

PAPERS/RAZPRAVE

TEN YEARS AFTER THE NEW AGRARIAN COMMUNITIES ACT: THE STATUS OF AGRARIAN COMMUNITIES IN UPPER CARNIOLA

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ABSTRACT

Ten years after the new Agrarian Communities Act: The status of agrarian communities in Upper Carniola

Slovenia has a centuries-old tradition of managing common land, yet the state of agrarian communities at the national level remains poorly researched. This article highlights the historical development, current challenges, and status of agrarian communities in Northern and Central Upper Carniola in 2025. The analysis shows that 52 agrarian communities (48.1%) are active in the area, whereas for 56 communities (51.9%) it remains unclear whether they still operate. This draws attention to the scarcity of available data on the status of agrarian communities. Spatial analysis within Triglav National Park reveals that common land accounts for 23% of the park's area, 23% of the Natura 2000 sites within the park, 25% of quiet zones, and 32% of the park's protective forests, and it includes a significant proportion of valuable natural features and nature reserves. The management of common land plays an important role in preserving biodiversity and the Alpine cultural landscape. This should be taken into account when developing appropriate financial mechanisms and compensation schemes to ensure fairer management of the benefits that agrarian communities provide to the wider society through common land.

KEY WORDS

agrarian communities, commons, common land, collective actions, biodiversity, alpine landscape, Upper Carniola (Gorenjska), Triglav National Park

IZVLEČEK

Deset let po novem Zakonu o agrarnih skupnostih – stanje agrarnih skupnosti na Gorenjskem

Slovenija ima večstoletno tradicijo upravljanja s skupnimi zemljišči, vendar je stanje agrarnih skupnosti na nacionalni ravni slabo raziskano. Prispevek osvetljuje zgodovinski razvoj, sodobne izzive in stanje agrarnih skupnosti na Zgornji in Osrednji Gorenjski leta 2025. Analiza kaže, da tam deluje 52 agrarnih skupnosti (48,1 %), medtem ko za 56 skupnosti (51,9 %) ni znano, ali in če še delujejo v praksi. Ugotovitev opozarja na omejenost razpoložljivih podatkov o dejanskem stanju agrarnih skupnosti. Prostorska analiza v Triglavskem narodnem parku kaže, da skupna zemljišča obsegajo 23 % celotnega parkovnega območja, 23 % območij Natura 2000 znotraj parka, 25 % mirnih območij in 32 % varovalnih gozdov v parku ter vključujejo znaten delež naravnih vrednot in rezervatov. Upravljanje teh zemljišč pomembno prispeva

k ohranjanju biodiverzitete in alpske kulturne pokrajine, kar bo treba upoštevati pri oblikovanju ustreznih finančnih mehanizmov in nadomestil za pravičnejše upravljanje koristi, ki jih agrarne skupnosti prek skupnih zemljišč prispevajo širši družbi.

KLJUČNE BESEDE

agrarne skupnosti, srenja, skupna zemljišča, skupnostne prakse, biodiverziteta, alpska pokrajina, Gorenjska, Triglavski narodni park

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1 Introduction

Slovenia has a centuries-long tradition of managing common land and natural resources through agrarian communities, in which ecological and social aspects are increasingly coming to the fore alongside economic ones. Despite several promising but now somewhat dated studies (Petek and Urbanc 2007; Bogataj 2012; Rodela 2012; Premrl 2013), the status of agrarian communities, the management of common land, and the contribution of these communities to society remain poorly researched at the national level. Since 2013, Slovenia has not seen any further national-level analyses of the formal status of agrarian communities and common land, but several research studies and volumes have been published, contributing insights into the revitalization of agrarian communities (Gatto and Bogataj 2015; Premrl et al. 2015), historical conditions (Kozorog and Leban 2023; Peresin Meden 2024), legal arrangements (Hafner 2017; Ravnik Koprivec 2022), theoretical concepts (Šmid Hribar, Bole and Urbanc 2015; Šmid Hribar et al. 2018; Šmid Hribar, Urbanc and Zorn 2023), the practical operation of individual agrarian communities (Urbanc and Šmid Hribar 2021; Bogataj 2022; Bogataj and Krč 2023; Pipan et al. 2023), and early insights into the links between (the Primorska region) agrarian communities and climate change (Bogataj and Uršič Zupan 2023). In 2021, several Slovenian researchers joined a project focusing on the comparative analysis of agrarian communities and common land in the Alps; however, due to a lack of research and data, it was not possible to provide reliable up-to-date information at the national level—a major shortcoming also noted in some other Alpine countries (Pagot et al. 2025).

