

Contested meanings: laying the grounds for forest commons grabbing in the Romanian Carpathians

---Monica Vasile---

[draft paper for EASA meeting 2014, panel Farmland as investment in post-Soviet Eurasia: practices, coalitions, moralities, convenors> Oane Visser, Jana Lindbloom; please do not cite!]

The paper brings in-depth data from the densely forested area of Romanian Carpathians to shed light on processes of changing forestland tenure, and to draw attention to a set of practical and legal mechanisms set up for laying the grounds for forest grabbing by foreign enterprises. By connecting the working of actors at different levels, such as community-based institutions, logging companies and government officials, the paper sheds light on the postsocialist arena of negotiating the fabrication of legal and practical instruments for possessing, expropriating, or challenging land controls. It delves into the political and legal attempts to liberalize the market of forest commons, by changing laws and denying customary rules, in ways often deemed locally as "corrupt". Emphasis is put on competing meanings of forests for different parties, put forward in narratives and action. In this sense, it is revealed how the forest commons can be framed on the one hand as a commodity, to be produced and marketed in a liberal regime of property; and, on the other hand, they can be framed as a social and "cultural" asset, a reservoir of livelihoods, with both economic and affective significance for local dwellers. Furthermore, the paper focuses the lens on the relation of different actors with "the state" and on different actors acting within "the state", and on domestic grabbing processes.

Intro

The idea of this paper occurred to me in 2009, when the head of a forest association from Vrancea region¹, whom I had known since 2004 when I was conducting fieldwork for my PhD research, wrote me an email asking for a published study that would attest the social and historical importance of forest associations in Romania. His aim was to send the "scientific" study in support of a written protest against a law-changing initiative that attempted to allow the alienation of associative forestland, prohibited at the time, protest that he, together with other heads of village associations from Vrancea, would hand in to the prime minister. I then followed the heated debates around this law initiative, which enabled me to grasp the different positioning of state-officials, foresters and commoners regarding the possibility of selling the forest commons, and the complex roots of their positioning. In order to get the full picture of this intricate arena, I

¹ Vrancea is a densely forested area located in the South-Eastern part of the Carpathian Mountains.

delved into understanding the encompassing workings of corporate land grabbers, suspected to be at the origin of this law initiative and into understanding the issues that unite or divide communities around the issue of land deals, together with the competing political views on resource extraction. In addition, I examined examples of past resource grabs, 100 years old, to which the commoners obsessively kept coming back in their narratives when confronted with present issues.

Land grabs are usually veiled in secrecy and therefore their underpinnings and extent are difficult to grasp (White et al. 2012: 620). However, researchers agree that the phenomenon of land grabbing is “massive and growing” (Cotula 2012), albeit it is not new. Recent research shows that despite the fact that land issues are hardly ever considered to be an issue for Europeans, land grabbing is creeping in Europe, at accelerated rates in recent decades in particular in Eastern Europe. Global crises around food, energy, climate and finance drive the grabbing processes in Europe, as well as everywhere else in the world. While the European scene has experienced land grabbing and concentration in the past, studies show that recently emerged land grabbing is happening at an alarming scale, worrying pace and in an appalling manner. Land transactions are frequently carried out in shady manners, giving way to the formation of a class of ‘land grab entrepreneurs’, land brokers and scammers, who contribute to dramatic changes in local property relations.²

The quantity of land grabs and assessing alarmist scales, has been so far at the center of land-grabbing discussions (Edelman 2013: 488). Aiming to go beyond the fetishisation of the hectare (Edelman 2013), the focus of this paper is on the micro-politics of negotiations of land and resource control (Peluso, Lund 2011), and on the actors behind the hectares (Edelman 2013:488), their incentives and narratives. The paper brings in-depth data from the densely forested area of the Romanian Eastern Carpathians. It joins recent sparse efforts to unravel land and resource grabs in countries from the former Eastern Bloc (Spoor 2012, Visser et al. 2012, Visser, Spoor 2011), and Europe, areas that have undeservedly gone widely unnoticed in the larger land grabbing debate that focused notably on the Global South. Parting with these efforts, the paper

² For detailed account of land grabbing in Europe, see the report published by Transnational Institute (TNI) for the European Coordination Via Campesina, april 2013, study editors Jennifer Franco and Saturnino M. Borras Junior.

speaks about forest grabbing, and not about agricultural land as most of the previous studies from the area, but illuminates strikingly similar processes of state involvement (Visser et al. 2012) and illicit deals (Visser, Spoor 2011; Visser et al. 2012) that could be labelled under the term of corruption.

Drawing on extensive fieldwork undertaken between 2003 and 2013, interviews, press reports and meeting-minutes of parliamentary commissions, the paper will follow the chain from lawmakers to company owners, to commoners and back, in order to show how different actors position themselves vis-à-vis “grabbing the forest”, which are the mechanisms that lay the grounds for such grabs, and the narratives and incentives that drive them.

Resource grabs, as well as local resistance to grabs in postsocialist Romania can be understood by looking at ways in which different actors relate to “the state” and within the state-arena. These relationships are rather heterogeneous, among actors divided along various interests, yet the role of “the state”, unbundled as it is, remains active and fundamental, and not that of a passive victim. My first objective, then, is to unbundle the kinds of relationships that play out in the field of forest deals with a focus on the various facets of “the state”, as authority and “hope-generating machine” (Nuijten..), as a property formalisation instance, and as day-to-day bureaucratic encounters. Furthermore, my aim here is also to push the discussion a step further than saying that looking at the state is crucial.³ I aim to show how contested meanings of land and forest deployed by various camps as legitimating narratives are crucial as well in understanding what is at stake in either stalling or promoting land grabbing. Thus, my second objective is to deploy the contested meanings of land and forest that account for how land deal negotiations are produced and develop.

Recent studies depict current large scale land deals in a “Manichean” way (Borras Jr., dev and ch.), perpetrating the well-known moral dualism stance of development studies. Land sales are seen as either an input of capital and employment for less developed countries, or as scrambles for resources conducted wildly by predatory corporate companies in neocolonial terms. While I agree with the recommendation that that scholarly work should shift away from feeding this dualism by taking one side or the other, it should be nevertheless acknowledged that the

³ Recent studies that deal with the role of the state are numerous, see for ex. Wolford et. al 2013, Faribairn 2013, Oliveira 2013, Dwyer 2013, Burnod et. al 2013, Corson 2011, Lund 2011.

society at large and the actors themselves of the land-grabbing processes operate extensively with this dualism; they position themselves in one camp or the other and use rhetorically this type of moral arguments against each other. This study shows how land and resource grabs, rather than being “facts”, or “figures”, or “trends”, happen (or don’t happen) at the interface of negotiation between different actors. In such negotiation, the actors involved fully operate with clear-cut choices between what is “good” and what is “evil”, using the moral dualism of “economic efficiency” and “employment” versus “predation” to shape their arguments in discourses around land and resource deals. Land grabbing is actually happening in a Manichean battlefield, played out by locals, investors, state-officials, governments, and international organizations alike. The central role of conflict in land deals has been assessed by various studies in political ecology (Moore, 2005; Perrault, 2008). Violent struggles over ownership and use have been studied (see Grajales, 2013: 211–232; Levien, 2013: 381–408) and a number of authors pointed to conceptualizing resource and land conflicts in terms of culturally constructed “struggles over meanings” (Berry 1988, Li 1996, Hart 1997), seeing land as a productive asset, a commodity, a means of livelihood, a home or homeland, a method of achieving stability (Graef, 2013), or “life, stability, livelihood and social reproduction” (Wolford et. al 2013). Understandings of land, forests and resources are part and parcel of the ways in which actors advance claims and defend economic or social interests. More specifically, these meanings in the postsocialist context relate to rather new realities, to recently restored common property and to the emergence of narratives of neoliberal, capitalistic ways among the new postsocialist rural and urban elites (Dunn 2004; Vonderau 2008).

