

# The Forest of Romania: a Social – Economic's Drama

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***Abstract.** Forests were covering at the start of the third millennium around 26.5% of Romania's territory. Comprised into forest zones expanded in all historical provinces of the country, they are representing an important economic resource, an also an essential factor of the man-environment equilibrium.*

*The organization of the rational exploitation of the forestry fund, adopted ever since the XIX Century, was abandoned after the forests nationalization, imposed by the communist regime in 1948.*

*Urbanization and industrialization, held in view by this regime, did not take into account the ecological requirements and neither those linked to the renewal of the natural economic resources.*

*The transition coming after the fall of communism, with pervert economic, psychological and sociological effects, has led to a savage exploitation of the forestry fund, the lack of some compensation measures (re-forestations, young forest protection), under the context of statal authority's dissolution (after the excessive communist authoritarianism), having catastrophic consequences: land slides, desertification, pollution.*

*The remake of the forest ownership structure, from before nationalization, is not, as a consequence, sufficient, the putting into possession having to be accompanied, in the goal of remaking the natural harmony of man with his existential environment, by a series of economic, legislative, educational initiatives, which the EU integration could facilitate.*

**Keywords:** forest; forestry fund; forestry ownership; de-forestation-cutting; nationalization-re-putting into possession; desertification-pollution; social and economic crisis; man-Nature equilibrium.

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**JEL Codes:** Q01, Q23.

**REL Codes:** 15C, 15D, 15G.

The forest area of Romania is spread in almost all its “historical” provinces (Transylvania, Muntenia, Moldova, Banat, Crisana, Maramures), on the hills and sub-mountain plains, covering almost 7 million ha, which is over 28% of the country’s area. The forests, or the forestry fund properly, was encompassing in the first years of the third millennium around 6,350,000 ha (26.5% of the national territory), the rest, (1.9%) being made of non-settled land areas with forest vegetation, degraded land areas, de-forested pastures as recently, etc.

Of the forests total, over 30% is represented by the resins (spruce fir, fir tree), the beech tree having the same share, followed by oak trees” (18.3%) and other species (20.4%). In 2005 the average of the forest area per inhabitant was in Romania of under 0.30 ha, that is almost equal to the European average. In 1990, when the Romanian transition from socialism to capitalism started, this area was exceeding the European one, as result of the rigorous control made by the ex-regime as regarding the cuts of the forests and the de-forestations. The massive and chaotic cuts after the adoption, in 1991, of the Law no. 18, regarding the restitution of some forest areas to physical persons, have reduced the respective average area, and are continuing to reduce it, although the consequences for the environment are dramatic and lasting ones. Though, in the country’s forests still there is a volume of standing woody mass of around 1,200-1,250 million m<sup>3</sup>, the average volume per ha being of almost 200 m<sup>3</sup>, higher than that of the ensemble of Europe. But the trend of this volume is negative, as result of the same uncontrolled

manners of de-forestation, which on the background of the global heating, can lead to serious ecological dis-balances, affecting, in addition, the approximate 450,000 jobs, ensured by the silviculture activities, the exploitations of forests and the wooden processing industries. Under the context of the cyclical market crises, especially in peak crises, as the present economic crisis is, the massive reduction of these ones will increase the social and economic difficulties present already.

As regards the forests exploitation, the activities of silviculture and wooden processing, things did not seem, until the start of the third millennium, evolving like this. In the old Romanian rurality there existed a certain respect for the forest, the forest being “brother” to the Romanian. The Romanian peasant was exploiting as a rule, disorderly the land fund, the communities executing cuts and de-forestations, only for covering the strict needs, always taking care to protect the young forest, to ensure the patrimony continuity for the future generations. The village communities were living in full harmony with the environment, aware being that it is exhaustible in the context of brutal changes of the reciprocal relationships. The foresters, the watchmakers were designated by the community to watch to the intact keeping of the bond to the land, in the way the outcomes of it are put into value. Preoccupations for the rational and balanced use of the forest fund there also existed at state level. Since the XVII<sup>th</sup> Century, in the Romanian Countries, Muntenia, Moldova, Ardeal, the princely offices have issued orders regarding the protection and good administration of the forests, Romania

