

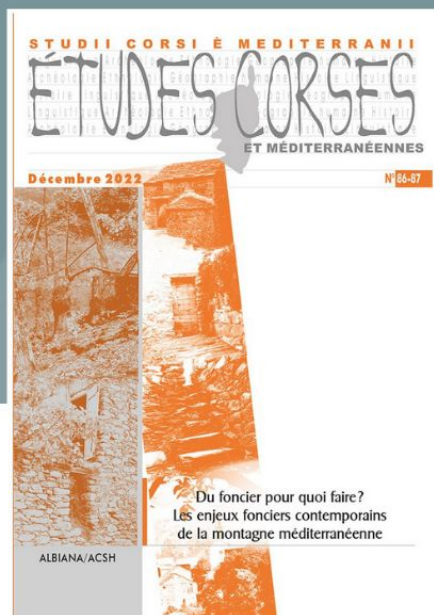


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THE DYNAMICS AND PALIMPSEST OF PASTORAL LAND TENURE IN ALBANIA The Dukat area example (Vlora)

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The dynamics and palimpsest of pastoral land tenure in Albania: the Dukat area example (Vlora)

Abstract

In Albania, mountainous agrarian systems are in the majority, and pastoral breeding is strongly present. In Dukat, a mountainous region on the southern Albanian coast, the study of pastoral systems shows that (i) national rules are superimposed on customary norms, (ii) new breeders negotiate their access to resources according to their capital, (iii) environmental injunctions can redesign pastoral practices.

Keywords: Albania, Dukat, land tenure, pastoralism, *saltus*

Introduction

In Albania, the agricultural sector, which is mainly linked to livestock farming, accounts for 23% of GDP and employs almost half the working population, ensuring that the country is virtually self-sufficient in animal products¹. As in most Mediterranean mountain areas, pastoralism plays a central role: over 43% of Albania's territory is covered by semi-natural environments² (scrubland, maquis, sparse forests, meadows), which provide numerous fodder resources for pastoral activities. As it takes up a large part of the rural landscape, pastoral activity is closely linked to land issues and access to resources in a particularly changing context.

In Albania, land tenure in pastoral areas needs to be considered in the light of the country's recent history: a succession of major changes that are reshaping the local and national interplays. Over the last century, land reforms led first to the nationalisation of almost all land under the Communist regime, then to its redistribution, resulting today in a diversity of situations with territorial specificities, where private, state and municipal ownership coexist. In addition, there are a variety of usages and norms that are redesigning pastoral dynamics around new and complex access rules to territory and their resources.

Studying the case of Dukat, a mountainous region on the coast of southern Albania with a strong pastoral component, adds perspective to the link between uses based on inherited models and contemporary forms of governance that are being negotiated with the emergence of new stakeholders. In the Albanian context, where land tenure rules are changing radically and frequently, the practices and uses of pastoral land are dynamic and constantly being negotiated regarding pastoral production, fodder resources and norms and rules.

1. From the analysis of Albanian livestock farming systems to the identification of a palimpsest of rural land tenure

1.1. Methodology: a land tenure study based on livestock systems

This work in the Dukat region is part of a series of studies that have been carried out since 2013³ in various Albanian areas, as part of a study of Mediterranean agro-biodiversity, focusing on land tenure, uses and practices linked to the exploitation of resources⁴, and more particularly pastoral practices⁵. Two fieldworks were carried out in Dukat: the first in spring 2016, focusing on pastoral practices, their

¹ MARKU Roland, *Analyse statistique et cartographique du secteur de l'élevage en Albanie depuis 1990*, Montpellier, CIHEAM-IAMM, 2018.

² Ibid.

³ As part of the BiodivBalkans research-action programme (2012-2017), funded by the French Global Environment Facility (FFEM) and the Albanian Mountain Development Agency (Mada).

⁴ CROUTEIX Oriane, *Usages et propriétés des terres forestières et pastorales en Albanie. Processus institutionnel et dévolution aux communes, pratiques locales d'utilisation et impacts environnementaux. Etude de cas de trois communes de Mirdita*, Montpellier, Master of Science, CIHEAM-IAMM, 2013.

⁵ GARNIER Alice, *Pratiques d'élevage et diversité paysagère dans le Has albanais*. Montpellier, Master of Science, CIHEAM-IAMM, 2015 ; MICHAUD Gabriel, *Etude sociotechnique des systèmes d'élevage dans une commune pastorale du sud-est de l'Albanie*, Montpellier, Master of Science, CIHEAM-IAMM, 2017 ; GONTARD Simon, *Diagnostic agraire du massif pastoral de Rrungaja (Région de Korçë - Albanie) : Mise en valeur des pâturages, principale ressource de ces territoires de montagnes, par les systèmes d'élevage*, Montpellier, Master of Science, CIHEAM-IAMM, 2017.

evolution and an analysis of livestock farming systems; and the second in June 2021⁶, which focused on land tenure issues raised during the first fieldwork⁷.

With a systemic approach⁸, our analysis focused on livestock farming practices by collecting data during semi-structured interviews (around thirty on technical or economical aspects or the governance of breeding sectors with farmers, municipalities, dairy factories etc.), observation of the landscape (by analysing for example the layout of cultivated and natural areas), and a reconstruction of local agrarian history based on archives and interviews with elderly people. An eco-pastoral diagnosis⁹ was also carried out on part of the territory in order to provide more detailed information on the links between pastoral practices and biodiversity issues. The aim of the second fieldwork was to focus on the mechanisms of access to land and pastoral resources in the Dukat area. Land tenure issues were addressed via 13 semi-directive interviews with users and managers of the various agro-sylvo-pastoral areas (herders, municipalities, protected areas, etc.).

The description of pastoral practices in the Dukat area in terms of their social, economic, landscape and historical context is an important contribution to our understanding of rural Albanian territories, which suffers from a lack of written references. Furthermore, the dynamics of land tenure are rarely studied on the scale of a rural area and are more often studied on a national scale. Yet only an analysis on the local scale makes it possible to examine current environmental issues and the sustainable exploitation of resources.

1.2. Pastoral resources in a constantly changing land mosaic

The rules governing the exploitation of pastoral resources are constantly being negotiated between local stakeholders and with national and local public authorities, resulting in variable and changing pastoral practices. These rules depend in particular on the formal governance of the territories, economic opportunities, the stakeholders present in the territory and also the nature and properties of the pastoral resources. In these constant negotiations, legitimacy for the place and role of each stakeholder are selected according to their objectives and opportunities.