The role of the state

Collaterally to focusing on meanings, the article highlights the workings of the state in shaping new understandings of the forest, as crucial in the postsocialist and, concomitantly, European context of Romania. According to Wolford et. al (2013), “it was argued that land grabs were happening in states where ‘governance of the land sector and tenure security are weak’ (Arezki et al., 2011: 3; also see Bomuhangi et al., 2011; Deininger et al., 2011). States like Madagascar, Sudan, Ethiopia, Cambodia and Vietnam were depicted as unable to provide the kind of tenure security or formal land markets or even social safety nets that would generate order and protect the national

territory. These were the states described as fragile, disorganized or ungovernable because the rule of law appeared not to cover the full extent of their territories.” However, an ‘old’ state, with a dictatorial tradition and far-reaching administration organization, as it will be shown, part of the EU, can also be subject to intricate discussion about land grabbing, if one sees organized bureaucracy not as panacea for good governance, but as a collection of corruptible actors. The ways in which land grabs are promoted or stalled depend not only on the concrete workings of state officials, but also on the representations people have about these workings. Whether taking the shape of guaranteeing property, or of lawmaking process, or of providing justice, or the shape of corrupt exchanges, or as state-related official source of power, the various incarnations of the “state” are critical to the production of representations at various levels and furthermore, to ways of using these representations in the arena of negotiations.

For example, very popular discourses in Romania depict various governments either as promoting or hindering “national interest”, by promoting or stalling predatory forms of alienation of its territory or resources, or as furthering attracting investors, in providing much-needed capital and technology for production, food-security and employment. “The state” is a strong actor in laying the grounds for forest grabbing not solely due to its territorial spread or to its message of dominance. Something else is at stake, as already suggested here and as suggested by studies from other areas (for ex. Corson 2011, Brockington et. al 2008), namely the dual character of the state official as both governor and rent-seeker. In postsocialist contexts, several studies have shown how local state officials take advantage of their position of authority by engaging in illicit business, and, paradoxically, by doing so they enforce people’s representations of a monolithic state as a legitimate politico-legal institution (Sikor et al 2009; Verdery 1996). My example also shows how, seemingly paradoxical, the hopes of those who deem land deals as predatory practices turn to “the state”, as guarantor of property, justice and social protection, but also blame “the state” for facilitating or perpetrating predatory practices through corruption.

Much of this article concerns an ethnographic context in which corporate investors deal with actors who make use of their state-infused power to grant advantages and initiate law-making processes. Similarly, other parts of the article show how mayors make use of their authority to act as local resource-grabbers, in their double quality as entrepreneurs and administrators. Furthermore, in their attempt to resist grabbing, commoners address their pleas

back to the state, to the prime-minister or to control agencies, believing in the justice of the 'regulator', or just hoping that political conflicts within "the state" will generate windows of opportunity. These processes become intelligible if we understand the state both as an "apparatus", - which is nevertheless not a monolithic unitary entity, which can be deemed "weak, fragile or corrupt" in neoliberal discourses (Wolford et al. 2013), but a collection (Gupta 2009, Gupta and Ferguson 2002) of individuals and practices that operates in practice through a dense territorial network of state employees, through the "banal practices of bureaucracies" (Gupta, Sharma 2006: 11)- and as an "ideological thing", "a message of domination—an ideological artifact attributing unity, morality and independence to the disunited, amoral and dependent workings of the practice of government" (Abrams 1988:81). Albeit recently entities "beyond the state" (Li 2005), which have been signalled as instances of authority elsewhere in the world, such as international NGOs, they are not that strong in the Romanian forest-related arena. One can understand the focus on state actors and state-driven dominance in a previously socialist country in terms of reproduction of state structures and authority, by considering both the socialist legacy - as an ideological legacy and a 'physical' legacy numbering thousands of offices and employees - and constant ways of producing sovereignty (Lund 2011). In Romania, we can trace the genealogy of the political forest (Peluso, Vandergeest 2001) to the process of state territorialization that took off remarkably starting with 1948, when the socialist regime came into power. Back then, a Ministry of Forest Economy was formed and forest control was territorially organized and mapped by the state in a dense network of inspectorates, districts and sub-districts⁴, which are still currently in place – this network alone counting more than 350 administrative units (*directii silvice, ocoale silvice*) with a total of 18.700 employees in 2012, after another 4000 of their stuff were laid off between 2006 and 2010, as a consequence of forest privatization.

Resource grabs – facts and figures

⁴ Territorial Inspectorate for Forestry Regime and Hunting (ITRSV), and the National Forest Administration (RNP Romsilva).

After the fall of socialism in Eastern Europe, a new frontier of land control is “being actively created, through struggles involving varied actors, contexts, and dynamics” (Peluso and Lund 2011: 668). In Romania during the 1990s privatization of land and forests created fuzzy property arrangements, through lack of routines and crystallized practices (Verdery 1999), but even before routines could get established, the post-2007 land grab-era (Edelman 2013: 493) already changes configurations.

Romanian forests count 6,7 million hectares, 27% of the total surface of the country. Half of them are state-owned, and the other half is divided among communal forests, which are of two kinds – (1) some in the “public domain”, owned and managed by the administrative territorial units (commune)⁵, and (2) some are in the “private domain”, owned by associations that the paper will describe in a moment -⁶, and (3) private individual proprietors. Media reports show that in 2011 foreign companies held approximately 1.5% of Romanian forests⁷, counting 96,000 ha, and they exploit many more hectares, as it will be detailed further in the paper. The prices of forest have recently risen, from €2000 per hectare in 2011 to €3000 or €3500 per hectare at the end of 2012, yet they remain very low compared to other European countries, in which one can rarely find forest below €10.000 per hectare. If we take the comparison further, Romanian forests count larger volumes of wood per hectare than the European average, approximately 45% more volume, and the annual rhythm of forest growth is 20% higher than the European one⁸. However appealing such forests may be, their problem for being bought by large investors is again property fragmentation, as in the case of farmland. Large compact surfaces of forest are not up for grabs, being owned by the state, by public entities, or being currently protected by the law, as it is the case of the associative forests. Nevertheless, a lot of pressure is exerted to change legislation and allow land grabbing, especially regarding the associative forests, plagued by severe tensions (as it will become immediately evident) and thus viewed as an easy pray for grabbers.

