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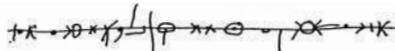
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The Ecology of an Agrarian Question Ecological Crises and the Coming of Age of Capitalism in Vrancea



Liviu Măntescu

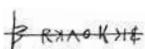
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ABSTRACT

“Let us begin with the obvious. The Agrarian Question is also the Question of Nature, and, therefore, it is also the Question of Ecological Crises in the modern world” (Moore 2008, 57). But it is not because it is obvious that the ecological dimension of the agrarian question has been omitted in the literature until now. The focus on the political role of peasantry and on the emergence of new class struggles as capitalism made its way in the rural concealed the ecology from ‘The Agrarian Question’. This study traces the ecological implications of the development of capitalism in Vrancea region, Romania, from mid-18th century until the present day. It shows that the capitalist transition in the countryside also means a change of socio-ecological relations, namely a change of the social representation of Nature, a change of the modes of appropriating Nature, and a change of the institutions that govern economic action in the natural environment. All these changes are visible in the dynamics of the common property regime in Vrancea as market relations changed in the region. The study concludes that the ecological consequences of an agrarian question can be addressed systematically following the dynamics in the property regimes. Such a systematic analysis can help to better fathom transnational politics for agriculture and their implications for the natural environment in world-wide capitalism.

KEYWORDS

Ecological crisis, capitalist development, common property, Vrancea, Romania.



Introduction

I follow Culiță on the steep paths of the mountain in the forest neighbouring the village. The forest around us is no more than 60 years old. ‘When communists came to power in the ‘50s, Culiță recounts, the few remaining forests after the spoliation of the Italian and Austrian logging companies was chopped off to pay Romania’s war debt to the USSR.’ Along the Putna River the rusty railway of the first logging companies in Vrancea has been uncovered by last year’s floods. The communist party re-forested the area with more productive species of trees, thus changing the landscape and the biotic struc-

ture of the region. The forest grew anew were ‘mud was sliding down the hills’, as people remember. Eleven years after the fall of the communist regime in Romania, the villages in Vrancea got their communal forests back from the state. Following the restitution process, the post-communist nouveau riches build their political and financial capital by logging massively in the communal forests. Along with the property restitution process, new protected areas have been established in Vrancea to meet Romanian’s acquis for the European Union integration. The story of the agrarian question in Vrancea is a story of a slow transformation of property regimes as induced by the dynamics in production, exchange and credit relations along the past



Fig. 1. Contemporary Romania. Source: <http://www.romaniaturism.com/>, used with the consent of Romania Tourist Office, New York.

250 years. This story has remained encrypted in Vrancea's natural environment.

Țara Vrancei, or Vrancea¹, is a region in the Carpathian Mountains bordering Transylvania in the West and Walachia in the South. As part of the Moldovan Voivodship, and under the Ottoman overlordship², people in Vrancea had military duties for defending the South-Western border of the medieval Moldovan state. In return, they were granted communal property rights in the region, equal access rights among villages and individuals to the natural resources, mainly pastures, wood, salt and watercourse for mills, as well as the status of free peasants. This customary joint-ownership property regime in Vrancea, characterized by the lack of shares and the prohibition of individual entitlements, which I will discuss more at length below, is known as *devălmășie* (Brezulescu 1905, Stahl 1958). Until mid-19th century, no commercial roads or important customs were to be found in the proximity of Vrancea. This geographical and institutional isolation (Geană 1987) was hindered the development of capitalist market relations based on credit, commodification, creativity and competition (Beckert 2012).

Classic studies in economic history (Braudel 1982, Wolf 1957, Blum 1971) agree that the dynamics of economic relations are reflected in the dynamics of markets, as well as in the dynamics of property regimes. As the introductory study of this volume shows,

most studies dealing with an agrarian question in different parts of the globe address issues related to the alteration of the production relations and the political role of peasantry. Apart from cases of clear land disposition, very few studies address agricultural differentiation in its dynamics as property regimes and economic relations (such as production, exchange and credit) change.

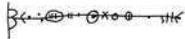
Hence, the agrarian question appears poorly formulated when conceived only as how capitalism affects agriculture and to whom the peasants offer their political support. As McMichael notes (McMichael 1997), the old productivist view on the agrarian question is no longer adequate, as food and environmental security are issues of global concern. What is more, the agrarian question lacked a thorough analysis of the ecological consequences of capitalist development in the countryside since its first formulations (Moore 2008, 57-8).

Kautsky, for instance, mentions only in passing the issue of 'soil exhaustion' as capitalist markets expand around the globe (Kautsky 1988 [1899], 214-15). Later on, Lenin (1961 [1901], 155-6), Bukharin (2013 [1925], 108-12), and Komarov (1936, 230-2) asserted that the limits of the capitalist development in the countryside are also set by the limits of soil productivity, which could be surmounted by the use of chemical fertilizers. But the consequences of substituting compost with artificial fertilizers in rebuilding the natural cycles of nutrients were not systematically addressed by these early political economists. As we have shortly passed the urban turn³, and as food and environmental security are top priorities on the international political agendas (Müller 2013), it is time to seriously consider the ecological implications of the agrarian question.

