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Common Lands in Spain, 1800–1995: Persistence, Change and Adaptation

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Abstract The analyses and interpretations that the social sciences have been making in recent decades on the theme of common property call for a fresh look at the history of the commons. Such a vision no longer considers them as resources necessarily destined to disappear, but rather attempts to discover what forces have acted on their historical trajectory. From this perspective, this paper analyses the evolution of common lands in Spain over the nineteenth and twentieth centuries. To that end, it rests on an interpretative proposal that, over time, common lands in Spain have experienced an alteration in their economic usefulness and have had to transform themselves in order to adapt to changing situations. In this context, the various agricultural and, indeed, general economic conjunctures, the evolution of social forces, as well as the make-up of the political system, have all played a major part in the greater or lesser persistence of the commons, in their forms of use and in their more or less successful adaptation to new situations.

The analyses and interpretations that the social sciences have been making on common property and on its implications for economic and social development have undergone substantial change in recent decades. For a long time, the most widely held idea was that the commons belonged to inefficient economic systems that hindered growth, and therefore, were destined to disappear.[1] Hardin's approach (1968), in his famous article on the 'tragedy' of enclosure, was the peak of this pessimistic interpretation, which saw privatisation and state ownership as the only ways of establishing efficient management and avoiding the using up of resources.

However, Hardin's proposal unleashed a critical current which revealed the flaws in the supposed tragedy and which began to analyse common resources in a new light.[2] Bearing in mind that communal management has always been guided by formal or informal rules that have determined the forms of use and access, the mechanisms for avoiding inefficiency and over-exploitation need not necessarily lie in privatisation or state ownership. They can be based, in fact, on a redefinition of the rules, to form a consensus of the interests of the various social agents involved in the use of these resources (Ostrom, 1990; Hanna and Munasinghe, 1994).[3] From this viewpoint, common property can be not only perfectly compatible with economic and social development, but also highly desirable, in certain cases, for stimulating a sustainable growth which will not give rise to serious social or environmental conflicts.[4]

These approaches call for a fresh look at the history of the commons, which will not consider them as resources necessarily destined to disappear and will attempt to discover

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the forces that have acted on their historical trajectory and how the complex processes of negotiation and conflict that have constantly affected them have been resolved. This paper analyses the evolution of common lands (pastures, woods and, albeit to a lesser extent, crop lands) in Spain over the nineteenth and twentieth centuries from this perspective. It will be based on the proposal that over time, common lands in Spain have experienced an alteration in their economic usefulness and have had to transform themselves in order to adapt to changing situations. In this context, various agricultural, and indeed general economic, factors, the evolution of social forces, and the make-up of the political system, have all played a major part in determining the extent of the survival of commons, their uses and their ability to adapt to new situations.

After first outlining a starting point at the end of the *Ancient Regime*, and describing the principal methods of change, the paper distinguishes between four chronological periods that are used to detect the economic, institutional and social forces that have had an influence on common lands. Finally, the paper offers some general conclusions about this transformation process and the groups involved.

A beginning and three complementary types of transformation

In Spain, as in the rest of western Europe, common lands at the beginning of the nineteenth century were found in widely varying situations depending on the environmental, economic and social features of each region. However, there are some basic principles that give a broad outline of the utility of these spaces on the eve of the Liberal Revolution. In economies based on the use of organic and renewable energy sources, such as those described by Wrigley (1988), the commons played a central role in the organisation of production. This was an essential complement for agriculture and many other economic activities, carried out mainly at a local level, but which could also be organised in much wider geographical and economic fields.[5] In consequence, it is, to say the least, naive to claim that the use of common spaces might be based on open access, as Hardin proposed (1968). On the contrary, the common property regime was based on distribution of shares for the members of the community (thereby excluding outsiders), the fixing of times and areas for exploitation, the enforcement of rules and the resolution of any conflicts that might arise (Sala, 1999).

Finally, within the framework of a social organisation that was based on feudal privileges, and was therefore profoundly unequal, the commons, as one of the central elements of the system, reproduced in large measure class distinctions although with a major nuance. Although, it is clear that those with the power had the upper hand when establishing access to resources, the common property regime offered the less fortunate certain room for manoeuvre by allowing them to carry out more than one activity and not confine them exclusively to working for others (Thomson, 1991, Neeson, 1993).[6] In fact, the common lands played a fundamental role, not only economically but also socially, and as a result have always been in the centre of conflicts over access to their resources.[7]

However, from the beginning of the nineteenth century, pressure on the common lands increased, resulting in three complementary types of transformation. Firstly, the

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gradual establishment of a market economy was to cause a process of privatisation by which a lot of land would cease to be common, and would be exploited privately. But this did not affect all commons. On the contrary, there were many that survived and adapted to changes by transforming the rules that governed their use. Finally, these two processes of change were influenced by a third, the action of the State, which since the nineteenth century had been attempting to control privatisation and persistence, and also to exercise greater control on the lands that were not being privatised.

Thus, the fate of the common lands has been varied and complex making analysis of their evolution difficult, since in many cases the three forms outlined above have a hybrid nature which makes it hard to define exactly the areas that went on being exploited under a common property regime.[8] However, this paper will work on the premise that these types of use continued to evolve mainly on lands whose ownership remained in the hands of the people and also on most of the state uplands. Both types of land began to be known, over the nineteenth century, as 'public' land and this is the term that will be used to refer to them hereafter.[9]

The evolution of these public lands over time provides an overview of something we can subsequently rationalise. Figure 1 shows quite clearly the principal long-term trends.[10] The nineteenth century was characterised by a massive expansion of privatisation which affected all public lands. During the first third of the twentieth century privatisation continued but at a much reduced rate. After the Spanish Civil War (1936–39), the trend went clearly in the opposite direction and at least until 1952 there was an increase in both state lands and public lands. Finally, in subsequent decades, a divergence may be perceived between state lands, which went on growing, and municipal lands, which decreased slightly in 1969 and more markedly in 1995. What forces can we detect when seeking to explain this historical trajectory and, furthermore, what use has been made of the lands that were maintained as public?

