

COMMON LANDS IN SPAIN (1800 - 1995): PERSISTENCE, CHANGE AND ADAPTATION

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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 disappear¹. Hardin's approach (1968), in his famous "tragedy", was the peak of this definitely pessimistic interpretation, which saw privatization 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 analyze common resources in a new light². Bearing in mind that communal management has always been guided by rules (formal or informal) that have determined the forms of use and access, the mechanisms for avoiding inefficiency and over-exploitation need not necessarily lie in privatization or State ownership; they can be based, in fact, on a re-definition of the rules, which aims 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 conflicts⁴.

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".

These approaches call for a fresh look at the history of the commons, no longer considering them as resources necessarily destined to disappear, and which attempts to discover what forces have acted on their historical trajectory and how the complex processes of negotiation and conflict which have constantly affected them have been resolved. From this perspective, this paper analyses the evolution of common lands (pastures, woods and, albeit to a lesser extent, crop lands) in Spain over the 19th and 20th centuries, taking the following interpretive proposal as a basis: the gradual consolidation of capitalism which took place in the western world, the increasing importance of the market as a mechanism for allocation of resources and the prevalence of individualism in the taking of economic decisions, went hand in hand with major changes in common lands which, over time, have experienced an alteration in their economic usefulness and have had to transform themselves to adapt to changing situations. In this context, the various agricultural - and general economic - groupings, as well as the make-up of the political system, have played a major part in the greater or lesser persistence of the commons, in their forms of use and in their successful or otherwise adaptation to new situations.

In order to develop this proposal, after outlining a starting point at the end of the *Ancient Regime* and describing the principal methods of transformation, the paper distinguishes between four chronological periods, by means of which an attempt will be made to detect the economic, institutional and social forces that have had an influence on common lands, then goes on to describe their basic comportment and finally characterizes the principal results arising from all that has gone before.

1.- A starting-out point and three complementary methods of transformation

In Spain, as in the rest of western Europe, common lands at the beginning of the 19th century were to be found in widely varies situations depending on the environmental, economic and social features of each region. However, there are some basic elements that may be established which do give a broad outline of the utility of these spaces on the eve of the Liberal Revolution. Firstly, 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 organization of production, this being an essential complement for agriculture and many other economic activities, carried out mainly at a local level, but which could also be run in much wider

geographical and economic fields⁵. Secondly, and closely linked with the above, it is, to say the least, naive to say that the use of common spaces might be based on open access, as Hardin (1968) proposed. On the contrary, the key element of the common property regime was precisely the regulation of a system which included the distribution of shares for the members of the community (and therefore excluded outsiders), the fixing of times and areas for exploitation, assuring that the rules were complied with and also the resolution of any conflicts that might arise (Sala, 1998).

Finally, within the framework of a social organization based on feudal privileges, and therefore, profoundly unequal, the commons, as one of the central elements of the system, reproduced in large measure class distinction although with a major nuance. Although, on the one hand, it is clear that when establishing access to the resources, those with the power had the upper hand when imposing their conditions, on the other hand the common property regime offered the less fortunate certain room for maneuver by allowing them to carry out more than one activity and not destine them exclusively to working for others (Thomson, 1991)⁶. In fact, the common lands played a fundamental role, not only economically but also socially speaking, and as a result they had always been in the center of conflicts arising from access to their resources⁷.

However, from the beginning of the 19th century, pressure on the common lands was to undergo a fierce increase which resulted in three complementary forms of transformation. Firstly, the gradual establishment of a market economy was to cause a process of privatization whereby a lot of common lands were to cease to be so, and would go on to be exploited privately. Of course, not all commons were to undergo this process. On the contrary, there were many that survived and had to adapt to the changes the country was going through, and they did so, in the main, by transforming the rules that governed their use. Finally, the two previous forms were influenced