The few studies which have unwrapped the problem (Moore 2000, 2003a,b,c, 2008; Foster 1999; McMichael 1997; McLaughlin 1998) address only the macro level of analysis. Moore focuses on the ecological crises that accompanied global development of capitalism from medieval to modern times.

1) Țara Vrancei means, literally, Vrancea Country. It represents a small ethno-cultural region, among many others (e.g. Țara Bârsei, Țara Oașului etc.), along the Carpathian Mountains. Some of these ethno-cultural regions from Moldavia are known in early Romanian historiography as peasant republics that do not pursue orders from the Crown nor juridical guidance, and pay a collective tax to the Crown which people themselves establish. Dimitrie Cantemir mentions at the beginning of 18th century three such peasant republics within the Moldovan state: Cămpulung, Tigheci and Vrancea (Cantemir 1909 [1716]: 221-3. ▶

the transformation of property regime and market relations in Vrancea and I will show how these changes impacted the natural environment in this small region from South-Eastern Europe.



The Repartition of Common Property among Villages

Vrancea was well-known as a pastoralist region in the historiography of the Moldovan Voivodeship (Cantemir [1716] 1909, 222-3). The pastures in Vrancea were common property for the entire region, thus the flocks could pasture anywhere, disregarding the village they pertained to (Stahl 1958). High inequalities among the number of animals pertaining to different villages led people to go to court in order to have the common property of the region divided among villages. The trial took place in 1755 and was mediated by the Voivode of Moldavia himself.

As free peasants, people in Vrancea were not paying individual taxes to landlords, but a collective one for the entire Vrancea region. This collective tax, called *cislă*, was paid in money directly to the crown. The contribution of villages to *cislă* was made according to the amount of pastures each village was using from the communal property of the region. How exactly individuals were contributing to *cislă*, we do not know for sure, but some documents (Stahl 1958: 146-50) attest that by mid-18th century, some more wealthy peasants were using their contribution to *cislă* to acquire more rights to pastures in the name of their villages, letting some other villages with little or no pastures at all. Thus, *cislă* was used as an instrument of appropriating more rights by some wealthier peasants in the name of their villages: the more contribution to *cislă*, the more rights to access resources for the villages with wealthier peasants. As a consequence, the equalitarian rights of access among villages that had been guaranteed by the crown in return for military services were slowly fading. The trial re-established the equalitarian rights among

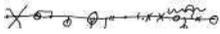
villages by granting each village a well-defined area of common property in the neighbouring mountains. Thus, according to the documents we know, the common property in Vrancea has been divided among villages since 1755.

This episode coincides with the development of an international market in the nearby town of Focșani. Focșani is situated at about 40 km East from Vrancea, at the border with Wallachia. In 1750, a new custom was created in Focșani (Neagu and Mazăre 2009: 14) marking a re-animation of trade relations between the two Voivodeships. Numerous merchants from different parts of Europe and the Ottoman Empire came for business in the new market of Focșani and the small town quickly became a reference point on the commercial route between Iași, the capital of Moldova, and Bucharest, the capital of Wallachia (Iorga 1925).

At the 1774 census, in Focșani there were 170 households, out of which 25 were merchants of different ethnicities, including German, Serbian, Armenian and Jewish. The census specifies that in Focșani there was an official translator for juridical issues, including economic agreements (Neagu and Mazăre idem). This clearly shows the international character of the new market. Jewish merchants had a prominent role in the development of the market in Focșani. In his book dedicated to the contribution of Jewish families to the commercial relations in Focșani, Neagu notes that in 1785 the Jewish, Armenian and Romanian merchants from Moldova had same privileges (*hrisovoliți*) (Neagu 2010, 9).

The episode of the first partition of the common property of Vrancea among villages shows how high inequality in agricultural production among villages occurred in Vrancea in late Moldavian feudal times. This happened concomitant with the development of an international market in the nearby town of Focșani. This episode in the dynamics of common property regime in Vrancea also gives insights into what type of agricultural production Vrancea had at

that time - most production was related to sheep⁴. Yet no remarks regarding over-exploitation of pastures or other ecological disequilibria due to intensive pasturing are to be found in the documents. The restricted trade and credit relations seem to have contributed to the ecological balance of the region in this time period.



Neguțătorii Vrancei - The Merchant for Vrancea

In the case of Vrancea, the political, financial, administrative and juridical issues were regulated by *Obșteea Vrancei* which was formed by the representatives, called *vechili*, of all villages of the region. This sort of 'senate' of Vrancea was not a permanent assembly, but rather a loosely-organized group that gathered whenever necessary (Stahl 1939, vol. I, 290).

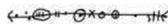
The economic role of the *vechili* was first related to trade and financial issues. Until the late 1830s, people in Vrancea were trading only with one trader, called *Neguțătorii Vrancei - The Merchant for Vrancea*⁵. The clause of the trade and the period during which *Obșteea Vrancei* contracted with this unique merchant was established by the *vechili*. But as a rule, the Merchant for Vrancea was buying products under the market price with the obligation to secure the appropriation of all merchandize produced by the villages (Sava 1931, 36, 49, 50, 56). Moreover, the relation between the trader and the *vechili* was supervised by the state.

