Explaining the Existence of Pseudo-Commons in Post-Communist Countries

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Abstract

Shared natural resources can be sustainably managed through commons governance approaches. Yet, there are common-property regimes that only exist on paper, or are set up intentionally to profit individuals. To explain these pseudo-commons in post-communist societies, we studied their political and social background in the irrigation and forestry sector. The socialist legacy of striving for economic and political benefit by elites, the prevailing Soviet mentality of preferring higher level authorities as decision-makers and the overstressing of cooperation foster pseudo-commons, with the tragic result of destroying trust in a kind of governance proven to be successful otherwise.

1. Introduction

Commons scholars, including Elinor Ostrom (1990, 2005) have demonstrated that there is a successful way of managing common natural resources by groups of users (Boyd et al. 2018). There are ample empirically-studied social structures of such common-property regimes showing long-enduring successful resource governance (Ostrom 1990). Under a self-governance regime, villagers encourage one another to act responsibly in the interests of the rural community: by e.g. not withdrawing more water units from a village canal than the prior agreed irrigation schedule for all participants would determine or by not cutting more wood in a joint forest than the afforestation in the management plan would allow.

It should be noted that Ostrom stressed the importance of voluntary self-governance of groups while recognizing the potential roles of the state and privatization (Sarker and Blomquist 2018) in natural resource management. Sarker and Blomquist (2018) point to the evidence accumulated over the last two decades that private, state, and common-property regimes are all potentially viable resource management options. In fact, there is a continuum between the two polar ends of the spectrum, from governance enacted by a single central authority to a fully decentralized system of individual decision-making. Between these two extremes lies a range of governance regimes that might involve higher levels of government along with local actor groups (Theesfeld 2008a; Frey, Villamayor-Tomas, and Theesfeld 2016) or as in the authoritarian regimes analyzed here, involves elites, leaders and political power holders along with non-elite agents (Moldalieva and Heathershaw 2020; Crotty and Ljubownikow 2020). There are not many studies summarizing and systematizing the number of case studies on natural resource management reforms in Russia and the neighboring post -communist countries, reforms that initially encouraged to a large extent collective action and local self-organization, but are in the end either in-effective or show even unintended outcomes. The reforms aiming at more local cooperation sometimes even pretend to be able to tie-up to some cooperation history from communist or even pre-communist times (Theesfeld and Boevsky 2005).

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We face a research gap explaining what particular challenges post-communist countries face in reaching successful commons management and community agency (Mike and Megyesi 2018; Moldalieva and Heathershaw 2020). To understand these, we need to understand the cultural and political background that shapes prevailing norms and behavior in those countries, such as an environment that is marked, at best, by ambivalence about volunteering ((Crotty and Ljubownikow 2020) and widespread everyday corruption that lowers recognition of leadership performance (Reisinger, Zaloznaya, and Claypool 2017; Boyd et al. 2018).

"Commons" is defined in this article as a management system, that allows a resource to be held in common, namely a common-property regime. Thus, the terms "commons" and "common-property regime" will be used synonymously. In that respect, "Commons" does not stand for the common-pool resource per se but also entails public goods, whenever the focus lies on the joint provision and management (IASC 2012).

We observed and will present in this paper many examples that let us conclude that, in Russia and other post-communist countries, a challenge exists where the common-property regime may only exist on paper and is not supported with social activities, or may be set up intentionally solely to benefit individuals. Such "pseudo-commons" are initiatives that use the notion of commons and a blueprint of a common-property regime as an artificial nutshell, not a functioning system on the ground. Here we, first give these observations a name and second, systematize and group the determinants for such misguided implementation into three groups: The socialist legacy of powerful entities embedded in the social-political environment, the continued presence of the Soviet mentality in the prevailing norms and the past and current overstressing of cooperation. All these foster pseudo-commons, with the tragic result of destroying trust in a kind of governance proven to be successful elsewhere. It is a tragedy that these pseudo-formats are widely referred to as common-property management systems (World Bank 2009; Murota and Glazyrina 2010; Eikeland, Eythorsson, and Ivanova 2004), and thereby pose severe risks for a proper implementation of such management regimes in the future. Any policy advice regarding cooperation needs to start from a solid understanding of the underlying factors that favor or hamper development of cooperation. For instance Mike and Megyesi (2018) agreed that the performance of post-communist counties in building institutions for self-governance is meagre, but they stress established private enterprises and their markets will favor self-organization.

We explore the rise of pseudo-commons by comparative analysis of material presented in the academic literature. The respective cases have been revealed by conducting a systematic literature review, drawing on those which identify reasons for failure in natural resource commons management. The analysis focuses on two natural resources crucial for agriculture and rural life – irrigation water, and forests – and on the development of the best-known commons management forms for these natural resources: water user associations (WUAs) and joint forest management. Fortunately, in recent years scholars have produced a broad range of empirical studies in the agricultural water and forestry sectors in post-communist countries. The selected cases brought together here illustrate pseudo-WUAs and pseudo-joint forestry management systems. The context of pseudo-joint forestry regimes varies across the post-communist countries but, in contrast to WUAs, these regimes are not so wide-spread or widely studied. Therefore, we focus on Russia for the forestry sector which allows better appreciation how that specific context shapes the emergence of pseudo-organizations. This procedure leads to a systemization, for the first time, of the above mentioned influencing determinants for the appearance of pseudo-commons.