According to R. McC. Netting¹⁰, the type of "land tenure system" - which can be considered as the set of rules that govern local ownership and use of land and resources - depends on three factors: the legal control exercised from outside; the system of resource exploitation (the way in which resources are exploited); the nature of production and possible rivalry in exploitation. He writes: "I would like to defend the idea that in the absence of formal external legal or military control, the system of property rights within the rural community will be closely linked to the way in which resources are exploited, to

⁶ Fieldwork carried out as part of a programme coordinated by the Land Tenure and Development Technical Committee (CTFD), financed by AFD.

⁷ This paper is therefore the result of a collaboration between the two authors, comparing their respective subjects of study: pastoral practices on the one hand and land tenure issues on the other.

⁸ COCHET Hubert, *L'agriculture comparée*, Versailles, Quae, 2011, 159 p.

⁹ GARNIER Alice, BERNARD Claire, DOBI Petrit, LAUNAY Fabienne, LERIN François, MARIE Julien, MEDOLLI Besmira, SIROT Benjamin, « Adaptation of an ecological and pastoral diagnosis to the Albanian context: challenges and lessons learned », in CASSASÙS Isabelle (ed.), LOMBARDI Giampiero (ed.), *Mountain pastures on livestock farming facing uncertainty: environmental, technical and socio-economic challenges*, Zaragoza(Spain), CIHEAM-IAMM, 2016, p. 251-255. (Options Méditerranéennes : Série A. Séminaires Méditerranéens, n° 116).

¹⁰ McC. NETTING Robert, «What alpine peasants have in common: observations on communal tenure in a Swiss village», In *Human Ecology*, Vol. 4, n° 2, 1976.

rivalries over their use, and to the nature of what is produced. In other words, I would argue that land use generally determines the type of tenure system" (p. 224).

In Albania, this approach leads us to analyse successively and jointly: the property and use rights defined at national level; the ways in which fodder resources are exploited and pastoral products made; and, finally, the interplay between local stakeholders that can lead to rivalry over access to resources.

Concerning rights of ownership and use, Albania's history over the last century is quite unusual. At the beginning of the 19th century, the country underwent a redistribution of feudal, religious and state lands¹¹, like many European countries, but on a much smaller scale. It was especially after the Second World War that in Albania the most radical change in land tenure ever seen in Europe occurred¹², moving from the total collectivisation of land at the end of the 1960's to a radical land reform in 1991, distributing all farmland to each worker or "right-holder" according to the size and quality of the land¹³ (law no. 7501, 1991). This resulted in the creation of an agrarian system that was unique in Europe, with 460,000 small private farms with an average surface area of 1.3 ha, and a highly fragmented parcelling system (3 to 7 plots per farm)¹⁴. Among the post-communist land reforms in Eastern Europe¹⁵, only in Albania can we observe such an extreme land reform associated with such a fragmentation of farmland and a systematic redistribution.

However, these processes of collectivisation/privatisation only concerned arable land. Forests and pastures were never privately owned, and prior to the Communist period, the resources of these areas (pasture, firewood and gathering) were generally exploited by a group of individuals belonging to the local lineage or village. These lands were nationalised after the Second World War and are managed by the State, which is mainly concerned with the exploitation of their wood resources. From the 1990's, the forest and pastoral areas closest to the villages were re-appropriated by the inhabitants and often considered as common areas under the control of the villages and lineages. This led the post-

¹¹ KASABA Reşat, «The Ottoman Empire and the world economy: the nineteenth century» *Middle Eastern Studies* Albany, State University of New York Press, 1988.

¹² LERIN François, BIBA Gjin, « Ré-interprétation de la transition agricole albanaise à partir d'une perspective institutionnelle », in CIVICI Adrian (ed.), LERIN François (ed.), *L'agriculture Albanaise : contraintes globales et dynamiques locales*, Montpellier, CIHEAM-IAMM, 2001, p. 23-38. (Options Méditerranéennes : Série B. Etudes et Recherches, n°28).

¹³ CIVICI Adrian, « Evolution des politiques foncières et dynamique des espaces ruraux en Albanie », in JOUVE Anne-Marie (dir.), *Terres méditerranéennes : le morcellement, richesse ou danger?*, Paris, Karthala, 2001, p. 127-145; GURI Fatmir, JOUVE Anne-Marie, « Réorganisations foncières et transmission de la propriété dans les exploitations agricoles du littoral albanais. Vers un abandon de l'agriculture ? », in JOUVE Anne-Marie (ed.), *Transitions foncières dans les Balkans : Roumanie, Albanie, Grèce*, Montpellier, CIHEAM-IAMM, 2009, p. 39-54. (Options Méditerranéennes : Série A. Séminaires Méditerranéens, n°82).

¹⁴ CIVICI Adrian, JOUVE Anne-Marie, « Enchâssement social et politique de la propriété foncière dans les Balkans », JOUVE Anne-Marie (ed.), *Transitions foncières dans les Balkans : Roumanie, Albanie, Grèce*, Montpellier, CIHEAM-IAMM, 2009, p. 5-20. (Options Méditerranéennes : Série A. Séminaires Méditerranéens, n°82); ZHLLIMA Edvin, GURI Fatmir, « Agriculture and land reform in Albania », in CHAN-HALBRENDT Catherine (dir.), FANTLE-LEPCZYK Jean (dir.), *Agricultural markets in a transitioning economy: an Albanian case study*, Cambridge, CABI Publishing, 2013, p. 18-34.

¹⁵ BIGNEBAT Céline, LATRUFFE Laure, « Vingt ans de réformes foncières en Europe centrale et orientale. Bilan et perspectives », *Économie rurale*, n° 325-326, 2011, p. 25-38 ; MAUREL Marie-Claude, *Terre et propriété à l'est de l'Europe depuis 1990. Faisceau de droits, relations de pouvoir*, Besançon, Presses universitaires de Franche-Comté, 2021, 246 pages.

communist regime to propose, from 1995, a process known as the "devolution" of these state lands to the communes. As a result, in the 2010's, some forest and pastoral areas belonged to and were managed by the communes, while others still belonged to the State and were managed by State administrations such as those responsible for protected areas or forestry services. Finally, a territorial reform in 2015 radically altered the municipalities, with major regroupings that now divide Albania into 61 municipalities and 373 Local Governance Units. The management of forests and pastures has therefore been transferred to these new municipalities, which constitute larger administrative entities.