This unique trader was empowered by the Moldovan Voivode to lend money to the *vechili* in the name of the people of Vrancea, only up to 10.000 lei. H.H. Stahl states that "this traditional law had, at first, the role to prevent the penetration of traders and pawnbrokers, so that Vrancea's board of administration could better control one single trader" (Stahl 1958, 177). But Stahl, as a left-wing social scientist, publishing in Romania in the midst of the soviet censure of the 1950's, might have overestimated

the role of the unique trader for Vrancea. In a document dated 22 November 1806 (published in Sava 1931, 49-50), the *vechili* complained to the Voivode that people in Vrancea hankered to trade with other traders as well. This shows that some people in Vrancea were eager to trade more and make more profit than others, despite the restrictions imposed by the state.

Also related to trade relations, an important aspect is the commercialization of salt. Salt was a precious product in Europe up until modern times. Vrancea's mountains are rich in salt deposits. As already mentioned, the peasants in Vrancea had free access to salt mines according to the common property regime. Yet the peasants were not allowed to sell salt outside of Vrancea. A document as late as 1853, issued by Voivode Grigori Alexandru Ghica, reinforces this restriction. It states that, according to the vernacular rights of access, people of Vrancea are allowed to take as much salt as they need for their households, but any commercialization of salt, in or outside Moldova, is prohibited. Those who break the law will lose the right of free use of salt and will have to pay a fee double the price of the salt they had smuggled (document published in Cotea 2003, 42).

Therefore, credit and trade relations were strictly regulated in Vrancea by mid-19th century. The existence of one merchant to regulate the external trade in Vrancea, as well as the credit policies imposed by the state also meant a controlled level of agricultural production in the region. What is more, salt, the most precious resource in Vrancea at that time, remained outside the market realm until late 19th century.



Roznovanu Trial

In 1801, the Voivode Constatin Ipsilanti (1799-1801) donated the entire Vrancea region - with all its villages - to Iordache Roset Roznovanu, a high ranking boyar. The board of Vrancea, *Obșteea Vrancei*, contested the decision by claiming that Vrancea is

4) We find this characteristic of agricultural production one hundred years later as well. Conea (Conea 2003, 44), for instance, notes that in 1852, of all 61 departments of Moldova, Vrancea had the most numerous sheep herds.

5) The documents I know which refer to the single merchant of Vrancea are from 16 March 1800, 22 November 1806, 25 November 1806, published in Sava 1931, 36, 49, 50, 56, and all use this denomination. Yet these documents present complaints of the *vechili* with regard to the fairness of the trade relations. Later, in a document dated 12 January 1837 (ibid, 156), we find that one village from Vrancea had its own merchant.

not, and never had been, feudal land. Therefore, the *vechili* went to Iași, situated at about 300 km away, to complain to the Voivode. According to what people reported to H.H. Stahl in 1927, 800 horsemen from Vrancea left together with the *vechili* to ask for justice (Stahl 1981, 69)⁶. The trial lasted for 13 years, during which the *Obștea Vrâncii* spent an impressive amount of money: 78.500 lei.

The accounting documents were found by Stahl and Sava in 1927 in the house of one of the descendants of the *vechili* (Sava 1931, XII; Stahl 1981, 64-8). 25.000 out of the total amount were borrowed money: 10.000 from the Merchant for Vrancea, with little interest, and 15.000 from a merchant from Iași for which *Obștea Vrâncii* had to pay interest of 4.000. Around the year 1806, a goat in the nearby market of Focșani varied between 3,23 and 5 lei (cf. a document from 1806 published in Sava 1931, 50). If we approximate the price of a goat in 1806 to 4 lei, then *Obștea Vrâncii* spent for this trial the equivalent of 19.625 goats. And this was only one of the trials that Vrancea was involved in at the beginning of the 19th century.

Yet some villages contributed with more money to the trial than others (Stahl 1958, 150-3), and in 1816 a new redistribution of the common property of the region among the villages took place. This redistribution was not free of tumultuous negotiations and new redistributions of the common property among villages took place in 1817, 1818 and 1840 (Stahl 1958, 153-60).

These successive redistributions of the common property in Vrancea impacted considerably the natural environment. Stahl (ibid, 163) analyses the difference between the use categories of different territories pertaining to villages. His analysis reveals “a progressive deforestation” (idem), as well as the transformation of former pastures into agricultural use between 1755 and 1816-1817-1818 and 1840.

In Vrancea, the common land was qualitatively divided, and still is, in four categories of use: *frunte* - the alpine pastures; *munte* - the forested areas; *codrii merii*,

dense deep forest, sometimes pristine forest; and *frunză* - the pastures next to a watercourse (Stahl ibid, 146). Many territories known as *munți* (pl. from *munte*, forested areas and pastures) become ‘*frunze*’ (pl. from *frunză*), while other *munți* become mowing places for hay used in individual households. Also *codrii merii* diminished considerably between 1755 and 1840. Therefore, Stahl concludes that very few territories have the same use in 1840 as in 1755.

