

## 1.2. Continuing tensions in respect of common land in European high-mountain areas (17th-21st centuries)

**Panel organiser: Head-König, Anne-Lise, University of Geneva, Switzerland**

The aim of this session is to explore the tensions which existed and continue to exist with regard to common land in the pre-alpine and alpine regions of Europe. Different elements need to be addressed. Among them is the question of the tensions between those excluded from the benefits associated with common land and those individuals who were able and still are able to exercise their rights to define the patterns of the use of the land and to decide who were the claimants entitled to access to the resources of common land. Clearly, due to the variations in the geographical and climatic contexts and to the necessity of maintaining long-term sustainability, the definition of those individuals who were entitled to use the common lands differed widely in the European mountains. In some areas, too, with the increase in mobility, the entitlement underwent significant changes due to the part played by migrants (both in- and out-migrants). An important matter also worth examining is the degree of willingness – or the lack of it – to adjust to the capacity of the land, which was dependent on patterns of use and management techniques aiming at protecting it from over-exploitation. The methods varied considerably depending on whether common land was used for grazing purposes, to provide cultivated plots, for planting fruit trees or as woodland, and in the case of infringement of the relevant rules and regulations the sanctions varied accordingly. Another question is that of the diversity of the institutional arrangements regarding the allocation of income derived from common land resources in the mountain regions of the various European countries. This problem emerged towards the end of the 18th century but became more critical in the course of the 19th century. The relations between the communities or collective associations owning common land on the one hand and institutions, such as the municipalities (that is the communes composed of all inhabitants) or the central state on the other hand resulted in lengthy disputes. By the end of the 19th or the beginning of the 20th century most parts of Europe had resolved such problems in their own individual manner. However, they still remain unsettled in a few areas where the two parties – the associations possessing common land rights and the municipalities – continue to be intractable.

**Chair: Mocrelli, Luca, Bicocca University Milano, Italy**

**Monday 19.8.2013 // 1100 – 1300 // Session 1 – Room A-119**

### 1.2.1. Management of common land in western alpine regions, 18th-19th centuries

**Vivier, Nadine, University of Maine, France**

The huge size of collective property in high alpine regions, their free use and consequently their overexploitation are generally accepted ideas for foreigners and modern historians. Such was not the case. The paper will in its first part show the diversity in the statutes of common lands and the consequences on the tensions within villages. Two cases will be studied: the Savoy Duchy and the Dauphiné in the 18th c. In Savoy the laws passed in the 1780s allowed the lords to claim for a share of commons, hence sales and grazing taxes to be paid by the inhabitants in order to be redeemed of feudal rights. Tensions increased considerably between lords, rich and poor. In Dauphiné and Ubaye, in the 14th c., the lord had granted to the communities the absolute ownership of the mountain pastures. They have been managed in a relatively consensual manner by the inhabitants' assembly. The second part of the paper will address the point of overexploitation in focusing on the case of Briançonnais. Observers spoke of overexploitation at the beginning of the 19th c. This has to be discussed. According to documented evidence, this might have been true for forests but not for pastures.

### 1.2.2. Nature and Culture: tensions and challenges regarding landed property in High Alpine areas in the nineteenth and twentieth centuries

**Granet-Abisset, Anne-Marie, University of Grenoble, France**

Since the high alpine valleys were developed in the 19th century as a tourist destination, first for the urban elites and then, in the 20th century, for a consumer society of leisure, these territories have not only entered public awareness, but have become the object of diverging real and symbolical appropriations. The remaining collective property which still exists there, functioning as a playground for town dwellers and tourists (some of whom being members of the former indigenous population now possessing a secondary residence), is the source of tensions which reveal the complex antagonisms and incomprehension at the heart of con-

temporary societies. There are the problems relating to the use of land for tourism, to its use as pasture, to the possession of private property (whether individual or collective), to areas reforested with the aim of averting natural risks and, since the 60s, to protected areas needing to be defended. In this paper I will present some concrete examples relating to the contemporary situation in the Alpes Dauphinoises (Isère, Hautes Alpes). To understand clearly the situation described in these examples and to judge their implications, it is necessary to consider in detail the progressive development of the contradictory functions that have been attributed to collective property since the end of the 19th century.

