

Forest commons survival under poly-centric governance

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*“Sustenabilitatea și acceptabilitatea socială a sistemului de producție
și utilizare al Biomasei lemnoase în Nord-Estul României.”*

POLICENTRICITY

V. Ostrom 1999:

- a. elements of government are able of mutual adjustments for ordering their relationship within a general system of rules;
- b. each element acts in independence.

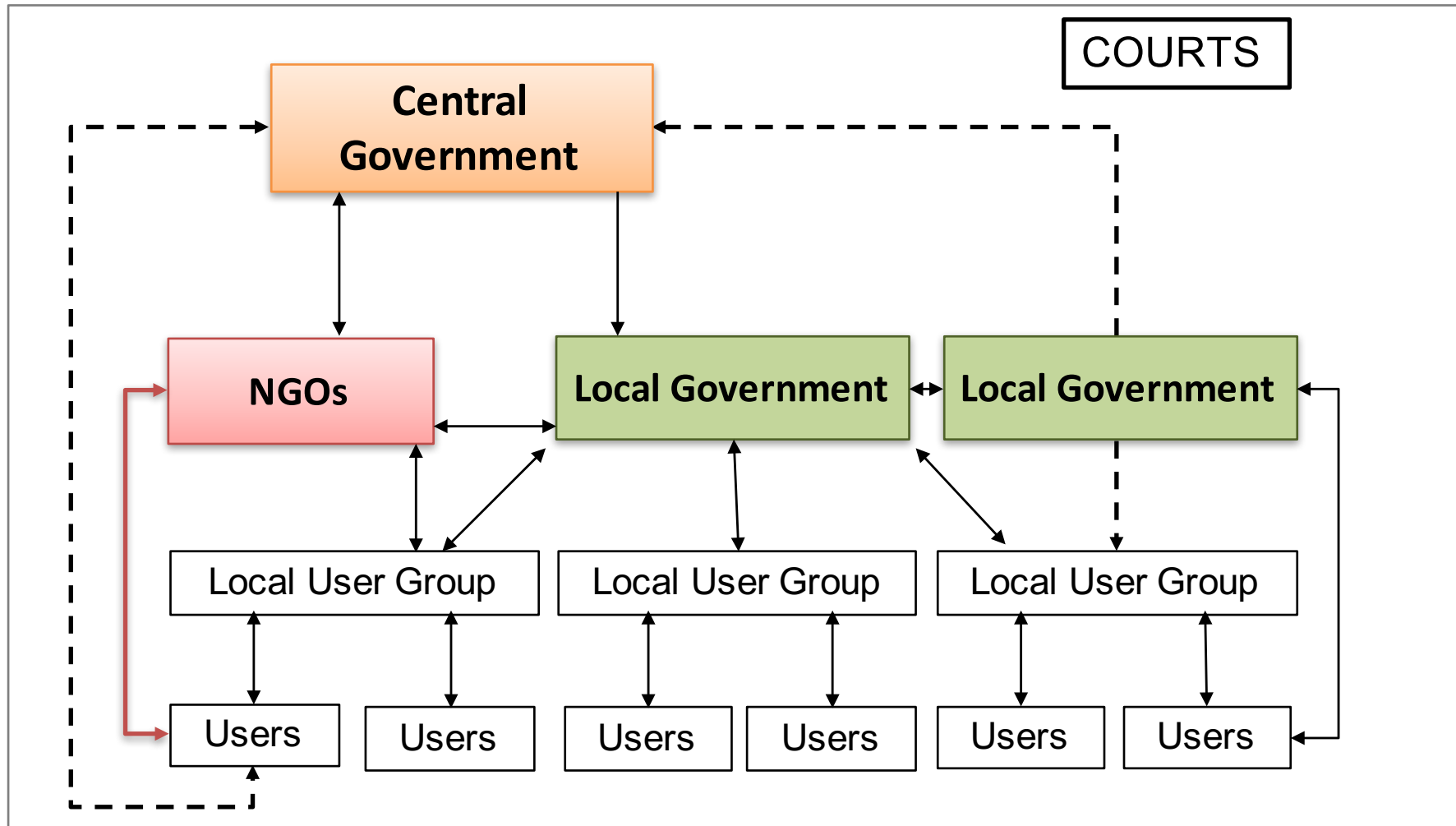
= Government services are best provided at the lowest level of government