Before moving to the next section, a few important political events with regard to the overall historical context of the Moldovan Voivodeship between 1840 and 1890 are to be mentioned. In 1834 the trade between Moldova and Walachia was liberalized; in 1848 the custom in Focșani between the two voivodeships was eliminated and in 1859 the two united under the name Romania. In 1864 the administrative reform of Alexandru Iona Cuza Voivode established, following the French administrative model, the communes as the state’s basic administrative unit. As Stahl’s (1939) and Sava’s (1931) studies show, in Vrancea, the former *vechili* became leaders of the newly-established communes. In 1865 the parliament of Romania adopted the first constitution and the civil code, where private property was defined as individual property. This administrative reform had a considerable impact at local level as transnational logging companies arrived in Vrancea by the 1890s.

The Transnational Logging Companies

As soon as the Allies (United Kingdom, Ottoman Empire and France) defeated Russia, the Crimean War (1853-1856) finally came to an end. As a result, Western transnational companies were free to extract raw materials and trade goods in the territories around the Black Sea. The liberalization of trade relations in the Black Sea region had a significant impact on Vrancea. With the arrival of transnational logging companies, forests acquired an increased economic value in the region.

6) After examining several other documents from that time, Stahl concludes that the number is eloquent for the military capacity of Vrancea.

Transnational logging companies established in Vrancea in 1893. This means that by this year the companies had offices and permanent employees in some villages. Yet previous economic relations had existed before this year⁷. Anyhow, starting with 1893, according to village hall documents, the foreign logging companies became a permanent presence in Vrancea. All the administrative personnel and forestry workers were foreign, mostly Austrian and Italian.

When the representatives of the transnational logging companies arrived in Vrancea, they encountered a peculiar legal system based on common property rights for accessing forest resources. This state of art was not covered by the existent state law, the Civil Code only recognizing individual private property and not common private property (Sava 1931; Stahl 1958). What is more, common property rights were not marketable. But as Stahl and Sava show (*idem*), since 1878 some local leaders, mostly the leaders of the newly-established village communes, some former *vechili*, had already started to trade use rights in the name of the community and retained the financial benefits for themselves. A new bourgeoisie was to be born in Vrancea.

Stahl and Sava show (Stahl 1959, 208-209; Sava 1931, XXXVIII) that by the beginning of 1900 there was already a competition among various foreign logging companies to acquire individual use-rights in Vrancea's forests, or to simply rent the entire mountains from the villages' elite, both strategies unlawful with regard to Vrancea's customary rights. Such companies were *Putna Forest* from London, *Țișița Company* (belonging the Grödl Baron Brothers from Budapest), and the *Anonym Romanian Forestry Society* (ARFS) based in Bucharest. Interestingly enough, Take Ionescu, Romanian Prime-Minister in 1910 and member of the liberal party, was the lawyer of the *Țișița Company*, while the ARFS belonged to Alexandru Marghiloman, member of the Conservative Party, later on, in 1918, also Prime-Minister.

What it is interesting at this point is

the absence of the local institution *Obștea Vrâncii* from the negotiation with the transnational logging companies. The dissolution of this regional institution, which acted in the name of the confederation of villages in Vrancea, is analysed by Stahl in detail in the three volumes of his *Contribuții*. His conclusion is that the slow disappearance of *Obștea Vrâncii* is due to the erosion of the communitarian spirit in Vrancea as capitalist economic relations made their way into the region. But, as the post-communist section detailed below shows, this answer is not satisfactory.

The lack of jurisprudence mediation between Vrancea's customary property regime, *devălmășie*, and the modern Civil Code, favoured the companies. *Devălmășie* was pictured as a sign of social backwardness in the public political discourse. Take Ionescu, for example, puts it very clear in a discourse in the Romanian parliament in 1910: "the status of joint-ownership is against the natural social order, and the progress stays only in individual ownership" (quoted in Stahl 1959, 213). Take Ionescu was pleading for the complete abolition of common property in Romania, but, in fact, he had other economic and political interests to defend.

Yet the ecological consequences of the arrival of the logging companies in Vrancea were devastating. So big were the ecological damages that the new forestry law from 1910 states as motives of the law:

"The big societies of wood exploitation, mainly foreign, with the help of local village elites, bought the [communal] forests of moșneni and răzeși [free peasants] at very low prices, almost nothing, compared with their true value. The local leaders of moșneni and răzeși received the biggest share of the price, distributing very little money to the other co-owners. Thus, the foreign companies could access the endless and beautiful jointly-owned forests, achieving tremendous gains at the disadvantage of moșneni and răzeși, who were the victims of their own ignorance, because none of them, leader or not, knew the true value of these forests." (Codul Silvic,

7) This is shown, for example, in the case of the fraudulent purchase of the common property of a village in 1878 by a company from Austria, using local leaders (the case of Bodești village Stahl 1959, 208-9).

April 9th, 1910, Monitorul Oficial, quoted in Stahl 1959, 208).

Still, the new forestry code conflicted with the vernacular common property regime in Vrancea, as well as with other common property regimes such as equalitarian *obște* in Walachia (Vasile and Măntescu; 2009, Măntescu 2012), or border-line commons in Transylvania (Șișeștean 2009, Roșu 2010). State officials were aware that the village communities in Romania owned important surfaces of forests, but this property regime was not regulated by the state at all, and, thus, did not contribute to the state budget. Moreover, the natural valuables located on these common lands were outside the free market realm – therefore, a double loss. For these reasons, the Liberal Party in power back in 1910 pushed the forestry code as a tool for introducing common property regimes into the market realm.