As a result of these constant and sometimes radical changes in the land tenure systems used by livestock farmers (agricultural lands, meadows and forests) we have to consider a dynamic system combining private, municipal and state land.

In addition to the history of rural property, the description of rural areas using the Roman agrarian terminology *silva-saltus-ager-hortus* is particularly enlightening in the Mediterranean basin, as it takes into account the functional use of space¹⁶. The concept of *saltus* encompasses all semi-natural environments (scrubland such as maquis and garrigue, sparsely grazed forests, partially overgrown areas, clearings or glades) and is distinct from agricultural land (*ager*), exclusively forested land (*silva*) or gardens (*hortus*). This concept highlights these multifunctional and productive areas, which offer a wide range of resources including fodder, animal litter, firewood and aromatic and medicinal plants¹⁷. Although particularly present and exploited in Albania, saltus areas are often excluded from sectoral policies¹⁸. If we revisit the history of land tenure using this terminology: after the fall of communism, the *ager* was divided up and privatised, the *silva* generally remained under the responsibility of the national forestry services or state environmental institutions, and the *saltus* is partly involved in the devolution process¹⁹.

In order to analyse the land tenure of Albanian livestock systems, we use the two descriptive frames described above: the triptych explained by R. McC. Netting (rules and norms, resources, production)²⁰ and Roman agrarian terminology (*silva-saltus-ager-hortus*). In this context of extreme and constant change concerning the ownership of areas used for fodder production (*saltus* and *ager*, and to a lesser extent *silva*), practices are negotiated each season. These practices depend on all the rules and norms, but also on resources and therefore on ecological processes and on economic opportunities such as the development of tourism or access to a market outside of the production region. Each stakeholder

¹⁶ POUX Xavier, NARCY Jean-Baptiste, RAMAIN Blandine, « Le saltus : un concept historique pour mieux penser aujourd'hui les relations entre agriculture et biodiversité », *Courrier de l'environnement de l'INRA*, n°57, 2009, p. 23-35.

¹⁷ BERNARD-MONGIN Claire, HOXHA Valter, LERIN François, « From total state to anarchic market: management of medicinal and aromatic plants in Albania », *Regional Environmental Change*, n°21, 2021, p.1-13.

¹⁸ BERNARD-MONGIN Claire, LERIN François, « L'Albanie, une agriculture sans dualisme ? », in ANTHOPOULOU Theodosia et al. (dir.), PAOLI Jean Christophe (ed.), ANTHOPOULOU Théodosia (ed.), BEN SAAD Abdallah (ed.), BERGERET Pascal (ed.), ELLOUMI Mohamed (ed.), NAPOLEONE Claude (ed.), VIANEY Gisèle (ed.), *La petite exploitation agricole méditerranéenne, une réponse en temps de crise*, Montpellier, CIHEAM-IAMM, 2017, p. 19-38. (Options Méditerranéennes : Série A. Séminaires Méditerranéens, n°117).

¹⁹ BERNARD Claire, CROUTEIX Oriane, LERIN François, LOPEZ Ruben, PROKO Arsen, « Albanie : les dédales de la réforme foncière post-communiste. Une approche par le terrain » in VIANEY Gisèle (ed.), REQUIER-DESJARDINS Mélanie (ed.), PAOLI Jean Christophe (ed.), *Accaparement, action publique, stratégies individuelles et ressources naturelles : regards croisés sur la course aux terres et à l'eau en contextes méditerranéens*, Montpellier, CIHEAM-IAMM, 2015, p. 81-95. (Options Méditerranéennes : Série B. Etudes et recherches, n°72).

²⁰ McC. NETTING Robert, *op. cit.*

involved in the management of areas rich in pastoral resources legitimises their practices by resorting to historical or legal reasons. For example, some inhabitants may claim a right to use certain plots of land in the name of the traditional presence of their family on the territory during the pre-communist period; others justify their appropriation of the land in terms of national land reforms and contracts signed with the municipalities or the National Agency for Protected Areas. In this way, local stakeholders are designing practices and rules of uses in response to administrative disruptions, social changes and economic opportunities. This phenomenon of reconstructing uses in a process of constant negotiation can be likened to palimpsests, which are scrolls or works of art that have been erased or cleaned in order to be reused.

To sum up, based on a detailed analysis of livestock production systems in the Dukat region, a mountainous area on the southern Albanian coast, we show that the use of fodder resources in the Albanian *saltus* and *ager* areas must be understood in the context of constantly changing social, economic and environmental conditions. These uses depend on the actors involved in territorial governance, they are dynamic, and their standardisation takes the form of a palimpsest.

2. Agrarian change and the construction of the rural land tenure mosaic in the pastoral territory of Dukat

The various land reforms that Albania has undergone over the last century have had numerous consequences on rural areas. By tracing the agrarian history of the Dukat area, we can understand, precisely and on a territorial scale, the origins of the current mosaic of land tenure.

2.1. The Dukat region, a dynamic pastoral area

The Dukat region covers the entire Dukat valley, which stretches for 20 km from the Llogara pass (1026 m above sea level) to the Bay of Orikum, where the Dukat river flows into the Adriatic. This valley is bordered by limestone massifs whose Mediterranean vegetation and climate are ideal for pastoral livestock farming: the Lungarës massif, the Rreza e Kanalit range and the Karaburun peninsula (Figure 1). The Dukat valley is located in the municipality of Vlora and has been administered by the local government unit (or administrative unit) of Orikum since the last territorial reform. This administrative unit includes the villages of Radimë, Orikum, Tragjas, Dukat i Ri and Dukat Fshat.