### 1.2.3. Common land and collective property in prealpine Switzerland. Tensions with regard to access and the allocation of resources

**Head-König, Anne-Lise, University of Geneva, Switzerland**

My paper will focus mostly on common land and collective property in the highlands of central, eastern and southern Switzerland. It will deal with the changes which occurred in the use of land itself (pastures, forests, etc.), and also with the controversies which in some cases arose when state institutions – mainly cantonal governments – tried to implement a different policy in the allocation of the resources this type of land generated. With regard to individual access to the benefits, I shall discuss two decisive moments which in the course of time had far reaching consequences on the economy and the demography of the upland communities. From the end of the 17th century, but especially in the 18th century, there was a general tendency of the communities (communes) to limit the number of claimants – even those who belonged to the community, i.e. possessed the community's citizenship – in order to maintain a long-term sustainability of the land. And from the 19th century on, especially as from the second half, the development of two parallel structures on the same territory, the community of inhabitants on one hand (commune municipale/Einwohnergemeinde) and that of the citizens on the other (commune bourgeoise/Bürger-Korporationsgemeinde) was the source of increased political and economic tensions, since the first had hardly any resources other than the income tax which was not yet very well implemented to cope with its legal obligations and the second were unwilling to share the resources accumulated by their ancestors with the newcomers living in their villages.

### 1.2.4. The various problems with common land in Tyrol (Austria) from the 19th to the 21st century

**Siegl, Gerhard, University of Innsbruck, Austria**

Until 1847 the sovereign possessed the common land. The rural population was allowed to use the local common land resources as an act of mercy. With the rise of mercantilism parts of the common land were divided and transferred into single use of farmsteads. As a result more and more common land was charged with certified use rights held by farm owners or groups of farm owners (traditional/old agricultural associations). In 1847, the sovereign transferred the ownership of the common land to the municipalities. The farmers' use rights were not affected. This clear legal status – public ownership and individual or common use right to satisfy the household requirements ("Haus- und Gutsbedarf") – remained stable until Austria became part of Hitler's Third Reich and the Tyrolean district of Lienz (Osttirol) was integrated into the province of Carinthia. Contrary to valid law, the ownership of the common land in this district was transferred from the municipalities to the farmsteads ('new' agricultural associations). A small group of landowners now possessed the common land, but the non-agricultural community population was excluded from the benefits. When the district of Lienz returned to the province of Tyrol in 1948 the authorities adopted this practice to other parts of the province. Since then several lawsuits between municipalities and 'new' agricultural associations came to the same judgment: benefits from common land exceeding the farmers' household requirements belong to the municipality. These court rulings have not been implemented to date.

#### Participants

##### Granet-Abisset, Anne-Marie

Anne Marie Granet-Abisset is professor of contemporary history at the University of Grenoble. She is director delegate of the LARHRA-UMR 5190 (Laboratoire de Recherche historique Rhône-Alpes), in charge of the research group Sociétés-Economie-Territoire, and is scientific coordinator of the LABEX ITEM - innovations et territoires de montagne. She is the author, amongst other relevant publications, of "L'autre 'territoire du vide'. Des espaces répulsifs aux territoires préservés. L'exemple de la montagne alpine", in A. Cabantous [et al.] (dir.), *Mer et Montagne dans la culture européenne (XVIe-XIXe s.)*, Rennes, PUR, 2011, p. 57-72.

##### Head-König, Anne-Lise

Anne-Lise Head-König, professor emerita of economic and social history at the University of Geneva, is co-editor of the periodical *Histoire des Alpes/Storia delle Alpi/Geschichte der Alpen*. She is also a member of the scientific board of the Swiss Rural History Society. Her current research focuses on rural and especially mountain societies with an emphasis on farm transfers, collective property, the labour market and migration. Her most recent publication, edited in collaboration with Péter Pozsgai, is *Inheritance Practices, Marriage Strategies and Household Formation in European Rural Societies*, Turnhout, Brepols Publisher, 2012, 337 p.

##### Mocrelli, Luca

Luca Mocrelli is full professor of economic history at Milano Bicocca University, Faculty of Economics. He is treasurer and member of IAUH board (Italian Association for Urban History) and President of IAAH (International Association for Alpine History). He

has worked extensively on urban and regional economy with special reference to early modern Lombardy. His recent work deals with the building sector in Milan (XVIII-XX centuries), the commons in mountain areas and labour history.

##### Vivier, Nadine

Nadine Vivier is professor emerita of contemporary history at the University of Maine. Her core interests lie in the comparative history of French and European rural societies. She is a member of the Association d'Histoire des Sociétés rurales, the Académie d'Agriculture de France, the research network CORN and GDRI-CRICEL (Crises and Changes in the European Countryside in the long run). Her current research projects are nineteenth century European agricultural surveys, the role of the state and agricultural crises. She is also editor of *The State and Rural Societies. Policy and Education in Europe. 1750-2000*, Turnhout, Brepols, 2009, 278 p.

##### Siegl, Gerhard

Gerhard Siegl, Dr. phil., fellow researcher at the Institute for Historical Sciences and European Ethnology at the University of Innsbruck since 2008. His main fields of specialisation are modern and contemporary economic and social history with the emphasis on the history of agriculture, the history of the social security and the history of the rural landscape. He is the author, together with Guenther Steiner, of *Ja, jetzt geht es mir gut ... Die Entwicklung der bäuerlichen Sozialversicherung in Österreich*, Wien, Goldegg Verlag, 2010, 492 p.