After further exploring the notion of pseudo-commons in Section 2, Section 3 concentrates on the development of two natural resources. Section 3.1 examines at the breadth and diversity of problems related to WUAs, across the Europe-Asia geographic areas. Section 3.2 presents the

depth and complexity of problems related to forestry, in a single geographic area, Russia. This overview allows to systematize and group the determinants for misguided commons implementation. Section 4 reveals what the particularities of natural resource management in the history of socialist rural societies were that paved the way for contemporary pseudo-implementation or pseudo-collective action property regimes. Those can be grouped into socialist legacy of powerful groups securing overlapping economic and political interests, so-called Soviet mentality, and overstressing of the cooperation idea. Those factors are sequentially presented. Section 5 concludes by pointing to a vicious cycle in which future initiatives of natural commons management may become trapped.

2. Exploring the Notion of Pseudo-commons

Pseudo means not genuine, and by pseudo-implementation is meant first of all the pro-forma implementation of formal rules, which have little influence on the de-facto behavior of the social groups involved (Theesfeld 2019). In that sense the formal appearance of pseudo-organizations is in line with North (1990, 36) who discusses why so many aspects of a society persist despite a total change in the formal rules. He distinguishes between formal and informal institutions and explains that "informal constraints that are culturally derived will not change immediately in reaction to changes in the formal rules." This pluralism of formal and informal rights may contradict or reinforce one another (Meinzen-Dick 2014). Klümper, Theesfeld, and Herzfeld (2018) conceptualized that property rights functioning on the ground are often made up of combinations of both formal secured rules and informal ones.

Understanding the emergence of pseudo-implementation requires understanding the relationship between informal and formal rules. These have been stressed in numerous analyses (Klümper, Theesfeld, and Herzfeld 2018), including those whose particular focus is on post-communist countries (Zdravomyslova and Voronkov 2002). Zdravomyslova and Voronkov (2002) state that informal and daily public life in Socialist society was regulated by a diversity of unwritten rules, in parallel with the official public realm which was regulated by official rules and controlled by the party-state bureaucracy.

Considering the reform period after 1990, Chavance (2008) clustered the changes in formal rules in post-socialist countries, their enforcement mechanisms, and development of informal rules in consecutive periods of reform. The systematization by Chavance (2008) for Central Europe shows two aspects: 1) during the revolutionary period (1990-1993), there was a generally weak enforcement of formal rules combined with opportunistic and protective changes in the informal sectors; 2) in the post-revolutionary period (1993-2004) legislation changed frequently, often following external pressures, such as the preconditions for EU accession or for international development aid. Regarding reforms towards more local participation and self-governance, the development in those two periods in particular had the following implications: A huge discrepancy between formal and informal rules provided a window of opportunity for pseudo-implementation of reforms, and the opportunistic changes in the informal rules point to the existence of powerful groups or individuals that strive for personal benefits (Mirovitskaya and Soroos 1995; Theesfeld 2004).

Summarizing this, the least severe definition of pseudo-commons or pseudo-collective action is formal rules that have been implemented and an organization that has been built, yet there is no collective action or bottom-up self-organization. In Russia`s prevailing institutional context for instance, we see a strong leader`s control within such voluntary organization, which rather constitutes a concept of democratic centralization. This is also not in line with democratic participation and joint elaboration of rules (Crotty and Ljubownikow 2020).

Mamonova and Visser (2014) call such rural social movements, agricultural association or farm unions in Russia "phantom" movement organizations. The authors particularly question the actual aim and origin of the observed burst of civil activities in rural areas in the first decade of 2000. Mamonova and Visser (2014) look at formalized collective action from a very broad perspective, whereas we investigate collective self-organizations of farmers and rural people dealing directly with their natural resources. In extreme cases, as described by Theesfeld (2004), for WUAs, users officially listed as members are unaware of the existence of those associations. The same has been described for pasture management in post-socialist countries, where attempts to establish herder groups are not based on historical herding communities and thus rather provide only paper initiatives (Undargaa 2017).

Other initiatives which are most likely dysfunctional are those formally implemented with high speed, such as agricultural cooperatives for fruits and vegetable production by the recent presidential decree of the President of Uzbekistan from 14 March 2019 (Uzbekistan 2019a). The decree proclaimed them officially as a preferred organizational form in agricultural production (Uzbekistan 2019c, 2019b). Also Bäck and Hadenius (2008) conclude that just putting democratic organizations in place is not enough. It takes time to build up the complementary resources among the society that makes societal involvement work.

A more severe definition, recognizing the next level of pseudo-commons is however the intentional and purposeful set-up of such property regimes by individuals who strive for personal gains (Mamonova and Visser 2014) or by governments that want to minimize negotiation and monitoring costs occurring with command and control regulations towards a larger groups of individuals[2]. When corruption prevails in most everyday engagements with bureaucratic authorities in Russia (Reisinger, Zaloznaya, and Claypool 2017), it is very likely that new local cooperative structures are set up purposefully for further self-enrichment. Thus it is right to say that elites stimulate changes instrumentally by employing governance regimes that serve their interests, but it is a myopic view, as such strategies are reciprocal and thus community actors are not passive but join the political strategy game as well (Moldalieva and Heathershaw 2020). Nevertheless most studies focus on the central elite`s influence perspective (Moldalieva and Heathershaw 2020) and come in line with Mamonova and Visser (2014) to the conclusion that at least one out of five described rural social movement organizations in Russia pursues goals different from the ones officially declared, such as pursuing leaders' personal aims, instead of defending the interests of their declared constituencies.