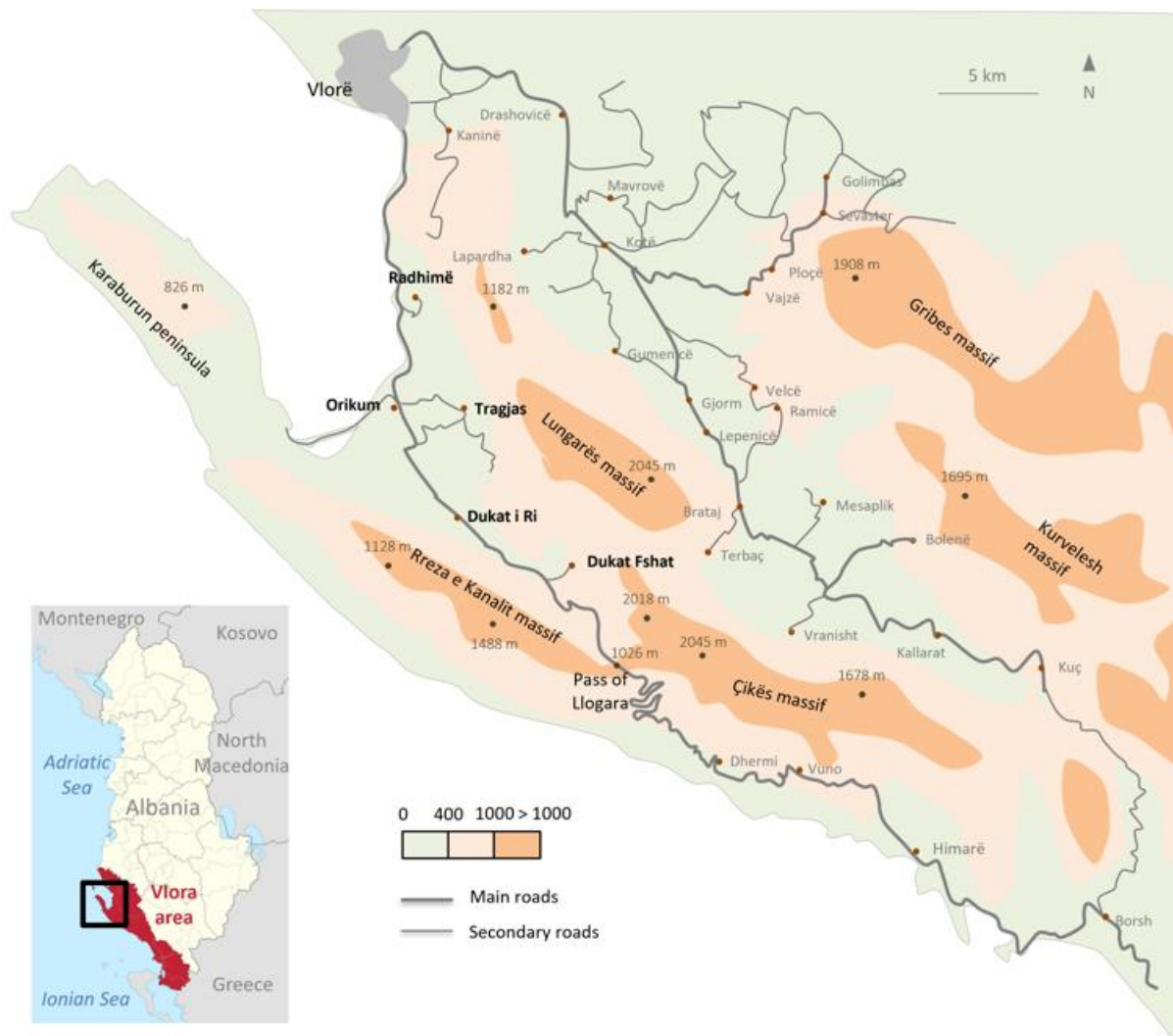


Figure 1: The Dukat valley: location, relief and road connections. Production: A. Garnier

Orikos, founded by the Greeks in the Bay of Orikum, was one of the busiest seaports during Antiquity²¹. During the Byzantine Empire, a military port was built close to the town, and this naval base is currently used by the Turkish and Albanian navies. The present-day town of Orikum, built in 1949 at the start of the communist regime to house military personnel close to the base, was also home to employees of a state-owned company in the 1970's. Today, Orikum is still home to military personnel but depends heavily on seaside tourism, while the other villages in the valley, located in the foothills of the mountains, are more agricultural.

The rural decline seen in the majority of Albanian rural villages is not reflected in Dukat, where the population has tended to increase slightly over the last decade²². This reflects the dynamism of the region, which benefits from its proximity to Vlorë, Albania's fourth largest city (over 100,000 inhabitants) and seaside resort. The Dukat valley is also at the heart of a busy tourist road linking Vlorë

²¹ HEUZEY Léon, « La cille d'Oricum et le sanctuaire des Dioscures dans les monts Acrocéarauniens: séance du 16 juillet 1875 », *Comptes-rendus des séances de l'année, Académie des inscriptions et belles-lettres*, n° 19.3, 1875, p. 226-31.

²² Population growth between 2001 and 2016. Source: INSTAT (<http://www.instat.gov.al/>).

to the Dhermi and Himara riviera, providing jobs and a major outlet for the region's agricultural production (Figure 2).