Despite these studies on agrarian communities and common land in Slovenia, neither researchers nor managers and decision-makers have access to basic up-to-date data on the number and distribution of registered agrarian communities (how many there are and where they are located), nor do they know where their common land is. Their exact size and spatial distribution remain unknown—a problem that Petek and Urbanc (2007) already highlighted nearly twenty years ago. The lack of data at national institutions, especially the relevant ministry, is difficult to understand because such information is essential for the proper management of agricultural land. However, from the perspective of agrarian communities, this is not surprising: the memory of the 1947 nationalization of their land remains very much alive among their members.

In 2015, the new Agrarian Communities Act (hereinafter the ZAgrS; *Zakon o agrarnih ... 2015*) was adopted, aiming to facilitate the management of common land. Despite significant improvements, the main shortcomings remain: agrarian communities are still not recognized as distinct legal entities but rather as groups of private individuals and legal entities, which hampers their operation. Under Article 16 of the ZAgrS (*Zakon o agrarnih ... 2015*), which defines the Register of Agrarian Communities, a list of parcels is also to be compiled. However, by March 2025, only 44 of the 638 agrarian communities recorded in administrative unit registers in 2013 (Premrl 2013) had been entered into this new register. According to the Association of Representatives of Slovenian Agrarian Communities (*Agrarne ... 2025*), 114 agrarian communities are members of this association, but it is assumed that only about half of all agrarian communities in Slovenia are active (*Agrarne ... 2025*; Rebec 2025).

This article sheds light on the historical development and challenges related to common land management in Slovenia, and it empirically assesses the current status of agrarian communities. The following two objectives were pursued: 1) to provide a historical overview of common land in Slovenia across an extensive time to better understand the development and challenges of common land governance and management, and 2) to use a pilot area in Gorenjska region (Upper Carniola) to determine i) how many agrarian communities registered under the 1994 Act on the Reestablishment of Agrarian Communities and the Restitution of Their Property and Rights (hereinafter the ZPVAS; *Zakon o ponovni ... 1994*) remain active and ii) how many have been registered under the ZAgrS adopted in 2015, and iii) to establish the size and iv) distribution of their common land. Even though the terms *grazing community* and, more rarely, *village community* are sometimes used alongside *agrarian community*, all communities reestablished after Slovenia's independence are uniformly referred to in this article as agrarian communities, which also aligns with the ZPVAS and ZAgrS.

2 Historical aspects of common land

In Slovenia, the management of common land and natural resources dates back at least to the Middle Ages. An early form of such communal land management existed as early as the seventh century, when the early Slovenian population formed its first sovereign state, known as Carantania. In Carantania, land, including arable land, was still largely communal and tied to local communities (e.g., villages or large families), which did not allow outsiders to use it (Blaznik 1970). However, communal management of land and resources in the sense it is understood today dates to the ninth century, when, with the advent of Frankish rule and the introduction of the hide (*mansus*) system, local communities were permitted to cultivate less fertile land near the village known as common land (e.g., common pastures). If this common land was covered with forest or shrubs, they were also allowed to gather brushwood, carry out small-scale logging, collect leaf litter, and quarry stone or dig gravel (Blaznik 1970; Kačičnik Gabrič 2014). A particularly important category of communally owned land was fertile but more remote mountain pastures, where the holders of grazing rights organized communal grazing, milking, and cheese-making, and were also responsible for maintaining grazing areas and managing watering sites. Until the end of the eighteenth century, communal grazing was also practiced on arable land after harvest (stubble fields) or during fallow. Other categories of common land included less productive forests, used mainly for firewood, construction timber, and leaf litter for animals. In some areas, forest grazing was also allowed, along with maintaining watering ponds for livestock and certain springs (Blaznik 1970).

Initially, all villagers were entitled to use common land. During the feudal period, lords also had certain rights to the village commons, mountain pastures, and communal land. These rights were sometimes mostly formal and could fall into disuse; in some cases, peasants had to pay dues to the feudal lord, and elsewhere the lord also used the land directly (e.g., he used the forest for logging, whereas the peasants used it for grazing). In such cases, it became customary that the feudal lord became the owner and the peasants were granted the right to use the land.

As long as there was sufficient land, common land caused few conflicts. Between the thirteenth and fifteenth centuries, however, the economic value of areas containing common land, especially forests, began to increase significantly. By that time, forests had already been established as an energy source, and wood was also needed by townspeople. Blaznik (1970) described frequent disputes between various village commons (especially in mountain pastures where water sources were scarce, making a pasture lacking reliable water sources practically useless, and so boundaries between village commons often ran along springs or streams) as well as conflicts between peasants and feudal lords, in which the lords tried to force peasants out of forests. In the fourteenth and fifteenth centuries, when land for settlement became scarce, feudal lords began converting certain communal pastures into new settlements (e.g., Koprivnik in Bohinj area). In some places, the feudal lords took mountain pastures away from subordinate villages and leased them to other village communities from whom they expected higher profits.