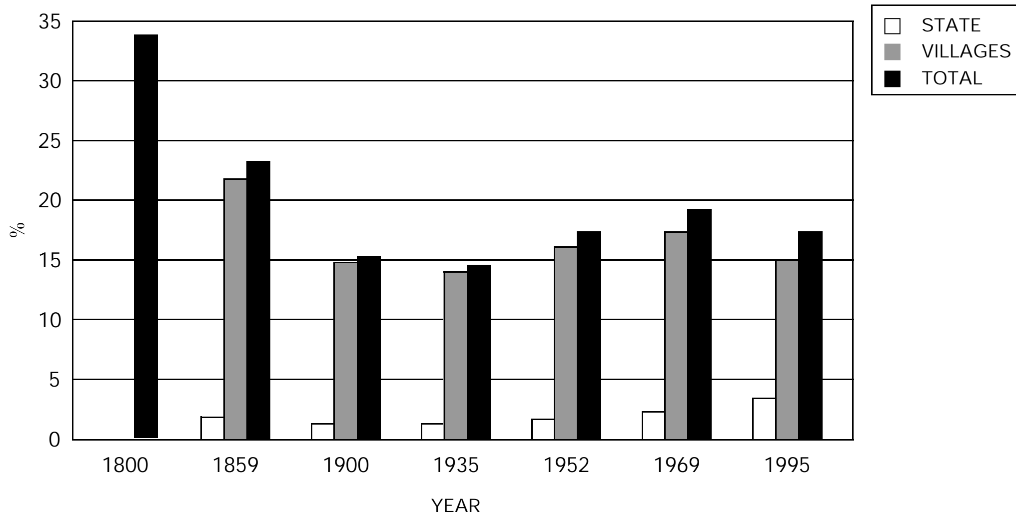

Figure 1. Evolution of public area as a percentage of total area of the country. Spain 1800–1995.

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In order to resolve these questions, it is useful to establish four main periods that tie in reasonably well with our understanding of the agrarian, and general economic, history of the country. Although these were not closed periods characterised by total breaks, each of them nevertheless presents a number of distinctive features that can help us to trace the evolution of common lands. Thus, by way of these periods we can explain the tendencies indicated, as well as examine the main forces affecting the use of these areas over the course of the last two centuries.

From the crisis of the *Ancien Regime* to the turn-of-the century agricultural depression

This period, which takes in most of the nineteenth century, has been thoroughly analysed, and is therefore relatively easy to characterise. In general terms, it may be said that this long phase saw a whole host of circumstances – the growth of the population, increase in farming prices, technical change and improvements in transport (García Sanz and Garrabou, 1985) which gave rise to an expansion of cropping and drove certain social groups to promote the privatisation of common lands (Sanz Fernádez, 1985). The disappearance of these spaces might have been directly related to the extension of cropping (to the detriment of private pastures and forests) but, in the framework of an organic-based agricultural system, it might also have been associated with an increase in pressure on non-arable lands. Thus, in many cases, privatisation probably consisted of the integration of pastures and uplands into individual holdings, thereby ensuring the survival of the private system (GEHR, 1994).

The chronology of this process may be divided into two major periods. The first, roughly taking in the first half of the century, was characterised by disorganised privatisations which were carried out under the ambiguous legislation of a time in which liberal society was being established. In addition, this was a period which, especially until the end of the 1830s, was characterised by great instability. Wars, revolutions and counterrevolutions, together with intense political instability, offered certain sectors the perfect opportunity to appropriate common lands by arbitrary means outside the law. The results of this process have not been systematically assessed for the country as a whole,[11] but generally speaking, it may be estimated that around 30% of common lands existing at the beginning of the nineteenth century had been privatised by 1859.

The second period began in the 1850s and continued over the following decades, only to slow down as a result of the end-of-century farming crisis.[12] The loss of common lands was even greater in this second phase than in the first – around 34% – since in these years, the market incentives which stimulated an extension in ploughing became more evident. However, the action of the liberal-bourgeois state, which had been firmly in place since the 1840s, was very different from the previous period. Its aims were two-fold. Firstly, it clearly fostered the sale of common lands by issuing legislation which favoured the establishment of private ownership rights. Secondly, in view of the economic as well as environmental importance of many public lands, it established two distinct mechanisms to facilitate their survival. The first gave certain room for manoeuvre to the villages by permitting them to draw up dossiers in defence of their lands.[13] The second was more

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drastic, since the state reserved the power to specify some environmentally sensitive uplands which could not end up in private hands.[14] This second formula was aimed at avoiding privatisation, but at the same time it sought to deprive rural communities of the power of direct administration of their lands, on the grounds that traditional practices were giving rise to the systematic destruction of the uplands.[15]