= Government units **compete, cooperate, interact, learn**

= **a subsidiarity principle applies**

POLICENTRICITY

1. Multi-level governance



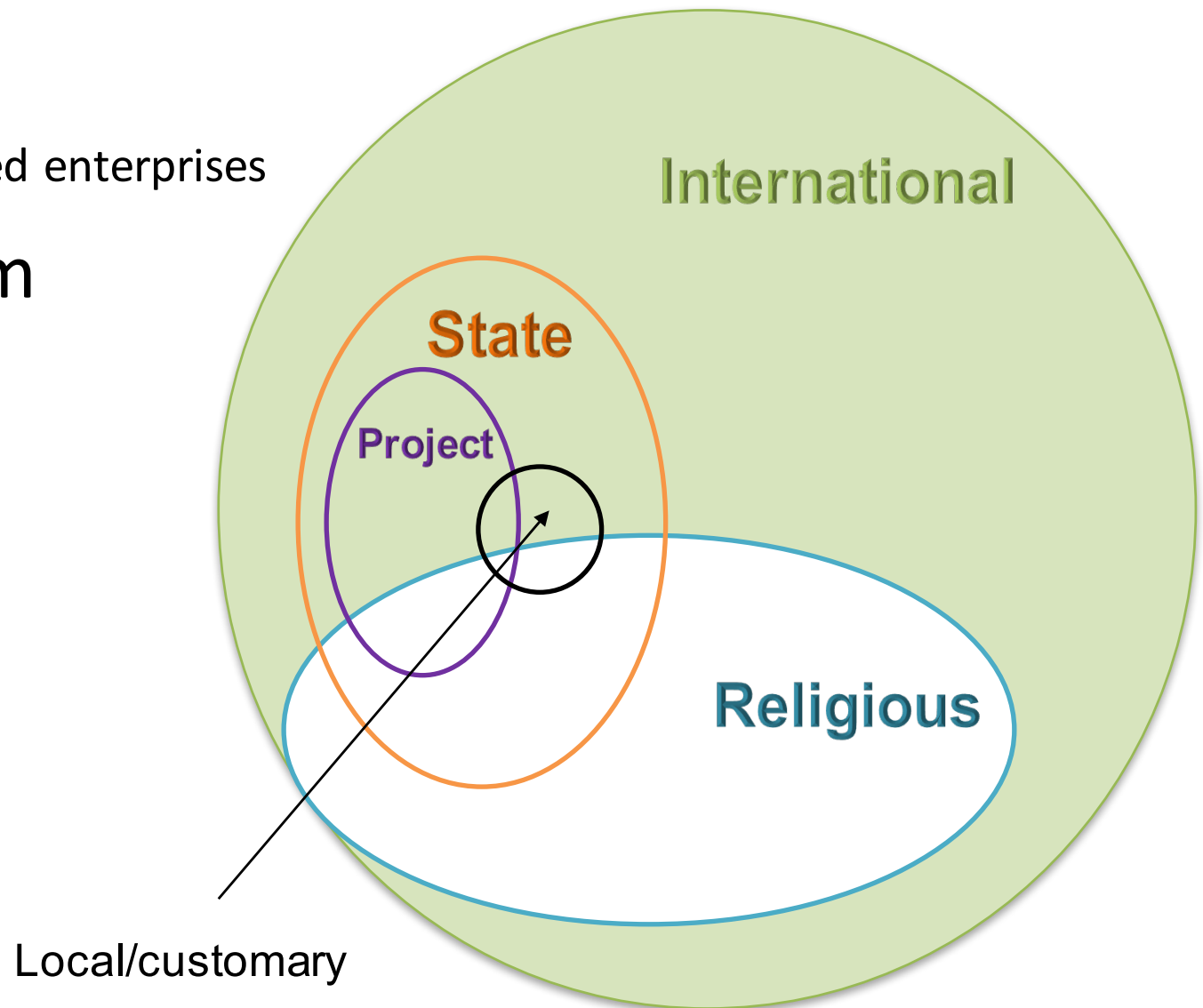
The conceptual model of decentralized resource governance from a polycentric perspective