⁵ Communal forests in the public domain currently amount to 961.000 hectares of forest.

⁶ For detailed data about distribution of forest on property types and across geographical areas, as well as for a detailed description of different types of forest commons in Romania, see Vasile, Măntescu 2009.

⁷ Conform to Ziarul Financiar, 27.03.2011, downloaded from <http://www.zf.ro/business-construct/padurile-aduc-profit-si-ca-lemn-de-foc-8102244>

⁸ Conform to a study realized by the company DTZ Equinox, and published in Income Magazine 12.01.2013

Forest grabbers

In 2012, a written appeal was sent to the president and the government signaling fears about resource depletion in Romania and identifying the increased pressures from the market, namely from greedy foreign companies, metaphorically called “termites”. The appeal was signed by the Association of Romanian Forest Companies (ASFOR), together with the Association of Romanian Furniture Producers, and revealed that in the context of increased limitations of roundwood exports in the neighboring countries - Ukraine has closed its borders for roundwood export and Russia has increased export taxes for roundwood to 25% - the Romanian Carpathians would experience increased resource pressures, by “irrational”, “pitiless” logging.

A few companies are responsible for resource and forestland grabs in Romania. They are Austrian, Middle Eastern, German, and the newest on the market are the Chinese companies. The Chinese have purchased local bankrupt factories for producing pulp and paper, which they promise to rehabilitate and upgrade production capacities, and which will demand more wood than the annual harvesting quota of softwood for the entire country. However, another timber company is already number one in Romania, on which this section will focus further.

From all over the Carpathians, dozens of round-wood loaded trucks head day and night to the town of Sebeș, the location of the largest company of wood processing in Eastern Europe, the Austrian company Holzindustrie Schweighofer.⁹ The factory, well guarded and hidden behind high walls, where the press can only glimpse from the helicopter, counted in 2012 over 2500 employees. The company started business in Romania in 2003 and since then it became for the Romanian public “the empire of Romanian timber” and his owner, Gerald S., the “king of timber”(regele lemnului), or, in a less admiring tone, the “mega-termite”. He owns four wood processing factories in Romania, which produce primarily sawn wood and biomass. In total, newspapers report a quantity of 2,6 million tons of wood per year, extracted and processed, which generated in 2010, the year after the global crisis, which generally marked a breakdown for many local timber businesses, a net profit of €68 million. A large part of the wood is exported to Japan.

⁹ The data presented in this section is based on interviews, media inquiries and NGO reports and should be taken as such.

The law does not permit to foreign entities to buy land in Romania, until 2014, when IMF and the EU imposed the liberalization of the land market, as a condition of EU accession. Nevertheless, in practice the market was not hindered to operate transactions between locals and foreign entities, as the law permitted selling to companies registered in Romania, regardless the origin of the shareholders. Taking advantage of this subterfuge, Schweighofer bought 15,000 ha of forest through a satellite company, Cascade Empire, registered in Romania with Austrian capital.

Complaining initially to journalists that Romanian bureaucracy is difficult and his company hires three times than normal persons to do paperwork, Gerald S. proved to be skillfull in manipulating the same bureaucracy he was complaining about to his own advantage. The company struck a good deal with the state, a preferential contract, running for ten years, for extracting 30.000 – 35.000 cubic meters of wood per year from every forest district across the Romanian Carpathians, meaning from state-owned forests. According to press reports and interviews I have conducted, the company also is strongly suspected to put pressures on forestry legislators and policy makers in various ways in order to be able to extract as much resources as possible, and to downplay competitors. In this sense, various sources comment that it tried to influence the Ministry of Environment and Forests by elaborating a technical study entitled “Forestry and forest industry in Romania”, which they tried to popularize and in which it was suggested to increase the annual harvesting quotas, by decreasing the age at which trees can be harvested, from 120 years to 90 years.

But where the company is believed to have greatest leverage is in its direct deals with local forestry officials, by manipulating the very practicalities of auctions and payments. For example, a case signaled by press investigations revealed that at the Covasna Forestry District, the district director influenced the auctions result by fixing the term for timber auctions in the last day of the year 2011, and the S. company won on this occasion 2000 cubic meters of timber as a unique bidder. The same investigation reveals how the company manages to pay lower amounts of money for timber purchases with the tacit acceptance of state forestry authorities. Here the trick lies in the double measuring and in wood classification. On the one side, the forestry district measures and delivers the quantity of timber with the Romanian measuring system, and on the other side, the company measures and confirms lower quantities, according to the Austrian

measuring system, which generates 5-10% less timber than registered in the delivery papers, meaning lower amounts to pay. Concerning classification, a common practice is that the company reports receiving timber of lower quality, “downgrades the timber” (*declaseaza lemnul*), which again results in paying lower prices. These operations have as outcome the fact that the district loses tens of thousands of euros annually, by the workings of its own employees, which in return are believed to receive consistent bribes.

The forestry officials I have interviewed appear to be divided in their views about the S. company and its consequences on Romanian forests. A part of them considers, with a trace of discontent, that Gerald S. “controls forestry legislation in Romania” and has excellent connections at the state forestry offices, politicians and bureaucrats that “put the Schweighofer interest above the national interest”. But, when it comes to formulate an opinion about the Schweighofer influence in Romanian forestry and timber industry, the majority of officials I interviewed put forward a positive narrative of capitalist market efficiency.

Schweighofer, as well as other big timber investors in Romania, appear as responsible and knowledgeable businessman, which know that the buttons to push include lobby, pressures, small illicit advantages, all considered “normal in the capitalist economic landscape”, in the words of one official.

In addition to state-owned forests, the S. company purchases a great amount of round-wood from communal and associative forests, through local extractive companies, run by powerful local businessmen. In Vrancea, selling round-wood to Schweighofer became recently such a good business for ‘local barons’, that they closed down the majority of their village-based sawmills and focused instead only on extraction of raw material. This issue brings us the domestic forest-grabbers, which will gain better contour later in the paper. Suffice it here to say that Romania is divided in forestry fiefs, each of them being run by different powerful politicians, which in turn have clients, “local barons” running extractive and sawmilling businesses, placed in villages, covering specific areas.

After examining the ongoing property relations in the forest commons (associations) and bringing in examples of the past that inform current practices, the next sections will go deeper into attempts of changing the law, in order to allow sales of forestland held in associations, attempts

suspected to be one more way of manipulating state representatives – law-makers, in this case - devised by the timber companies to be able to buy larger surfaces of forest. It will show from the side of the legislators how laws are negotiated, the types of arguments at play and, - from the side of menaced smaller forest-owners - the forces that resist such grabbing attempts.

Forest commons, *obște*

In Vrancea, the region on which I focus the analysis in this paper, located in the South-Eastern part of the Carpathians, villages are relatively poor in infrastructure, “underdeveloped”, as local folks describe themselves. Roads become impracticable in wintertime, when only trucks full of timber of local logging firms can pass through the mud and snow, and eventually a few wooden carts pulled by oxen. Some of the households, especially the ones in more remote locations, hidden on the hills, look run-down, and most of them, even the better ones in the village-centre don’t have running water or sewage system. In a strict economic sense, ‘ordinary people’ do not benefit substantially from their recently restored property rights to communal forests.