Thus three groups can be identified as important in shaping the commons in the nineteenth century. On the one hand, you had those who, guided mainly by market stimuli, were in favour of privatisation. On the other were those who saw advantages in maintaining the traditional status quo and preferred to see the commons survive, administered by the villages. Finally, there was the state. This acted as an intermediary, although not necessarily an impartial one, and aimed to arbitrate between the parties and establish greater control over the commons that remained. Thus this was period that was full of conflict, but the way these conflicts were resolved depended on the different environmental, economic and social contexts of each area. In those situated mainly in the south of the country (Andalucia, Extremadura or Castille-La Mancha) and characterised by a non-uniform distribution of land, where large-scale owners dominated the mechanisms of economic and political control and where, moreover, the opportunities for exploitation were plentiful, persistence was extremely low. Groups who were well-placed, economically and socially, took advantage of *ad hoc* agricultural reforms and opted to acquire lands, which up to then had been public, for their own exploitation.[16] On the other hand, in some areas, mainly in the north of the country (Galicia, Cantabria, the Basque Country or the Pyrenees), where the consolidation of capitalism was giving rise to a less unequal division of land, with a large group of peasant small-holders, things developed slightly differently and the rate of privatisation was not so high. This was due to a social consensus on the need for the conservation of at least a part of the commons, which probably benefited all the social groups to a greater or lesser extent. Those who enjoyed power benefited because they were able to continue to have advantageous access, through the regulations established. Similarly, the not so favoured groups benefited because they could still obtain essential resources for their survival.[17] In the rest of the country (the Ebro Valley, Castille-Leon or the Mediterranean Coast) we find an intermediate situation. But in all these contexts, it seems that the state largely limited itself to backing the dominant party in each case, favouring the sale of common lands in places where there was a clear demand for privatisation, and respecting them everywhere else.[18]

Thus, although throughout the nineteenth century privatisation was very extensive, many commons were maintained due to the pressure exercised by the local community and the flexibility with which the law was applied. We can therefore say that in large areas of the country these spaces would continue to be an important element of agrarian organisation, even within the framework of a rural society that presented clearly capitalist features. What occurred in the following period can serve to illustrate this idea more fully.

From the turn of the century to the Civil War

The trend outlined above for the mid nineteenth century started to alter with the arrival of the end-of-century farming crisis, resulting in a slowing down of the privatisation

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process, which, according to figures available, was clearly evident during the first third of the twentieth century. The source of this decline was partly social. From the end of the nineteenth-century onwards there was an escalation in the conflict arising from the poor situation of the peasants as agriculture struggled. During the period of agricultural growth that Spain enjoyed during the first decades of the twentieth century, this conflict continued, providing clear evidence that not all the social groups were getting the same share of the prosperity. In this context, the peasants demands centred on the maintenance of commons in the hands of the local community, so that they could be used as part of the redistribution of wealth.

This does not imply that the forces which were in favour of privatisation had disappeared. Indeed, following the end-of-century agrarian crisis a new phase of agricultural expansion began, characterised by the extension of the area under cultivation and the introduction of technological changes which, in some areas, acted as an incentive for new privatisations.[19] However, the increasing level of conflict threatened social harmony and forced the wealthier groups, and also the state, to rethink their strategies with regard to the commons (De la Torre and Lana, 1999).

Evidence of this change is clear enough if we look at the legislation passed during this period. It is significant that the Act governing the sale of common lands had been losing impact since the end of the nineteenth century. From then on, the state limited itself to issuing a series of 'estate legitimization' decrees, aimed more at consolidating irregular de facto situations than at continuing the privatisation process on a large scale.[20] But this was not all. At the same time, laws were passed which saw in the common lands a means of taking the edge off the social crisis and proposed settling the peasants on public lands which could be ploughed up (Robledo, 1996). The success of these policies in the country as a whole was limited,[21] among other reasons because the settlements were not accompanied by public investment to help the peasants establish profitable holdings (De la Torre and Lana, 1999). However, this is a significant factor in understanding the slowing down of privatisations in this period.

Therefore, we once again find ourselves in the presence of flexible mechanisms which attempted to respond to the new situation and which, as with the previous phase, gave rise to diverse results. In fact, in areas of extensive private ownership and social control by the big landowners (the south of the country once again), privatisation continued growing at a rate which, although more moderate than in the nineteenth century, was a long way above the average for the country as a whole. On the other hand, in many other areas (especially in uplands in the north of the country), the new farming pattern saw the consolidation of small holders in which the class ratio was much more balanced and continuance of the common lands more marked.

But the fact that the rate of privatisation was now much lower should not be attributed to a diminution of the economic and social pressure on the commons resources that survived. On the contrary, the demand for pasture for a stock level which in most of the country was still extensive, as well as the increased demand for forest resources at that time (Zapata, 2001), required an ongoing adaptation of the rules of access and use of these areas. Once again, the forces involved in this transformation were to be highly diverse. Foremost was the intervention of the state which increasingly attempted to

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exert a more thorough control on most of the non-privatised lands. From the 1870s, the forestry engineers began to draw up what were known as 'exploitation plans' which were an attempt to regulate the uses made of common uplands. But this was only the beginning. In 1899, the state introduced the concept of 'public utility' which, broadly speaking, was aimed at ensuring a better level of conservation, through public management, for lands which had beneficial effects for the environment. Nevertheless, this also meant that the state had to produce a series of more effective measures to control the use of the uplands listed under this category.[22] Probably the most ambitious measure was the one that was established by virtue of the 'planning schemes', which aimed to exercise long term management of the uplands, attempting to harmonise, at least on paper, productive, environmental and social interests.