Finally, we should briefly refer to the manifold studies that deal with agrarian reforms in post-socialist countries and particularly with the evolution of new "cooperatives" (Rozelle and Swinnen 2004; Gardner and Lerman 2006) which according to Grancelli (2011) often have little in common with cooperative principles, such as members` participation in decision making. Cooperatives are even said to be a misnomer for groupings of privately held farms or merging of privately owned farm land under one tenant acting as farm manager in transition countries (Gardner and Lerman 2006). Thus, naming them pseudo-commons would partly also here make a better fit. Generally, the notion of cooperation has been overstressed in the socialist era and thereafter (Theesfeld 2004; Hagedorn 2014).

3. Pseudo-Commons in the Agricultural Water and Forestry Sectors

[2] Aarnoudse et al. (2012) have for instance shown this for WUAs in China`s Minqin county and summarized the intention to better implement direct regulatory measures from water authorities, since such associations also reduce the number of actors with whom the administration needs to interact.

This paper focuses on a conceptual development of pseudo-commons. It does so by revealing, comparing and systematizing various cases of natural resource management that resemble such pseudo-commons. There is a time frame and a set of drivers common to all the examples discussed which should be borne in mind. Initiatives by donors and non-governmental organizations to establish WUAs or joint forest management from the late 1990s to the early 2000s were driven by the normative assumption that commons management would be the best regime for natural resource management in the transition of that time. Corresponding legal reforms in both sectors followed the first wave of privatization with a time delay of roughly a decade. They can be seen as a by-product of the land restitution and privatization process which started directly with the political and economic system change in the early 1990s in most post-communist countries (Theesfeld 2008b), for Russia in particular a decade later (Haspel, Remington, and Smith 2006).
The natural resource management cases presented here include an initial literature selection used by Theesfeld (2019) to describe the role of pseudo-commons in post-socialist contexts. We complement the section below with a systematic literature review encompassing more studies and particularly use them to analyze the determinants for pseudo-commons existence.

3.1 Pseudo-Water User Associations

Given population growth and climate change predictions, agricultural production will not only have to intensify to feed the world's population, it will also have to expand to areas with less favorable soil and precipitation conditions. The demand for irrigated agriculture, already now using 80% of the world`s freshwater resources, will increase. For Bromley (1992, 14) irrigation systems represent the essence of a common-property regime: "There is a well-defined group whose membership is restricted, there is an asset to be managed (the physical distribution system), there is an annual stream of benefits (the water which constitutes a valuable agricultural input), and there is a need for group management of both the capital stock and the annual flow (necessary maintenance of the system and a process for allocating the water among members of the group of irrigators) to make sure that the system continues to yield benefits to the group." Local WUAs do manage officially approximately 76% of the world's irrigated area, which corresponds to 40% of the world's food production (Frey, Villamayor-Tomas, and Theesfeld 2016).

Most irrigation systems in the regions under scrutiny here share three characteristics: First, during socialism irrigation water was regarded as abundant, and irrigated agriculture was strongly promoted (Abdullaev and Atabaeva 2012). According to the socialist production strategy, the more water a production cooperative used, the better it could prove its productivity to administrative bodies (Theesfeld 2008a). A sense of entitlement to free water still prevails.

Second, the size of the irrigation systems does not fit the current use. In socialist times, the systems were built to serve large production units. They were tied to ambitious government visions and fulfilled a hydraulic mission, as Abdullaev and Atabaeva (2012) describe for Central Asia. After the land restitutions of the early 1990s, what developed was a very large number of small rural landowners, whose needs were quite different than those of the earlier large production units. (Theesfeld 2004, 2008b; Sehring 2009). Thus, the collapse of the socialist system and the subsequent political and economic changes had a dramatic effect on irrigation in post-communist countries. Infrastructure deteriorated for the most part, and much less water was used for irrigation.

Third, international donors, primarily the World Bank, vigorously promoted collective action, specifically in the agricultural water sector, the creation of WUAs. The donors saw the

creation of such local associations as a sure way to bring sustainable management of agricultural water to post-socialist societies. As will be shown, however, there were considerable shortcomings in the implementation of this policy.

3.1.1 Surface irrigation management in former EU accession and EU partnership countries

In most Central and Eastern European countries the agricultural sector buffered the national economic decline after transition. However, to a large extent, the agricultural sector was also struggling and was at the same time highly dependent on irrigation for production. Following the World Bank's push for collective action management solutions in the agricultural water sector, many countries reformed their legislative system accordingly. Most of the associations arising from this, however, were only created formally. In practice, they were pseudo-WUAs, neither functioning nor familiar to the farmers. Fieldwork in Bulgaria in the early 2000s (Theesfeld 2004, 2008b) shows that there was no common ground where collective action could grow. Features specific to post-socialist countries lead to behavioral attributes that hamper collective action solutions. Those features include: 1) the discrepancy between formal political intentions and informal effective institutional change at the local level; 2) the high asymmetries in information and knowledge; and 3) deteriorated social capital, (Theesfeld 2004).

Bulgaria joined the EU in 2007, when the country was in transition and still reliant to a large extent on its agricultural sector. Legislative reforms and rehabilitation programs for the irrigation sector during the second decade of transition led to formal institutional arrangements of common-property regimes. The effective local rule, however seemed to be open access. There was no property regime supported by efforts of a formal institution to exert some authority. In Bulgaria, there even appeared to be a process of pseudo-devolution of power (Theesfeld 2008a), due to the way the legislative reforms were actually implemented, which resulted in a concentration of property rights in the state authorities. Theesfeld (2008a) showed that what gave the impression of facilitating collective action was, in fact, a further concentration of power by individual state managers in the irrigation sector.