Associative forest commons were recently recreated in the Romanian Carpathians. After year 2000, land restitution in post-socialist Romania enabled communities to regain large village-based forests, and to start managing them in ‘traditional’ forms of community-based institutions, called *obște*, which were in place before 1948, but were dismantled by the socialist regime.

In 1947, associations had 20% of the total forest surface, amounting to 1.330.000 hectares.¹⁰ At present, in Romania 11% of the forests are held in this property regime, amounting to 720.000 hectares (Bouriaud 2008). The surfaces of each association vary largely across geographical areas, accounting for different local circumstances.

In Vrancea the surfaces of associative forests, *obște*, start from 2500 ha per village and go up to 13.000 ha. Village folks get an annual quota of wood or money, equaling approximately €50 per year. In addition, the community buildings and utilities (schools, medical units, churches,

¹⁰ Unfortunately, statistics or studies examining the diminishing surface of commons between the two periods are not available. Parts of the 610.000 ha of associative commons could have not been claimed by communities, in which case they remained state property, or they could have been claimed and gained by individuals, or they could have been cleared during the fifty years of intensive forest extraction under socialist rule.

village-halls, roads) are supposed to be improved with revenues from the common forest, amounting to 60-70% of the total yield from logging contracts. Obștea is managed by an obștea committee, usually 5 persons, among which one is the president. An important administrative instrument is the charter of the association in which norms are stipulated. Important decisions have to be made with the agreement of the general assembly, which is legal, in theory, only when 50% +1 members of the obștea members are present. In practice, from the survey I conducted on a random sample of 304 households in 4 villages of Vrancea (2004-2005) only 36% of the population declares to participate in meetings on a regular basis.

Villagers seriously complain about the community benefits from the forest, almost never being satisfied with the types of utility investments that were decided in the associations' meetings, and suspecting illicit dealings, believing that members of the obștea committee pocket money from the budget or receive bribes from firms which are supposed to build up or repair infrastructure. From the survey data, 67,6% of the population believes that the *obștea* council does not manage correctly the forest funds, in other words that it is corrupt. In addition, 81% believe that from the obștea budget nothing or very little has been done for the community. However, timber entrepreneurs in the area, who are most of the time also state officials (foresters, mayors) are believed to benefit a lot, and especially in illicit ways, by logging illegally and selling the timber to various international companies (either to Schweighofer, or in the Constanța harbour at the Black Sea to Middle Eastern companies), by working hand in hand with the police and with state officials, who against rents and bribes agree to cover irregularities. The dealings of the village entrepreneurs-cum-state-officials are visible in the powerful cars they drive and in the magnificent houses they live in, next to the decrepit ones of other commoners.

The majority of people perceive a high economic value of the forest, from which they are prevented to reap the benefits. These sentiments of frustration cumulate with their emotional attachment to legendary forests, which secured the livelihoods of their ancestors, and culminate in a moral claim against those who 'do not have the right to deplete their forests', against both domestic and international grabbers. Moreover, due to the aforementioned reasons, most of the village *obșteas* are torn with severe factional conflicts, which have escalated into never-ending trials. All these issues observed in the *obșteas* of Vrancea are common all over the forest associations in the Romanian Carpathians, and the potential forest grabbers are aware of these

instances.

The common forests are currently very appealing to foreign investors, who are looking to buy large compact land surfaces, which individual proprietors cannot offer, their plots being small and scattered. But, as according to current laws, the commons are not for sale, corporate investors put pressures on state representatives to change laws and 'liberalize' the market, counting that once the law will be on their side, commoners would happily sell their shares. Albeit theoretically opposed by local folks, these centrifugal tendencies are supported by severe local factionalism and conflicts occurred around governance of and access to the commons.

When the recent wave of land grabbing began, I asked myself a few questions: (1) Which mechanisms can be put in practice for the law to change? (2) If the law would change and allow alienability of forests, what would be the legal intricacies of reaching consensual decisions in associations? (3) How do the commoners feel about selling the commons, what powers do they have to resist forest grabs? (4) What would be the consequences of selling the commons for forest-dependent communities? Let us now turn to delve into these questions, by bringing together the examination of attempts to change the law, examples from the past and fieldwork data in order to render visible the mechanisms at play in cases of (potential and actual) forest grabs.

To sell or not to sell?

"We gathered here today to ask you, the rightful owners of the village forest of Hăulișca, if you would agree to sell or lease this surface of forest for making a ski slope which is meant to make our mountains worthy of tourism, which will bring us all development and welfare. Your mayor is here as a guarantor for our good intentions. Let me explain the project." 'Yes, mister Aguridă, tell us... you are our father!' After explaining the project and stressing on the money that the community can make out of this deal... rumors in the room, people start complaining, and shouting: 'Hmmm... We will probably get nothing, only the rich tourist entrepreneurs from Tulnici, we know! We have only this forest and you want to take even that from us. We did sell in the past; other villages have sold their entire forest, the fools!' 'But, if we don't sell, nothing will happen, we won't get ahead anyway. We'll have no extra income, no gain.' 'Yes, the forest was there from

Stephen the Great when he gave it to us, why not let it just be there?’ ‘Shell we vote then? Raise your hand, who wants to sell.’ People fear taking any actions, just stay cautious, nobody raises their hands. ‘Then raise your hand, who doesn’t want to sell.’ Again nothing. But rumours start over... ‘What if it will bring problems, what if we will enter business and then it will bring us misfortune? Problems, hatred? They took European money and they want now our land.’ ‘And the wood? Who gets the cleared trees?’ ‘Forget about the trees, somebody will get them, doesn’t matter, the matter is how they want to fool us to sell our land.’ ‘We are proprietors, this is our livelihood, our tradition, we do not sell...’ “(Obştea gathering, village of Hăulişca, Vrancea, December 2004)

This introductory quote is from a village meeting that took place in 2004 in the village of Hăulişca. In a room of the village school, packed with old and young folks dressed in their best Sunday shirts, and seated like students in the old wooden desks, the “community” was consulted about alienating or leasing of their forest for developing a touristic business. At the “presidium” were the state officials of the villages, together with the local powerful entrepreneur, Aguridă, who is also mayor of the neighboring village (Tulnici), and considered locally as a “local baron”, interested to build a ski slope on the well located forest terrain of Hăulişca. The voices heard in that meeting show that forest commons hold various meanings for the villagers, they mean history, “tradition”, “livelihood”, solidarity, but also gain. People from this example attach value to the forest, which is not only economical, and consider themselves “proprietors” in a proud and emotional manner. The village of Hăulişca count almost 300 households. They are known in the area of being very hard-working and united. Despite hard efforts on the part of local barons and administrators of the area, the sky slope was never built on the terrain of the *obşteă* Hăulişca.