From the fourteenth century onward, landless peasants also began to settle common land with the permission of the village communities, which led to a shortage of common land for grazing. Over time, communities became more exclusive and increasingly less open to newcomers. It is believed that during this period a rule became established that rights to common land depended on the size of the farm: those with larger holdings were entitled to more rights but also carried greater responsibilities for maintaining common land. In this respect, landless peasants received significantly fewer rights (Blaznik 1970).

In the sixteenth century, the economic importance of forests grew further because wood also began to be intensively used by ironworks, leading to an escalation of disputes over forest use. At the same time, forests were increasingly exploited and consequently depleted. Grazing areas were particularly in short supply: they were reduced due to the division of forests among new landholders, the extension of crop rotation, or even the abandonment of pastures due to agricultural intensification.

Intensification resulted in less fallow land traditionally used for grazing and the introduction of indoor livestock farming, which required more meadows and fodder crops. The settlement of landless peasants on common land further contributed to the reduction of grazing areas (Blaznik 1970). In addition, common land was sometimes conflated with use rights, understood here as use rights to specific natural resources, which could be held by individuals or communities. However, common land and use rights should not be equated (Kačičnik Gabrič 2014).

Because of all these factors, the first initiatives to divide common land had already begun to emerge in the seventeenth century. In 1745, Maria Theresa's (temporary) Forest Regulation (*Interimswaldordnung*) ordered the division of common forests and common mountain pastures, where peasants had been allowed to manage forests and graze livestock collectively (Kačičnik Gabrič 2014). However, the village common land and nearby common pastures could be retained if needed. The implementation of this legislation progressed slowly because many peasants resisted it; some could not survive on small individual shares of land (especially pastures), and so in many places common land remained in collective ownership until 1848. Alongside efforts to abolish common land, there had already been pressure since the sixteenth and seventeenth centuries to abolish use rights (Kačičnik Gabrič 2014). Because use rights hindered management, allowing both owners and entitled users to exploit the same land, some feudal estates attempted to transfer parts of their forests to their serfs in exchange for relinquishing their use rights in other parts of the forests. However, such agreements rarely succeeded because the estates and peasants struggled to reach consensus. Peasants feared being cheated and losing use rights essential to their farming and survival.

The 1848 abolition of serfdom played an important role in the fate of common land. The 1853 act required the abolition of use rights (not only on common land but on land in general), including by allocating a portion of such land to peasants. In rare cases, forests were divided among individual peasants, whereas mountain pastures remained under collective management. Thus, common land, particularly forests, which had gradually decreased since the 1745 Forest Regulation, initially increased after 1848 but then began to decline once more. Land division initiated in the mid-nineteenth century also progressed very slowly and, in some areas, it remained unfinished up until 1941 (Blaznik 1970).

In some places, to abolish use rights, peasants were granted undivided ownership (i.e., common ownership) of portions of estates, especially forests. However, this land was often located in remote or less fertile mountain areas, and in some cases it even included severely depleted land. Because of such practices, which favored large landowners, peasants often received land of much lower quality than what they had previously used—sometimes only half or even less than one-fifth of the former value (Blaznik 1970). On the other hand, Kačičnik Gabrič (2014) notes that peasants themselves contributed to the degradation of forests and pastures through excessive felling of trees at inappropriate times and over-exploiting the pastures.

The entry of common land into the land register also proved difficult, causing additional confusion. In i) many cases, common land was registered as land attributed to old communities (based on former shares), ii) in some cases it was registered entirely under the newly established political municipalities, and iii) often it was not registered at all because it was not treated as an independent category of the land register entry (Blaznik 1970; Vilfan 1996). At that time, the type of land register entry determined the holder of the rights to use the common land.

In communist Yugoslavia, common land fared even worse than privately owned land. Under the 1947 Agrarian Communities Act (*Zakon o agrarnih ... 1947*) and the 1965 Disposal of the Property of Former Agrarian Communities Act (*Zakon o razpolaganju ... 1965*), common land and agrarian communities were abolished and nationalized (Šmid Hribar et al. 2018). According to Cerar et al. (2011), between 1,000 and 1,500 Slovenian agrarian communities were dissolved or dispossessed during communist nationalization. Hafner (2017) reports that, at the time of nationalization, agrarian communities encompassed approximately 180,000 hectares of land, which included around 60,000 hectares of mountain pastures.