POLICENTRICITY

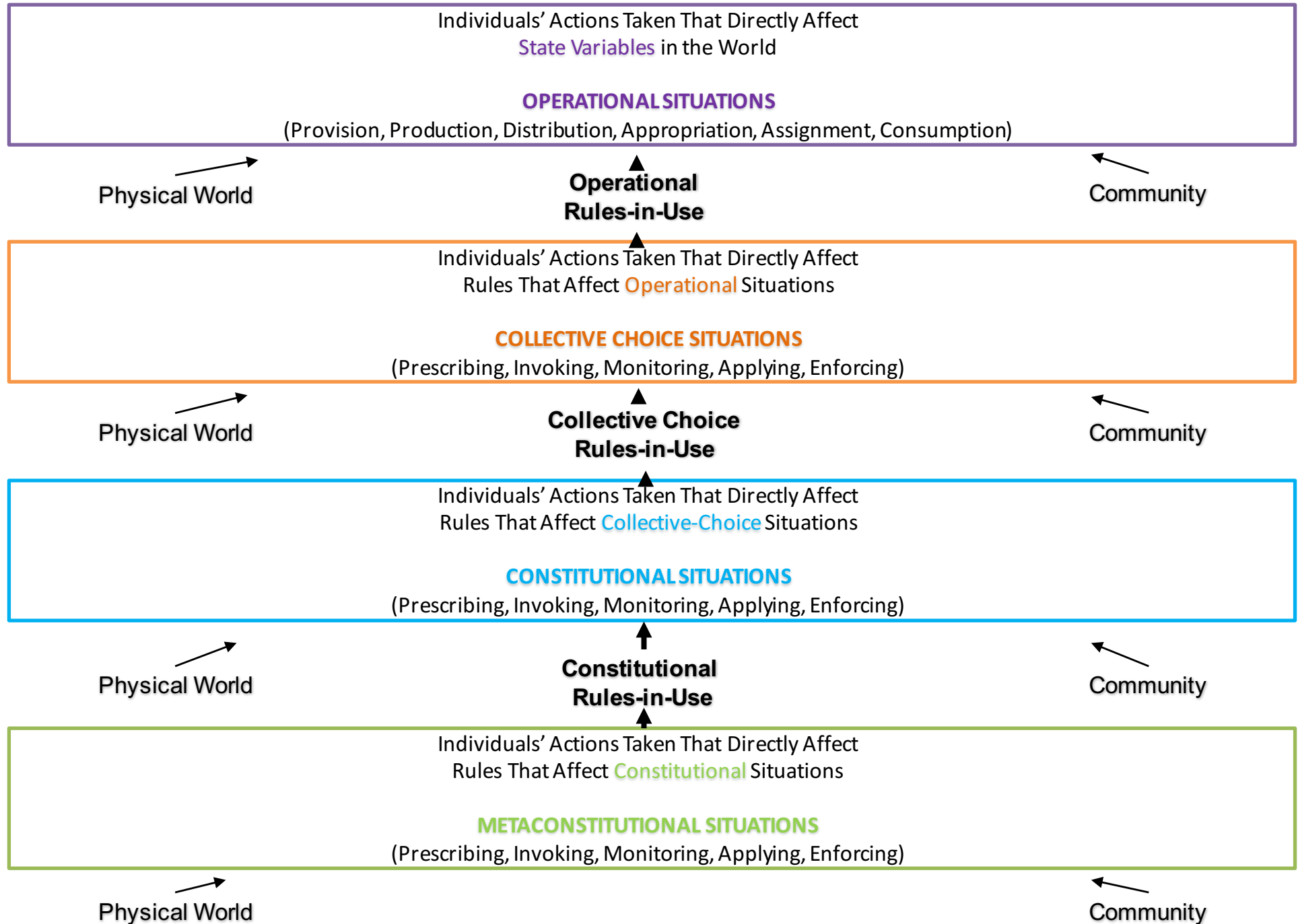
2. Nested levels

— multiple layers of nested enterprises

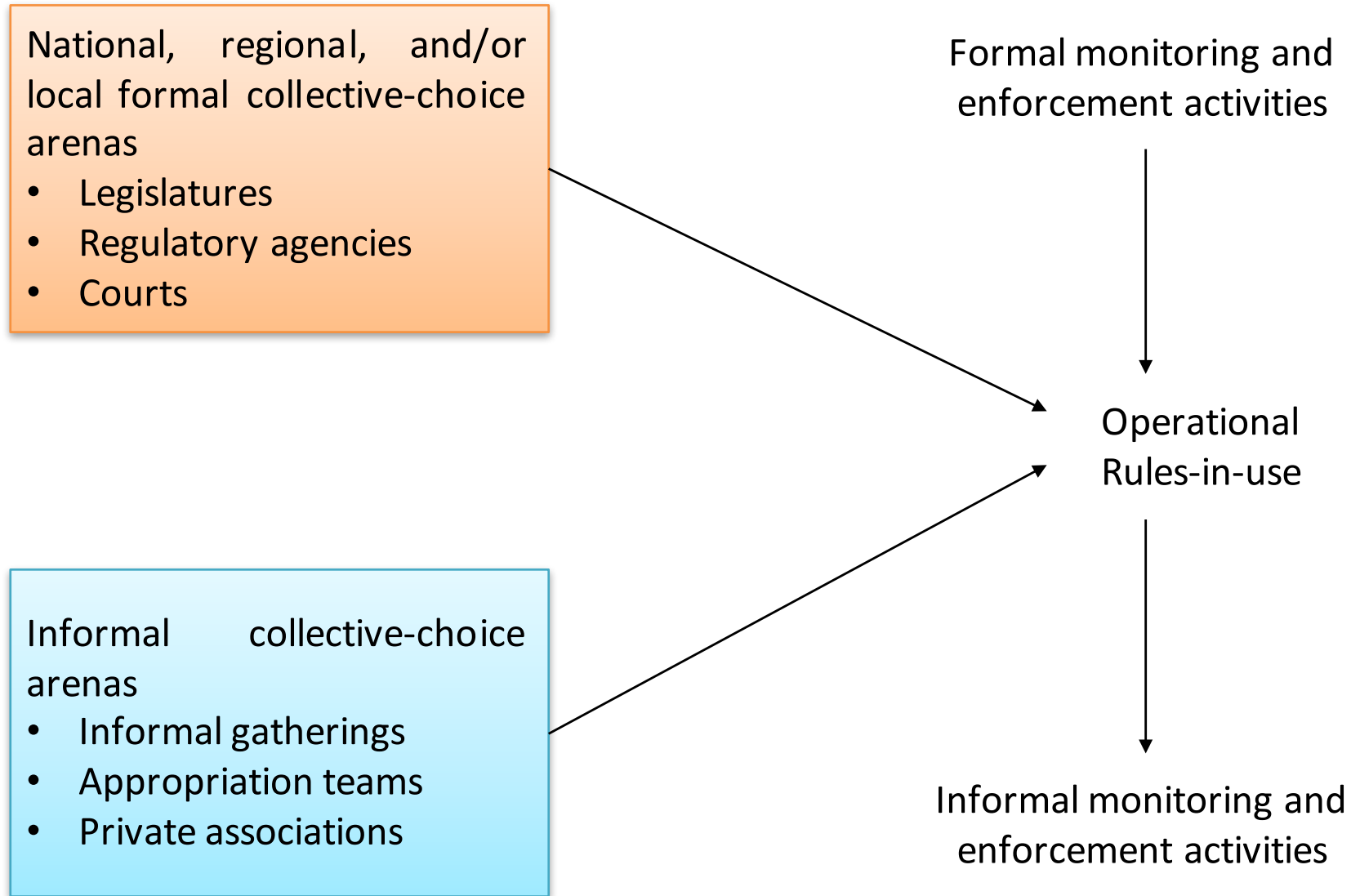
3. Legal pluralism



IAD framework: about levels of rules



Formal and informal rules



CPR difficulties

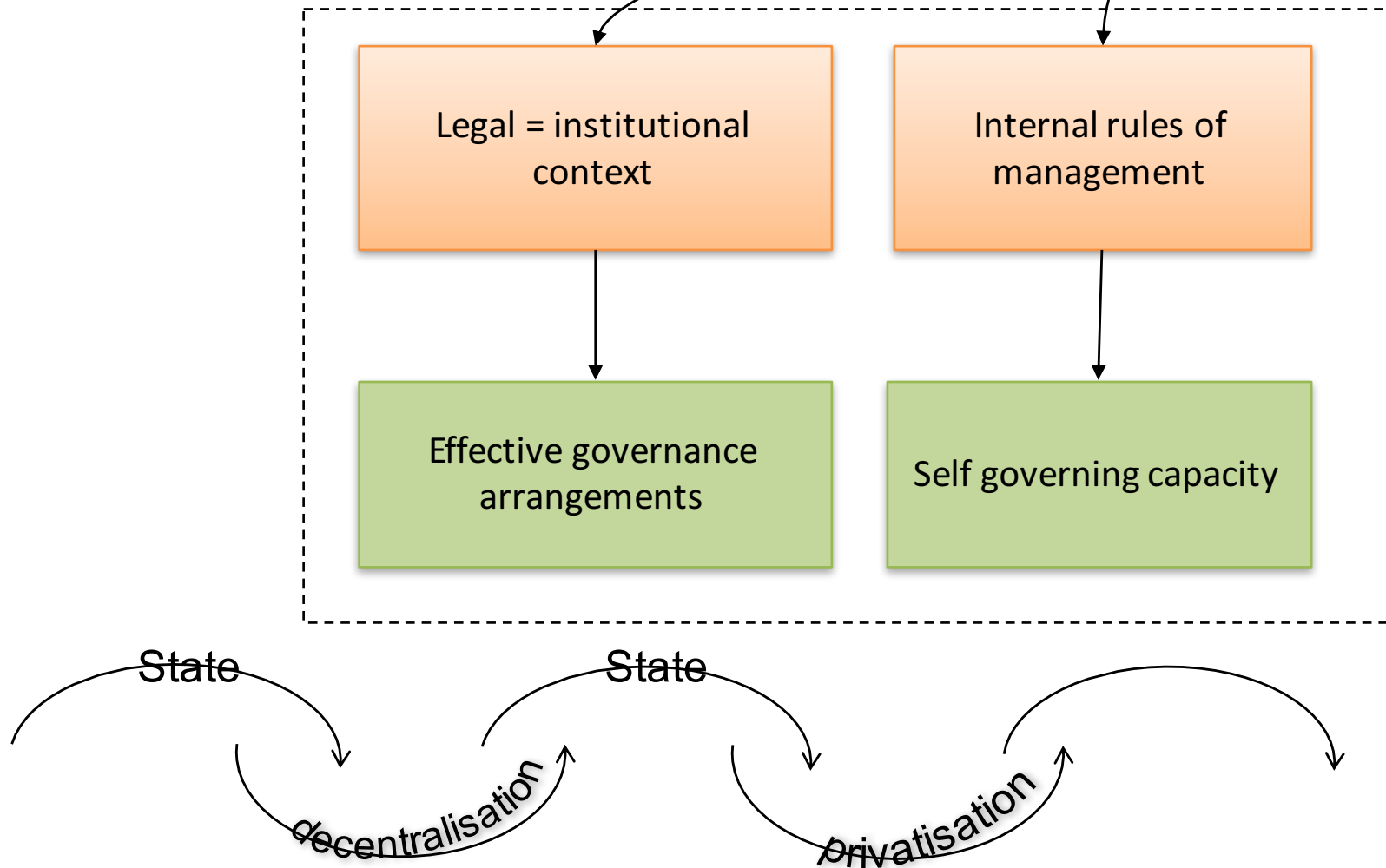
- Subtractible private goods + high costs to exclude outsiders
 - Complex natural systems (goods and services);
 - Many policies to deal with **complexity of resource problem**
 - Collective – action problems
 - Multiple scale of governance:
 - E.g. : → constitutional level
 - collective - choice
 - operational – level (*Kisser and Ostrom, 1982*)
-

Analytical difficulties:

Economic versus legal definition of common pool resources and forest commons

Forest commons

= forestland (common pool resource) + its users + associated governance system (formal and informal rules)



POLYCENTRICITY and Commoners

State actions

- in forest restitution – SL, RO
- in recognition of rights
- In qualifying the forest commons inalienability + indivisibility + inheritance
- N creating ex nihilis new commons

State

- establish wood stocks and its maximum harvesting possibility (forest management plans);

Commonners

- distribute the available amount of wood between members

Constitutional level

- Boundary rules, legal entitlementes

Operational level

- Community-based arrangements

State – lead governance arrangements – Kosovo example

illegal logging 5 times the
legal logging $\approx 1,2$ mil.
cubic meter



• **resource depletion**

The repartition of economic rights in Kosovo before the war and during the war.

	Previous to 1989 Proprietor: Municipalities (through “forest economies”)	Period 1989-1999 Proprietor: Srbija Shume
Access	X	X
Withdrawal	X	X
Management	X	X
Exclusion	X	X
Alienation	No alienation rights	No alienation rights