The Forestry Code instituted for each village community new regulations and restrictions with direct impact on peoples’ access to forests and other natural resources such as pastures and salt. Each village community was entitled with an *Așezământ* – an official standard document according to which the villages had to elect a board of administration “which represents the people (in original “ceata moșnenilor sau răzeșilor”) for a third party”. Moreover, the *Așezământ* stipulates that it is mandatory for every community to have a bookkeeper and a president (The Forestry Code 1910, at. 46). And what is of foremost importance, the *Așezământ* stipulated that each community had to enlist the surface of the forest, the limits of the property and the number of

co-owners.

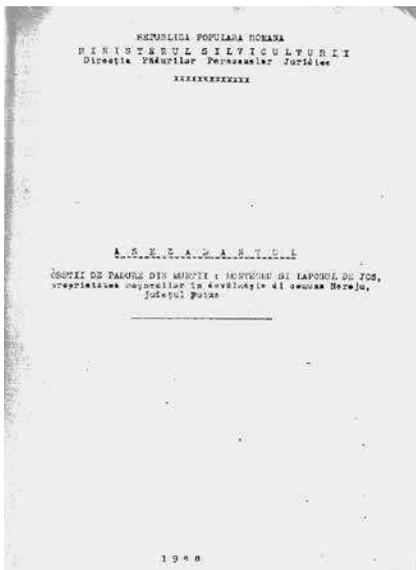
But there were no co-owners in Vrancea for people had equal and undetermined shares in the common property. The right to access the resources was a right of use, and not an ownership right. By imposing the lists with co-owners, the state attempted to transform the equalitarian *obște* system into a share-owned property system. The shares could, therefore, be inherited, sold and bought like any other goods, and the communal forests of the villages could be subject to market transactions (Sava 1931, XXXVIII; Stahl 1959, 206-220).

After 1910, taking advantages of the new forestry code, companies were, therefore, buying rights of access from the individual peasants from the lists of the *Așezământ*. Seizing the opportunity to make money, some peasants started to buy rights of access from fellow villagers in order to sell them to the companies. By the beginning of 20th century, a new local market trading rights to access the communal forests appeared in Vrancea.

By 1915, there were already legal complaints from peasants to the authorities with regard to the abuse of the foreign companies. A prominent conflict was between the *Țișița Company* and the peasants from the village of Păulești. People complained that the company was logging illegally on their common property and was building a railway on their land without their approval. The *Țișița Company* built about 100 km of railway between the village of Greșu, west of Păulești, at the border with Transylvania, and Mărășești, the nearest major railway-node in Moldova. In 1916, the carrying capacity was 13 railway locomotives, 120 wagons for carrying trunks of 10t each and 3 wagons for passengers. In 1930, there were 30 railway locomotives (Neagu 2008, 86). Yet no measures were taken by the officials, maybe partially due to the upcoming World War, so the authorities were not particularly bothered by the events (Neagu 2007, 97).

Nowadays, the people of Păulești remember the acts of sabotage that their forefathers did against the *Țișița Company*.

Fig. 3. Picture of the front cover of the *Așezământ* of the village of Nereju dated 1948. The village of Nereju was the last village in Vrancea who adopted *Așezământ*, only few months before the abolition of property rights by the ruling communist government.



Starting with the mid-1960s, the communist government of Gheorghe Maurer proceeded with massive re-forestation plans in all Romania, including Vrancea. Yet, as Nistor emphasizes in her work (ibid, 226-234), the reforestation was not made with local species of trees, but with rapid growing ones in accordance with the Soviet model of forestry science. Some of the people in Vrancea worked in the newly-established forestry sector as wage earners. The alpine pastures were not included in the reforestation process due to the high altitude of the Carpathian Mountains. But the overall landscape changed dramatically.

However, the contact between the villagers and their former common properties was not interrupted. Access to the forest became possible only through the state forest guard. Nevertheless, people continued to acquire fuel-wood and wood for construction from their own common properties even in the case when the forest was not located close to the village. The rationale behind this is the knowledge of the forest.

People knew the forest, and most had particular *good spots* for getting wood, especially wood used for construction. Building a house, a store house or a stable was a serious investment, and the most valuable trees were preserved from one generation to another in this regard. After the rough exploitation by the transnational companies and the Soviet regime, the most valuable wood was extremely rare and these trees were of great value for families and, sometimes, the trees were kept secret. Sometimes it was known in the community that a particular family envisaged to get trees for construction in a particular spot, and such a spot was subject to public or hidden bargaining.

Nowadays, the people in Vrancea still have very present in memory the ecological disaster from that time. One of my key informants in Păulești remembers the problems people had in procuring even fuel wood.

"I remember how in the '50s, during winter time, people were cutting the plum trees from the garden for there was no fuel-wood to be



found anymore in these mountains." (Male, 80 years old, interviewed in 2003).