2.1 Reestablishment of agrarian communities

With Slovenia's independence in 1991, denationalization provided the opportunity to reestablish agrarian communities and restitute the nationalized common land. The first opportunity for restitution was provided by the Denationalization Act (Zakon o denacionalizaciji 1991), under which land was to be returned to individual heirs. Such a form of restitution was highly unfavorable for agrarian communities because it encouraged the privatization of the former common property and led to the fragmentation and alteration of land use—issues already noted in the literature (Petek and Urbanc 2007; Šmid Hribar et al. 2015; 2018). To mitigate these difficulties, Slovenia adopted the Act on the Reestablishment of Agrarian Communities and the Restitution of Their Property and Rights (Zakon o ponovni ... 1994). Under this law, the property of former agrarian communities was returned to their former members as co-ownership or joint ownership, which simplified and accelerated denationalization procedures. Article 6 of this law envisaged a register of agrarian communities but did not require a list of their land to be entered in the register, because this became known only after final decisions on the restitution of agrarian community property were issued.

By 2007, the register contained 665 agrarian communities, and at that time land had been returned to 71% of them (Petek and Urbanc 2007). The former common land of agrarian communities that were not re-registered remained under state or municipal ownership (Kozorog and Leban 2023). A new analysis of the state of agrarian communities was carried out several years later by Premrl (2013), who reported 638 agrarian communities listed in the registers of administrative units, of which 547 were potentially active, and 48 of these were still undergoing restitution proceedings at the time. By 2013, a total of 77,486.47 hectares of land, corresponding to 3.67% of Slovenia's territory, should have been returned to agrarian communities.

3 Methods

Due to limited human and financial resources, the initial focus in assessing the status of agrarian communities and the extent and distribution of their common land was placed on Northern and Central Upper Carniola (slv. *Zgornja in Osrednja Gorenjska*), which encompasses the administrative units of Jesenice, Kranj, Radovljica, Škofja Loka, and Tržič. The situation was examined in three ways: through analysis of officially accessible formal legal data, a survey, and a review of selected literature.

Based on the list of agrarian communities identified by Petek (2021) in 2007, a list of all agrarian communities within these administrative units was compiled. In July 2024, an official letter was sent to all representatives of agrarian communities, except those in the administrative unit of Škofja Loka, explaining the purpose of data collection and enclosing a short questionnaire. The aim was to obtain information on the operational status of agrarian communities (e.g., whether they held general assemblies or meetings at least once a year), the legal basis of their registration (whether they are entered in accordance with the 1994 ZPVAS or the 2015 ZAgrS), and data on parcel numbers of the common land they managed. Representatives of agrarian communities in the Škofja Loka administrative unit received the letter in March 2025.

In parallel, an official letter was sent to the Ministry of Agriculture, Forestry, and Food (hereinafter the MKPG), which is responsible for managing the new Register of Agrarian Communities. The letter requested that, in accordance with the Article 15 of the ZAgrS, they provide the names and registered seats of all agrarian communities in electronic form, and for each of them a list of land parcels with parcel numbers and cadastral districts. Because data collection progressed very slowly, an official letter with the same request was also sent to the administrative units of Jesenice, Kranj, Radovljica, Škofja Loka, and Tržič in February 2025.

The parcel numbers obtained were entered into Slovenia's digital real estate cadaster, which was used to create a digital layer of common land. Because by March 2025 it was not possible to collect data for all agrarian communities on the Gorenjska region list, the study area was narrowed to Triglav National Park (hereinafter TNP). This decision was supported by the fact that the area is manageable enough for a manual review of land ownership in the land register. To obtain data for agrarian communities on the Primorska region side of TNP, which was not directly included in this study, an official request was sent to the Tolmin Administrative Unit in February 2025, and a response with the relevant data was received from them in March 2025.

The status of agrarian communities that did not respond to the letter and for which no data were received from the MKGP or the administrative units was additionally checked through their membership in the Association of Representatives of Slovenian Agrarian Communities (ZPASS) and through their potential descriptions in the book *Slovenske srenje kot izročilo in priložnost* (Slovenian Agrarian Communities as Tradition and an Opportunity; Bogataj 2022). This work, published in 2022, features short presentations by 80 Slovenian agrarian communities. If an agrarian community was not detected through at least one of the listed criteria—which are not mutually equivalent—the operational status of the relevant agrarian community or grazing community was marked as »not identified« in Table 1.

In the final step, the digital layer of agrarian community land within TNP was overlaid with land use (Evidenca ... 2025), Natura 2000 sites (Natura ... 2025), protected areas (Zavarovana ... 2025), valuable natural features (Naravne ... 2025), quiet zones (Mirna ... 2024), and protective forests (Varovalni ... 2024) layers. This made it possible to determine land-use categories on common land and to analyze the extent to which agrarian communities contribute to the conservation of biodiversity, ecosystems, and natural heritage in TNP.