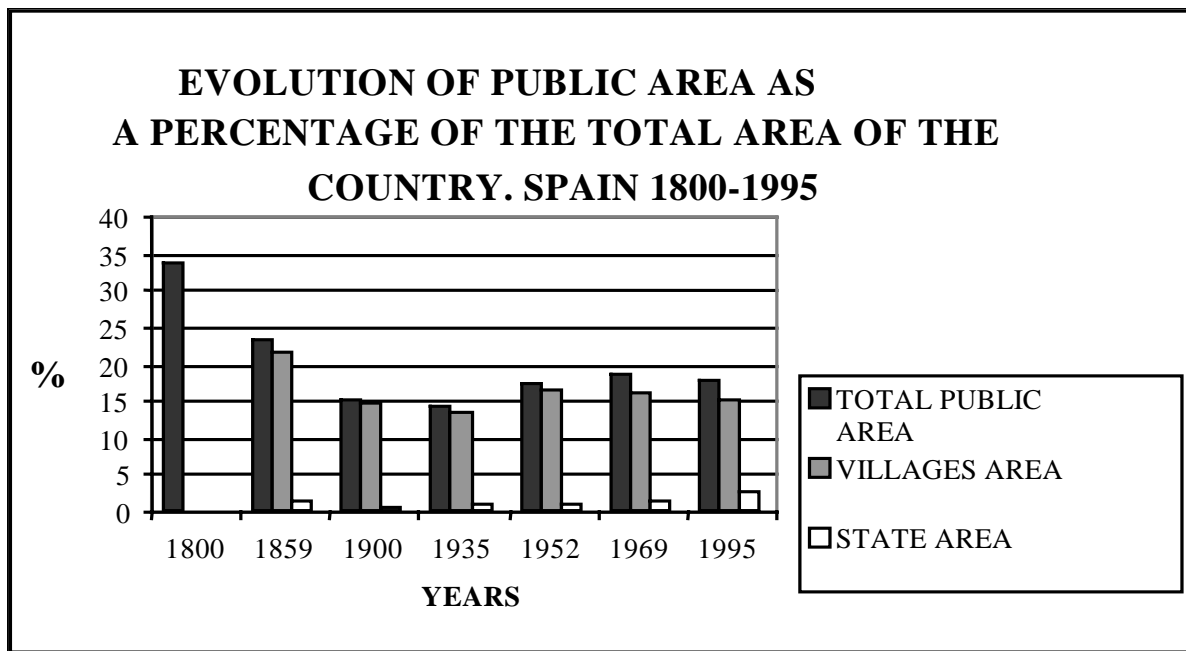
⁵ With regard to agriculture, the commons were a reserve of arable land and were also the source of animal feed and land fertilization. In addition, the common woods yielded products that were essential for the survival of peasant economies, but also raw and combustible materials used for other economic 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 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 organization in uplands areas in the 18th century, perfectly illustrates this double use of common lands, which on the one hand did not stand in the way of the gathering of the wealthy, and yet made possible a complex adaptation of less-favored groups.

by a third, the action of the State, which since the 19th century had been attempting to control the privatization and persistence processes, and also attempting to exercise greater control on the lands which were not being privatized, either by becoming the owner of these or by attempting to influence and even impose certain forms of management on the communities.

Thus, the fate of the common lands has been varied and complex, and this makes 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 which went on being exploited under a common property regime⁸. However, this paper will work on the premise that these types of uses continued to evolve mainly on lands whose ownership remained in the hands of the villages and also on most of the State uplands. Both types of land began to be known, over the 19th century, as "public" land and this is the term that will be used to refer to them from here on⁹.

Figure 1



⁷ The uses of the commons appear as the cause of the numerous conflicts arising in the 18th 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 19th century. (GEHR [Rural History Studies Group], 1994; Balboa, 2000).

From this perspective, the evolution of these public lands over time is a rough indicator which enables us to trace an overview of something we can subsequently rationalize¹⁰. And so, figure 1 shows quite clearly what the principal long-term trends have been. Thus, the 19th century was characterized by a massive expansion of privatization which affected all public lands. Subsequently, during the first third of the 20th century, privatization continued but at a much lesser rate than in the previous phase and there was even a slight increase in the area of State lands. From then on, once the Spanish Civil War (1936-1939) was over, the trend went clearly in the opposite direction and at least until 1952 there was an increase which affected both State lands and public lands. Finally, in the following decades, an antagonistic comportment may be perceived between State lands, which went on growing, and municipal lands which decreased slightly in 1969 and more markedly in 1995.

This evolution enables us to establish four main periods which tie in reasonably well with our understanding of the agrarian - and general economic - history of the country, by means of which we may characterize the evolution of the persistence process as well as the changes in economic function and in the forms of use of those public lands that maintained their status.

2.- From the crisis of the *Ancient Regime* to the turn-of-the-century agricultural depression.