Nevertheless, not all folks of the area hold the same opinion about alienating their shares. In another village of the area, Tulnici, located not further than 5 km from Hăulişca, some people already sold their shares to better-off co-villagers. In a substantially different account from the one above, one local from Tulnici formulates his narrative about the forest commons in favor of alienation:

“Here in Tulnici, mister Aguridă, our former mayor, formulated the charters of the obşteă in such a way that the villagers can sell their membership rights among themselves, and there’s no

limit to what one can buy. One big boss can buy the entire obștea piece by piece from the other members. Some would mumble that the forest here is a social thing, but in fact, if you are open-minded, you realize that is bullshit. Obștea is a shareholders company, who sells logs, produces profit and reinvests the profit. Rights are shares and property is capital, we should evolve with our thinking, but in these rural places many are stuck in the past centuries. Economic efficiency, selling and buying, that's it, we are a capitalist economy after all; nobody can be stopped to enjoy this game. And you know, there are cases, notably one guy who actually bought a large number of rights recently. If he wants, one day, he buys it all, sells it to the foreigners and he settles on an island in Greece to live happily forever after. But there will be tensions, some will not sell, I'm sure."

I recorded this interview in the spring of 2013. The community of Tulnici is quite big, counting more than 1000 households, which are very divided concerning forest-related and political matters. The sort of opinions where the emphasis is put on the economic side and on the full liberal idea of property as capital, were already quite common in certain circles of village officials and entrepreneurs already in 2004. In this view, once the forest commons cease to represent a "social thing" and an emotionally-laden asset, alienation becomes normal.

The examples of the two villages are different not only by revealing different meanings of the forest commons, but also different manners in which forestland can be alienated. In the first case, Hăulișca, the attempt was to convince the general assembly of the *obștea*, which was taken as "the community", to reach consensus and sell the whole mountain at once. In the second case, of Tulnici, a scenario is presented in which the forestland is first bought piece-by-piece, right-by-right, from individual members and then sold "to the foreigners". In the context of current fuzziness of the law regarding commons, both variants could be acceptable legally.

But let us zoom now into the intricacies of legal issues regarding alienation of forestland and alienation of rights, two interrelated, yet distinct issues.

Alienation of property rights, also called locally "rights of membership", mean the selling of rights to receive an annual quota and the right to vote in the general assembly, for good. Such sales of rights are currently allowed in the charters of Tulnici and Coza villages, but not in any

others. In the presocialist charters, in 11 out of 32 village charters examined by Stahl (1939) and Sava (1931) mentions were made of selling and buying of rights within the *obște*.¹¹

Transactions with property rights among members happened in Vrancea first in 1850, as the study of Aurel V. Sava (1931) reveals, before charters were issued, and they became frequent by the end of 19th, beginning of the 20th century, as it will be shown in the next sections of the paper. Alienation of rights made the object of court decisions in which transactions were validated and modifications of charters were legally authorized.

The *alienation of forestland*, meaning of the actual land on which the forest stands, was not possible individually, neither in the past, nor recently, and one individual member cannot sell a quota of, say, 3 hectares, meaning that the buyer is from then on supposed to enclose and fence his acquired 3 ha. The only delineated plots in Vrancea were and are the mountains. Thus, in order to sell forestland, *obște* as an entity should sell a mountain or the entire property area. In the presocialist village charters from Vrancea one can find the specification “*obște* can sell its property, entirely or partially”, as well as one can find real cases of property sales. Theoretically, the general assembly decided cases of entire alienation, however, as we will see later in the chapter, practically all sorts of other mechanisms were put in motion for accomplishing forestland transactions, including empowering middlemen, or alienation of individual property rights, which gave way to unprecedented conflicts.

The next section will provide an example of such a transaction of forestland for the only village in the mountainous part of Vrancea who remained without forest commons. It will delve into the intricacies of what such transactions meant at the beginning of the 20th century and their long-term consequences, as the villagers perceive them today.

The village that sold the *obște* forest: past and present

¹¹ In various charters across villages from Vrancea, the issue of buying and selling gets mentioned in different ways, accounting for different regulations, such as: (1) “the buyer acquires the right of the seller” in the case of 4 villages out of 32 (cf. to Stahl 1939: 274-275); the villages with this mention are: Spinești, Valea Sării, Colacu, Găuri; (2) “the buyer keeps the right for life”, in the case of another 3 villages, Negrițești, Poduri-Colacu, Vidra-Tichiriș; children of sellers automatically acquire rights, provided that they reside in the village, in the case of another 4 villages, Paltin, Năruja, Herăstrău and Nistorești.

The village of Bodești is central in the imaginary of the region, said to be the descendant of one of the legendary sons, called Bodea, and one of the oldest villages in Vrancea. Yet, the village feels remote, houses look old and decrepit. The only shop in the center of the village - a run-down building with scraped magazine-adds hanging from behind the barred doors and windows – is usually closed at midday, sign that commerce is not thriving. Members of other villages of Vrancea say that Bodești is a village of dumbheads, a place that smart folks have deserted in search of a better place. The village is said to be backward both as “ways of thinking, mentality” and as “economic power”, primarily explained by local folks by “poverty in lands” (*sărăci în pământuri*). Villagers from Bodești complain that their communal pasture (*izlazul comunal*) is very limited, only 33 hectares. The families in the village, amounting to less than 60 households, use to keep sheep, which graze on the pastures of the neighboring villages. Naturally, the price for grazing is for the people from Bodești higher than for their neighbors who own the pastures. They also don’t have rights to forest, having to buy wood for double the price paid by residents of neighboring villages. They see the oddity of their own village remaining backward and the lack of available resources as a consequence of them not having *obște*, “*here we don’t have our own pasture, don’t have our own forest; no base to live on, have to pay lots of money for everything, of course then people are poor*”. This lamentation does not have a materially objective foundation, because in practice the difference to having rights is not that significant individually. The absence of *obște* is also seen to infringe on a sense of solidarity, “*we put our sheep on pastures of other villages, not on our village’s land; we meet with people from other villages to discuss our interests; we are more connected to everybody else than to our co-villagers; nothing brings us together here; you see not even the shop is open for people to meet there.*”

They complain that their ancestors have sold the entire *obște* to a neighboring village, condemning Bodești to backwardness and ultimately to extinction. Some actually don’t admit that the transaction that occurred many years in the past was correct, and some of them sought to redeem the village forest in 2000, with no success. They think that the old transaction must have been only for harvesting the wood, not for the entire woodland, because as they put it “*this was unheard of in these places, nobody sold the actual land on which the forest grew*”.

But what happened in the past, when Bodești alienated its forest? What meant a transaction in the legal confusion of the late 19th century?

On the 19th of December 1889, 20 delegates of *obște*a Bodești sold the “whole mountain” Piatra Secuiului to 21 delegates from *obște*a Nereju, for the price of 3600 lei, paid by all the inhabitants of Nereju to the inhabitants of Bodești.¹² At the time, according to local custom, a number of delegates (*vechili, mandatari*) stood for the whole *obște*a, representatives empowered to deal in the name of the community, who were literate and better-off.