However, in practice, these interests did not receive equal treatment. Thus, during the first third of the twentieth century, and given the period of industrial growth that Spain was then enjoying (Carreras, 1989), many industries related with timber, resin or cork viewed the public forests as a interesting means to obtain cheap raw materials. As a consequence, these business groups put pressure on the state to allow them access for the exploitation of these areas. In many cases, the state bowed to this pressure, which often resulted in public auctions in which the highest bidder would acquire temporary exploitation rights to public lands.[23]

In theory this situation could have benefited all those involved: firms would obtain raw materials without the need to gain ownership of the forests, the state would reinforce its control over public lands and the communities would receive monetary income from the commercialisation of the products coming from their forests. However, this process represented an important change in traditional land use, in that it limited the decision-making capacity of the communities over their common lands and made the direct access of the local people to these spaces more difficult. In this context the communities developed a series of spontaneous forms of resistance – feigned ignorance, challenges to authority, fraudulent uses (Sabio Alcutén, 1995; Sala, 1998) – which may be interpreted as a symptom of the social upheaval generated by the change in the use of the resources (Cobo Romero et al., 1993).

So we once more find ourselves with a complex web of interests in which the diversity of results was the prevailing factor, but in which, according to a recent study (GEHR, 2000), two basic patterns could be distinguished. In some areas where large-scale exploitation of timber or resin was feasible, business interests prevailed, helped by the activities of the state which, faced with increasing conflict, displayed greater vigilance that was successful in reducing local uses. On the other hand, in areas where the use of the commons was mainly associated with the exploitation of grazing, and despite an increasing commercialisation of the products coming from those lands through the leasing of the pastures or the forests, the local authorities were nevertheless successful in avoiding effective, or at least thorough, control by the state or outside enterprise.

Thus, both patterns underwent substantial modifications aimed at adapting the use of common resources to changing situations. Furthermore the growing conflict may be interpreted as a form of pressure by communities that had the objective of maintaining control of these resources in their own hands, and which enjoyed varying degrees of

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success. However, from 1936 the situation was to undergo a radical change, in part because any dissident voice would henceforth be silenced.

The difficult autarchy years

The civil war from 1936 to 1939 and the totalitarian regime imposed by the victorious side, meant a sudden halt to the economic and social development of the country. From 1939 there was a long post-war period lasting more than ten years, characterised by massive state intervention in all aspects of the economy, as well as the social relationships that revolved around it. Attempts to develop an autarchic program so that the Spanish economy would grow in isolation from the rest of the world, involved establishing a whole series of regulatory measures (import controls, price controls, banning of free trades unions) whose effects caused more problems than they solved, and they made the 1940s and early 1950s the blackest period of the country's economic history (Carreras, 1989).

This sudden changing of the rules of the economic game also affected the commons resources, which, although continuing to perform functions similar to those of the pre-Civil War years, did so in a different social and economic climate. As far as can be gathered from figures available, between 1935 and 1952 the area of public land in the country experienced a change in the trend that had been prevalent since the beginning of the nineteenth century, and began to grow. The accuracy of the figures is difficult to evaluate but there are various factors which confirm this observation.

The first, and clearest of these indications refers to the New State's attitude with regard to the uplands. Within the context of intense interventionism and the fever for nationalisation that characterised these years, 1941 saw the creation of what was known as the State Forestry Heritage (Patrimonio Forestal del Estado – PFE) which from the outset was to establish a dual-purpose purchasing policy: firstly, within the framework of economic autarchy, to increase forestry production to supply the home market, and secondly to begin a large scale replanting process which would serve to contribute to the first objective (production) as well as to develop a policy of environmental protection.[24] This purchasing policy concentrated primarily on areas such as the southern half of the country where privatisation had been more intensive. In other areas, where the uplands were still in public hands, state intervention was based on indirect methods, involving local powers, which lessened the need for land purchase (Rico, 1999).

But the increase in public areas might also have been related to other factors. From the beginning of the 1940s, along with the increase of purchases by the PFE, a whole series of measurement operations began to take place which, in the words of one of the most influential forestry engineers of the time, Octavio Elorrieta, were aimed at consolidating domains in public utility uplands.[25] In addition, from the beginning of the 1940s, the state had been promoting replanting beyond the state uplands, attempting to extend it to a good many municipally-owned uplands (Gómez Mendoza and Mata Olmo, 1992). Thus, it can reasonably be assumed that these actions which went hand in hand with the state's purchasing policy, probably helped to restore some of the

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municipal uplands either because of the improved accuracy of measurements, or through the restoration of lands that had been privatised irregularly.

Of course, the whole process was carried out with a scrupulous respect for private ownership rights, and especially the rights of the big landowners who supported General Franco's authoritarian regime.[26] However, it should be remembered that, during this period, the commons were not an important factor in the development of agricultural incomes. Official farm prices, established by the government at an excessively low level, resulted in a fall in the area of arable land (Barciela, 1986). In addition, the particular characteristics of the post-war farming pattern, based on plentiful and cheap labour, and on the illegal traffic of foodstuffs on the black market, generated enormous potential for the accumulation of wealth (Abad and Naredo, 1997).[27] As a result, there was little incentive to continue to plough up commons, and with the change in state politics, led to the reversal of the earlier trend.