This period, which takes in most of the 19th century has been thoroughly analyzed, and therefore it is relatively easy to characterize. In general terms, it may be said that this long phase saw a whole host of circumstances in the country - the growth of the population, increase in farming prices, technical change and improvements in transport (García Sanz and Garrabou, 1985), and these circumstances gave rise to an expansion of cropping and drove certain social groups to promote the privatization of common lands (Sanz Fernández, 1985). The disappearance of these

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-19th century, the slow development of measuring techniques, and especially the reluctance shown by many communities for the communal areas that they controlled to be known (they ran the risk of losing 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 reason especially with general trends rather than with specific levels of increase or decrease.

spaces might have been directly related to the extension of cropping (to the detriment of privatized 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, privatization probably consisted of the integration of pastures and uplands in the framework of private exploitations, which in this way, ensured the providing of essential factors for their operation (GEHR, 1994).

The timing of this process may be analyzed under two major periods. The first, roughly taking in the first half of the century, was characterized by disorganized privatizations which were carried out under the aegis of an ambiguous legislation, typified by a time in which liberal society was being established. In addition, this was a period which, especially until the end of the 1830s, was characterized 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 whole¹¹, but generally speaking, it may be estimated that around 30% of common lands existing at the beginning of the 19th century had been privatized by 1859.

The second period began in the 1850s and continued over the following decades, only to slow down subsequently as a result of the end-of-century farming crisis¹². The disappearance of common lands was even higher in this second phase than in the first - around 34% - since in these years, the market incentives which stimulated an extension in plowing became more evident. However, the action of the liberal-bourgeois State, which had been firmly in place since the 1840s, marked a fundamental difference with respect to the previous period. Its intervention was to follow two lines which could be considered complementary. Firstly, it clearly fostered the sale of common lands by issuing legislation which favored the establishment of private ownership rights. Secondly, in view of the economic as well as environmental interest of many public lands, it established mechanisms which allowed a certain degree of persistence, and these may be divided into two blocks. The first gave certain room for maneuver to the villages by

¹¹ Although there are some regional studies analyzing this period and most of them agree that privatization was probably highly intensive. See De la Torre and Lana (1999); Linares Luján (1995); or Jiménez Blanco (1996).

¹² Normally, studies analyzing privatization prolong this period up to 1936. However, De la Torre and Lana's study (1999) in the case of Navarre proposes this new chronology centered on the deceleration of privatizations from roughly the 1880s onwards, and they relate this to the change in farming patterns which was implanted as a result of

permitting them to draw up dossiers in defense of their lands¹³. The second was more drastic, since the State reserved the power to make a direct exception for some uplands which, for their effect on the environment, could not end up in private hands¹⁴. This second formula was aimed at avoiding privatization, but at the same time it aimed to dispossess rural communities of the power of direct administration of their lands, supposedly because the traditional exploitations carried out by the villages was giving rise to the systematic destruction of the uplands¹⁵.

Thus, within the commons scenario that was being created right through the 19th century, three forces were to have leading roles. On the one hand, you had groups that, guided mainly by market stimuli, were in favor of privatization. On the other, groups who saw advantages in maintaining the traditional *statu quo* and preferred to see the commons surviving, with the villages' powers of administration over them being maintained. Finally, the State, as an intermediary - although not necessarily impartial - which aimed to arbitrate between the parties and establish greater control over the commons that remained. Thus this was a period that was very open and full of conflict, the resolution of which depended on the different environmental, economic and social contexts prevalent in each area. In each one of them the force of the various options for imposing objectives or for establishing tacit alliances was different and consequently the results would be different as well. From this perspective, flexibility in the application of the law and the regional diversity of the results seemed to be the prevailing factor.

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 privatization 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 analyzed, 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. In fact, 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.

However, to give a little more fine-tuning to the characterization of the persistence process, two fundamental elements should be mentioned. The first is the physical characteristics of the commons that were preserved, many of which were high uplands, with steep slopes which meant that grazing was the only possible use that could be made of them bearing in mind the practices of the time. In this context, the demand for privatization was low, not only because of the characteristics just explained, but also because it was expensive to acquire these lands. This was not only because the purchase price was extremely high, but also, and more importantly, because the exclusion of other potential users called for a degree of vigilance that private individuals could ill afford. In addition, this low demand coincided, in most cases, with the forestry engineers' conservation interests, and this was another reason why they were not sold.