The South Caucasus states, meanwhile, have since 2004 been part of the European Neighborhood Policy, encouraging closer links between them and the EU. In Armenia the World Bank supported collective action by investment projects to promote the participation of rural people in their own economic and social development,[3] including the rehabilitation of irrigation systems. Yet existing patterns of local social organization turned out to be resistant to change. In Armenia, Babajanian (2005) finds well-established trust and reciprocity among the rural agrarian population which would be a strong basis for collective action yet, at the same time, limited community participation. The existing formal WUAs were established by the government and they have experienced limited participation in decision making with regard to the formulation and design of local policies and resource allocation (Babajanian 2005). For the irrigation projects, community members were only involved for instrumental reasons, to satisfy formal requirements: in meetings for participant identification and mobilization of community contributions. As the reason for this implementation failure, Babajanian (2005) mentions the survival of the Soviet networks for allocating goods and services and redistributing resources. Moreover, norms of personalized relationships, unwritten rules, favoritism, misuse of public positions, and rent-seeking continue. As in the forestry sector described below, the inability of the state to control and enforce regulations

[3] In such community-driven social funds, beneficiaries are expected to play a significant role in the initiation, design and implementation, operation and maintenance, monitoring and evaluation of micro-projects.

effectively creates an environment where bureaucrats and local elites can take advantage of their positions for personal gain, and is another reason for this pseudo-implementation (Babajanian 2005). Babajanian (2005) further concludes that attempts to change patterns of interpersonal social relationships are not effective without changes in the nature of the country's governance.

3.1.2 Surface irrigation management in Central Asian states

In the Central Asian states, the economic crisis that followed on independence resulted in a reduction of finance for the agricultural water sector to a fraction of that of the late 1980s (Soliev, Wegerich, and Kazbekov 2015). This made the sector very dependent on donor money. Thus, the states decided on water governance reforms including the transfer of local irrigation management to WUAs. But, in Kyrgyzstan and Tajikistan, for instance, proper implementation has been lacking – the corresponding land reform and decentralization reforms are regarded as mainly cosmetic (Sehring 2009) or implemented with broad spatial variation (Hierman and Nekbakhtshoev 2018). As described by Sehring (2009), the primary incentives for conducting reforms in the agricultural water sector seem to be donor pressure.

For example, across Tajikistan WUAs have been created supported by a law of 2006 (Sehring 2009; World Bank 2009). With the WUAs set up by a top-down program, Sehring (2009) estimates that, in 2005, roughly 100 of those organizations managed around one-fifth of the total irrigated land in Tajikistan. Yet, as in Bulgaria, a survey revealed that many rural people were not even aware of WUAs, and that those established were not functioning (Sehring 2009). Since 2011, WUAs have been further supported in the region by the United States Agency for International Development (USAID), but water users still have little knowledge of the exact tasks of the WUA and low awareness of the rights attached to membership. Also, there appears to be a lack of clarity about the method used for levying irrigation services fees (Balasubramanya et al. 2016). In all, the result is a situation that would be inconceivable with effective local self-organization under a common-property regime. This situation appears to have developed because there is no knowledge and experience of such governance regimes to draw from.

For WUAs in Tajikistan it has been shown that if the organization is not functioning well in terms of a reliable water supply, this further erodes user confidence in the regime (World Bank 2009). WUAs could not meet their obligations, such as canal maintenance, due to the low rate of fee collection. A World Bank study further shows that much work is needed for the successful implementation of community-based water initiatives that avoid placing favorite, but largely ineffectual, elites in key positions in the associations. A sign of a pseudo-WUA is that after donors disengage, WUAs fail due to a lack of sense of ownership by local people (World Bank 2009). It seems that reforms were conducted only on paper in order to receive urgently needed financial resources.

Similar outcomes are reported for Kyrgyzstan where a law and a new water code approved in 2005 allowed for greater participation by stakeholders, but lacked ownership among Kyrgyz experts, basically because the international donor had written the law (Sehring 2009). In 2004, 59% of the irrigated land in Kyrgyzstan was managed officially by 353 WUAs (Sehring 2009), but their development took place mainly within the framework of donor projects. For Uzbekistan, official numbers show that up to 70% of inter-farm and on-farm irrigation canals are served by WUAs, mostly established between 2003 and 2006. However, these WUAs demonstrate wide heterogeneity and largely do not fulfill their promised tasks (Abdullaev and Rakhmatullaev 2015). Effects from the new wave of system-wide reforms in Uzbekistan in the last two years are yet to be seen (Soliev et al. 2018).

In Turkmenistan, agriculture is almost totally dependent on irrigation. After independence, due to a program of self-sufficiency in grain production, little of the limited government funds could be invested in the eroded infrastructure system. However, the Turkmen government has started to introduce measures aimed at improving water use and reducing demand (O'Hara 1999). Over-watering represents a major problem there and the expectation of having abundant water available is an obstacle to the implementation of self-organized appropriation rules. Furthermore O'Hara (1999) doubts that farmers can change quickly from being purely laborers to becoming decision makers. Thus, the precondition of empowered private farmers needed for successful WUAs is largely lacking. Still, WUAs as part of farmers' associations are suggested by donors for solving problems with collecting fees and water scheduling in the irrigation sector (O'Hara 1999). In the last decade, however, there is hardly any literature following up on the implementation of WUAs in Turkmenistan.