Yet the reforestations led to the formation of a new concept of the forest in Vrancea. People were all taking wood from a new forest now, the state forest. This forest was new not only in terms of property rights and access, but also physically. The landscape changed so dramatically as soon as pines and other coniferous were planted that some places around villages changed their names. Other places kept the original denominations despite the obvious mismatch with the reality. Still, studying the local toponymy is a good way of unmaking local ecological histories.

The way people were getting wood from the forest in the latter period of the communist regime (i.e. after 1980) was more or less legal. Most of the stories imply the tacit acceptance of the forestry guards, who were locals as well. A common practice when stealing wood was to bury the trunks in the courtyard of the house or as close as possible to their place of destination. Most of the men

were chopping the wood for construction in incredible conditions such as in underground trenches camouflaged in straw. Once the trunks were ready, they were immediately used in the construction or cut into pieces for fuel-wood, so that no evidence of the stolen wood could be found. Culiță remembers how in 1985 police came to his house while he and his father were building the new house.

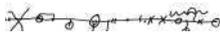
"I was twenty years old when my father and I started to build this house. One day the police came, and said that they had been told that we had stolen the wood for the house. My father was next to me and the police was at the entrance of the courtyard. I told them, I don't know, just like that: we didn't steal for the forest is ours. The police replied: how come that it's yours when it is the state forest. Then I said that the forest might be planted by the state, but the land is ours. The policeman got into difficulties, he was not from here, he was from somewhere in Transylvania. And they left... later I was told by my father that I would keep my mouth shut, unless I wanted to go to



prison. But I only told them what I knew.”

The case of Culiță, my host, is not particular. He was told by his father about the *obște* of their village, about the important common property the village used to have. His father was a shepherd and, like other shepherds in Vrancea, he continued with his alpine pasture business during communism, as these pastures, although still owned by the state, remained open to the villages for common use. Many times, Culiță went with his father in the mountains and this is where he learned about the common property of the village and its limits. People in the mountains were speaking openly about the limits between the common properties of the villages, and sometimes getting into fights for breaking into the former village properties. The use as common property of the alpine pastures regenerated permanently the memory of the common property until 2001, when the reestablishment of property rights for the villages took place. These memories were essential in peacefully tracing the boundaries between the re-established village properties.

The communist episode in the history of common property regime and economic relations in Vrancea shows how the natural environment was impacted by state driven re-forestation policies. The local biotopes were replaced with more productive species of trees in accordance with the Soviet forestry science. The market relations based on credit, commodification, creativity and competition were replaced by state-centred economy. Yet the search of the communist state to remediate the ecological crisis was made in accordance with economic laws of efficiency which radically changed the landscape in Vrancea.



Hotar: the Re-establishment of Property Rights and the Nouveau Riches⁸

In 2000 the Romanian parliament voted the law for property restitution of former possessions confiscated by the communist regime. This also included the communal

forests belonging to the villages in Vrancea region. While the individual possessions were highly disputed in legal courts, this was barely the case for village commons (Vasile and Măntescu 2009). The re-establishment of common property rights in Vrancea contributed to the development of new socio-representations of Nature. Nature turned from a witness of dispossession and retaliation to a bystander of common property rights and justice. I will describe below how the bordering of the common properties was established according to customary negotiations of just boundaries, what people call *hotar*.

There are different denominations for boundaries in the Romanian language, each bearing different meanings that the juridical dictionaries ignore. *Limită* is a neologism which was adopted in the Romanian language from French, most likely together with the Civil Code as many other juridical terms. *Limită* (pl. *limite*) is used in legal contracts in formulations such as “*limita proprietății*” (the limits of the property). *Hat* (pl. *haturi*) is another word for property-related boundaries. It comes from the Turkish word *had*, which means “authority”, “authorization”, “value”, but also “to ordain”, “to order”, or “decree” (DEX 2009). *Had* is close to the Ottoman Turkish word *hat*, which means line. The word appears in Romanian language in legal contracts during the Ottoman authority over the Romanian Voivodeships. In our times however, the word has more outdated connotations in spoken Romanian. Still, the word people commonly use in Vrancea for boundaries is not “*limită*”, nor “*hat*”, but the vernacular *hotar* (pl. *hotare*), most of the time used in singular form.

Hotar is a polysemantic term: as a noun it means “boundary”, but as a verb it means “to agree”, “to decide” and “to neighbour”. For example: *Noi ne-am hotărât asupra acestui plan*, means “We have agreed upon this plan.” *M-am hotărât să vin la tine*, means “I have decided to come to you.” *Obștea Păulești se hotărăște cu obștea Tulnici* means “*Obștea Păulești* neighbours *obștea Tulnici*.”

⁸) An earlier version of this section has been published in Măntescu 2012 (p. 242-4) in an open access format.

The first two meanings (“to agree” and “to decide”) are used in spoken language disregarding regional differences, while *hotar* as a noun is used more in the countryside and not in Romania’s urban milieu. In the urban, people will talk about *limite*, the limits of their individual private properties, and will not say *hotar*, unless they want to “sound like peasants.”