The turnaround in the privatisation process coincided, however, with a new heightening in the pressure on commons resources, due to two major reasons. The first, which has already been alluded to, was related to the autarchic framework and the resulting need to increase forestry production to supply the domestic market. The second, much less known, was probably linked to the general fall in household incomes. The 1935 level of per capita income was not attained again until 1954, producing frequent supply shortages and hunger which, in the rural community, probably gave rise to an increase in the demand for various types of commons resources (grazing for domestic animals, logs and fuel, hunting, river fishing, gathering wild fruits and plants) to respond to this difficult situation.[28]

Thus, once again we have the usual three major players – the state, large scale economic interests represented primarily by industries linked to the forests, and local interests – but now they were in positions which were presumably very different to those of before the war. The new totalitarian state found itself in a situation in which it could impose its criteria much more easily, not only in land purchased by the PFE but also in the rest of the public uplands, thanks to its strict control of local councils which of necessity supported the regime. The notoriously corrupt regulatory framework of the time, based on favouritism towards companies who were close to the government, ensured that industry enjoyed very favourable conditions for negotiating with the state and with local councils, particularly if its activities were related to sectors considered to be of national importance, (such as wood pulp, paper, chemicals and timber. Finally, local communities probably found themselves in a more heterogeneous situation. In areas of large-scale ownership, the repression exercised during the war and post-war years had dismantled any organised movements of the peasantry, so that any social pressure exerted by these collectives was now non-existent.[29] On the other hand, in areas of small-scale ownership it is possible that the inhabitants might have been heard, at least in cases where the local councils were made up of people who, although appointed by the regime, were not entirely in agreement with the policies that were being implanted (Christiansen, 2000). Nevertheless, a high price was paid for dissent, so that there was ample opportunity for the state and privileged groups to impose their criteria.

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Recent research has begun to uncover the consequences of this new balance of power. It seems that all through the 1940s, and especially in the early 1950s, the Spanish economy's need for self-sufficiency brought about a marked increase in uplands production, based primarily on the extraction of timber (GEHR, 1999). In the case of publicly-owned uplands, this was carried out by private firms who were conceded exploitation rights by the state or local authorities. We have, therefore, the supremacy of a model which perhaps might be designated as 'authoritarian-productive', backed up by the supposedly national interest, but closely linked to private enterprises, which were probably well set to impose their own conditions. The results of this mode of action are obvious enough. From the point of view of sustainability, this policy has been described as 'unwise' and 'capital-eroding' because of the overexploitation it generated in the forests (Zapata, 2001). From the social point of view, it seems clear that in the areas most closely related to the interest of industry, the rural population was stripped of its control over the commons, more than in other eras; and where management remained in the hands of the villages, it was largely at the mercy of profoundly anti-democratic local authorities.

The definitive crisis in traditional farming

The situation described up to this point was to undergo a new transformation from the mid-1950s onwards, once again within the framework of the economic and social changes affecting the country. At this time, the gradual internationalisation of the Spanish economy caused the strict autarchic regulations to disappear and opened the way for an evolutionary phase, firmly controlled by the state which was still politically totalitarian, and, albeit to a much lesser degree than previously, economically protectionist. But from this moment, the Spanish economy embarked on economic convergence with the rest of western Europe. This was maintained from 1978, with the establishment of a constitutional political system and has brought Spain into line with the economic systems of the European Union.[30] And in this new context, from the 1960s to the present day, the commons have also undergone numerous changes.

In both 1969 and 1995 there was a marked increase in state land but a reduction in village properties. In both cases, the rate of change was more moderate at the first date than at the second.

In order to explain these trends, it is necessary to describe the development of the country's agriculture in the last few decades. From the mid-1950s, the Spanish farming sector was subjected to its own 'green revolution' characterised by a massive rural exodus and an increase in the capitalisation of agriculture based on the use of inputs from outside the sector, particularly, petrol-powered machinery and chemical fertilisers (Abad and Naredo, 1997). The changes, therefore, were far-reaching and affected not only the traditional relationships which agriculture had maintained with the environment, following an almost complete break with organic-based methods, but also the social structure of the rural sector. The farms which survived were those with the means to assimilate the new forms of production. In fact, this was the beginning of a 'modern' high-yield agriculture in which, nevertheless, the increase in productivity far exceeded

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the growth in farmers' incomes (Abad and Naredo, 1997). In this context, within the framework of farming overproduction which has characterised the countries of the European Union, from the 1980s onwards the sector has undergone new changes which have meant a drastic reduction in cropping land and an ever-increasing dependence on the state which has had to compensate for the decline in farmers' incomes through subsidies (Etxezarreta and Viladomiú, 1997).

This changing situation has also affected public lands. If we concentrate firstly on state property, it might be said that up to the 1970s the state not only continued its purchasing policies, begun in 1941, but, within the new framework of development, it also intensified this policy, acquiring new uplands with the twofold aim of increasing forestry production and protecting the large-scale hydro schemes that were being constructed.[31] The new techniques available, as well as the high rural exodus, facilitated the state's task. Of course, this trend has not continued in the same way up to now. From the 1980s onwards, two new elements were added which may explain the sharp increase in purchases. Firstly, the environmental conservation factor became more prominent, in a context in which many areas of the country were heavily underpopulated. Secondly a new decentralised administrative-political system developed, in the shape of regional governments which have also followed a policy of uplands acquisition, aimed primarily at conservation.

With regard to village common lands, the slight fall which can be seen in 1969 is probably due to the restructuring of exploitations and the mechanisation which has been referred to, which in some cases might have brought about the ploughing of lands which were not suitable for cropping under traditional methods.[32] However, the preparing of new lands for cropping cannot be used as an argument to explain the sharp fall in 1995. On the contrary, the causes of privatisation in the last few decades can be found in the development of non-farming economic activities which have come about in the rural environment. The sharp increase in construction as a result of the demand for holiday homes, the attempts to attract industry by offering cheap building land or the development of activities of various types (ski resorts, private hunting reserves, tourism in general) have probably induced local councils to sell portions of their property which are not subject to environmental protection. If we bear in mind the evolution of land prices in the last twenty years and their clear upward trend, especially in the 1980s, due primarily to speculation (Abad and Naredo, 1997), the situation matches the trend detected.