4 Overview of the operational status of agrarian communities in Northern and Central Upper Carniola

In 2007, the list of agrarian communities for Northern and Central Upper Carniola included 108 agrarian communities from the administrative units of Jesenice, Kranj, Radovljica, Škofja Loka, and Tržič. 23 completed questionnaires were received from representatives of agrarian communities, submitted by post or by phone. Following discussions with staff at the Jesenice Administrative Unit, it was established that the Smokuč agrarian community and the Gozd Martuljek–Jesenje grazing community no longer exist, and they were therefore removed from the list. The Blejska Dobrava agrarian community had been entered twice (under the Jesenice and Radovljica administrative units), and so one entry was deleted. A new grazing community, Jeseniška Rožca, was established as part of the Jesenice, Sava, Playž, Prihodi agrarian community in accordance with the ZAgrS, and it was added to the list. In the Škofja Loka Administrative Unit, two grazing communities were established under the Agriculture Act (Zakon o kmetijstvu 2008): the Blegoš and Soriška Planina grazing communities. After updating the list, a total of 108 agrarian communities were recorded across the administrative units of Jesenice, Kranj, Radovljica, Škofja Loka, and Tržič (Table 1).

In February 2025, data were received from the MKGP, revealing that 44 agrarian communities had been entered into the new register, including 14 in Gorenjska region. In February 2025, the Jesenice Administrative Unit also sent us a list of 14 agrarian communities registered under the ZAgrS. The Radovljica Administrative Unit provided a list of 14 agrarian communities; in Tržič, there are 2 such communities according to the administrative unit's records, the same number as in Kranj, whereas none were registered in Škofja Loka.

The remaining agrarian communities in Gorenjska region appear to still be registered under the ZPVAS. For 52 agrarian communities (48.1% of all communities on the list) in Northern and Central Upper Carniola it can be confirmed that they are active, and for the remaining 56 (51.9%) no information regarding their activity could be identified.

Table 1: Operational status of agrarian communities and grazing communities in Gorenjska region in 2025.

Name of agrarian community (AC), grazing community (GC), or village community (VC) from the 2007 list	Administrative unit	Participated in survey	Registered at administrative unit under ZAgrS	Included in MKGP register	ZPASS membership	Described in Bogataj (2022)	Operational status not identified
Dovje–Mojstrana AC	Jesenice	x	x		x	x	
Kranjska Gora–Log AC	Jesenice		x		x	x	
Rateče–Planica AC	Jesenice		x			x	
Žirovnica–Moste AC	Jesenice		x				
Hrušica AC	Jesenice		x			x	
Gozd and Srednji Vrh AC	Jesenice						x
Javorniški Rovt–Slovenski Javornik AC	Jesenice	x	x		x	x	
Blejska Dobrava AC	Jesenice		x				
Smokuč–Rodine AC	Jesenice	x	x				
Zabreznica–Selo AC	Jesenice						x
Planina Pod Golico AC	Jesenice		x		x	x	
Doslovče–Breznica AC	Jesenice	x	x				
Jesenice, Sava, Plavž, Prihodi AC	Jesenice						x
Podkoren AC	Jesenice		x	x			
Vrba AC	Jesenice						x
Potoki AC	Jesenice		x			x	
Koroška Bela AC	Jesenice		x		x		
Zgornja Radovna GA	Jesenice						x
Srednji Vrh GA	Jesenice						x
Kočna GA	Jesenice						x
Podkoren GA	Jesenice						x
Belca GA	Jesenice						x
Jeseniška Rožca GA	Jesenice		x				
Srednja Vas–Zalog AC	Kranj						x
Povlje AC	Kranj	x			x		
Tupaliče AC	Kranj						x
Jezerca GA	Kranj	x			x	x	
Kriška Planina GA	Kranj	x			x	x	
Bašelj AC	Kranj		x	x	x		