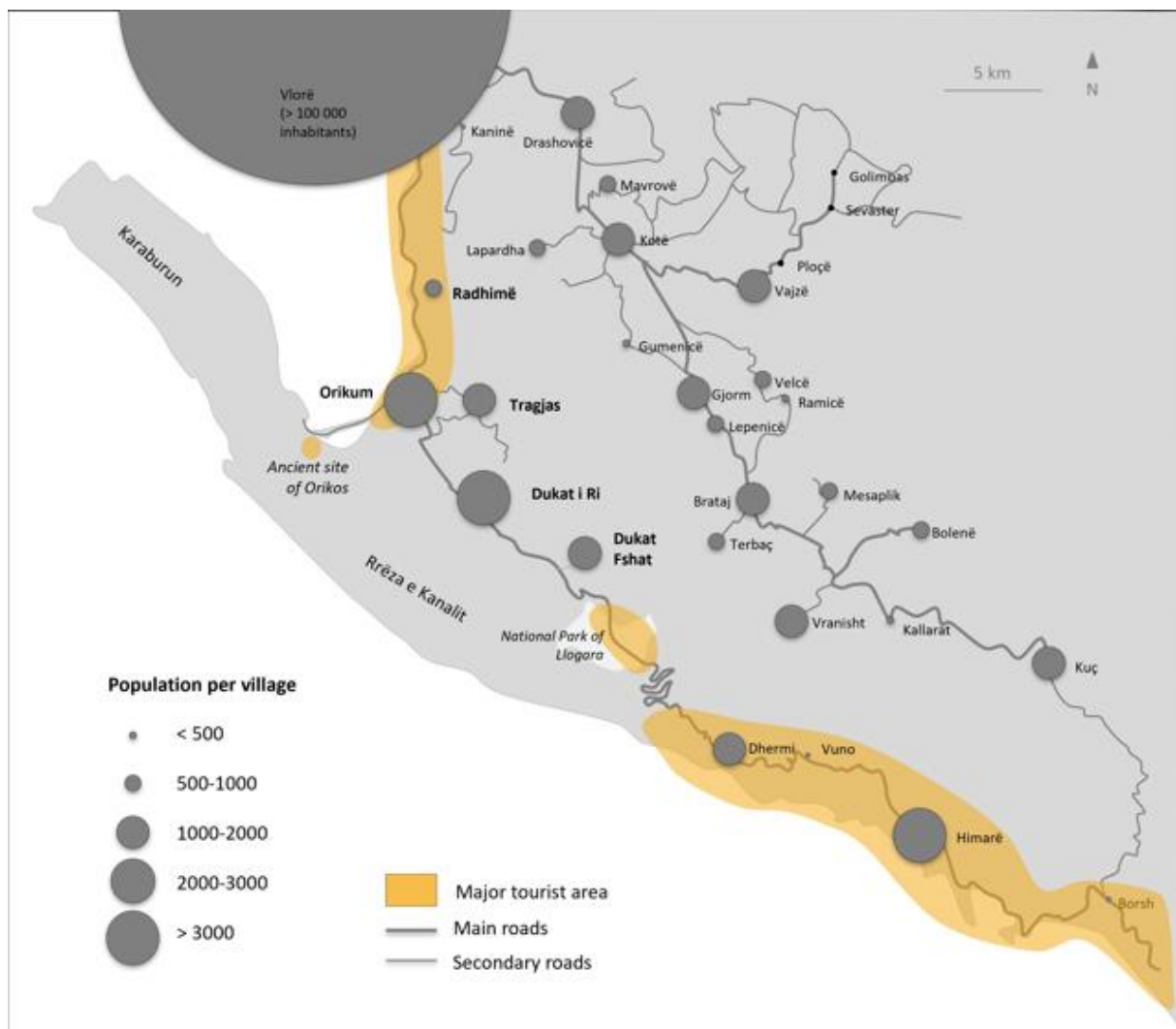


Figure 2: Population per village and tourist centres in the Dukat and Lumi i Vlorës valleys. Data: census data from the administrative units of Orikum, Brataj, Kotë and Himarë in 2016; Production: A. Garnier.

The Dukat region encompasses several protected areas: the Llogora National Park (terrestrial: 1,010 ha) since 1966, the Karaburun - Rreza e Kanalit Natural Protected Area (terrestrial: 20,000 ha) since 1992, and the Karaburun - Sazan National Park (marine: 12,428 ha) since 2010. Since 2015, these three areas have been managed by the National Agency for Protected Areas (AkZM).

2.2. The pre-communist time: a pastoral family economy

At the end of the 19th century, under the Ottoman Empire, the villages of Dukat, Tragjas and Radhimë formed a large feudal estate managed by a bey, the "*çiftlik*" of Vlorë²³. The rest of the land was divided into small individual farms and mountain areas (mainly forests and pastures), managed according to local customary arrangements²⁴. Before independence (in 1912), there were around 120,000 small

²³ TAVA Sherif, *Historia e Dukatit*, Vlorë, Triptik, 2014.

²⁴ MILE Ligor, *Çështje Të Historisë Agrare Shqiptare: Fundi i Shek. XVIII-Vitet '70 Të Shek XIX*, Tirana (Albania), Akademia e Shkencave e RPS të Shqipërisë, Instituti i Historisë, 1984, 479 p.

ruminants in the Dukat valley, and the Dukat plain, which was flooded and poorly drained at that time, and mainly used for grazing cattle: it was known as "*Fusha e çobanit*", the shepherd's plain²⁵. During this period, the region was renowned for its pastoral products (meat, cheese, wool), which were exported as far as Greece, Yugoslavia and Turkey²⁶. Most families raised around ten small ruminants and a draught animal to cultivate their plot of land. Arable land was limited to the outskirts of the villages, where cereals and leguminous plants were grown, with orchards and vines. On the *ager* and *saltus* lands, families had defined plots on which their livestock grazed²⁷. In summer, the herds migrated to summer camps where the whole organisation was based on lineage ("*fis*"). In autumn, the herds descended to the Dukat plain or the Karaburun peninsula. During the winter, the livestock grazed in the common pastures and on the arable land, fertilising the stubble field, with the necessary guards in place to ensure that the boundaries of the plots were respected²⁸.

2.3. Radical nationalisation of lands (1945-1990): increasing the *ager* and optimising pastures

When the Albanian Workers' Party came to power in 1945, it quickly proclaimed an agrarian reform expropriating the large landowners, and from 1948, the collectivisation of lands and livestock began with the gradual creation of cooperatives. In Dukat, the "*Zonja Çurre*" cooperative ("Madam Çurre", heroine of the national independence struggle) was set up in 1956, then joined with the village of Tragjas in 1973 to form the "*Dukat-Tragjas*" cooperative, which became one of Albania's largest cooperatives specialising in the rearing of small ruminants (goats and sheep)²⁹. In 1987, a third of the population of these villages worked in this cooperative, where there were more than 30,000 small ruminants, 1,600 cattle and more than 4,000 poultry³⁰. "*Dukat Fshat*" (Dukat village), extending into the plain, gave rise in 1964 to the creation of "*Dukat i Ri*" (Dukat the new), where the cooperative's employees were encouraged to settle³¹. In the 1970's, the state company "*Rinia*" (Youth), specialising in fruit growing, was set up between Vlora and Orikum, and began terracing the hills along the coast to plant citrus fruits, olive trees and vineyards in 1932 ha³².