Thus, the decades between the 1960s and now have seen major changes. Not only that, but the functions of the commons and their management methods have been affected by these transformations. And so, once again, two different sub-periods can be mapped out. The first extended from the mid-1950s to the mid-1970s and was characterised by the impact that the green revolution had on the rural sector. The divorce between common lands and cropping due to the break-up of the traditional organisational system; the gradual reduction of extensive stock farming which was being replaced in most of the country by a type of production based on the stabling of the animals and feeding them with compound feeds obtained on the market; and finally, the sharp rural exodus, all meant that pressure by the population on commons resources was

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to fall dramatically and that the multifunctional use of the forests tended to disappear. In fact, all through this period, we can see a clear drop in most of the exploitations (logs and fuel, esparto, resin, nuts) and an evident supremacy of timber production in a process that came to be known as the 'arborization' of the uplands (GEHR, 1999).

As far as the state is concerned, it may be said that, on the one hand, it used this situation to impose its criteria, and on the other, it intensified it, in that the strategies followed frequently resulted in social cleavage and rural exodus. Indeed, in spite of the fact that the end of the autarchy heralded the restoration of timber imports, the state, for whom development was now the only course, continued with its policy of placing the uplands at the service of major industrial interests centred on paper mills and hydro-electric schemes (GEHR, 1999). In line with this objective, it fostered a replanting policy – based mainly on the setting up of large areas of rapid growth trees – with the aim of either increasing timber production or settling the lands in the vicinity of large reservoirs, but which in fact helped to dismantle traditional forms of relationship with the environment in many areas. We have, then, the continuance of the 'authoritarian-productive' model, in which the state, in league with non-rural economic interests, continued relieving the villages of their right to manage the commons. In this context, the use of these areas for the rural population was probably limited, at best, to the earning of complementary wages, when the peasants were employed in uplands exploitation or replanting, or to the earning of income for the timber exploitation. This income was managed by local councils, still appointed directly by the regime until the end of the 1970s.

It was precisely in the 1970s that this situation began to be altered, and a new period which has lasted until now began to take shape. The changes in the last few decades were motivated by three factors. Firstly, the growing demand for recreational resources in the rural environment from a section of the urban population which had been growing and which had an increasing amount of money and leisure time on its hands. There has been a growing ecological conscience, almost always originating from the cities, calling for changes in the management of rural areas. Secondly, within the framework of the European Union, timber production was no longer a priority in Spain, due to her integration into international markets. Finally, the political changes brought about by the consolidation of the democratic system reopened opportunities for establishing social dialogue in which the management of public resources began to be seen as important, although its ranking in the list of priorities was and is still lower than it should be.

In this new context, the power balance in the use of the commons has been changing. From 1975 the state aimed to carry out a policy which, without doing away with forestry production, fostered conservation measures.[33] This policy has been adopted and put into practice by the Autonomous Governments who have declared a great many more spaces subject to protection. Of course, this new framework is still far from being firmly established. Over the last few years, society's view of farmers has undergone a transformation, from seeing them as 'efficient producers of foodstuffs' (basically consolidated following the green revolution), to the new view of them as 'guardians of nature' (Arnalte, 1997), although this function has yet to be fully defined. Very often,

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conservation management has been left to higher powers (the state or the Autonomous Communities) which has meant, once again, excluding from the decision-making process the rural population which actually lives on the land and knows it well, but which, not for the first time, has seen its powers of access and management curtailed.[34]

Some general conclusions

Following this brief review of the history of common lands in Spain, and by way of summary, this paper closes by highlighting a number of important ideas. The amount of public land that existed in 1995 (more than 7,600,000 hectares belonging to local communities and more than 1,000,000 hectares in the ownership of the state) clearly shows that the process of capitalist development through which Spain has passed during the course of the last two centuries has not led to the complete disappearance of the commons, but rather to their co-existence and to a degree of persistence that cannot be ignored. This persistence has been made possible thanks to the changes in use to which these areas have been subjected, which have resulted in their adaptation to different economic and social contexts. From this perspective, the majority of common lands should not be regarded as archaic leftovers from the past. Rather, they should be considered as areas that have performed changing functions over time, from the organic-based agrarian societies that predominated in the nineteenth century to the post-industrial societies, concerned for the welfare of the environment, that prevailed at the end of the twentieth century.

The degree of persistence, change and adaptation has basically depended on how the main forces involved in the use and management of the common lands have behaved in different historical contexts. As regards the state, this showed a considerable flexibility in the application of the privatisation laws from the mid-nineteenth century onwards. In many cases this attitude made persistence easier, although it was counterbalanced by the reinforcement of state control over the lands that remained in public hands. The aim in this was to impose some management criteria that until recently were essentially based on increasing the production of these areas. In this context, the business activities that were related, in one form or another, with common lands could gain access to them without the need for ownership, above all from the early years of the twentieth century. Furthermore, during certain periods (particularly during the Francoist era) these interests enjoyed very favourable conditions for the exploitation of these areas.

Finally, the rural communities have undergone this process of change in a somewhat ambiguous situation. On the one hand, we can note the inverse relationship between the persistence of common lands and the polarisation of wealth. Those areas in which there was a lower degree of polarisation were also those where the common lands persisted to the greatest extent and where, in turn, this very persistence could have contributed towards restricting the growth in polarisation. Nevertheless, the combined activities of the state and of business interests meant that over the passage of time many communities lost control of their own resources. Although resistance to this process was obvious up to the outbreak of the Civil War, any capacity to respond to it was weakened both by the authoritarian political framework imposed by the Francoist regime and by

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the economic changes resulting from the 'green revolution' and the massive exodus from the rural communities. Fortunately however, in recent years the opportunities for protest and negotiation have been increased within the new political framework of the country. These mechanisms have provided the foundation of counterbalances to the decisions of the public authorities (and of industry), who in previous eras were able to act with a higher degree of impunity.[35]

Thus, although in recent decades the purely economic use of the commons has become less important within the framework of the country's agricultural and economic evolution, it may still be possible for commons to continue playing their small role in rural development. In this sense, it seems that the interests that converge on public lands can be still many and varied. And this will continue to generate a good many conflicts of interest whose resolution will depend, in each case, on the powers of pressure and negotiation at the disposal of the groups involved.