having, in the XIX th. Century already a formed silvicultural organization. The Romanian State has made lawful, in 1881 his own silvicultural Code, inspired of that adopted in France in 1827. The Code was modernized in 1910, when the structures of the capitalist economy were imposing themselves, being completed in 1930 with a Law for the forests administration, perfectly comparable to those adopted in the Western European States, where the need for keeping the ecological equilibrium was now appearing as a necessity. After the Second World War, in 1947, The Romanian State is adopting Law no. 204 (*For the defeating of the forest patrimony*) through which, although they acknowledge the private ownership upon forests, it is instituted a rigorous control upon the exploitations of wooden mass, the owners being constraint to respect certain quotas at cuts, and for only certain types of woods. Law no. 204/1947 was preparing the expropriation of forests, which are nationalized by the Constitution of the Popular Republic of Romania, in vigor since April 13, 1948. By the art. 6 this is proclaiming the forests as “State ownership”, a good of the whole People. The provisions of the respective article were also confirmed by the changes brought to the Fundamental Law in 1952 and 1965. By Nationalization *Law no. 119 from June 11, 1948*, all private ownerships in forest field are becoming State Ownership, organized by the normative decisions of the Silviculture Ministry. Before June 11, 1948, The State owned almost 2 million ha of forests (29% of the forest country’s area), 3 million ha pertaining to a number of around 9,500 of juridical entities (of which 2,600,000 ha were the ownership

of the communal communities, the communities of the yeomen of the composesorates), other 320,000 ha being in ownership of some well-fair institutions, of the church and cultural ones (5%).

An area of over 140,000 ha (23%) is ownership of some physical persons, in number of around 50,000 owners (with an average of almost 3 ha/owner). The above data reveal the fact that the communist state has nationalized not only the private physical ownership, but also the group one, fact which gave way to many abuses, including against the existential background, in the name of the “socialist planning an industrialization”.

The truth is that, although the State was exercising absolute control of cuts and deforestations, it was too less interested in taking into account the nature equilibrium, the traditional harmony of the ratio Man-Nature, leading through the arbitrary decisions on the resources industrial exploitation, a whole series of ecological disasters. They were potentiated also by the trials of forced villages’ urbanization, by the policy of their systematization initiated by Ceausescu.

The organic traditions of unification with Nature, of the rurals, were brutally modified, the very “forma mentis” of the Romanian Peasant being perverted. In order to survive, the Romanian peasant was practically obliged to act against his own environment, to rob nature of what was remaining after the “rational exploitation”, exercised by the communist planning. This alienation of the good common sense of the Romanian peasant, the perverting of his natural respect for Mother Nature, was to produce its effects, after the abolition of the

communist regime, when, by conjuncture laws, for that moment,, according to some power-groups' interests, it was tried the reconstitution of the forestry ownership.

The Land *Law no. 18/1991* was foreseeing, at article 41, the restitution only to the physical persons, of an area of up to 1 ha of forest, the juridical persons and the institutions expropriated in 1948 being completely ignored. The chaotic and arbitrary livery has stressed the feeling of uncertainty of the real or fictional new owners, the poverty and lack of funds of most of them exacerbating a pervert process, which even nowadays is still producing ecological side effects. Thousand of forest hectares, of different woody fragrances and of different ages, young trees curtains, planted following old plans (some tens of years), for land meliorations, trees experimental crops have been de-forested, in a Grobian-getting-rich frenzy (for some of them), in a freight of possible new nationalizations. To the preparation of the disaster have contributed the forgeries and the thefts in the archives, the ownership transfer into other placements, the Governmental clerks' corruption, who were making the livery only for some "incentives", many times anticipated by the selling of the wooden mass on the land areas retrocede. Many "owners" sold or prepare selling of forest crops or of the lands these were present, without even formally, try to sell their new possessions. It resulted a polluted desert with moving soils, bitten by the torrents not stopped from anything, a staleness of the air with nocive gases and particles, retained before the tree vegetation in function.