For the Central Asian states in particular, the strong dominance of the country president and his circle can be shown (Sehring 2009). The unchallenged position of countrywide and local patrons reflects a reliance on authorities as a main characteristic of the political culture. Thus, similarly to the Soviet mentality, people expect these local patrons to take care of them and are not used to being proactive themselves (Sehring 2009). Sehring (2009) shows that clientelism, corruption, and personalistic leadership patterns undermine formal democratic structures. She further outlines that such an administration actively resists reforms that threaten the status quo. Such resistance can be particularly effective against reforms that have no local roots – as, against WUAs established for the most part in response to pressure from international donor agencies.

Another reason for the pseudo-WUAs in Central Asia is the fact that effective local self-organization demands, first of all, independent farmers as the decision makers on their crop choice and water use. The difficult process of getting farmers to that stage of independence is described for Tajikistan by Hierman and Nekbakhtshoev (2018). If farmers are not empowered, because, for instance, land reform results in quasi-privatization and has no impact in practice, then WUAs can likewise be not effective.

3.2 Pseudo Joint Forestry Management

This section on joint forestry management as a commons focuses on Russia's forest sector, as it constitutes the largest forest area in the world, accounting for approximately 20% of global forest area (FAO 2010). At the same time, Russian forests have a long history of mismanagement, resulting in both low productivity and a systematic overuse of resources (Carlsson 2000; Eikeland, Eythorsson, and Ivanova 2004). Simultaneously, Granville and Leonard (2010) testify for Russia a continuing impact of communist norms and conventions, which make successful common-property regimes difficult. Another reason for the geographic focus here on Russia is that since the early 1990s, Russia has experimented with the reallocation of authority between the central government and the regions. This has occurred in the forestry sector (Libman and Obydenkova 2014), but also in land privatization, where in 1998 the regions were allowed to enact their own land laws rather than agreeing on a federal Land Law (Haspel, Remington, and Smith 2006).

3.2.1 Unfavorable Conditions for Self-Organization in Forestry

Libman and Obydenkova (2014) study the allocation of jurisdiction between the capitol center in Moscow and the regions in Russia's forestry sector, and they call for the forest to be

managed in a polycentric way instead of mere decentralization[4]. The two scholars describe how the state-capture alliances between regional governments and a number of privileged firms remained resilient after the 1990s and how the set-up makes local bureaucrats – even after reforms in 2006 –myopic and not interested in improving the quality of the forest. Such dominant elite coelitions between state and powerful private interest could persist as described by (Olsson 2020) because newly installed formal institutions were disregarded in the way Russian economic relationships prevailed. Ulybina (2015) also raises the fact of the historical predominance of top-down forest management and abundant regulations, noting that this is not a favorable condition for the evolution of self-organized resource management by the rural users. Following Libman and Obydenkova (2014, 304), even effective decentralization turned out to be "pseudo-decentralization", due to the history of local alliances, the prevailing non-democratic system and the size of the country with inefficient control mechanisms to disempower local elites. Andersson and Ostrom (2008) point out that decentralization may fail to deliver the expected outcomes when dominant groups of political and economic elites are further strengthened by the process.

As in the agricultural water sector, in Russian forests we find no cultural basis for the self-organization of appropriation rules, due to prevailing local norms of unlimited resource use (Libman and Obydenkova 2014). This, in fact, has its roots also in Marx's labor theory of value, which says that only labor gives economic value to an ecological resource (Cole 1998). The influence of that theory on local norms has been illustrated by Komarov (1980) for Communist times in Siberia, where giant piles of trees could be seen rotting next to railroad tracks, awaiting trains that never came to take them to market. When asked to explain why loggers nevertheless continued harvesting, the local manager replied that they have a constitutionally guaranteed right to work (Komarov 1980, 69-70).

Another obstacle to common-property regimes for natural resource management in Russia is the lack of a tradition of local ownership. If there is private ownership, owners often operate out of Moscow and have strong connections with the federal authorities (Eikeland, Eythorsson, and Ivanova 2004). Eikeland, Eythorsson, and Ivanova (2004, 285) refer to the combination of hierarchical structures and personal networks causing corrupt management practices and high transaction costs in the forestry sector as the "Soviet heritage." This suggests for post-Soviet countries that there might be an inherited behavior promoting a pseudo-implementation of rules and organizations for the management of common pool resources.

The new Russian Forest Code, passed by the Federal Parliament in 2006, does not require regional governments to include regional and local interest groups in the decision-making process, except under certain relatively broad conditions that Libman and Obydenkova (2014) regard as easy to circumvent. Thus, local users' involvement – already weak at the initial stage in common-property management – is further limited.

Further, the new Forest Code primarily aimed at a decentralization process, because it shifted to a great extent the former comprehensive federal government's responsibilities to regional bureaucrats and politicians. These regional governments thereby gained power over the allocation of forest access rights and the setting of standards for forest use; earlier on they were only responsible for monitoring the process (Murota and Glazyrina 2010). This means that the federal government may still establish basic standards for forest use, but cannot ensure compliance with these rules at the regional level (Libman and Obydenkova 2014).

[4] Libman and Obydenkova (2014) treat forests as a common-pool resource and therefore name any management of that resource as commons management, which is not necessarily a commons or common-property regime in the way defined in this paper.

Eikeland, Eythorsson, and Ivanova (2004) even regard the federal government as not capable of ensuring adequate protection against illegal logging, forest fires or pollution. At the same time, large swaths of forest that once belonged to the state remain with de-facto unclear management responsibilities. Murota and Glazyrina (2010, 38) name this "unmanaged commons," although they appear to be in fact open access situations.