This is to say that, in my opinion, in the Romanian language, *limită* and *hat* are words that denote an externally imposed thoroughness. Likewise, in English language we find *mete* and *bounds* for land boundaries in the archaic language, while *limit* hints more toward externally imposed rigors with scrupulous and inflexible adherence. The *limit* is the terminal point, but in the capitalist culture is also the obstacle to be pushed further (Turner [1893] 1998). The word *hotar* however, denotes that “two or more than two parts have negotiated and mutually agreed on the boundaries of a property, or as a verb, that two or more than two social agents have mutually agreed or decided upon something, behavioural norms included. *Hotar* has, therefore, „an embedded sense of justice through its intimate link with the agreement of the parties involved” (Măntescu 2012, 243).

One more aspect of *hotar* as noun, therefore with the sense of “boundary”, is that it usually trails the natural development of the geographical surrounding. In Vrancea, *hotar* can be a river, no matter if the river naturally changes its stream. All these aspects should be subject to further inquiry and it is, obviously, debatable how much justice *hotar* embeds across present-day rural Romania. But during the process of village properties re-establishment in Vrancea, *hotar* was a crucial element in peacefully establishing the common properties of the villages.

Bogdan, still the president of *obște*a Păulești at this date, recounts how the collective bargaining of the boundaries of the *obște*a took place.

“People gathered in 2001 for the establishment of the limits of the obște (hotarele obștii). There were the elderly from the neigh-

bouring villages and we went into the mountains. We, the youngsters, were behind them carrying buckets of paint. And the elderly were talking, making jokes, and we were listening to them. We walked around the obște property (hotaru’ obștii) and as soon as they agreed (hotarât) on a point, we would paint an “H” on a tree, these “H”s with yellow paint that you saw in the forest.”

I heard the same story from Culiță many times, as he had also been there. “And there, in the mountains, we agreed upon the limits of *obști* (Acolo am hotărât obștile)”, Culiță told me. This last expression is confusing even for me as a native Romanian, because it can read: people “decided upon”..., or we “set” the limits. We see now the troubles that both vocabulary and customary property regimes caused to lawmakers in Romania.

The village of Păulești did not encounter difficulties in establishing its property rights. Most of the limits of its common property – of its *hotare*, are natural loci, such as rivers and mountain crests. But something interesting happened in the neighbouring village of Tulnici. Tulnici borders the village of Ojdula on the West, in Transylvania, in majority inhabited by ethnic Hungarians. Ojdula has common forests and pastures as well, in the form of compossessorate (Vasile and Măntescu 2009). The delineation between the two villages was subject to rough legal fights (including the European court in Strasbourg) and violent conflicts. After 14 years of trials, Tulnici won not only due to the documentation people from Tulnici presented, but also because *hotar* was understood as an element of local governance.

People of Tulnici and the neighbouring villages, including Păulești, blame the past expansionist attempts of the Habsburg Empire for the post-communist conflicts over property rights. The demarcation between Tulnici and Ojudula is not only a limit between two village properties; it is the past frontier between two major empires in world history – the Austrian Empire and the Ottoman Empire. The borderline between the two villages is a geostrategic point of crucial



importance for continental Europe. Here, by the Carpathian Arc, major battles were fought, also counting the two World Wars. What is more, the borderline between the two villages is a borderline between two cultures and between two totally different idioms. Whereas the frontier between the Austrian Empire (from 1867 to 1918 the Austro-Hungarian Empire) and the Moldavian Voivodeship varied along the years, the limits of the common properties and the rights of land-use also varied. All this was at times seen just or unjust by the local people. It is common in Vrancea to hear “this where the limit is, but it is not *hotar*”. Bogdan, the president of *obștea* Păulești, explained this to me in very simple terms: “The frontier moved all the time, and now Ojdula wants to follow the old imperial limits (*limitele imperiale*). But *hotarul* was never the way they say, *hotarul* is where the waters split, and they have to admit this, for the mountains do not move.”

Bogdan refers to the geomorphology of the mountains. According to the local knowledge in Vrancea, the limits between the two villages are those places where waters start to flow towards the West. All valleys of the rivers that flow towards East belong to the villages from Vrancea and those that flow towards West belong to Ojdula. Consequently, the local geomorphology is profoundly entangled with *hotar*: the limits of property can vary, frontiers between states and empires can vary in favour of some and disfavour of others, but *hotar* is where both sides agree, and nature can be a witness. In this case, Nature is part of a principle of moral rightness; it is a bystander in establishing just governance in a form of socio-nature coordination.

Yet the re-establishment of property rights in Vrancea meant the establishment of new capitalist economic relations in the region together with new ecological pressures on the forest. After 55 years of communism, new economic relations got instituted in Vrancea. Former communist local leaders, such as mayors or managers of the former communist collective farms, benefited from

different political, social and sometimes financial capital than ordinary people. Starting with the early 2000s, local logging companies mushroomed in Vrancea. Almost as rule, the logging companies belonging to the former communist elite developed more than others. The new local and national timber market boomed in the years to follow. This led, in turn, to a further ecological crisis in Vrancea. No later than 2006, new conservation policies in accordance with the EU regulations were designed and instituted.