Facing these dramatic consequences, The Association of the Forest Owners in Romania has proposed, at the moment of their evidencing, the integral restitution to the lawful owners, juridical or physical entities, of the forests, forest pastures, of the clearings and lakes in the forests, including the mountain clears, of the buildings and areas for forests administration, of the installations for transport and wooden primary processing, passed together with the areas pertaining to the state ownership starting with 1948. Lawful owners also were considered, naturally, the communal communities, the composesorates, including the urbarial ones – the communities for fortunes –, the cultural and religious institutions, the territorial localities and organizations, which before the nationalization in 1948 were owning and administered forestry funds. The association required that the repossessions should be made on the old placements, the compensating solutions to be applied only there, where, out of objective reasons, restitutions are no longer possible. It also asked for the annulment of the livery acts and of the ownership titles, issued to some false owners, in this scope being imposed a serious review of the documents in the archives, of the land survey plans, existent in the period before the nationalization, including the punishing of the forgers, or of those using forgeries. The Association demonstrated that the argument of the overtaking by State of the forest ownerships of the juridical entities, for the lack of the activity of keeping, maintenance and improvement of the funds in question, is submitted to nullity, because these ones were

not able to realize anything else after the abusive nationalization. Forest lands maintained before under excellent conditions, by cultural Institutions as The Romanian Academy, or the educational profile institutions, by churches or village communities (Communities, Composesorates), were apprehended, by ownership exchanges, false compensations or rebuilt in archives, by some speculators lacking any scruple, wishing a quickly achieved richness, together with their accomplices in the Public Administration. The Association of Forests Owners has wished this way a clear remake of the ownership structures in the field, as before the abusive nationalization, the repossession following to be realized by the officials of the National Forests Regie, in the presence of the local commissions for the Land Fund Law, on basis of some proofs and clear statements, and only after the silviculture regime has become functional in the respective zone of the country. For a future avoiding of repeating some arbitrary acts, or for avoiding the long time law suits regarding the lawful owners, the silviculture range must assume the task to give, in writing, to the restitution' beneficiaries the sketches and the settlement data of the area in question.

The requirements of the Romanian Forests Owners Association are focused, obviously, on the central issue of any real democracy, with a functional market economy, that is the issue of the absolute respect of ownership and the absolute freedom of the owner who is disposing of it. Together with this essential issue, the Association raises indirectly other problems of moral order, hygienic and ecologic. It was unfortunately demonstrated in the communist

totalitarian years that the worst administrator of a public fortune is the State and that by nature of Man, the common property is the least fruitful in efficient way.

The State interventionism is valid only when it limits to the juridical regulation of the public action of the owners, to the norming of their social responsibilities in the disposition of the ownership exploitation. By the silvic codes and the laws of forests' administration in the inter Wars period, the Romanian State did not violate the ownership regime, as an example, but it prevented and limited, from the perspective of the ecological equilibrium and of the ensuring of the country's future, the arbitrary, aberrant or irrational disposition of its resources. But, the transition from the communism to capitalism was in Romania, after 1990, an alienating process of robbing these resources, on some incomplete laws basis, badly conceived on purpose, in order to give way to abuse and excesses of some interests groups, organized in mob way, centered upon the present's benefits. After the famous Law no. 18/1991, the legislative instability and the ownership theft in the field of forestry fund continued. Neither the Government Decision no. 982 from December 1998, regarding the organization and functioning of the National Forests Regie, nor the *Law no. 213/1998*, regarding public ownership and its juridical regime, not even *Law no. 1/2000*, regarding the complete remake of the old structure of land ownership, have stopped the robbery practiced upon the green lungs of the country, the businessmen corrupt and their supporters in the public administration, always finding ways to avoid the provisions.

If the Romanian State does not find the possibility to stabilize forever the legislative system, if it does not have success in blocking corruption and greed of the corrupters, we will be able to say that the future of Romania is the desertification, the disappearing of the essential resources, the extinction of the nation. The future of a country is not to be pawned if she wants to survive.