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Notes

1. This view was being forged alongside the consolidation of capitalism in western Europe, and in many cases has been assumed unquestioningly by economists and historians right up to the present day (Fenoaltea, 1991).
2. Criticism of Hardin's tragedy may be divided into two main categories. Firstly, in his proposal, he confused communal ownership with open access to resources; secondly, Hardin assumed that the users were guided exclusively by a rationale that maximized short-term benefit, thereby implicitly ruling out any form of management collective action.
3. And besides, this is the only means for managing common global resources such as air, water or the earth's atmosphere, on which it is impossible to establish private or state ownership rights.
4. Many studies devoted to the analysis of sustainable growth in developing countries make much of this question. Thus, to choose just one from many, Hobley and Shah (1996, 2) point out, for example, in the case of India and Nepal that 'common property regimes will become more desirable rather than less in those areas where prevailing cultural values support cooperation as a conflict-solving device'.
5. With regard to agriculture, the commons were a reserve of arable land and were also the source of animal feed and land fertilisation. In addition, the common woods yielded products that were essential for the survival of peasant economies, but also raw and combustible materials used for other economic activities that could be carried out on a large scale. In the Spanish case, the best examples of economic activities of the latter type, based largely on

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common lands, were moving livestock from one region to another (transhumance) (Moreno, 1999), wagon-based transport (Jiménez Romero, 1991) and boat building (Aranda, 1990).

6. In the Spanish case, the work by Moreno (1999) on economic organisation in upland areas in the eighteenth century, perfectly illustrates this double use of common lands, which on the one hand did not stand in the way of the accumulation of the wealthy, and yet made possible a complex adaptation of less-favoured groups.
7. The use of the commons appears as the cause of the numerous conflicts arising in the eighteenth century, not only between nobles and peasants (Yun Casalilla, 1991) but also between different groups of the peasantry (Vassberg, 1986; Robledo, 1991).
8. Thus, for example, there were some cases in which common exploitations were allowed to continue even on lands bought by private individuals, on which the communities reserved certain rights of use. For the case of Navarre, see Iriarte Goñi (1996).
9. The term 'public area' may be considered a coinage by the liberal State to refer to all spaces not subject to private ownership, as defined over the nineteenth century. (GEHR [Rural History Studies Group], 1994; Balboa, 2000).
10. The figures used pose some problems since, in Spain, the measuring of public lands has been rather inaccurate until recent times. Although attempts to find out their exact extent began in the mid-nineteenth century, the slow development of measuring techniques, and the reluctance shown by many communities to reveal the extent of their communal areas, in case they lost them, meant that the statistics contained numerous errors. This situation has improved over time, and current figures are much more reliable. However, one needs to be careful when interpreting the long-term evolution, and think in terms of general trends rather than specific levels of increase or decrease. The quantification of public areas is based on figures provided by GHER (1994), Rueda Herranz (1997), M.A.P.A. (1935, 1954 and 1970) and M.M.A. (1998).
11. There are some regional studies analysing this period and most of them agree that privatisation was probably highly intensive. See De la Torre and Lana (1999); Linares Luján (1995); or Jiménez Blanco (1996).
12. Normally, studies analysing privatisation prolong this period up to 1936. However, De la Torre and Lana's study (1999) in the case of Navarre proposes this new chronology centred on the deceleration of privatisations from roughly the 1880s onwards, and they relate this to the change in farming patterns which was implanted as a result of the crisis at the end of the century. As I see it, this proposal can generally be extended to the country as a whole. See part 3 of this paper.
13. In the 1855 Act of Dissolution, an Act which regulated the privatisation process, the villages that wanted to maintain their lands could apply for this by means of dossiers in which they had to enter the common spaces they possessed and the uses to which they were put. Once this information had been analysed, it was the state representatives who decided whether the commons had to be sold or not. For an analysis of these dossiers, see Fernández Trillo (1986).
14. This decision was linked to the capacity to exert influence on legislation enjoyed by forestry engineers, who made their first appearance in Spain in 1848. In spite of the early date, the forestry engineers began a debate which posed questions very similar to those of today. They discovered, although they did not put it in these words, that the positive externalities of the forests were not perceived by private individuals as they were not paid for at market prices. Consequently, the state should take over these spaces as it was, according to them, the only institution which could guarantee their conservation.
15. The question raised by the forestry engineers showed a marked similarity to the tragedy expounded by Hardin more than a century later. In fact, one of them had this to say: 'The uplands, meadows and woodlands [common lands] are being subject to felling and fire and everybody thinks they are authorized to saw up logs, gather fruit and graze stock without any reserve or consideration'. García de Gregorio (1851). It is clear that this view was a cover for the false concept of open access to resources.