The apparently simple transaction between the villages of Bodești and Nereju was to be massively complicated by the interests of foreign timber companies together with local opportunistic grabbers, and only settled 25 years later, upon the arrival of the First World War. At the time, powerful capitalist timber extractive companies from the Austro-Hungarian Empire, generically called the Forestry Anonymous Societies (*Societățile Forestiere Anonime*) set camp in Vrancea. They have built narrow-gauge railways that were relatively cheap and easy to operate (Turnock 1989: 269), brought workers from across the mountains and built an effective work-camp, with barracks, bakery and a bar. They leased entire forests from the local communities and extracted large quantities of wood. Meanwhile, not working as woodcutters for the Anonymous Companies, local folks also cut and sold wood, at far lower rates, in the nearby fairs of Focșani and Odobești. From 1910, the local *obște*as begun to work as more organized entities, they set up management structures, delegated powers to the general assemblies and, forced by the forestry code from 1910, they started to guard the forest and set up organization charters.

But let us now come back to the story of the transaction. After the sale occurred between the two *obște*as in 1889, an opportunistic *mandatar* of the *obște*a Nereju, Nică Macovei, claims that the 20 villagers of Bodești could not have sold the property of the whole village, but only their individual rights. He speculated on the frailties of customary law and on a civil law that did not conceive of collective property, in order to be able to buy shares from individuals and resell them to the companies, and make a profit on the margin. In this sense, he almost bought the mountain of Piatra Secuiului piece by piece, from individual sellers. Furthermore, *obște*a Nereju files a set of

¹² This case is published by Henri H. Stahl first in vol. 1 from the monograph of Nereju, and then republished in “Contribuții la studiul satelor devălmașe” (1958). His analysis is based on legal documents furnished by judge Aurel V. Sava from the legal court in Năruja village.

legal documents to stop Macovei from gaining legal possession of the mountain and finally allows him to gain use-rights, against a sum of money, and resell them. In the end, the losers of this chain of transactions were the inhabitants of Bodești, which were left without forest for a derisory price. The incontestable “winner” was the local speculator, Macovei, who earned the value of two village villas, just by speculating on the margin, 40 times more money than the whole village of Bodești, taking advantage from a hazy civil law applied to ill enforced customary property arrangements.

In this case, individuals, communities and companies use all sorts of subterfuges to gain benefits in the context of confusing legal regulations. They manipulate confusion between full ownership rights on one side, stated in civil law (which did not discriminate between commons or other kinds of property), including alienation of the forested area, and use-rights on the other side, as rights were understood in local custom, which only allowed harvesting the trees, confusion that persists up to this day. We can see in this case how cumulating all individual rights meant in some person’s judgement gaining control over land, while other persons considered that the consensual decision of a few representatives was enough.

The case of Piatra Secuiului remained legendary in the memory of locals because it left a whole village without forest and people from the area narrate the negative consequences up to this day. Apart from that, what is troubling about the workings of this case is that it bears striking resemblance with the current situation, in which civil law can be played against customary law in court cases or in parliamentary debates, as we will see in the next section. Not solely at upper levels, but also at local level, the same as in the past, confusion dominates when it comes to articulate the principles of decision, as it is revealed by instances in which the communities have to decide who is a member and who is not, who gains rights to be a member and who loses (Vasile 2008), giving way to the managerial representatives take decisions by themselves.

Changing the law in favour of grabs

More than 100 years later, in 2009, the alienability of the forest came into question again. Ignorant about local exemplary stories, such as the one with “the fools from Bodești”, or about the chaos created by the inadvertences between custom and civil regulations in the past, three members of the parliament, in theory promoting progressive laws, propose the liberalization of

the market of collective woodlands. Strikingly resembling the discussions occurred in 1910 about modernization of legal conceptions and meanings of property, they suggest a motion of modifying the existing laws in the name of “evolution of society”, to “modernize” old-fashioned conceptions (concepții învechite) into new, up-to-date, civil demands regarding property. In their written proposal of law modification (*propunerea de lege*), which was handed in for debate to the parliamentary commissions, the legislators formulate their reasons in the following way: “forest associations themselves manifest an interest to alienate the woodlands, and the reason is their hope in a better management, which they themselves feel they cannot provide”. They suggest that this selling interest can be met favourably by the Romanian state that could buy the forests, therefore the law should grant the state pre-emption rights (meaning the state has the right to buy in case the proprietor decides to sell, before the opportunity is offered to others). In this sense, the proposal mentions the management virtues of the state, which would be “balance” and “rationality”. Furthermore, they speculate that the state should be interested to buy the woodlands, in order to increase their forest surface and to “make it a whole again” (*să-și întregască suprafața*).

This whole discourse rests on the socialist premise of governance by the state as a good experienced manager, purporting the “interest of the nation” and on the idea that private proprietors, such as the associations, are chaotic, ignorant and greedy, but at least willing to admit to their own flaws. The socialist premise coupled with the modernist stance is a discourse pattern that is indubitably very powerful in postsocialist Romania. Almost all foresters that I have encountered moaned incessantly about the destructive faults of privatization. But, no matter how appealing the discourse of the proposal in question might have been, it contained a huge “technical” flaw: the state cannot buy back land that has been privatized. The state can only administer the public domain.

The proposal had to be discussed and approved in the parliamentary “Committee for agriculture, forestry, food industry and specific services”. The debates were heated, and the members of the committee were almost equally divided. On one side, the arguments for the possibility of alienation were: “modernization and evolution” and “respect” for exclusive property rights, which would include alienation rights. On the other side, the opponents of alienation invoked historical traditions of local governance, the idea of continuity and heritage for future

generations, the endurance of resources in opposition to the ephemeral windfall gains. Also, they invoked the social character of associations, which should not be plagued by commercial interests and market logics: *“poor villagers now get a small share of their communal forest every year, and their children will get too, but if we pass this law, tomorrow and in the future they will be tempted to sell their rights for good for a handful of money that will be easily spent”*.

The committee overruled the modification of the law, with a tight final voting score: nine votes against modification and eight votes for. Finally, the government also overruled the modification of the law, mentioning that the reorganization and management process of associative forests proves to be very difficult indeed and flawed with numerous social tensions, thus the possibility of alienation would increase such conflicts and would lay grounds for new litigious disputes.

A few of the forestry persons I talked to about this proposal speculated that in fact the motive and the intended consequences of this proposal were that international corporations have interests in buying large areas of forested land. In the words of one of my informants, the reasons for this proposal go like this:

“The companies must be biting their nails with frustration that they are standing right next to such beautiful forests with their pockets full of money and cannot buy them... they probably bribed these three jokers [the members of the parliament] to try and modify the law with their deceiving strategies. [...] Because, you know, here in Romania compact surfaces of forestland belong either to the state, or to associations, thus what the foreign companies can buy at the moment are just scattered plots of 10-20 hectares from individual owners here and there, not very profitable for large investments. So, they make pressures.”

Nevertheless, many forestry officials, generally unhappy with handing in the forests to private proprietors, and to communities, of which they hold a bad opinion, would be in favor of allowing the possibility of alienation. Their reason is a “better, less tense management of the forests” and appreciate that the social character of associations is something that fits better an image of an idyllic village that in fact belongs to the past and does not fit current realities. In the words of T., one of the forestry officials I interviewed:

“I think that the community forests were used in the past for building public utilities, schools, churches, and fuel wood. There were also less people back then, logging did not have a major impact. Nowadays, things have evolved dramatically and we can’t cling on to that image of the past. Because of the underground economy, demographic expansion, technological advancement, etc., the traditional use of forests is no longer possible. Thus, I believe that the restituted associative forests can’t contribute to any preservation of a traditional style, but instead, a local leader most often reaps them off. Thus, if I were to choose between keeping them [the associations’ forest] protected and putting them on the market for some company to grab, I would choose the company, because it is more probable that it would care about its image, if not about the forest, and it will not create tensions of any sorts be they environmental, social, economic, while the local leaders of obșteas don’t care about anything.”

