



Methodological and Ideological Options

Common Patrimony: A Concept to Analyze Collective Natural Resource Management. The Case of Water Management in France

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ABSTRACT

The objective of this article is to show that, along with the concepts of common property and common-pool resources, the concept of common patrimony can be relevant for analyzing collective natural resource management. We proceed in three steps. First, we present the concept of common patrimony and we distinguish it from common property and common-pool resources. We show that the notion of common patrimony allows identity, historical, territorial and institutional dimensions to be taken into account as it places social dimension at the center of the analysis. Second, we illustrate the common patrimony concept by using the case of water management policy in France. Third, we place common patrimony within the framework of social ecological economics and we identify links with other approaches addressing institutional dimensions of water resource management. We outline some research questions that can be developed to contribute to a better understanding of collective natural resource management.

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1. Introduction

For some years, the emphasis placed on the management of common resources in economic analysis has taken on increasing importance. The award of the 2009 Nobel Memorial Prize in Economic Sciences to Elinor Ostrom for her research on commons governance obviously did much to further recognition of this topic. Over and above the research perspectives that this event has highlighted, it also has incited economists to consider once more the old political economy issue which aims at distinguishing between the fields of resource management related to private appropriation and the role of the “invisible hand”, and those that obey collective rules of appropriation and distribution. This collective dimension highlights aspects that have often been neglected or ignored by the mainstream economic approach: the community as the “reference stakeholder”, the identity conferred by the community on its members, the members’ attachment to a given territory, or the historic and temporal dimensions of the existing institutional arrangements and management methods, to take but a few examples. In this article, we shall show that, in addition to work on community-based natural resource management, the concept of

common patrimony can be relevant to the analysis of certain characteristics of contemporary natural resource management systems (Calvo-Mendieta et al., 2011, 2014; Auclair et al., 2011).

To do so, in Section 2, we shall dwell on distinguishing conceptually this approach to common patrimony from others that seem quite similar to it, i.e. analyses in terms of “common property” (Ciriacy-Wantrup and Bishop, 1975) and “common-pool resources” (CPR) (Ostrom, 1990). We shall then see that the common patrimony approach, by focusing on the particular way that, in this case, relationships are formed between *being* and *having*, provides a specific reading of the temporal and territorial dimensions which are rather side-lined by other currents of thought.

In Section 3, we use water management policy in France to illustrate the potential insights that can be reached by using the concept of common patrimony. To begin with, we shall return to the history of water management in France, the patrimonial dimension of which has been recognized for a very long time. Subsequently, we shall turn to contemporary patrimonial institutions which exist in the field of water management, in particular at a local level, by taking the example of the Audomarois basin, situated in the North of France.

Section 4 is devoted to a discussion of the notion of common patrimony. We shall set this notion, and the institutional perspective it conveys, in the current of social ecological economics, and isolate the

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elements of a research program into common patrimony, applied to water resources, based on works taking account explicitly of the social dimension of this resource and the ways in which it is managed.

2. “Common Patrimony”: Managing Both *Having* and *Being* Over Time and Territories

As mentioned above, a community of stakeholders can cope perfectly well with defining collective rules for natural resource access and management. According to us, one of the forms of collective management in western countries is “patrimonialization”, which involves giving a community institution the capacity to manage and transmit over time resource assets that are both the symbols and the means of existence for this community. According to Ollagnon (1989: 265), patrimony can be understood as “*the set of tangible and intangible elements that contribute to maintaining and developing the identity and the autonomy of its holder over time and space by adapting to an evolving environment.*” In other words, as the term’s etymology suggests (i.e. “*patrimonium*: assets inherited from the father”), a patrimony is a mixture of *being* and *having* in common. The collective identity of certain communities is attached to their capacity to manage certain natural resources sustainably and, in return, the state and evolution of these resources depend on the bonds that unite them to this community, and on the rules of collective management. Given this point, it is above all the separation between *being* and *things*, between the agents and the objects they manage and exchange, that the notion of common patrimony attempts to transcend. It is this dialectic of *being* and *having* that brings out the intangible nature of common patrimony, even when applied to objects, like natural resources, that have a clearly tangible existence.