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What could be done to avoid such a possible situation? In the present Romanian context, stressed after the EU integration, in the continental one, but also on the background of the world economic crisis, a spectacular re-dressing of the forestry fund of the country is not possible anymore. By *Law no. 1/2000*, with its amending and subsequent modifications, there were put the premises of the reconstitution of the ownership right, existent before the 1948 communist nationalization. The coming back to the ante status quo cannot be but apparent, because, on one hand, the totalitarian state exploited forests in function of its own interests (justified by the intrinsic “rationalization” of its development programs), and, on the other hand, the commanded chaos and the delay of the livery, after the communism abolishment, had irreversible effects, hard to be foreseen, for the economic re-take up of the social ensemble, for the society as a total. The “savage” cuts in the transition period, the random de-forestations, not accompanied by planned re-plantations in compensation, produced great damages to the natural and human environment (land slides, destroys to infrastructure, long time pollution, etc.), damages which cannot be counteracted by

publicity campaigns, with political trends, for the necessary re-forestations, made by some “responsible” televisions. As long as formally, the campaigns are ended up just into TV. shows, while the illegal de-forestations are going on, the re-dress of the forestry fund has no perspective. But more than that, they are deepening a “moral pollution”, the interested person continuing the massive prelevation of the wood fund, the society, thought as an anonymous mass of taxpayers, following to makeup for the situation, through the new re-plantations.

The restitutions, following the *Law no. 1/2000*, have re-made in majority the forestry ownership structure of before 1948, that is, around 28% (1,900 thousand ha) state ownership and 72% (4,900 thousand ha) private and associate ownership. But the formal share cannot cover the “wrongs” of the restitution way, of the livery. The last operation, not ended up until today, has given way to a long series of un-satisfactions and social turmoils, because the lands’ exchanges were many times made arbitrarily, and the forest crops were unequally distributed, many of the owners realizing that they cannot work profitably their re-covered lands, from different reasons (from the young forest, improper for the prelevation of the wood mass, to the de-forested zone, asking for money and physical efforts for the taking out and implantation). The lack of the Cadastre, making, this way, volatile the peasants boundaries, the big distances to the new lots, the lack of organization (making impossible the forest’s protection in front of the illegal, savage exploitations), as well as the false putting into possessions (with the afferent delays in Justice), have made that



the functioning of the National Forests Regie, as well the application of the silvicultural regime and the administration of the forestry fund in Romania, be realized in a defect way, the balance a-forestation/deforestation being inclined disastrously to the first one. Under these conditions, and in the context of an acute lack of funds in the rural (the local and central authorities demonstrating for the moment a serious in-capacity to absorb the money put at their disposal, by the EU after the accession), the accomplishment of the goal “an alive rural environment” (that is, an environment where the agrarian landscape be freed of the human one) becomes a real problem. The rural development remains just a formal goal, as long as their components do not evolve synchronically. Without a real protection of the environment (of the rural communities and of the society as a whole), inclusively through a rational, planned exploitation of the forestry fund, the concept is voiding of a sense, and the real evolution becomes chaotic, the consequences being un-predictable.

The social and economic promotion, which represents the salvation, the preservation and even the development of the forestry fund in Romania, presupposes the assuming of some measures for rural development foreseen within CAP (The Common Agricultural Policy) of EU, with the afferent adaptations to the local specific. In the European perspective upon the rural development, the natural environment and the agrarian landscape have a special importance, the multi-millennium history of the “Old Continent”, showing that their depletion could lead to catastrophic economic and social changes, over-exceeded hardly and in long time.

That is why the rural development policies, regarding also the continental and each European state’s forestry fund, must have, beyond the common, global color, a series of particular adjustments, in function of zones, resources, territorial equilibriums, traditions and specific occupations. For the East countries, which Romania is making part of, development must get a stressed participative feature, because the natural attitudes towards environment have been profoundly de-formed, the natural environment (with its forestry component), becoming, in the communist experiment, a simple appendix of the abstract plans of industrialization and urbanization. The participative development presupposes, in case of forests, the establishing of a common forestry code and of some clear legislative formulations, including upon the contingency of cuts and the re-forestations, but also of the rightful distribution of the European Funds for the de-favored zones, based on monocultures of wood mass (as the case of the Romanian areas of the Mounts Apuseni or Bucovina), in order to ensure an increase of life quality, without this leading to the abuse upon the environmental resources.

Economy’s effort must be doubled by a cultural effort, with a pedagogical character, having in view the ratio man-environment, which should re-establish the old harmony of the human community with nature.

The forest’s salvation, major component of the Romanian and European natural landscape, has thus become a long lasting plan meant to ensure the Continent’s future.

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