What unites or divides communities around forest deals?

Some of the associations’ leaders from Vrancea complained bitterly about the law initiative and decided to take action, by formulating a protest against the possibility of alienation (the one that triggered my attention to examining the topic, mentioned in the introduction), which they handed in to members of the parliament and of the government. The content of the protest text was a mixed bag of emotional and accusative lines, and a chronological listing of past ‘just’ laws supporting inalienability. It deems the law-changing initiative strange and irresponsible and make an appeal to other members of the parliament to overrule it.

The text first drew a parallel with what happened 100 years ago, when both locals such as the above-mentioned Nică Macovei, and higher-up officials confused the contents of the property law in order to provide access to forests for foreign capitalist enterprises. The protesters refer to the historical endurance of forest associations in several areas of the Carpathians and name the forest as the “spine” of free people, suggesting it to be a constant source of verticality and dignity across time. This plea has a twofold discursive and emotional reverberation. It suggests a humanitarian aspect - that in the forested areas, locals’ livelihood cannot be sustained unless they access the forest resource; in addition, it appeals to a strong identity marker of Vrancea folks,

elaborated via social memory mechanisms, that of free people during feudal times – as opposed to serfs that laboured on the feudal estates¹³. Further, the protest reminds older law texts in which associations were protected from alienation due to their social roles, suggesting that the current initiative would break continuity with an honoured legal tradition. The protest text was supported by a study of the intricate legal aspects of the commons in Vrancea, which also showed sharp local tensions occurred as a consequence of diffuse legislation. It remains unknown whether this specific protest triggered the overruling of the law initiative by the government, however some of its elements can be found in the prime minister’s written decision.

Despite the fact that many times the leaders of the associations act abusively in the name of the community, and in fact promote their own interests, in this case, the action of the leaders to fight alienability coincides with the opinion of most village members. In the survey that I conducted in 2004-2005, the majority of interviewees said selling of rights should not be legally allowed, neither to co-villagers (76.8% said no to allowing the possibility to sell to co-villagers), nor to outsiders (87.5%). Of village people who expressed their views against alienability, many were aware of the problems occurred in the pre-socialist past, when some members alienated their rights. They think that even in those confusing times, such transactions were not fully legal and believe that by standing united, locals themselves nullified those transactions in court. One of my informants give a full account of his view of what happened in the past:

“Before communism, laws were not that well enforced. Many people got drunk in the village bar. And a smarter one came to those drunkards asking if he would sell their property rights, against a derisory amount of money or against some booze. So, the smarter one fooled say 50 people, got 50 rights on signed pieces of paper, then went to the notary to legalize that. Notaries were confused themselves, or had interests themselves, so they legalized transactions. But then, when this phenomenon became too obvious, the rest of the village stood united, and those of us who were more knowledgeable went to courts and showed the true collective character of obșteas. And there, the judges understood and did not permit such selling acts.”

¹³ For a detailed description of the forests as an identity booster with strong emotional overtones see Vasile 2007.

Other informants showed how in fact, the judges were not all of the same opinion and in the legal chaos concerning collective property at the beginning of the 20th century, they interpreted the existing regulations according to their own preferences and interests (which is conform also to the arguments of A.V. Sava, judge at the time, in 1931 and to H. H. Stahl, 1939). One informant, 92 years old from the village of Vrâncioaia, recounts a case where a judge legalized the rights acquired by buying from a co-villager only for some persons:

“This Toader, he had bought 12 rights from his co-villagers. And he had 5 sons. When Toader died, all 5 sons went to a judge to recognise their rights. And the judge recognised 12 rights for only 3 of the sons, not for the other 2. Four rights for each of the three sons. How this happened, don’t ask me, probably as things happen now as well, some bribes, connections, you know... It was not legal, but the 3 sons benefitted from the recognition of their rights anyway [...] It was around 1930... something.”

When I asked people if they would be tempted nowadays to sell their property right to the collective forests, for a high price, some people smiled saying *“if I were entirely pragmatic, I would, it is a great deal of revenue; but you see, morally, I cannot”* and most locals said *“No”*, hinting at the emotional attachment to forestland and to the forest as an identity mark for the area. They also refer to the individual needs that forest fulfils and argue against alienation saying that *“money is ephemeral, I sell today, use the money and then I am left without anything, I can stare at the moon, but I cannot bring home wood from any forest”*. Or, they refer to the improvements to community infrastructure that obșteas usually contributes from its budget, arguing that they would not sell *“because the forest is the economic power of the entire village, if we sell we lose such power”*. Thus, even though they are disappointed with the actual output from the forest that obșteas grants them, they still perceive that *“with obșteas we have something, which is anyway better than nothing”*.

And, more important, locals believe that the domestic forest grabbers can be stopped by appropriate state controls, because, as they say, *“illegal logging can be discovered on the ground”*. In this sense, many local folks have filed court cases against local mayors, foresters or other members of the *“local mafia”*, they wrote petitions to the government. They denounce in this way not only illicit depletion of the forest, but also swindling obșteas funds, and mismanaging obșteas elections. But, the mafia being entangled politically at all levels and having the right connections in

legal courts, and forestry offices, is often believed to be nearly impossible to break. Yet, no matter how unsuccessful these attempts have been, some of the most stubborn local folks still have hope that the right state officials will someday come, “discover” irregularities and punish the guilty. Their hopes are nourished by frequent political changes, which might bring them windows of opportunity, and by fuming denunciations of corruption going on at upper state levels.

Yet, the pervasive disappointment and internal tensions might determine many locals to give a thought to selling their shares, if and when the opportunity will come.

In one of the villages, Tulnici, the opportunities already occurred, as mentioned in a previous section, and because the legal conditions were met, the charters already being articulated in such a way so as to give the possibility of alienation, sales of property rights between co-villagers actually has recently occurred. One person from the village bought the property rights of other 20 persons.

Conclusion

I have argued that the land-grabbing arena in the case of the Romanian forest commons should be understood through focusing the lens on the relation of different actors with “the state” and on different actors that act within “the state”. Four types of relations have emerged from the above analysis. First, relations between corporate investors and state officials, commercial and lobby relations, in which some companies draw on their “powers of exclusion” (Hall et al. 2011) by aiming to obtain commercial advantages and influence the law-making process, providing in exchange their ability to create and maintain a reliable market environment and providing supposed rents and bribes. Second, relations “within the state”, of which most important for the context presented here are vertical ones, where various local officials and politicians become clients of upper level forestry-officials and politicians in order to secure illicit business, providing instead loyalties, political support and rents. Third, local relations, inside rural communities, where commoners relate to local state-authorities, mayors or forestry officials, either by supporting their business, or opposing it. In the case where they oppose local resource grabbers (such as the protest addressed to the prime-minister or the ones in which locals file court cases), the opposition occurs by addressing their pleas to other officials, those suppose to judge and enforce sanctions. Here, investing the same state that they mistrust, albeit different persons,

with hope for protection of their livelihoods through protection of the forest, the commoners actually produce the ideal of the state-above, which becomes a “hope-generating machine” (Nuijten...). In all of these relations, I depicted the parties – officials or commoners – not as unitary entities, but as actors with different interests, and most important with different representations of property and functions of the forest commons. The particular ways in which such different representations are negotiated and enacted in the respective relations can provide different situational outcomes such as forest-grabbing.

