

## Would ICCAs still have their place in the mountain forests and territories of the French and Swiss Alps?

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The community—“*a social group characterized by the facts of living together, to own common goods, and have common interests and goals*” should be clearly distinguished from the commune, which is the “*last administrative subdivision of the territory, administrated by a mayor, adjuncts and a municipal council (...and...) by extension, the legal entity represented by its inhabitants*”.<sup>2</sup> Nowadays, it is only the latter - the commune - which can legally own pastures, forests, high meadows, streams and other natural resources<sup>3</sup>. Historically, however, before the consolidation of the nation states during the XVIII<sup>th</sup> century, the commons were often owned and administrated by an assembly of members organized as a parish or commoners' user groups. Such organizations managed the resources to meet the community's collective and individual needs. Nowadays, the communes in the French and Swiss Alps own important extensions of forest, pasture and water, which are subject to multiple uses (for harvesting fuelwood, grazing, using and conserving wildlife, providing water, collecting various non-timber forest products). However, the governance and the management responsibilities for these resources involve state and non-state local actors, giving locally situated communities more or less voice in decision making. Access rules for each resource vary greatly from place to place and over time. Whereas they draw their origin from medieval tenure laws, the municipal forests of today are no longer the commons of yesterday. Residents no longer feel "co-owners" of the communal forest managed by local and/or state technicians who tend to prioritize economic over other values. The latter include heritage, however, which the residents perceive, as primordial.<sup>4</sup>)

The analysis of field data shows that municipal and state services, especially in France, are *de jure* or *de facto* preponderant in decisions concerning natural resources management. In fact, residents have voting and electoral functions but little other influence regarding decisions related to the natural resources owned by the commune. Similarly to a local language that tends to disappear with the passing of the elders, the institutions and practices of community governance are clearly neglected by the young generations and the lack of interest expressed by residents for managing their communal natural resources often misses to encourage elected officials and administrators (municipal advisors, forest agents) to develop any form of participatory, community-based or solidarity-oriented management. However, some elements appear to offer a ray of hope (from this rather bleak landscape)

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<sup>2</sup>Robert, 1978. Dictionnaire de la langue française. Société du nouveau littré, Paris.

<sup>3</sup>The French term « commune » could be translated in English by « municipality ». However, in this discussion, we prefer to keep the term « commune », when we mean the collectivity of inhabitants and the territory they inhabit. And we use the term « municipality » to mean the **local government** (composed of elected representatives) that administers the commune. This distinction is made in French and valid in the context of the Swiss and French territories we refer to. When we say « communal forests » or « communal pastures », we mean the resource *owned* by the collectivity of inhabitants of the commune. While it is indeed the municipality which *administers* the communal good, it does so largely by obeying national and regional institutions. Nowadays, communal forests in France and in Switzerland are considered to be public forests and are to a large extent managed by state agents. However, in medieval times, these communal goods were governed and managed by local communities, as commons.

<sup>4</sup>A. Finger-Stich, 2005. Social Agency in Alpine Communal Forests. Albert-Ludwigs University, Freiburg im Breisgau, Germany. (<http://www.freidok.uni-freiburg.de>)

in terms of community management of natural resources in the French and Swiss Alps. Our presentation will explore these elements by focusing on cases from the Swiss and French Alps. We will present three examples where residents and local users take the initiative to organize community based forms of natural resources ownership, access and/or management and which we can discuss in terms of community conserved areas:

- The system of “Affouage”, which is a right for residents to access to fuelwood from the communal forest,
- An intercommunal hunting reserve, self managed by hunters who defined, implement and control hunting rules which are stricter than those set by the national hunting code.
- A common water property, shared between 200 users, including shepherds with their “hérens” cows, a local cattle breed considered as part of the heritage of the region.

We will highlight, on one hand, the characteristics that approach such cases to ICCAs and, on the other, new emerging questions about the community role in managing natural resources and even adopting more participatory ways of deciding upon the common heritage. We will discuss the three following questions:

- Do local municipalities not know, not wish or not dare to give back some weight to community management and governance?
- Is local solidarity, an important element of the system of owning and managing the commons, still alive ?
- What is the relationship between economic values and heritage values in community resource management, as we observe it in the French and Swiss Alps?

