (subordinated to the laws of nature and not to human laws) limits eventual destruction, collective rules limit damages. Indeed rules-in-use were identified which limit individuals from overuse but provide also limitations to resources marketing.

3 A General Overview of the Origins, Development and Changes with the Emphasis on Slovenia

We cannot assign the origin of the commons to the one reason only, as not only were geographical conditions diverse, but also different production modes took place throughout time. What is common is their original dependence on the natural environment. Therefore, the origin of the Alpine commons is attributed to prehistoric collective management (Merlo 1995, Vilfan 1980), while German authors link the origin of the commons to the migration wave responses between the third and the sixth century, with the establishment of five to ten farms on the territory and the organizing rotation of three field zones (Brandl 2011). DeMoor 2015 attributes their establishment in Low Countries to the risk avoidance. The Scandinavian commons (Holmgren, Lidestav 2016; Holmgren et al. 2010) were established in the nineteenth century top-down, with the aim to aid the farmers, living in the limited northern conditions, while origins and practice of the Italian commons differ on the axis North-South (Bassi 2012). The Slovenian commons root in prehistory (Vilfan 1980).

In general, these examples acknowledge a high variety of regional and local practices in the past, as well as today. However, if originally the size of a common was defined by land productivity, recently this has not been the main criteria. Differences do not only come from the differences in the nature of the land, but also lie in the historical development. Inheritance rules are an example of these differences and changes. For instance, local members were initially mostly men, recently women have been granted a membership as well. Another example of historical change refers to the importance of their roles: the Alpine commons had a strategic position in the Venice period, but later usually became marginalised and poorly recognised (even absent) from the official state statistics. Examples show a synchrony in developmental processes (Gatto, Bogataj 2015). The production regime, once agrarian, which mostly represented pastures or forests in mountain areas, or wetlands in England or Lowlands, may have turned into services (recreation, tourism) or intensification/other production mode on privatized lands. Few perspectives from a relatively good evidence of case studies only partly address, the issue of the common goal setting. An insight into this aspect of Slovenian practice (Czerny 2014; Premrl et al. 2015) shows an evidence of constant balances of conflicts but survival of commons as an institution. For example, Czerny (2014) cites a case of a shared standpoint to the environmental issues, but a divergence participate regularly in terms of management decisions (but 18% of shareholders do not live in the local community, seldom attend meetings, but would be able and willing to invest, contrary to the local members, who regularly participate, but are not able or willing to invest). However, investments

or management decisions are only part of goals to be defined in common. The most demanding is distribution of benefits (e.g. income). Premrl (et al. 2015) finds regionally specific patterns of income distribution.

Many commons dissolved. The dissolution of the commons in Western Europe occurred due to the structural factors and internal causes (Brandl 2011; DeMoor 2012), however, poor examination of the countries who were faced with a revival after their nationalist or class based nationalization and abolition (e.g. Vasile, 2015) do not allow us to overgeneralize this for the whole Europe. To exemplify, in Slovenia, generally speaking, 2,000 commons, owning circa 30% of the territory, declined to approximately 600, owning 3% of the territory (Bogataj, Krč 2014). The restitution processes at the end of the twentieth century stimulated the remaining commons to revive. However, this also meant opening up to market forces and thus creating further tensions among members. Some commons have found the property again a high potential, while others are unwilling to intensify the production due to a variety of reasons (eventual irreversible changes of natural resources or unconsolidated internal ties, e.g. due to the past experience or immigrants). But the concepts of individualization, fragmentation and suppression of common management are not new. Particularly strong in the period of physiocracy (DeMoor 2012), for the case of Slovenia described by Smrdel (1988) amongst others, seems enforced in the twentieth century. Some European countries supported commons with diverse arguments: consolidation of fragmented forest ownership in Germany (Schraml, Selter 2013), recognition of the sustainable practices in Veneto, Italy (Gatto, Bogataj 2015; Grossi 2016). Slovenian new legislation recognized and supported functioning and consolidation of commons (Act 2015) with the argument of fostering active management of natural resources, predominantly forests. Arguments for consolidation of commons thus differ another important tension, hidden in the process of amending legislation to the new interests, is concerned with distributive rules: original egalitarian principles of the traditional community at the survival edge dissolve in the frame of economic (and other) liberalization.

Aged internal members' structure in Slovenia is usually reluctant to changes according to field observations (Šprajcar 2012; Deisinger 2012, own interviews of Čezsoča agrarian common in June 2010, May 2011, July 2014 and Kamnik urban civic corporation in October 2014, for example). These tensions limit both, the intensification of production and the consolidation of the common goal. The latter have already been damaged during the decades of the ill democracy (cf. Stark 1991). However, the anthropological interpretation of autonomous small democratic social entities (so called *us-groups* or *small living worlds*) expects further balance of production and conservation of resources with (at least) a need for communities' internal equity.