The repartition of economic rights in post-war Kosovo

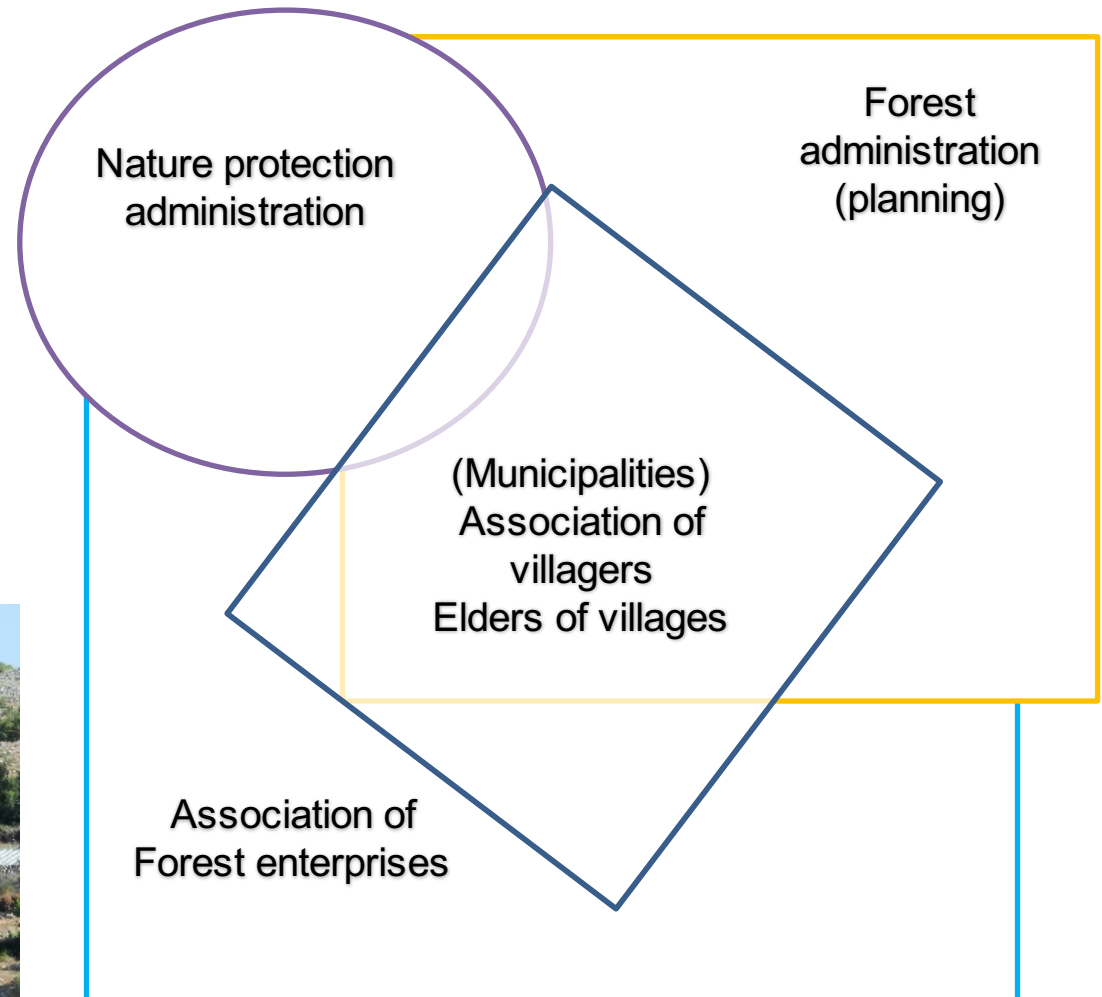
	Period 1999-2000	Period 2000-2010		Since July 2010	
	Proprietor: Municipalities	Proprietor: KFA	Authorised user: Municipalities	Proprietor: KFA (implementing management rights)	Proprietor: Municipalities (implementing exclusion rights)
Access	X	X	X	X	X
Withdrawal	X	X	X	X	X
Management	X	X		X	
Exclusion	X	X			X
Alienation	No alienation rights	No alienation rights	No alienation rights	No alienation rights	No alienation rights

Nature – protection policies and governance arrangements

Prespa National Park, Albania

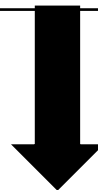
- Ressource depletion → annual possibility 10.000cm/year