Name of agrarian community (AC), grazing community (GC), or village community (VC) from the 2007 list	Administrative unit	Participated in survey	Registered at administrative unit under ZAgrS	Included in MKGP register	ZPASS membership	Described in Bogataj (2022)	Operational status not identified
Babni Vrt AC	Kranj		x	x			
Cerklje AC	Kranj						x
Trboje AC	Kranj						x
Visoko AC	Kranj						x
Možjanca AC	Kranj						x
Vas Jama AC	Kranj						x
Spodnje Bitnje AC	Kranj						x
Luže AC	Kranj						x
Rupa VC	Kranj						x
Voklo VC	Kranj				x		
Stara Fužina–Studor AC	Radovljica	x	x	x	x	x	
Gorjuše–Nomenj (Planina Javornik) AC	Radovljica	x					
Srednja Vas v Bohinju AC	Radovljica	x	x	x	x	x	
Bohinjska Bela AC	Radovljica		x	x	x		
Bohinjska Češnjica, Jereka, Podjelje, Koprivnik AC	Radovljica						x
Bohinjska Bistrica AC	Radovljica		x	x	x	x	
Savica AC	Radovljica				x	x	
Kranjska Dolina AC	Radovljica	x	x		x		
Gorjuše AC	Radovljica						x
Zgoša Planina Prevala AC	Radovljica						x
Selo (pri Bledu) AC	Radovljica		x	x	x		
Zasip AC	Radovljica						x
Lipniška Planina AC	Radovljica						x
Ravne (v Bohinju) AC	Radovljica	x	x	x	x	x	
Sveta Lucija AC	Radovljica	x					
Hraše AC	Radovljica						x
Gorjuše–Nomenj Gozd Ozebovc AC	Radovljica						x

Name of agrarian community (AC), grazing community (GC), or village community (VC) from the 2007 list	Administrative unit	Participated in survey	Registered at administrative unit under ZAgrS	Included in MKGP register	ZPASS membership	Described in Bogataj (2022)	Operational status not identified
Nomenj, Log, Lepence, Bitnje AC	Radovljica						x
Selsko–Kupljeniška Planina AC	Radovljica						x
Poljšica AC	Radovljica	x	x	x	x	x	
Mošenjska Planina AC	Radovljica				x	x	
Bodešče AC	Radovljica		x	x	x		
Spodnje Laze AC	Radovljica						x
Spodnje in Zgornje Laze AC	Radovljica						x
Grad–Bled AC	Radovljica	x	x		x		
Ribno AC	Radovljica		x	x		x	
Nemški Rovt AC	Radovljica						x
Draga–Kisovec AC	Radovljica	x			x		
Ribenska in Grofova Planina AC	Radovljica		x	x	x	x	
Podhom AC	Radovljica		x	x			
Spodnje Gorje–Podhom–Zgornje Laze AC	Radovljica						x
Rečica AC	Radovljica		x			x	
Vrbnje AC	Radovljica						x
Poljče AC	Radovljica						x
Kupljenik AC	Radovljica						x
Bistrica pri Trziču AC	Tržič		x			x	
Javornik AC	Tržič						x
Leše AC	Tržič				x	x	
Planine Šija AC	Tržič						x
Planina Pungrat AC	Tržič	x				x	
Bičevje AC	Tržič				x	x	
Brinje AC	Tržič						x
Lom–Zanjivico AC	Tržič						x
Zvirče AC	Tržič		x			x	

Name of agrarian community (AC), grazing community (GC), or village community (VC) from the 2007 list	Administrative unit	Participated in survey	Registered at administrative unit under ZAgrS	Included in MKGP register	ZPASS membership	Described in Bogataj (2022)	Operational status not identified
Tegošče AC	Tržič				x	x	
Polana AC	Tržič		x		x		
Brdo AC	Tržič						x
Brezje–Visočje AC	Tržič				x		
Kofce AC	Tržič						x
Dražgoše in Selca–Dražgoše pri Cerkvi AC	Škofja Loka						x
Krnice AC	Škofja Loka						x
Podlonk AC	Škofja Loka						x
Prtoč AC	Škofja Loka						x
Zabrdo AC	Škofja Loka						x
Podgora AC	Škofja Loka	x					
Torka–Ravne AC	Škofja Loka						x
Spodnja Sorica AC	Škofja Loka						x
Zgornja Sorica AC	Škofja Loka						x
Soseska Lajše AC	Škofja Loka						x
Vaška Skupnost Javorje, Dolenčice, Murave VC	Škofja Loka						x
Zgornje Danje AC	Škofja Loka						x
Robidnica, Lajše, Krnice AC	Škofja Loka						x
Leskovica, Kopačnica, Studor AC	Škofja Loka						x
Soseska Kališe (Srenja S. Križ) AC	Škofja Loka	x					
Ratitovec–Klom GA	Škofja Loka						x
Selca GA	Škofja Loka	x					
Golica II GA		x					
Blegoš GA	Škofja Loka						x
Soriška Planina 2 GA	Škofja Loka						x
Total	108	23	33	14	31	25	56

4.1 Agrarian communities in Triglav National Park

23 agrarian communities hold common land either entirely or in part within TNP. 19 of them are registered under the ZAgrS, and 4 registered under the ZPVAS were identified manually. Some agrarian communities jointly own certain parcels of land, such as the Blejska Dobrava and Podhom communities, and the Grad-Bled and Rečica communities (marked * and ** in Table 2). Altogether, agrarian communities in TNP hold 19,453.4 hectares of common land, or 23% of the park's area (Table 2, Figure 1). The actual area of agrarian community land within TNP may be even larger because several parcels in the park are jointly owned by a substantial number of individuals. However, this cannot be confirmed because available data do not indicate whether these parcels belong to an agrarian community or a grazing community.