Therefore, the picture I have drawn of the situation of Romanian associative forests and the corporate interests vested in them gives rise to a number of questions, the most immediate being the competing nature of views that have been deployed by various camps around the contested meanings of common forests. To put it dichotomously, the presented cases have revealed how the forest commons can be framed on the one hand as a commodity, to be produced and marketed in a liberal regime of property; and, on the other hand, they can be framed as a social and “cultural” asset, a reservoir of livelihoods and, related to this, an identity mark of mountain areas, with both economic and affective significance for local dwellers. We have seen how both state officials - members of the parliament and forestry bureaucrats – and local folks, elites or commoners alike, are divided around the issue of obște forest deals in function of the images they hold about uses and meanings. Particularly, we have seen how the social meaning of the forests prevailed in the parliamentary debates of the pro-alienation law initiative, and how the same meaning prevailed in the failed attempt to buy or lease land for touristic purposes by a local businessman-cum-state-official – the village of Hăulișca. A gross quantitative measure of commoners’ support for one meaning or the other, showed overwhelmingly more support for the social meaning. This strong attitude counter-alienation is not surprising, as it is significantly informed by stories from past forest-grabs and by catastrophic consequences of forest selling by the “village of dumbheads”. But, despite these declared opinions, we have also seen how inside the communities the forest rights begin to be grabbed by powerful locals with vested interests in increasing their local power and it is noticeable how these transactions receive growing support

from narratives depicting the forest as a commodity and the *obște* as a shareholders company¹⁴, creating avenues for local rights grabbing, which, by concentrating rights in fewer hands, could foster further alienation to outsiders.

Following Borrás et al., another important question can be answered here, how are political narratives and discourses shaped by land deal politics (2011:212) and how do these narratives further lay grounds for land grabbing? The arrival of potential corporate buyers who manifest their interests strongly gave way to market-oriented narratives, in which words such as “capitalism”, “evolution” gained leverage against the social-oriented narratives in which protection of rural livelihoods appears as most important.

Yet, not only corporate investors are playing on the Romanian resource market. The paper has shown that domestic entrepreneurs, often being state officials themselves, yet members of local *obște*, are important and skillful players on the timber market, able to log large forest quantities and resell the logs to corporate companies. Such resource grabs by domestic folks or “local barons”, cumulated with conflicts generated within villages, gave way to a strong narrative put forward by forestry officials and politicians of “greedy and irresponsible communities”, generally creating a realm of hostility among official forestry persons against local folks, which also lays the ground for policies and laws in favor of external grabbing.

Abrams, P. (1988) ‘Notes on the Difficulty of Studying the State (1977)’, *Journal of Historical Sociology* 1(1): 58–89.

Borrás, S.M. Jr, R. Hall, I. Scoones, B. White and W. Wolford, eds. 2011. Towards a better understanding of global land grabbing. *Forum. Journal of Peasant Studies*, 38(2), 209–216.

Brockington et. al 2008

Bunoiu 2013

¹⁴ Such narratives of capitalistic ways and market efficiency were depicted in the literature on postsocialist societies as characteristic for new village elites who identify with the ideology of ‘change of mentality to Western, neo-liberal ways’ (Dunn 2004; Vonderau 2008).

Corson, Catherine (2011) Territorialization, enclosure and neoliberalism: non-state influence in struggles over Madagascar's forests, *The Journal of Peasant Studies*, 38:4, 703-726

Cotula, L. 2012. The international political economy of the global land rush: A critical appraisal of trends, scale, geography and drivers. *Journal of Peasant Studies*, 39(3&4).

Dunn

Edelman, M. 2013. Messy hectares: questions about the epistemology of land grabbing data. *Global Land Grabbing II Forum. Journal of Peasant Studies*.

Fairbairn, 2013

Ferguson, J., and A. Gupta. 2002. Spatializing states: toward an ethnography of neoliberal governmentality. *American Ethnologist*, 29(4), 981–1002.

Giurescu 1975

Gupta 2009

Li 2005

Lund, Christian (2011) Fragmented sovereignty: land reform and dispossession in Laos, *The Journal of Peasant Studies*, 38:4, 885-905

Nuijten

Oliveira 2013

Pelsuo, N. and C. Lund (2011) 'New Frontiers of Land Control: Introduction', *Journal of Peasant Studies* 38(4): 667–81.

Peluso, N.L. and P. Vandergeest. 2001. Genealogies of the political forest and customary rights in Indonesia, Malaysia and Thailand. *The Journal of Asian Studies*, 60(3), 761–812.

Publishing.

Sava 1931

Sharma, A. and A. Gupta (2006) *The Anthropology of the State: A Reader*. London: Blackwell

Sikor et. Al 2009

Special Issue), 39(3–4), 619–647.

Spoor, Max (2012) Agrarian reform and transition: what can we learn from 'the east'?, *The Journal of Peasant Studies*, 39:1, 175-194

Stahl 1939

Stahl 1958

Vasile 2007

Vasile 2008

Vasile, Măntescu 2009

Verdery 1996

Verdery 1999

Visser, O. and M. Spoor. 2011. Land grabbing in post-Soviet Eurasia: the world's largest agricultural land reserves at stake. *Journal of Peasant Studies*, 38(2), 299–323.

Visser, O., M. Spoor and N. Mamonova. 2012. Land grabbing in Russia: The post-Soviet political economy of insecurity and dispossession. *Journal of Peasant Studies*, 39(3&4).

Vonderau

White, B., S.M. Borras Jr., R. Hall, I. Scoones and W. Wolford. 2012. The new enclosures: critical perspectives on corporate land deals. *Journal of Peasant Studies*. (Editors' Introduction)

Wolford, W., S.M. Borras Jr, R. Hall, I. Scoones and B.White, eds. 2013. Governing global land deals: the role of the state in the rush for land [online]. Special Issue, *Development and Change*, 44(2).

Franco, Jennifer and Saturnino M. Borras Junior., 2013. Land concentration, land grabbing and people's struggles in Europe study *Via Campesina*

Dwyer, Michael B. 2013. Building the Politics Machine: Tools for 'Resolving' the Global Land Grab. *Development and Change*, 44(2): 309-333

Burnod 2013

Moore, 2005;

Perrault, 2008

Grajales, 2013

Levien, 2013:

Berry 1988,

Li 1996,

Hart 1997

Graef, 2013

Arezki et al., 2011

Bomuhangi

Deininger et al., 2011