Gradually, major developments led to a significant increase in agricultural lands, with the clean-up and drainage of the Dukat plain. Between 1945 and 1990, the area of *ager* doubled in Dukat and Tragjas. This process of opening new lands was accompanied by the modernisation of farming techniques and an increase in yields: the irrigation of the Dukat plain by pumping from the Orikum marsh, the use of tractors and chemical fertilisers, the introduction of hybrid seeds, etc. Of the land cultivated by the Dukat-Tragjas cooperative, more than half was used for animal feed (900 ha of cereal and fodder crops). However, pastoral resources were not neglected: the use of natural pastures was optimised, production improved (clearing undergrowth, removing stones, creating watering holes for the herds), and almost 350 shepherds were employed by the cooperative to look after the herds. Goats, particularly the local "black Dukat goat" breed, are still grazed all year round, but are now supplemented with fodder during the winter. Sheep are kept in summer pastures, moving down to the

²⁵ GJOLEKA Skënder, VANGIELI Merko, *Për tufëzim e bagëtime të oborreve kooperativiste: përvojë nga kooperativa e Dukatit*, Tirana (Albanie), Stëpia e Propagandës Bujqësore, 1982, 34 p.

²⁶ CAPO Adem, *Enciklopedia e Dukatit*, Tirana (Albanie), Geer, 2005, 1041 p.

²⁷ TAVA Sherif, *op. cit.*

²⁸ CAPO Adem, *op. cit.*

²⁹ GJOLEKA Skënder, VANGIELI Merko, *op. cit.*

³⁰ MITA Ejup, *Bujqësia e Rrethit Vlorë - Në Vitet 1945-1990*, Vlora (Albanie), Triptik, 2015, p. 178.

³¹ CAPO Adem, *op. cit.*

³² MITA Ejup, *op. cit.*

plains to graze on meadows or stubble fields during spring and autumn, before being fed in the barn in winter. Cattle remain on a stable diet all year round, with the exception of around a hundred suckler cows which graze all year round, particularly on the Karaburun peninsula. As well as improving animal feed, significant selection work and artificial insemination contributed to a gradual increase in meat and milk yields throughout the Communist period.

So, during some forty years, the organisation of rural areas changed radically. The traditional family economy gave way to collective organisations that controlled all the lands and whose management and planning depended on national institutions. Land use also changed: the area of *ager* increased significantly and *saltus* areas were greatly improved and exploited.

2.4. The emergence of the current system: privatisation and fragmentation of the ager, devolution of the saltus and silva

When de-collectivisation took place in 1991 with "Land Law" no. 7501, the large *ager* plots in the Dukat valley were divided up and redistributed at a rate of 0.32 ha per right-holder in the mountains and 0.28 ha in the plains. The forest and pastures remained the property of the State and under the management of the forestry services.

Today, there are three types of land tenure in the Dukat area (Figures 3 and 4), on which a system of customary law described in the following section is superimposed (section 3):

(1) Private land (2,932 ha in the administrative unit of Orikum), which corresponds to land formerly farmed under the Communist regime, redistributed in 1991 under the "Land Law". A small proportion of this land is still under cultivation, the rest being hayfields, meadows and uncultivated land grazed for example by sheep in winter. Large areas of formerly cultivated lands on the Dukat plain are now leased to livestock farmers for winter grazing.

(2) State forests and pastures. These are the lands furthest from the villages. To use this land, livestock farmers must sign a seasonal grazing rights contract with the State, via the National Protected Areas Agency, which has managed the Rreza e Kanalit - Karaburun Nature Park (20,000 ha) since 2015.

(3) Municipal forests and pastures (7,229 ha of pastures and 13,639 ha of forests). As part of the devolution process, their management was transferred to the Orikum administrative unit then to the municipality of Vlora in 2015. Some of this grazing land is common land: close to the village, these community grazing lands are freely used by all villagers for their livestock³³. For the rest of the municipal lands, seasonal grazing rights are granted by the manager: the Orikum administrative unit until 2015 and the territorial reform then the Vlora municipality.

³³ These common grazing lands are known locally as "*musha*".



Figure 3: Schematic representation of the location of the three land tenure systems in Dukat in 2016. Production: A. Garnier; Background: Google Earth 2016 map.



Figure 4: Division of the agro-sylvo-pastoral landscape of Dukat Fshat. Based on a photograph by A. Garnier (2016).

2.5. Seasonal movements and dynamic use of the agro-sylvo-pastoral areas

Dukat is a region where fodder resources are abundant and available all year round: most of the animal feed can therefore be supplied by the *saltus* surface. The fodder production capacity of the *ager* is therefore less determining than in other Albanian regions, where winters are harsh and animals need feed from arable land and hayfields. In the Dukat region, it is therefore access to *saltus* areas that is decisive for the development of livestock farming, and in particular access to summer or winter pastures that offer a certain quality of grazing. This access is highly dependent on the availability of a workforce for herding. Single farmers, without family labour or employees, generally stay on private

meadows and common pastures, which offer more limited fodder resources. Larger herds are kept on pastures further away from the valley and migrate locally depending on the season: the farmers then sign a contract with the municipality or the AkZM for the use of one or more plots of pasture for a given season (summer, winter, sometimes autumn). As a result, many goat herds are entirely pastoral, with no fodder coming from the *ager*, and use only pastures requiring contracts (Table 1).

Kind of livestock farming	Livestock size	Main or secondary activity	Land uses		
			Private meadows	Common pastures (without contract)	Municipal or state pastures (with contract)
Small-scale subsistence livestock (sedentary)	1 or 2 cows, few sheep, some poultry	Secondary activity, self-consumption	X	X	
Small sedentary sheep farm	< 150 sheep 1 or 2 cows	Main activity + other activity, generally agricultural	X	X	
Small sedentary goat farm	< 200 goats 1 or 2 cows	Main activity + other activity, generally agricultural	X	X	
Transhumant sheep farming	150 to 400 sheep Sometimes some goats 1 or 2 cows	Main activity	X Winter and spring		X
Transhumant goat farming	300 to 600 goats	Main activity			X
Transhumant beef cattle farming	20 to 80 cows	Main activity	X Summer		X

Table 1: Current types of livestock farming in the Dukat valley and their use of grazing areas

In summer, transhumant herds climb to higher altitudes to take advantage of the more abundant herbaceous vegetation (Figure 5). In winter, they are driven to the Karaburun peninsula and the coastal area of Rreza e Kanalit, where it rarely snows in winter and shrub fodder resources are available. Some goat herds from other regions, such as Tepelenë, Përmet or the neighbouring Lumi i Vlorës valley, make a reverse transhumance and come to the Karaburun peninsula for the winter season.

JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEP.	OCT.	NOV.	DEC.
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Figure 5: Winter and summer grazing areas for the Dukat herds. Production: A. Garnier; Background: Google Earth 2016 map base.

The last decade has seen a trend towards sedentarisation, with some breeders abandoning transhumance (particularly during the winter months) in favour of pastures closer to the villages. The herd is often smaller and its diet less pastoral, but the breeders can then live in the village and enjoy family life. This phenomenon is exacerbated by the milder climate and less frequent snowfalls at Dukat Fshat (400 m altitude), as well as by the increase in grazing areas due to the reduction of *ager* around the villages.

At the same time, in this context where resources are available and a market is able to absorb production, the massifs of the Dukat region are attracting breeders from outside the region, thus redefining the groups of beneficiaries for the access to the resource.

3. Contemporary uses of pastoral areas in Dukat

The aim of this section is to explain the main elements that have made it possible to highlight the dynamics of land tenure and the construction of the palimpsest on the *saltus* in the Dukat territory. Three elements are structural: (1) the arrangement of land access rules within a dual normative system, (2) the context of production and market access that is generating a revitalisation of demand for access to land, and (3) the different representations of the *saltus* resource with, in particular, environmental injunctions that are locally reshaping land dynamics.

3.1. "Grandfather lands" or the mobilisation of customary rights

As in most Albanian regions, livestock farmers have to rent their grazing plots from the municipality or state services, based on the cadastral parcels from the inventory of forests and pastures carried out in

1981³⁴. Nevertheless, in the Dukat region, these contracts are seasonal, as they give access to different types of pasture (summer pastures, autumn pastures, winter pastures, etc.). The contract between the breeder and the manager (either the municipality or the AkZM) gives exclusive rights to graze and use the buildings on the plot in question.

In addition to this state legislation, there is a second normative system, derived from customary rights based on oral tradition, which recognises the preservation of ancient inheritance rights over land. The Albanian customary law of the Kanun (code) of Lekë Dukagjin (*Kanuni i Lekë Dukagjinit*)³⁵ - which has local variants including the Kanun of Labërie (*Kanuni i Labërisë*) in south-west Albania - has for centuries governed all the customs, mores and rules of conduct of village and family communities. This right has endured, even if its scope was severely restricted during the communist period.

In Dukat, it is now commonly accepted that the plots are still owned by their descendants under this customary right: the location of their "grandfather's land" ("*tokë gjyshi*") is passed down orally from one generation to the next. "The land I got down on the plain, according to law no. 7051, was reclaimed by one of the villagers, who said it was his grandfather's land. He put up a fence and locked it up with a gate and a bolt. That's where I could sow lucerne for my goats. But now I can't, I have no power over it" (Farmer at Dukat i Ri). These claims to *ager* seem to be rather rare, because even though law no. 7501 stipulates that customary inheritance rights have no value, the redistribution of *ager* has often been carried out relatively in accordance with *kanun* right, with the redistribution commission taking *de facto* account of former family uses of the land³⁶. "Before communism we had agricultural land, after communism we got that same land back under law no. 7501" (Farmer in Dukat i Ri).

This situation also applies to *saltus* lands, where livestock farmers have to pay twice for the use of the same plot of land: paying rent to the municipality or the AkZM under state law, and rent to the owner of the "grandfather's land" under customary right. "There's something wrong here. The State says that this land belongs to the municipality, but there are also private individuals who say that it belongs to them. That means I'm paying rent to the municipality, and I'm also paying private people" (breeder in Dukat Fshat). "During the winter, I pay, but I pay twice: once to the municipality and once to the owner, who has no papers" (other breeder in Dukat Fshat). "I have my herd there [above Dukat Fshat], and I rent the plot from the municipality. I also have land in Karaburun, which belongs to me, but I also pay for my own land to the Agency [of Protected Areas]" (breeder in Dukat i Ri).

Therefore, breeders have to deal with a dual normative system that applies simultaneously: an inherited property model superimposed on the current law of governance of public lands. Like a palimpsest on which a new text is written, norms based on customary rights are being redrawn on areas of *saltus* whose governance is now supervised by public institutions. If these customary norms have been able to take on such importance, it is probably because the legal framework for the management of public forests and pastures has been extremely fluctuating over the last fifteen years and is still sometimes unclear.

³⁴ This was the last inventory of forests and pastures carried out in Albania during the Communist time, and it was still being used in 2021 by the managers of forests and pastures.

³⁵ DUKAGJINI Lekë, GJEÇOV Shtjefën, FOX Leonard, *Kanuni i Lekë Dukagjinit : The Code of Lekë Dukagjini*, New York, Gjonlekaj Pub. Co, 1989, 269 p.

³⁶ BARDHOSHI Nebi, « E drejta kanunore dhe shteti i së drejtës », *Polis*, n°3, 2007, p. 19-29.

3.2. Land tenure insecurity and sustainability of pastoral resources

The development of tourism in the region and its proximity to the town of Vlora, which is easily accessible thanks to recent road improvements, offer a major market for local produce, particularly meat and dairy products. Breeders have the possibility to dispense with the services of cattle-dealers and dairies and can establish direct contracts with local restaurants. This economic opportunity, together with the possibility of winter grazing, makes the Dukat region attractive to new livestock farmers, particularly goat farmers, who sign seasonal leases to exploit plots on the Karaburun peninsula. In 2016, there was even a case of a breeder from outside the region, with a high level of economic and social capital, who delegated all the farming work to an employee and had another job himself.

On the Karaburun peninsula, there is no real competition for access to pasture, the current animal load remains low, and several plots are unused. However, a certain amount of competition has sometimes been observed between "outside" breeders trying to obtain access to the most interesting pastures in terms of fodder resources, water reservoirs, etc. "I chose these pastures because they are close to the road [easier access for selling milk]. Before I set up, people from Permet used these winter pastures, but now they're in another pasture in Karaburun. I was given priority because I'm from the area [the town of Vlora] and I know the person in charge of writing the contracts; we went to school together" (breeder from Vlora, wintering in Karaburun peninsula).

The fact that grazing rights have to be renewed each season creates a feeling of tenure insecurity. As a result, breeders say they are less disposed to invest in the maintenance or improvement of the hut or buildings, or in the long-term management of grazing resources, which would enable them to maintain quality grazing over the years (management of overgrowth, grazing fires, limiting overgrazing, etc.).