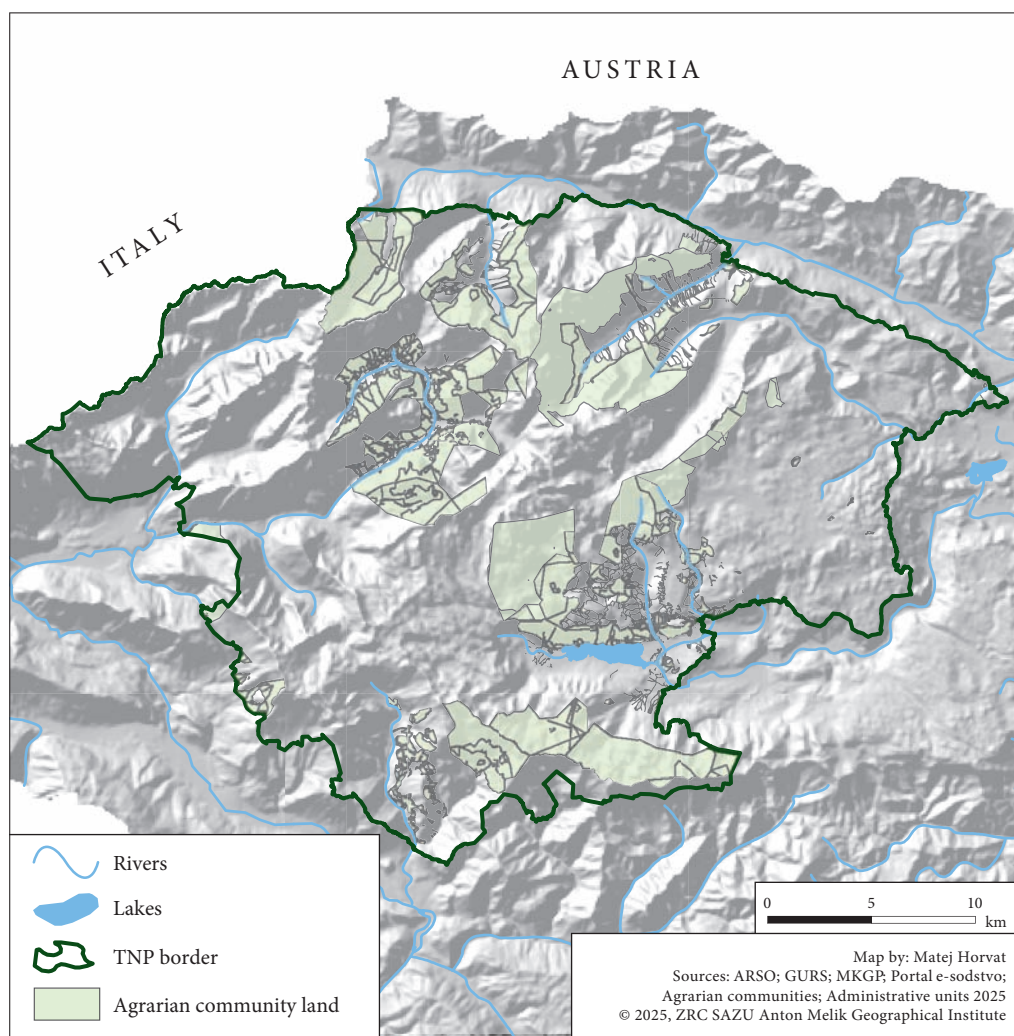


Figure 1: Agrarian communities in Triglav National Park.

Table 2: Area of agrarian communities in Triglav National Park by nature conservation category and land use (for larger categories).