Of course, not all the conserved lands had these features, and this leads us to a second explanation, partly related to the first, but somewhat more complex - the type of social organization prevalent in each region. Thus, in areas characterized by a non-uniform distribution of land, where large-scale owners dominated the economic and political control mechanisms and where, moreover, exploitation opportunities 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 had been public up to then for their own exploitation. On the other hand, in areas where the consolidation of capitalism was giving rise to a less unequal share-out of land, in which a large group of peasant small-holders was being established, things developed slightly differently and the degree of privatization was not so high, not because wealth was more evenly distributed in these areas, but because unlike in the previous case, there was a certain social consensus on the conservation of at least a part of the commons, which probably benefited all the social groups to a greater or lesser extent. Those with the power were benefited because, through the regulations established, they were able to continue having advantageous access, and the not so favored groups benefited because they could still obtain essential resources for their survival¹⁶. In the first context as well as in the second, it seems the State largely limited itself to backing the predominant options in each case, favoring the sale of common lands in places where there was a clear demand for privatization, and respecting them

¹⁶ The maintenance of the status quo was based not only on a cost-benefit calculation, but it was also influenced by other aspects, difficult to measure, related to reciprocal cooperation between members of the communities (Sala, 1996)

everywhere else¹⁷. Thus, one can say that the commons' persistence process right through the 19th century played a fundamental role in the consolidation of various farming models and was also decisive in steadying or speeding up, depending on circumstances, the social upheaval generated by the implantation of capitalism in the rural environment. In areas where there were a lot of privatizations, many peasants were denied resources to which they had enjoyed access free of charge; they saw the traditional mechanisms of collective action being eroded and they were forced into a greater dependence on the labor market, through a process which some authors (Martínez Alier, 1992) have called the "tragedy of the enclosures". In the rest of the country, the greater or lesser degree of persistence, although not diminishing existing economic and social differences, probably helped to generate a less traumatic pattern, in which the peasants had more options to deal with a changing context. However, in both models, the wealthier elements within the farming community which had been growing since the 1840s, had great opportunities for developing a process of accumulation, which was largely based on its ability to impose its own conditions, with the connivance of the State, with regard to the fate of a great deal of public land.

3.- From the turn of the century to the Civil War

The trend outlined above for the mid-19th century started to alter with the arrival of the end-of-century farming crisis, resulting in a slowing down of the privatization process, which, according to figures available, was clearly evident during the first third of the 20th century. Thus, the first factor which draws our attention is the increase in State-owned land, which was probably related to changes in legislation affecting some public uplands. 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 they found themselves in. In this context, the drawing up of an official list of uplands and the subsequent corrections that were made in this list, reinforced State ownership¹⁸.

However, the fall in privatizations was mainly linked to the previous era's accumulation pattern running out of steam, and to the appearance of a new transformed model which arose with the

¹⁷ For a more detailed interpretation of these actions, with references to the theory of ownership 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).

economic and social restructuring affecting the farming sector (Garrahou, 1988). In fact, the type of agriculture which was being consolidated from the beginning of the 20th century may be characterized by two elements which one way or another affected the relationship which had existed up to then with the common lands. The first may be considered as being of a technical nature, in that the growth of farming at the beginning of the century was not only based on the expansion of cropping areas, but it was also marked by the introduction of new machinery and the beginnings of the use of chemical fertilizers, which were starting to replace, albeit still only partially, the traditional organic fertilizers. 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).

But this technical transformation was accompanied by a second element to do with certain transformations in society. In fact, from the end of the 19th century there was an escalation in the social conflict which firstly broke out as a consequence of the poor situation of the peasants in the face of the crisis, and later continued as clear evidence that not all the social groups were getting the same share of the growth. In this context, the commons were in the epicenter of peasants' claims which threatened social harmony and which forced the wealthier groups, and also the State, to rethink their strategies with regard to these areas (De la Torre and Lana, 1999).

Evidence of this change is clear enough if we look at the legislation passed during this period. Firstly, it is significant that the Act governing the sale of common lands had been losing impulse since the end of the 19th century, and that, 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 privatization process on a large scale¹⁹. 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 which proposed settling the peasants on public lands which could be plowed up (Robledo, 1996). The success of these policies in the country as a whole was limited²⁰, among other reasons because the settlements were not accompanied by public investment to help the peasants

¹⁸ 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). Although there is no evidence, the State probably purchased some uplands during the first third of the century.