In addition, the vision of pastoral resources is not always the same, depending on whether farmers are using their own "grandfather's land" or not. When the land is inherited, the upkeep of the resource has an emotional dimension, even a "moral obligation to one's ancestors to preserve their labour and their memory"³⁷. These breeders have a strong interest in maintaining the land as it is, as they intend to keep the lease the following year, unlike non-local farmers for whom the land is simply an economic asset, and who can therefore more easily change plot from one year to the next if its condition deteriorates.

With urban and tourist demand creating new economic opportunities for meat and dairy production, new actors are investing in these production systems and negotiating access to land and pastoral resources, creating new dynamics in terms of land tenure and use of pastoral areas.

3.3. The different representations of *saltus* areas

In the Dukat region, livestock farmers see *saltus* areas as fodder resources, whereas protected area managers see them as a biodiversity stock. Those involved in nature conservation, particularly within the national Agency of Protected Areas (AkZM), are developing a naturalistic view according to which all breeding activities represent a threat to the preservation of these areas and their biodiversity, with

³⁷ BARDHOSHI Nebi, *op. cit.*

overgrazing degrading the natural vegetation and encouraging soil erosion, or pastoral fires increasing the risk of fire and the destruction of habitats. The extract from the documents supporting the management of the Karaburun protected area highlight this viewpoint: "Provided that numbers of sheep and goat will increase (sic) and bearing in mind the new trend for more sheep in the region, as well as the estimated potential carrying grazing capacity (sic) (2.4 sheep & goat per ha), this is evident that habitat degradation and erosion will be a hot environmental issue if grazing is not controlled and managed rationally"³⁸. However, it is the AkZM that grants grazing rights for the area by renting out some plots, which also enables it to limit the grazing load. In addition, the reserve's rangers are responsible for controlling firewood harvesting and enforcing the national ban on pastoral fires. As a result, breeders who decide to carry out pastoral fires on the Karaburun peninsula in order to control overgrowth and maintain quality fodder resources do so when the rangers are absent, i.e., in midsummer, when the risk of fire is greatest. The two representations, pastoralist on the one hand and naturalist on the other, are therefore in opposition.

Yet, nowadays, numerous studies show that these two concepts are not necessarily opposed, and on the contrary, grazing and maintaining a certain biodiversity can be complementary³⁹. Mediterranean pastoralism is increasingly recognised for maintaining open landscapes and habitats of environmental interest, reducing the risk of wildfires by controlling overgrowth, and helping to conserve cultural, natural and landscape heritage. The eco-pastoral diagnosis carried out in 2016 on the Karaburun peninsula showed that the pastoral practices used there are actually quite favourable to maintaining the biodiversity and open landscapes that make the protected natural area so rich⁴⁰. Above all, the diagnosis highlights the importance of taking into account the diversity of practices, and the importance of moving away from a fixed "conservationist" vision whereas pastoral and ecological issues are sometimes likely to converge, as is the case at Karaburun in the fight against overgrowth.

The dual representation of the *saltus* resource (biodiversity stock *versus* fodder production) found at Dukat can have major consequences for the practices and use of these common areas. This shows the importance of considering the characterisation of the resource in the management of the commons, which is only possible if the stakeholders agree to create the conditions for consultation between the different representations, interests and uses in order to find the best conditions for pastoral and environmental management.

Conclusion

In studying the Dukat territory, we have shown that it is crucial to look at three elements in order to fully define the land tenure system. Firstly, it is necessary to consider the national regulatory context and its evolution in relation to the rules and previous uses negotiated in the area. Secondly, it is

³⁸ MedWetCoast, *Management plan complex: Llogara - Rrëza ë Kanalit - Dukat - Orikum - Tragjas - Radhimë – Karaburun*, Tirana (Albanie), 2006, p. 125.

³⁹ METAILIE Jean-Paul, « Pastoralisme et environnement. Avant-propos », *Revue géographique des Pyrénées et du Sud-Ouest. Sud-Ouest Européen*, n° 16.1, 2003, p. 1-3 ; RICOUART Francine, « Pastoralisme et politique de défense des forêts contre l'incendie dans les Pyrénées méditerranéennes : premiers résultats d'une analyse des impacts sur la dynamique paysagère et la biodiversité », *Revue géographique des Pyrénées et du Sud-Ouest. Sud-Ouest Européen*, n° 16.1, 2003, p. 107-11.

⁴⁰ BERNARD-MONGIN Claire, GARNIER Alice, LERIN Chloé, LERIN François, MARIE Julien, *Eco-Pastoral Diagnosis in the Karaburun Peninsula, 15 to 22 May 2016. Conclusions and strategic issues for natural protected areas*, Montpellier, CIHEAM-IAMM, 2016, 58p.

important to focus on production systems and changes in the socio-economic context, which may create new opportunities for certain external actors. Finally, representations and characterisations of the resource may evolve according to national and international environmental injunctions and the importance of local production.

Although the dynamism of the Dukat region and its slight demographic growth remain a local specificity, this case study nevertheless highlights processes that can be generalised to other rural areas in Albania. Firstly, the frequency of institutional reforms and reorganisations has given way to numerous arrangements negotiated between breeders, often based on customary rights. Secondly, outside livestock farmers are exploiting fodder resources in areas where pastoral resources are abundant. They use several levers to gain access to these resources: the mobilisation of socio-economic capital, the exploitation of state or private pastures, etc. Finally, the context of agricultural abandonment and the decline in livestock numbers found in all rural areas of Albania has resulted in the abandonment of *ager* and the low exploitation of *saltus*, leading to heavy undergrowth.

More generally, the Albanian case is characterised by two original elements. Firstly, the over-representation of the *saltus* and its importance for breeding which places pastoral territories at the centre of production and market dynamics. Secondly, the brutality and contemporary nature of the land reforms, combined with the socio-economic changes that these rural Albanian territories have undergone over the last thirty years, mean that pastoral practices and uses are extremely dynamic and changing. These two factors demonstrate the importance of considering the dynamism of practices in the management of Mediterranean commons, as well as the evolution of uses and their constant reinterpretation in the light of economic, social and environmental opportunities, as shown by the case of the palimpsest at Dukat. It also highlights, almost paradoxically, the lack of interest in, or even ignorance of, these *saltus* areas and the pastoral practices therein on the part of public policy makers and the resulting sectoral measures put in place.