Finally, in many territories in Russia it became an informal practice that timber auctions were highly influenced by the strong ties between certain logging companies and the local administration, which allowed them to win the right to cut prized lots (Murota and Glazyrina 2010). Such informal "rent-seeking" alliances led to unsustainable and destructive forest use. This disregarded the replenishment of ecological resources and kept the Russian forestry sector inefficient (Murota and Glazyrina 2010).

3.2.2 Role of Leskhoz, Model Farms and National Park Zoning

Studies that deal with commons and forestry in Russia often refer to the Soviet *"leskhoz"*. Leskhozy (plural of leskhoz) are the territorial organizations responsible for both forest use and forest development (Libman and Obydenkova 2014).[5] They began to appear after 1945 when the forest mining approach was diminished and there was a need for a permanent skilled labor force to develop local management organizations in remote areas. In the early 1990s, there were 1,831 leskhozy in Russia (Eikeland, Eythorsson, and Ivanova 2004). These decentralized agencies are sometimes referred to as "community-based" Soviet-type institutions (Eikeland, Eythorsson, and Ivanova 2004). Olsson (2020) therefore excluded the leskhozy from his recent study on forest enterprises in Russia. A closer look is required to determine whether they qualify as a common-property regime and what their current situation is. Eikeland, Eythorsson, and Ivanova (2004) specify them as one of the very few community-based institutions that survived the post-socialist transition phase. In contrast, however, Carlsson (2000) states that instead of rural community forestry management, which might likewise contribute to increased social development among rural societies, the leskhozy were rooted in a robust state forestry organization that included Communist Party involvement. The leskhozy supervised the planning of the State logging enterprises and oversaw their activities. According to Carlsson (2000), they also directed the implementation of the new conservation principles introduced by the State, and thus did not set their own rules or resource management aims, in the sense of self-governance. Eikeland, Eythorsson, and Ivanova (2004) describe how a local incentive to fulfill ever-rising national production targets evolved during socialism, resulting in the fact that non-governmental organizations, such as the Russian branch of the World Wildlife Fund and Greenpeace, accused the leskhozy in the 1990s of illegal cutting and disregarding sustainable forestry practices (Eikeland, Eythorsson, and Ivanova 2004). Industrial cutting was often hidden behind ostensible sanitary and thinning activities (Eikeland, Eythorsson, and Ivanova 2004). This non-involvement of rural people in various decision powers and responsibilities of the leskhozy gives indications of a pseudo-commons – if it can be called a common-property regime at all, as done by above cited authors (Eikeland, Eythorsson, and Ivanova 2004). After reforms, most leskhozy have been privatized in a nontransparent way, resulting in a highly fragmented logging industry with owners representing former Soviet managers and local administrators (Libman and Obydenkova 2014). This way of implementing privatization reforms demonstrated the

[5] Libman and Obydenkova (2014) refer to it as lespromkhozy and focus on the industrial and logistics responsibilities in contemporary Russia as an outcome of transforming this organization.

unequal resource access between ordinary rural people and other social groups, particularly the socialist elites.

Another rather weak attempt to establish common-property regimes in Russia's contemporary forestry sector can be observed in a small fraction of the existing model forests.[6] One of the four model forests studied by Ulybina (2015) aimed at facilitating local participation by forest users. The objective of engaging the local population in decision-making processes can be seen as an initial step towards commons management. Model forests in Russia were proposed as a new form of governance, which could potentially help harmonize the interests of different social groups, including forest users, regional and federal authorities, businesses, indigenous people and academia, and increase the role of the public in forest resource management. As such, model forests could be regarded as fulfilling the role of strengthening democracy and the development of rural communities (Ulybina 2015). Yet the case of a timber company which considers model forests to be a tool that may help them to avoid fines, presented by Ulybina (2015), reveals instead an actual pseudo-organization set up in line with the definition given in Section 2. A key role was played by an international pulp and paper manufacturer, which also controls logging operations in Russia. According to interviews, the real intention of engaging in the local initiative has been to circumvent the law, since model forests grant the opportunity of complying with slightly different, less stringent, laws (Ulybina 2015).

Just as the study on the model forests shows insufficient incentives for more active involvement of rural people in forestry matters, it highlights the underlying obstacles for management solutions based on common-property regimes in general. Based on her study, Ulybina (2015) is very pessimistic about the possibility of local people self-organizing in Russia's forestry sector. The role of the Soviet mentality is highlighted in this relation by Babajanian (2005), who describes rural people as happy to delegate total authority to a few individuals. Ulybina (2015) even talks about individuals feeling that they are impotent to change practices, and instead believing in the state's power to reform and improve forest use. The idea of public participation is even regarded as "exotic" (Ulybina 2015, , 481).

Finally, Murota and Glazyrina (2010) discuss an exceptional case of a purported common-property regime in the forestry sector, which has been facilitated by the establishment of a national park. The Alkhanay National Park in Eastern Siberia was created with strong support from Siberian scientists of the Russian Academy of Sciences. The park is arranged according to functional zones, one of which represents forest management run by the rural people. Previously the state held the property rights to the forest in the name of the people, but over-extracted. Yet after creation of the park, self-management of the forest resource is only allowed according to scientifically-defined specifications that, for instance, delineate commercial timber cutting, and only allow rural people to fell timber for home needs. This predefined common-property regime provides no autonomy to develop other rules adapted to the local users' needs. The situation prior to, but also after, the establishment of the national park thus represents a pseudo-commons, representing either the state's mismanagement in the name of the people, or a top-down implementation of local management rules.