The episode of the re-establishment of property rights in the history of common property and economic relations in Vrancea, which I also witnessed during my first fieldwork campaigns in the region, shows that the re-establishment of common property rights was done in accordance with a local understanding of the just limits of property. This vernacular understanding of just limits is built upon a sound understanding of the natural environment, which can be considered as a bystander during the negotiation process. Local governance in Vrancea is reliant upon a social representation of nature, which is itself dynamic. Yet, the re-establishment of common property rights also fuelled the development of a local timber market which expanded the ecological pressure on the forest in the region. The social representation of nature is therefore once again brought into question and this deepens social inequalities at the village level.



The Implementation of the EU Nature Protection Policies

In 1971, 0.0042% of the Romanian territory was, according to scripts, a protected area⁹. The protected areas within the national territory grew at 4.8% between 1989 and 2000. These protected areas were established only by government decrees, without being backed up by a special law for nature conservation. In the following six years, from 2000 to 2006, the percentage of protected areas went from 4.8% to about 8% of the national ter-

9) In 1973, some projects were made to establish new protected areas, but they were not finalized.

ritory. But by the end of 2007, the percentage went up to 17.84% (Stanciu and Florescu 2009, 21-2). Within few months, 381 new protected sites were established in Romania, mostly in the Carpathian and sub-Carpathian areas. This rapid growth of protected areas in Romania was necessary in order to meet the EU requirements for Romania's EU accession (an issue developed at length in Măntescu 2012).

The property restitution process also started in the year 2000, first with National Law 1/2000 and continued with National Law 5/2005. Thus, in post-communist Romania there are two concomitant and antagonist processes happening: on the one hand, the process of establishing protected areas, and, on the other, the process of property restitution, among which, of course, the common village properties in Vrancea. Therefore, one process was that of enabling access rights, the other was restricting the newly established rights in the name of nature protection.

This tension generated confusion at village level in regard to what property rights represent in the context of EU environmental policy-making and what is the role of state as guarantor of property rights. "I do not understand what the word *owner* means nowadays", as Culiță bluntly put it¹⁰. People in Vrancea saw the establishment of the protected areas, made above their heads, as another political trickery meant, *de facto*, to dispossess them. With the memories of dispossession (Moore 2005) still fresh in the local discourse, from the Roznovanu trial to the transnational logging companies and the communist regime, the EU policies for nature protection had no support at the village level, with the exception of state representatives.

The process of establishing nature protection areas in post-communist Romania is also characterized by the lack of experts in the field of nature conservation. At the high level of state agencies this is a well-known problem, but, as one representative told me, "we have to deal with it in order to meet the EU *acquis*".

The protected areas in post-communist Vrancea were established in a big hurry and without a sound scientific basis - "they were made on the knees", to follow a common expression among local forest guards. This was actually a creative compliance strategy on the part of local agencies in response to state pressure that was eager to comply with the EU adhesion standards as soon as possible. For Vrancea, this state of art had tremendous environmental consequences.

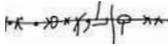
People in Vrancea view the implementation of the EU nature conservation policies as an act of injustice. As soon as they got their common properties back, new restrictions in accessing forest resources were imposed on them for meeting the EU *acquis*. This state of art had two consequences: first, a new social understanding of Nature was imposed onto them, that is the understanding of Nature as a protected space for the sake of planetary good; and on the other it had hindered people in Vrancea from participating in the local timber market. The new timber market was, and still is, monopolized by the former communist elites who have enough political power to not fear governmental controls. Their understanding of the forest is completely different from that of the environmental activists who want to protect it. To quote one of the wealthiest logging patrons: "the forest never ends, you cut it, and it grows anew".

On the other hand, if ordinary people are caught getting wood from the forest without permission, they are subject to hard sanctions. In order to repair this injustice, people have broken into village commons and cut trees illegally. The fear at the local level that more restrictions could be implemented following Romania adhesion to the EU has lately led Vrancea on the verge of a new ecological crisis.

This most recent episode in the history of common property and economic relations in Vrancea shows how EU environmental policies can generate new environmental crises at the local level when conflicting with property rights. Nevertheless, it demonstrates how agrarian differentiation based on access

10) See the quote in "Stronghold 2000" ethnographic film, min. 60, available freely on the vimeo online platform.

to natural resource is actually deepened by the EU nature protection policy-making.



Conclusions:

The Ecology of an Agrarian Question

In this study I showed how the dissemination of capitalist economic relations based on credit, commodification, creativity and competition changed the common property regime and negatively impacted the natural environment in Vrancea, Romania. Following a *longue durée* approach, the article revealed how the capitalist transition in the countryside can change the local socio-ecological relations. In this regard, the main conclusion of the study is that changes of the social representation of Nature, changes of the modes of appropriating Nature, and changes of the institutions that

govern the economic action in the natural environment, in this case 'obște', are intimately linked with market dynamics. Viewed from this perspective, the agrarian question in Vrancea comports a strong ecological dimension. Agricultural differentiation in post-communist Vrancea is closely linked with various forms of access to forested land. When access surpasses property rights, ecological crisis at village or regional level are imminent. An analytical framework for analysing the ecological dimension of the diffusion of capitalist economic relations in a particular socio-geographical setting should therefore take into account how such diffusion is reflected in the dynamics of property regimes and how these, in turn, impact the natural environment. More empirical investigation is required in this regard.

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