¹⁹ The estate legitimization decrees were issued in 1897 and 1923, and their objective was the legalization of arbitrarily formulated cropping on common lands (Robledo, 1996).

establish profitable exploitations (De la Torre and Lana, 1999). However, this does serve as a significant factor in understanding the slowing down of privatizations 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, privatization continued growing at a rate which, although more moderate than in the 19th century, was a long way above the average for the country as a whole. On the other hand, in many other areas, the new farming pattern saw the consolidation of the small holders in which the class ratio was much more balanced and continuance of the common lands more marked. But, be that as it may, it needs to be borne in mind that even in these areas, the potential for accumulation by the wealthy was not particularly affected by this process, since the use of the new technology available opened the way for an increase in yields and also enabled many lands which had been privatized during the 19th century to be put to good use, in that, thanks to more powerful machinery and the use of chemical fertilizers, they could now be plowed up to adapt to the new pattern.

But the fact that the rate of privatization was now much lower should not be attributed to a diminishing of economic and social pressure on commons resources. 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, 1999), meant the need for 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 exert a more thorough control on most of the non-privatized 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. The application in 1899 of the concept of "public utility" which has already been referred to, also meant that the State was to reveal a series of more effective measures to control the use of the uplands listed under this category. Probably, the most ambitious measure was the one that was established by virtue of the "planning schemes", which

²⁰ In some areas, such as Navarre, there was a high instance of plowing on common lands, although the economic results for the farmers were not so evident (Iriarte Goñi, 1996).

aimed to exercise long term management of the uplands, attempting to harmonize, at least on paper, productive, environmental and social interests.

However, in practice, these interests did not receive equal treatment. On the one hand, the forestry engineers were still firmly convinced, as they had been since the body was founded in the mid-19th century, that local use, especially for grazing, only served to destroy the wealth of these areas. Therefore, one of their principal objectives would be the restriction of these uses in favor of a "rational" management based on a supposedly "pure" forestry science, but which in fact turned out to be a growing commercialization of the uplands. Thus, especially in areas where the public forests might have offered a resource for which there was growing demand, most of the exploitations ended up being offered by public auctions in which it was the highest bidder who would acquire temporary exploitation rights²¹.

Of course, the greater or lesser implantation of this form of exploitation did not only depend on the interests of the State; it was also placed within a more complex framework in which industrial factors as well as uplands-owning communities had an interest. Thus 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. Firstly, in some areas, the interest of private enterprise in the exploitation of resources such as timber, resin or cork, together with the action of the State which aimed to develop the productive aspects of the common uplands, were paid for by giving precedence to the granting of exploitations by auction, with the resulting reduction of local use. Bearing in mind that in many of these lands, there had been more privatization, the social upheaval which followed was probably more traumatic. This generated numerous conflicts which in many cases were not clear to see, related as they were to an increase in illegal uses - from the perspective of the proposed new norms - exercised in the uplands, but which may be interpreted as a symptom of the social upheaval generated by the change of use of the resources (Cobo Romero et al., 1993). In response, the State had to display much more vigilance, with the aim of adjusting the

²¹ The State's interest in capitalizing 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.

use of these areas not only to the dictates of the forestry engineers, but also to the prevailing industrial interests (GEHR, 2000).

On the other hand, in other areas local exploitation continued to be important and this may be attributed to two basic reasons. Firstly, the use of the commons was mainly associated with the exploitation of grazing, so that the management of these areas was more closely linked to local interests. Secondly, 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 helped to avoid effective (or at least thorough) control by the State or outside enterprise. However, social consensus to avoid outside interference existed side by side with numerous conflicts within the communities which arose when deciding the mechanisms for regulating access to the resources. These mechanisms in principle continued to be of benefit to the wealthiest groups but had to be gradually modified in line with pressure brought to bear by the peasant groups.

Thus, both patterns saw substantial changes which were aimed at adapting the use of common resources to changing situations. The growing conflict situation may be interpreted as a form of pressure by the less-favored groups faced with patterns of growth in which they had much less influence than other groups, and were even sometimes excluded completely. However, from 1936 on, the situation was to undergo a radical change, among other reasons because any dissident voice would henceforth be silenced.