4. Determinants of Pseudo-Commons

Even the purely theoretical form of socialism put forth by Marx and Engels might not support a society in developing a decision-making process that could balance economic and environmental needs; still less was the Soviet-era implementation of socialism able to do so

[6] Model forests test and demonstrate innovative national forest programs to promote sustainable forestry worldwide.

(Mirovitskaya and Soroos 1995). Some of the actual implementation of socialism has implications today and determines why genuine and successful commons turn out to be so difficult to achieve in the respective countries We found reasons for the difficulties in the presented cases and built three groups of determinants (Table 1): a) the socialist legacy of powerful entities embedded in the social-political environment, b) the continued presence of the Soviet mentality in the prevailing norms and c) past and current overstressing of cooperation. These three determinants are themselves backed by literature which describes the cultural and political development in the regions.

Table 1: Determinants of Pseudo-Commons

Determinants of pseudo-commons	Contributing factors	Appearance in the studies cited
Socialist legacy	Political influencing networks/ Economic elite capture	Omnipresent: Armenia & Bulgaria (Section 3.1.1), Central Asia (Section 3.1.2), Russia (Section 3.2.1, 3.2.2)
Soviet mentality	Limited knowledge or experience with commons governance forms	Tajikistan (Section 3.1.2)
	Expectation to have abandoned resource units/ prevailing norms of unlimited resource use	General in irrigation (Section 3.1), Turkmenistan (Section 3.1.2), Russia (Section 3.2.1)
	Reliance on authorities/ Feeling comfortable with delegating decision-making power to authorities	Central Asia (Section 3.1.2), Russia (Section 3.2.2)
	No independent farmers/ land owners	Central Asia (Section 3.1.2), Russia (Section 3.2.1)
	No experience in acting as decision-makers	Russia (Section 3.2.2)
Overstressing of cooperation	Strong donor driven approaches	Central and Eastern Europe (Section 3.1.1), Kyrgyzstan & Tajikistan (Section 3.1.2), Russia (Section 3.2.2)
	General overstressing of cooperative idea and misuse of related terms.	Literature not directly related to natural resource management cases (Section 4.3)

4.1 Socialist Legacy of Elites in Power

Beginning with Lenin's Decree on Land of November 8, 1917, resources such as land, minerals, water, and forests were made public resources and private ownership was dismantled. The natural resources were declared the common-property of all working people, yet were managed nationally, slowly driving to a de-facto system which could be named, provocatively, "bureaucratic private property" (Mirovitskaya and Soroos 1995, 81-7). The difference from a state property regime is that the ownership of the resource nominally stayed with the working people. In theory social ownership meant that everyone owned and was responsible for preserving resources. In practice, as described by Cole (1998, 155), either the

socialist state took direct control of the natural resources, leaving responsibility for managing them to political leaders who put their perception of the necessary priorities of national development above the needs of the (rural) people, or it became visible that no one was responsible for anything.

The problem with the Soviet system was that responsibility for acquiring and managing the workers' property was too often scattered among relevant groups with a strong economic stake in projects involving large state investments in production that were given high priority. Indeed, during Soviet times a "system [emerged] of pseudo-public resource property in which environmental and resource management was in the hands of groups with economic interests", often manifesting their powerful position in the way they managed the resource (Mirovitskaya and Soroos 1995, 88). Scholars have pointed to the expanding private expropriation of public property (Melville and Mironyuk 2016) as the reason why, in the Russian Federation since 1994, Decrees on Sustainable Development – environmental reforms – have not achieved their goals. After 1990 the socialist economic elite was able to reproduce its social position, for instance through its control of the implementation of privatization processes, such as the agrarian land reform (Grancelli 2011; Haspel, Remington, and Smith 2006). This can be shown in the opposition by the agrarian lobby and the Communists in the Russian Duma to reforms that would allow private agricultural land ownership (Haspel, Remington, and Smith 2006).

4.2 Soviet-Mentality

Nonetheless it is very important not to exclude local non-elites from current investigations, as Moldalieva and Heathershaw (2020) point out. This supports the importance of including in our analysis the prevailing social norms or the mentality affecting local non-elites. Moldalieva and Heathershaw (2020) stress that an understanding of the informal rural community members` strategies to advance their interests in natural resource management – despite or perhaps because of the prevailing or newly appearing elite-enforced formal rules, which strengthen the central elite`s power - is likewise important in authoritarian states and yet hardly considered in academic attention. Ledeneva (2008) analyzed such "informal practices" and stressed that they developed in a certain way, namely moving away from compensating for rigid constraints towards the active exploitation of weaknesses in the reformed systems. Because social, economic and political changes can transform the very notion of "informal," comparison between pre-reform and post-reform will be difficult, but knowledge of the direction of such transformations of informal practices is necessary to understand the factors that currently hamper collective action. Ledeneva (2008) does show how the speed and the regional variations of reform across post-communist societies affect comparison of such as well. Still our review of relevant studies demonstrates similarities in outcomes across the regions with the appearance of pseudo-commons management today.

Babajanian (2005, 449) gives prominence to the notion of the "Soviet-mentality" as a serious obstacle to the development of active self-organizing communities. He highlights the public sector domination during the communist period that enforced citizen passivity and expectations that the authorities would be responsible for community welfare. The passivity of rural population is also confirmed by Mamonova and Visser (2014) in line with very low engagement in voluntary collective processes. This is again an outcome of the forced participation in the state-organized social environment, as described by (Crotty and Ljubownikow 2020) for Russia and post-communist states, which rather leads to not volunteering.