This particular relationship between *being* and *having* can also be seen in the way in which time is considered. Common patrimony can be characterized by the issue of a long, and even very long time period. It necessarily refers to an intergenerational perspective: a resource inherited from the past, to be managed by a generation of holders, before being handed down in a satisfactory state to the next generation, which will in turn have to leave it to a further generation, when the time comes. More than just a temporal dimension, there is even a historical dimension that needs to be considered when dealing with common patrimony, in the sense that it brings into play a time period which does not involve duration only, but during which a collective identity (that of its heirs and future bequeathers) and a mission attached to this identity (the very transmission of these resources and identity) are built up and transmitted. It should be noted that the holders of a resource seen as a common patrimony are not necessarily the legal owners of the resource, and are not always economically dependent on it. Furthermore, as opposed to CPR, common patrimony management opens up the possibility of heterogeneous holders, not focused exclusively on the users. A wetland may be a common patrimony for hikers, foresters, hunters and local residents. All of these actors may form a patrimonial community, in which the identity-bonds with the resource may be of different sorts. But, in all cases, by emphasizing the need to hand it down, the patrimonialization of a resource aims at pre-empting the future, through the past and present: we can thus talk about a patrimonial strategy being used by the group that manages it.

This particular relationship between *being* and *having* can also be found in the way that space is considered, as the second dimension inherent to the notion of common patrimony. Common patrimony becomes meaningful only in the identification of a community of holders who recognize themselves as being the guarantors for the preservation and transmission of the common resources in a given territory. We are intentionally using the notion of a territory (less neutral than that of a geographical space) because it shows up the importance of identity-based interactions between the actors and the space involved. The most striking example is doubtlessly that of protected geographical indications and signs of quality, which associate particular farm produce

not only with a geographical area, but also with a certain amount of territorial knowhow and specificities. French cheeses and their appellations thus specify, according to the specifications of the Protected Geographical Indication (PGI), the perimeter allowing the label to be obtained, but also the use of a certain number of technical procedures, often linked to its physical characteristics. In this respect, a cheese can be seen as a common patrimony, both the heir of a long historical tradition, and also aiming at a transmission of its production techniques into the future, on a clearly defined territory allowing such products to be recognized and identified as coming from the territory (or *terroir*) where they are made. Even though this presentation creates the impression that the processes are rather fixed, this common patrimony is not synonymous with resistance to change, which occurs in a more endogenous way, in that it is the community of holders of this patrimony (or their representatives) who can decide on the orientations to be adopted so as to help it evolve in time and space. At other geographical scales, other communities of holders can come into being, nationally (for a particularly characteristic patrimonial object that symbolizes a country, such as the grey crowned crane, which is Uganda’s national symbol, and which is even depicted on its flag), or even globally (for example, in the case of climate or endangered species).

From a theoretical viewpoint, the concept of common patrimony is set in an institutionalist economic perspective, inherited from the old institutionalism based on an attempt at understanding the bases for a collective action through a holistic vision (the common is seen as being a given, but it is still constructed and is transformed over time, in a process of patrimonialization), rather than from a purely individualistic point of view. In this respect, common patrimony comes closer to the perspectives presented by Ciriacy-Wantrup and Bishop (1975), in their analysis of common property as an institution, rather than to the CPR approach in the Bloomington school (Aligica and Boettke, 2009) which considers the management of these resources and mechanisms of collective action as being initially individual choices (for a comparison between these different approaches, see Table 1).

This patrimonial dimension is also present in a rather ambiguous way in the definition of common property suggested by Ciriacy-Wantrup and Bishop (1975). This is because, on the one hand, they insist on the fact that common property should be defined as being based on the right to use a resource, and not on the right to transfer this resource (and so *a fortiori* the right to transfer this resource over time): “*It should be noted that the concept, as employed here, refers to the right to use the resources, but not to transfer*” (ibid, note 4: 714). But also, on the other, when examining the community in charge of a common property, they evoke – in the same footnote! – a transmission of this property through heritage, because of membership of a group: “*Heirs of a common owner become co-owners themselves only through their membership in the group (tribe, village, etc.)*”. These are forms of common property, which come under what we shall call common patrimony, and which may not be directly named as such by these authors, but which still come across as such implicitly. It should also be noted that, even though Ciriacy-Wantrup and Bishop denounce the usual confusions that occur when dealing with commons (the expression “common property resources”, the assimilation between common property and open access...), in their own text, they themselves refer in turn to notions of “common heritage”, “commons managed” and “common property”, without making any particular distinction between them.

Hints of this patrimonial dimension can also be found in Ostrom’s work *Governing the Commons*. A CPR is defined by Ostrom (1990: 30) as “*a natural or man-made resource system that is sufficiently large that it is costly (but not impossible) to exclude potential beneficiaries from obtaining benefits from its use.*” But, when she lists the common points between the different examples of CPR, which she then reviews, she emphasizes that, compared to the uncertainty inherent to environmental evolutions, the communities she is interested in have been stable over long periods of time, while the individuals who compose them aim at keeping up their reputation as members of this group:

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