Commercial logging is banned, but practiced: 20.000 c.m. each year



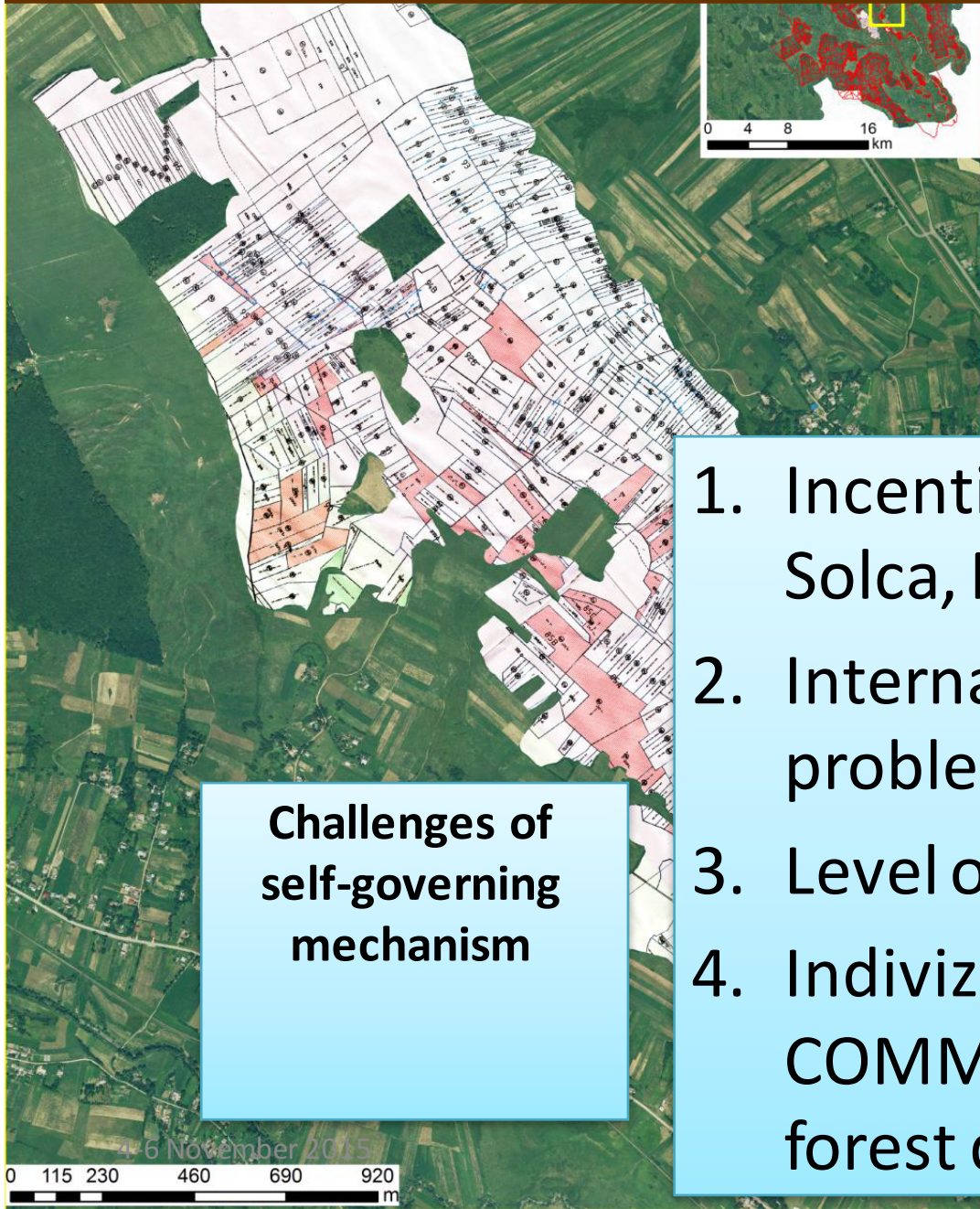
STATE LEAD GOVERNANCE ARRANGEMENTS IN ROMANIA

- **Restitution** → Law 1/2000 => 2% of RO forests (obști, composesorate);
- **Forest policies** → Law 46/2008:
 - ⇒ forest management planning is conditioning harvesting
 - ⇒ Compulsory forest guarding, tree marking, enforcement, monitoring services.



- **GRANTING versus CONFISCATING** (no subsidiarity principle)
- **At the commoners' CHOICE:**
 - ⇒ administration by State Forest District **or** own forest districts;
 - ⇒ Harvesting with firms **or** by their own:
e.g. 31 *obști* authorised as economic operators for harvesting (190.000cm/year)

GOVERNANCE ARRANGEMENTS IN ROMANIA



1. Incentives to membership – Poieni Solca, Negrisoara;
2. Internal decision – making process problems – Tulnici;
3. Level of trust – Mitocu Dragomirnei
4. Indiviziune forțată – NEW FORMS OF COMMONS – Dolhasca; parishes forest districts (Nichiforel et al., 2015)