4 Framing the Commons into the Heritage Discourse

In line with the previous literature examination and definitions we argue not only that the commons are heritage but also that they may be object of a declaration for a HC. With this wording we, above all, refer to their intangible cultural characteristics: 1) the ties among the members of the commons, 2) the ties with historical norms and traditional procedures, values and beliefs, and 3) the ties with the land, symbolically and in terms of practicing joint work and decision making. These ties, poorly studied and, indeed, difficult to quantify or measure qualitatively, are explicitly cited in arguments for keeping their practice (e.g. passing on the traditional activities to future generations, see Rodela 2012). They represent a symbolic world of those involved, more than economy does (Bassi 2012), by linking the past and the future through representing certain identity (Grossi 2016). The commons, therefore, represent CH with the emphasis on its non-individual base. But there is also natural heritage, the land of the commoners, which we do not consider and analyse here. We only stress the importance of the transmittance of the interpretation of nature in terms of its valuing and conceptualisation of their limits (Keršič Svetel 2010).

Regardless of the official situation (for instance, due to the nationalist or class based past regimes), the remaining (and revived) commons keep the rules-in-use in the new circumstances of the market globalization and the State based organisational principles. Socially shared practice, now entitled heritage and based on household and vertical nesting, is particularly alive in (micro)local communities of the rural areas (Bogataj, Krč 2014; Vasile 2015; Kluwankova, Gežik 2016). However, in Slovenia, there is an urban case, still dealing with the unfinished denationalization process. Its challenge is above aligning urban dimensions and a lifestyle with traditional norms, having been erased from the public life. This Commons' fights for recognition for decades but provide public roles by their property, now denationalized and step by step publicly recognized again (Deisinger 2012). However, even if a will, competence and active behaviour have some background motives, an active behaviour and a common goal cannot be granted. According to our understanding this will, competence and activity are based on local living, high human capital, and reasons to continue socializing. In case of urban common its members managed to promote their property in terms of recognition of the conservation of the territory and its nature without denying recent (urban) developments. Revival of the public recognition of commons in general, their land planning and property use seem to be main challenges for the future together with further preservation of natural and CH.

Some cases (generally) presented show that regular and modernized continuity of the past practices is possible. If the pre-nineteenth century provided some legislative autonomy and flexible adjustments of formal

(landlords') ownership this would not be possible today (De Moor 2012 amongst others, own observations). Heterogeneous urban societies, organized on a large scale, are far from direct democracy practised in the commons. Setting a common goal is, therefore, exposed to mediators, the absence of land and history attachment, but still capable of arriving at consensus, engaging in a dialogue and thus providing a long-term benefit for all. We argue that the cut of ties with the territory (of members left the territory or commute daily but also of distant decision makers), among members (due to the past conflicts or poor motivation for economic benefits) may be overcome. The issue of participation might be addressed to empower an intermediary role of the commons, for example, to mediate between personal and public benefits. This means that the commons are not only concerned with the private interest of their members, but also sustain an interest of the general public as they provide ecological services (which are the common good). In this sense, they provide an example of departure from profit driven motives to mixture of motives and multifunctional uses/roles of land/property.

Contextual empowerment (or its absence) affects further longevity of commons, their heritage and adaptation to the changes (of nature, politics, and economy). Considering the commons for heritage encourages learning, and this refers to all, communities, public administrators, local land owners, professionals of diverse branches (for instance, historians, foresters, urban planners) and the wider public.

5 Conclusions

The commons are a long-lasting practice (the history itself, an element of identity, Grossi 2009, 2016), theoretically supported, but marginalised and poorly known European heritage, dominant in the mountain territories (e.g. the Alps, the Tatra mountains, the Scandic shield). In these areas only cooperation enabled the physical strength needed for the extraction of goods (e.g. wood) from the land (e.g. forests). They keep functioning despite pressures of the historical processes. Recently these pressures above all mean exposure to inflexible interpretations of the property and impact of global market forces. Personal and intangible ties seem to be crucial for survival of commons and their heritage of intergenerational transmission of norms. Regular exposure of commons to tensions is reflected in wisdom in addressing and adjusting to complex realities. Obviously some managed to survive, revive and practice their heritage also today. Their recognition, support and use are essential; their setting into heritage discourse promote their existence and role. It also calls for additional learning (for them, as well as from them). They inspire our response to social change with a deeper understanding of their functioning, and not only regarding their

economic outcomes. Their existence has only recently been investigated with case studies, but not yet based on comprehensive State statistics and a comparative analysis. Non-formal adult learning seem to be one of supportive frames for their further evolution. The branch of non-formal learning, called community learning, seem to be most proper frame and practice in this respect. The argument for this lays in anchoring learning in local innovative responses to developmental challenges. To achieve this, we suggest not only improving our understanding of the commons but above all provision of the learning infrastructure which enables setting a common goal. An example of such learning infrastructure might be study circles.

The commons are not based in overruling but on the process of common goal setting, so they challenge functioning of recent European society. Characteristics of collective action are based in communication as a balancing strategy, cooperation mechanisms and governance rather than governing (Ostrom 1990). Constellations of internal motives of community, such as risk avoidance, the advantage of scale or consideration of transaction costs, as well as external conditions like the freedom to organise, a tolerant/weak state, formal recognition of commons and their drivers (population growth, market) (De Moor 2015) have, therefore, crucial role in transmission of cultural tradition of commons into the future. Public recognition of the *commons as heritage*, seem to be important per se, but also a crystalline core for the re-generation of atomized communities and avoiding the previous mistakes of the top-down driven ideologies.

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