Likewise important and mentioned in the case studies presented above, is the fact that there is little tradition of experiencing and experimenting with bundles of private ownership rights

and duties in the respective natural resources, like land, water or forest. That would however be a prerequisite to start engaging in collective appropriation and provision rule making. The notion of "lacking a sense of ownership" described, for instance, in the Czech Republic (Prager, Prazan, and Penov 2012) points in the same direction. During the restructuring process after 1990, a decade of weak property rights prevented farmers from developing a sense of ownership and responsibility, especially in areas where a large proportion of land was still leased out. New owners of the often-scattered plots faced high transaction costs if they attempted to withdraw their plots in order to create a new private farm. Yet, without first feeling responsibility for the land, the potential for social engagement in collective action is limited.

Instead of the self-organization of farmers – in the Ostrom sense of local common-property regime – the post-Soviet and post-communist states controlled people and land in the name of the national interest. The same can be shown for pastoralism (Undargaa 2017). Although pastures are not in the focus of this article, in post-communist pastoralist societies, collective action is described as extremely difficult to organize because the earlier land law, e.g. in Mongolia, even prohibited private ownership of pastureland. Thus, there is no recent comprehensive experience with possessory rights in the local group to anchor new collective action. Successful commons management would indeed require restoring historical institutions and the collective memory of pre-collectivization periods, ways of resource management not exercised for decades past, during the livestock, land or irrigation infrastructure collectivization phase (Undargaa 2017; Theesfeld and Boevsky 2005).

4.3 Overstressing the Notion of Cooperation

A hampering factor for a functioning set-up of commons management is wide spread no matter in the irrigation or forestry sector, namely the primary donor driven incentive for conducting such reforms, in order to receive urgently needed financial resources. In that sense the international donors` political agenda does also overestimate the readiness for co-operations and overstresses the idea of local cooperation of resource users, which might not be backed up yet with the necessary social and political environment.

Another aspect of the socialist past hinders the set-up of real and working collaborations is that farmers experienced too much enforced cooperation and are thus very skeptical of it (Hagedorn 2014; Crotty and Ljubownikow 2020). In the post-communist countries, the large collective farms were administered almost everywhere under the label "cooperatives," even though they had not evolved out of voluntary associations and had little in common with cooperative principles (Grancelli 2011). Thus, the rural population started the transition phase with a strong psychological resistance to cooperation, originating from years of abuse of the whole concept by socialist regimes. Significantly, the Russian word "Kooperativ" does not have the linguistic association with the idea of cooperation that the word "cooperative" in English has. Accordingly, authors state that the use of the word cooperative in e.g. Central and Eastern Europe not only creates the wrong impression, but can even create barriers to progress (Gardner and Lerman 2006).

5. Conclusion

In contrast to the original Marxist vision where working people hold the property in natural resources (Mirovitskaya and Soroos 1995), the practices under "real socialism" in Russia and neighboring post-communist countries often demonstrated no autonomy in natural resource use and management. The latter however constitutes a prerequisite for local self-governance to emerge.

The selection of studies from academic literature reveals key determinants for the emergence of pseudo-commons – structures that are named “commons” or “common-property” (World Bank 2009; Murota and Glazyrina 2010; Eikeland, Eythorsson, and Ivanova 2004) but do not show many key-features of a true common-property governance regime (Ostrom 1990).

The long-standing Soviet-style hierarchical networks at the local level, in combination with incapacity to control and implement environmental protection rules, provided a situation in which bureaucrats and influential persons could take advantage of their position further marginalizing non-elite local resource users. Cited studies showed that this process lasted into the post-Soviet or post-communist transition phase for the countries studied. In fact, for both natural resources under consideration, studies show a pro-forma set up of commons management, often donor driven, with some economic groups making profits or political actors strengthening their powerful positions. Such socialist legacy in particular, often cited in these studies (Moldalieva and Heathershaw 2020), makes Russia and otherpost-communist countries likely to end up with pseudo-commons.

Another determinant that favors the emergence of pseudo-commons is the Soviet mentality, which represents a tendency to prefer higher level authorities as decision-makers. This prevailing norm, widespread with non-elite community members, result from various experiences. One aspect is that local resource users had hardly any private ownership rights and duties – otherwise an experience known as a prerequisite for collaborating in rule making. Another factor that contributes to the Soviet mentality is the rural resistance to the idea of cooperation. That results from overstressing the notion of cooperation and participation in recent Soviet history (Hagedorn 2014; Crotty and Ljubownikow 2020) and an excessive and undifferentiated push for such forms by international donors.

Against this background the pseudo-cooperation that allows a small group to increase personal benefit and only pretend to follow cooperative objectives destroys the trust in real cooperation and any capacity to change local conditions by self-organization. Yet in truth distrust is both a driver and an outcome of pseudo-commons. Cooperation among small producers is typically quite rare, because there is a lack of reciprocal trust outside the interfamily network (Grancelli 2011). As a result, when such initial tendency to distrust is combined with the Soviet mentality of passive local people as described by Babajanian (2005) above, local cooperation is hardly likely to happen. On the other hand, pseudo-implementation of cooperation and the opportunistic behavior of elites can cause a decline in reciprocal trust among actors. Distrust working as both a driver and an outcome is the vicious cycle at the heart of pseudo-collective action. It leads to a deep skepticism as regards such forms of local self-organization. It will be worthwhile to explore possible starting points for intervention that could break this vicious cycle.

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