STATE LEAD GOVERNANCE ARRANGEMENTS IN ROMANIA



elements of government are able of mutual adjustments for ordering their relationship within a general system of rules

Is about polycentricity
(national learning adjustments)

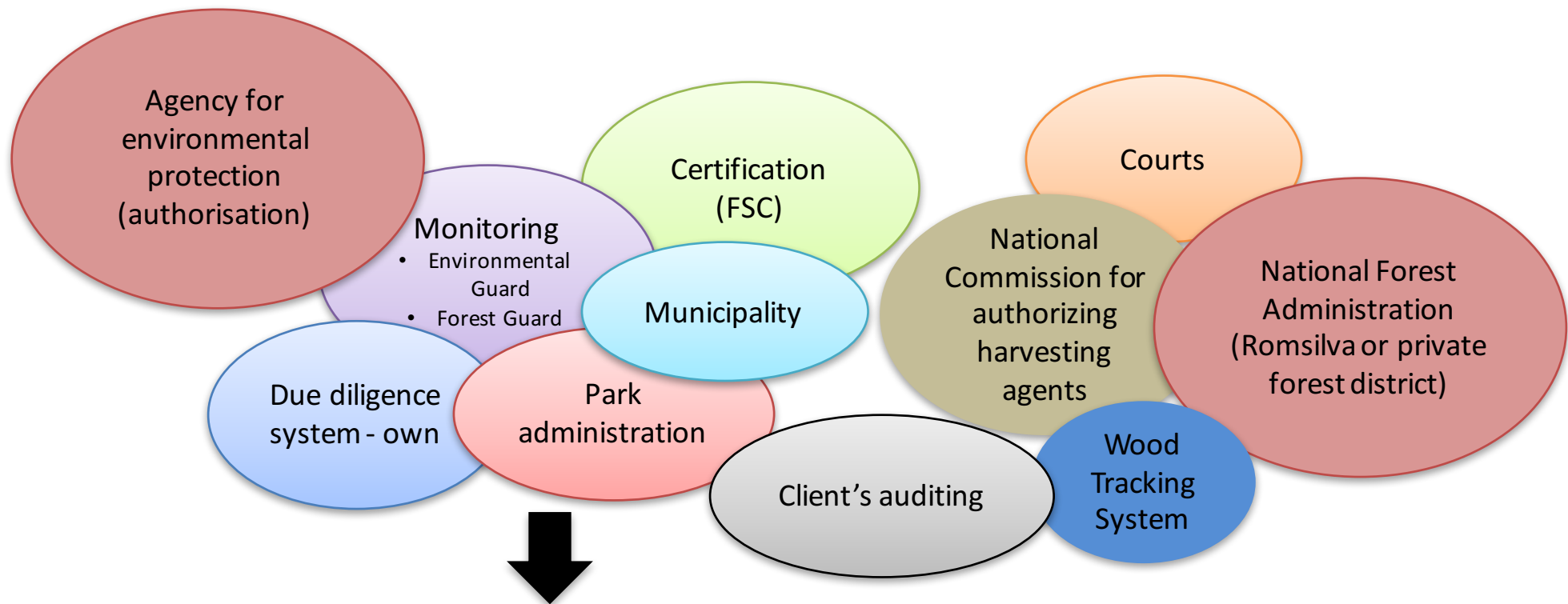
or multi-level governance
(monocentric key decision undertaken via centralized command structure)

Or bureaucracy?



Ex: Analysing polycentricity in harvesting by commoners

Pre-requisite: Forest Management Planning + Administration Services + Nature protection authorisation



1. Too many agencies and structures with exclusion power (*Anticommons – Heller*)
2. Adapting – e.g. Harghita commoners and forest district created a regional-based group – APAPET Association

Conclusions

- **State:** a pivotal role, no matter the country and the regime
- **Analytical flags: object to analyse:** formal or informal rules, forest commons as juridical entity or as de facto enterprise
- **Policentricity and self-governing local arrangements:** somehow romantic, but sometime it works (e.g. APAPET association) -----**WHY?**



- **Available incentive (and needs)**
- **Political and organisation culture, ties with forest and rural landscape**
- **Future hypothesis to analyse:**
 - policentricity is a time-based adaptation that appears in a context of well-established, solid institutions
 - Revival of commons through State property/policy reforms do not automatically lead to policentric behavior
 - exclusion agencies represent superposing levels; they are not adapting;
 - commoners either collapse (Poieni Solca, Tulnici), either survive (APAPET).