4.- The difficult autarchy years

The civil war which Spain underwent from 1936 to 1939, and what is more, the totalitarian regime imposed by General Francisco Franco, meant a sudden halt to the economic and social development of the country. 1939 saw the start of a long post-war period which went on for more than ten years, characterized by massive State intervention which was to intrude on 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 control, price control, 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 was also reflected in the commons resources, although the dearth of studies devoted to this topic for this era means that we need to be cautious with our claims and we should be talking of hypotheses rather than certainties. Be that as it may, there is one fact that claims special attention: 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 19th century, and began to grow. The degree of accuracy of the figures used is difficult to pin down, although there seem to be various indications to verify this comportment.

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 nationalization that characterized 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 certain policy of environmental protection²². This purchasing policy concentrated primarily on some of the areas where privatization had been more intensive, possibly because in other areas, where the uplands were still in public hands, State intervention was probably based on other indirect methods (related to control by the 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

²² The main conservatory action carried out in this period was centered 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).

uplands²³. 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 municipal uplands to recuperate some of their space, either because of the improved accuracy of measurements, or because some of the lands privatized irregularly in previous eras were restored.

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 the General Franco's authoritarian regime²⁴. However, it should be remembered that, during this period, the mechanisms for accumulation in agriculture were centered on factors in which the commons did not play a central role. In fact, 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 labor, and on the illegal traffic of foodstuffs on the black market, generated enormous potential for accumulation (Abad and Naredo, 1997)²⁵. From this perspective, the pressure exerted on the commons to carry out large scale plowing seems to have had little sense and all of this, together with the previously-mentioned State policies, probably contributed to the change in trend.

The turnaround in the privatization 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,

²³ 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 plowing lands to facilitate mobilization and an exact assessment of village properties" (Elorrieta, 1948, 155).

²⁴ 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).

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 situation²⁶.

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 now 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 the strict control it exercised on local councils which of necessity supported the regime. Industry, for its part, within the regulatory framework of the time based on favoritism towards employers who were close to the government (an extremely corrupt framework, it might be added), enjoyed very favorable conditions for negotiating with the State and with local councils, even more so if its activities were somehow related to sectors considered to be of national importance (including 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 organized movements of the peasantry that there might have been, so that any social pressure exerted by these collectives was now non-existent²⁷. On the other hand, in areas of small-scale ownership it is possible that the inhabitants might have been listened to, 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 dissidence, so that there was ample opportunity for the State and privileged groups to impose their criteria.

²⁵ 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)

²⁶ 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 20th century. Yet in the 1940s there was a spectacular upsurge with regard to 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.

²⁷ In the rural environment, it seems clear that the repression was centered on the sectors of the peasantry which had been involved in the farming reforms which the governments of the 2nd Republic (1931-1936) 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 (1999)

The result of this new balance of power has now begun to be clear thanks to recent research. Thus, 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 enterprise interests, 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, 1999). 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, to a higher extent than in other eras; and where management remained in the hands of the villages, it was to a large extent at the mercy of profoundly ant-democratic local authorities.

5.- 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 internationalization of the Spanish economy caused the strict regulations of an autarchic nature to disappear and opened the way for an evolutionary phase, firmly controlled by the State which was still totalitarian politically speaking, and, albeit to a much lesser degree than previously, protectionist as far as the economy was concerned. But from this moment on, the Spanish economy embarked on economic convergence with the rest of western Europe, which was maintained from 1978 on with the establishment of a constitutional political system and, in all, has brought Spain into line with the economic systems of the European Union²⁸. And in this new context, from the 1960s to the present day, the commons have also undergone numerous changes.

²⁸ Although Spain's entry as a full member into the European Union did not come about until 1986, from the 1960s onwards, her economic situations closely matched those of the countries around her, although the intensity of these situations was different. Thus, she has registered higher than average growth in favorable situations, but in times of crisis, the recessions have also been more marked (Fuentes Quintana, 1995).

With regard to continuance, the two key dates display a non-uniform comportment which is characterized by a marked increase in State land and a reduction in village properties. In both cases, the timing of this unequal evolution has been similar, since the increase in State lands was more moderate at the first key date than at the second and the same occurred with the reduction in municipal properties.