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16. In areas where there were a lot of privatisations, many peasants were denied resources to which they had enjoyed access free of charge up to then. They saw the traditional mechanisms of collective action being eroded and they were forced into a greater dependence on the labour market, through a process which some authors (Martínez Alier, 1992) have called the 'tragedy of the enclosures'.
17. The maintenance of the status quo was not only based on a cost-benefit calculation. It was also influenced by other aspects, difficult to measure, related to reciprocal cooperation between members of the communities (Sala, 1996).
18. For a more detailed interpretation of these actions, with reference to the theory of property rights, see Iriarte Goñi (1998). In addition, for a more complex regional differentiation than that given here, based on the various farming models and on their environmental, economic and social characteristics, see GEHR (1994).
19. The growth of farming at the beginning of the century was based on the expansion of cropping and was also marked by the introduction of new machinery and the beginnings of the use of chemical fertilisers, which were starting to replace, albeit still only partially, the traditional organic fertilisers. All this resulted in an increase in production together with a higher yield per unit of area, which was able to respond to the growth in demand that arose during this time in a domestic market protected by tariffs (Jiménez Blanco, 1986) (Garrabou, 1988).
20. The estate legitimisation decrees were issued in 1897 and 1923, and their objective was the legalisation of arbitrarily formulated cropping on common lands (Robledo, 1996).
21. In some areas, such as Navarre, there was a high instance of ploughing on common lands, although the economic results for the farmers were not so evident (Iriarte Goñi, 1996).
22. 1901 saw the publication of the Official List of Uplands of Public Utility, which subsequently underwent several modifications (MAPA [Ministry of Agriculture, Fisheries and Food], 1935) which reinforced state ownership as can be seen in figure 1.
23. The state's interest in capitalising on this form of use was evident even from a semantic point of view, in that exploitations granted by auction were known by the forestry engineers as 'ordinary exploitations' whilst local uses came to be known as 'extraordinary exploitations'. Thus a new terminology began to be used which was symptomatic of the situation intended to be imposed.
24. The main conservationary action carried out in this period was centred on replanting areas at the head of flood basins, in order to prevent erosion and disasters arising from river flooding (Gómez Mendoza and Mata Olmo, 1992).
25. The basic objective in this case was the demarcation of public areas to include their subsequent marking out, as well as 'the disappearance of more or less arbitrary enclosures and ploughing lands to facilitate mobilization and an exact assessment of village properties' (Elorrieta, 1948, 155).
26. It seems that this demarcation process generated problems between the forestry district officials who carried it out and some of the owners. Thus in the mid-1940s the lawyer Martín Retortillo accused some forestry engineers of 'over-enthusiasm' in their desire to consolidate public forestry ownership and, he added, 'desirable as it is that village properties are not cut back or reduced, it is no less desirable that the same treatment be given to private property' (Martín Retortillo, 1944, 103). With regard to peasants who might have been adversely affected by these policies, there are examples where, at this time, the State officials probably acted with impunity through coercion (Rico, 1999).
27. The active farming population grew by 5% in the 1940s. In addition, salary claims or any other types of claim were impossible due to the banning of trades unions and the repression exercised by the State (Barciela, 1986).
28. There are no studies that deal with this problem systematically, but here is an example which is perhaps significant. In some villages in the province of Soria, the number of goats per inhabitant grazing on common land had been falling drastically since the beginning of the

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twentieth century. Yet in the 1940s there was a spectacular upsurge in the number of these animals (Giménez Romero, 1991) which was probably linked to the needs of family subsistence, using an animal (sometimes known as 'the poor man's cow') which was extremely useful in times of shortage because of the variety of products that could be obtained from it.

29. In the rural environment, it seems clear that the repression was centred on the sectors of the peasantry which had been involved in the farming reforms which the governments of the Second Republic (1931–36) attempted to impose, in which the claims of the commons had played an important role (Juliá et al., 1999). In addition, apart from the directly political repression, the forestry engineers, within the framework of the totalitarian state, now had much higher powers of coercion than previously. For examples of this with regard to the province of Huelva, see Rico Boquete (1999).
30. Although Spain's entry as a full member into the European Union did not come about until 1986, from the 1960s onwards, her economic situation closely matched that of the countries around her, although the intensity of these situations was different. Thus, she has registered higher than average growth in favourable situations, but in times of crisis, the recessions have also been more marked (Fuentes Quintana, 1995).
31. Many of these new acquisitions were motivated by the construction of large reservoirs in upland areas which were at the same time related to the increase in irrigation and to electricity generation. But the purchases were distributed, to a greater or lesser extent, over all the regions of the country (Gómez Mendoza and Mata Olmo, 1992).
32. These years saw the carrying out of a 'plot concentration' which was aimed at creating more efficient exploitations by concentrating the property of each farmer. This was a process which has not been studied but there is no doubt that it had an influence on village common lands.
33. The creation of the Nature Parks goes back to the beginning of the twentieth century. However, in 1975, a supplement to the 1957 Uplands Act regulated the creation of other protected spaces, in an attempt to make production and conservation compatible. Thus, the preamble to Act 15/1975 of 2nd May on Natural Protected Spaces stated the need to 'be provided with the legal wherewithal to facilitate, firstly, the conservation of the determinant values [of the protected spaces] and, secondly, the development of a dynamic policy governing the utilisation of the same with the aim of obtaining the maximum benefit' Official State Gazette (1975, 1).
34. For an example of the social problems generated by protection in the case of the Doñana National Park, see Durán Salado (1996).
35. Principally, the end of the 1980s saw the setting up of civic pressure groups who proposed a more democratic management of natural spaces. The 'Andalusian Pact for Nature', set up in 1985 or the 'People's Legislative Initiative for the Defense of the Galician Forestry Heritage', set up in 1989, are two good examples in this respect. For a basic description of both movements, see Broncano Casares, 1993.

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