In order to explain these trends, we should first mention the evolution that the country's agriculture has undergone in the last few decades. From the mid-1950s, the Spanish farming sector was subjected to its own "green revolution", characterized by a massive rural exodus and an increase in the capitalization of exploitations based on the use of inputs from outside the sector (petrol-powered machinery and chemical fertilizers, mainly) (Abad and Naredo, 1997). The changes, therefore, were far-reaching and affected not only the traditional relationships which agriculture had maintained with the environment (via an almost complete break with organic methods), but also the social structure of the rural sector (the exploitations 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, farmers' incomes grew in nowhere near the same proportion (Abad and Naredo, 1997). In this context, within the framework of farming overproduction which has characterized 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 farmers' income shortages with subsidies (Etxezarreta and Viladomíu, 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 constructed²⁹. 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 need to be added which possibly 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, the appearance of a new decentralized administrative-political system, 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 mechanization which has been referred to, which in some cases might have brought about the plowing of lands which were not suitable for cropping under traditional methods³⁰. 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 privatization 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 characterized 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 organizational 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

²⁹ 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).

³⁰ 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.

was to fall dramatically and that the multifunctional use of the forests was tending 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 centered on paper mills and hydroelectric 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 salaries (when the peasants were employed in uplands exploitation or replanting) or to the earning of income for the timber exploitation, income which 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, basically, 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. With regard to this factor, 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 objective 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 have a certain importance (although its ranking in the list of priorities 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 conservatory measures³¹. 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, 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 curtailed³². Fortunately however, within the new political framework of the country, the opportunities for protest and negotiation have been increased, and via these mechanisms there have been the beginnings of the establishing 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 impunity³³.

Thus, although the purely economic (monetary) use of the commons has lost ground within the framework of the country's agricultural and economic evolution, the new scenario created around these spaces is no less complex. Even though the fact that this is obviously happening now means that we have no historical perspective on which to base a proper assessment of its results, it seems that the interests that converge on public lands are still many and varied. This will

³¹ The creation of the Nature Parks goes back to the beginning of the 20th 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 utilization of the same with the aim of obtaining the maximum benefit" BOE [Official State Gazette] (1975, 1)

³² For an example of the social problems generated by protection in the case of the Doñana National Park, see Durán Salado (1996).

³³ 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

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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APPENDIX 1.

EVOLUTION OF PUBLIC LAND AREAS IN SPAIN (HECTARES) 1800-1995 ABSOLUTE FIGURES

	1800	1859	1900	1935	1952	1969	1995
STATE AREA		671.258	295.247	367.360	522.470	712.967	1.287.639
VILLAGES AREA		10.795.983	7.223.014	6.707.175	8.061.850	8.029.724	7.401.312
TOTAL PUBLIC AREA	16.767.241	11.467.241	7.518.261	7.074.534	8.584.320	8.742.691	8.688.951

PERCENTAGES

	1800	1859	1900	1935	1952	1969	1995
STATE AREA		5,9	3,9	5,2	6,1	8,2	14,8
VILLAGES AREA		94,1	96,1	94,8	93,9	91,8	85,2
TOTAL PUBLIC AREA	100	100	100	100	100	100	100

% PERSISTENCE WITH RESPECT TO TOTAL AREA

	1800	1859	1900	1935	1952	1969	1995
STATE AREA		1,3	0,6	0,7	1,0	1,4	2,6
VILLAGES AREA		21,7	14,5	13,5	16,2	16,1	14,9
TOTAL PUBLIC AREA	33,7	23,0	15,1	14,2	17,2	17,6	17,5

% PERSISTENCE WITH RESPECT TO PREVIOUS DATE

	1800	1859	1900	1935	1952	1969	1995
STATE AREA		ND	44,0	124,4	142,2	136,5	180,6
VILLAGES AREA		ND	66,9	92,9	120,2	99,6	92,2
TOTAL PUBLIC AREA		68,4	65,6	94,1	121,3	101,8	99,4

SOURCES:

The quantification of public areas between 1859 and 1935 is based on figures provided by the Rural History Group (GEHR, 1994, 142) in which there is a rectification of the 1859 Public Uplands Classification and also of the 1901 List of Uplands of Public Utility.

Using this as a base, for 1800 we have used the estimate of privatized public area before the 1855 dissolution, made by Rueda Hernanz (1997). This is an estimate backed up by very little data, and therefore not very exact.

The 1935 figures are provided by the Ministry of Agriculture, Fisheries and Food (1935), a list which does not include all the provinces of the country, and it has therefore been complemented - in the case of provinces for which there is no information - with data provided by the GEHR (1994) for 1926.

The 1952 and 1969 figures are provided by the Ministry of Agriculture, Fisheries and Food (MAPA) (1954) and (1969) respectively. The 1995 figures are provided by the Ministry of the Environment (MMA) (1998)