Agrarian community	Administrative unit	Registered under ZAgrS	Area in TNP (ha)	NATURA 2000 site (ha)	(Strict) nature reserve (ha)	Valuable natural feature (ha)	Meadow/pasture (ha)	Forest (ha)	Dry, open land with or without vegetation cover (ha)
Blejska Dobrava*	Jesenice	1	18.9	18.9	0.0	16.2	1.0	17.8	0.0
Bohinjska Bela	Radovljica	1	3.1	3.1	0.0	3.1	2.2	0.5	0.0
Bohinjska Bistrica	Radovljica	1	781.9	781.9	0.0	162.5	59.9	448.3	237.1
Bohinjska Česnjica, Jereka, Podjelje, Koprivnik	Radovljica		3.4	3.4	0.0	3.4	0.5	2.6	0.0
Čadrag	Tolmin		518.3	518.3	0.0	39.2	13.3	473.9	24.0
Čezsoča	Tolmin	1	176.5	176.5	0.0	4.6	31.6	129.9	5.6
Drežniške Vasi	Tolmin		193.1	193.1	0.0	14.6	13.1	103.5	70.4
Dovje – Mojstrana	Jesenice	1	3,733.1	3,729.9	0.0	3,534.8	57.1	1,713.8	1,920.4
Grad–Bled**	Radovljica	1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Hrušica	Jesenice	1	1.3	1.3	0.0	0.7	0.0	0.8	0.4
Kranjska Dolina	Radovljica	1	15.6	15.6	0.0	15.6	9.4	6.0	0.0
Kranjska Gora–Log	Jesenice	1	1,698.5	1,697.5	0.5	134.9	16.1	741.9	924.2
Krasji Vrh	Tolmin	1	0.8	0.8	0.0	0.0	0.0	0.8	0.0
Plaže Soča	Tolmin	1	758.8	758.8	0.0	15.8	23.3	458.8	265.5
Podhom*	Radovljica	1	22.2	14.8	0.0	11.7	2.9	18.9	0.0
Poljubinj	Tolmin	1	869.9	869.9	0.0	200.7	46.2	505.3	267.6
Rateče–Planica	Jesenice	1	1,368.9	1,367.2	18.7	1,357.2	8.2	577.6	777.2
Ravne v Bohinju	Radovljica	1	2.0	2.0	0.0	2.0	0.4	0.6	0.9
Rečica**	Radovljica	1	2.3	2.3	0.0	2.3	0.3	2.0	0.0
Savica	Radovljica		1,390.1	1,340.3	1.1	1,086.7	79.9	887.0	385.3
Srednja Vas v Bohinju	Radovljica	1	716.4	712.0	0.0	415.8	102.5	445.9	142.9
Stara Fužina Studor	Radovljica	1	3,601.5	3,520.6	0.0	848.1	297.5	2,455.6	731.1
Vas Trenta	Tolmin	1	3,152.9	3,152.9	326.2	462.6	38.0	2,136.1	951.4
Unknown ACs	Jesenice, Radovljica		39.4	39.4	0.0	1.7	0.9	34.5	3.7
*Blejska Dobrava and Podhom	Jesenice, Radovljica		64.5	64.5	0.0	64.5	24.0	37.6	0.0
**Grad–Bled and Rečica	Radovljica		320.3	320.3	0.0	320.3	39.5	233.7	29.1
Total		19	19,453.4	19305.1	346.4	8,718.8	867.6	11,433.3	6,737.0

In terms of land use of common land within TNP (Table 3), forested areas stand out as the dominant category, covering 11,433.3 hectares, which accounts for 59% of all common land in TNP (21% of all forest area in the park; Table 4). This is followed by dry open land with or without vegetation cover, extending across 6,737.0 hectares, or 35% of all common land in TNP (32% of this land-use category in TNP). These areas include landslides, barren or inaccessible terrain with rocky substrate, gravel surfaces, dry riverbeds, and similar landforms. In TNP, this category primarily corresponds to high-mountain areas. Another important, although less extensive, type of common land in TNP consists of meadows and pastures, covering 867.6 hectares, or 4% of all common land in the park (14% of all meadows and

Table 3: Land use on agrarian community land in Triglav National Park in 2025.

Land-use category	Area of agrarian community land in TNP (ha)	Share of land-use category on agrarian community land (%)
Forest	11,433.3	59
Dry open land with or without vegetation cover	6,737.0	35
Meadow/pasture	867.6	4
Other	415.5	2
Total	19,453.4	100

Table 4: Comparison of the areas of Triglav National Park and agrarian community land in Triglav National Park by nature conservation category and selected land-use category.

	Area in TNP (ha)	Area of agrarian community land in TNP (ha)	Share of agrarian community land in TNP (%)	Share of agrarian community land in specific land-use category in TNP (%)
Total area	83,973.28	19,453.4	23	
Nature conservation category				
Natura 2000 site	82,920.77	19,305.1	23	
Nature reserve / strict nature reserve	1,607.12	346.4	22	
Valuable natural feature	40,739.31	8,718.8	21	
Quiet zone	11,445.67	2,867.0	25	
Protective forest	26,810.54	8,697.0	32	
Land use				
Forest	53,977.45	11,433.3	14	21
Dry open land with or without vegetation cover	21,039.07	6,737.0	8	32
Meadow/pasture	6,074.69	867.6	1	14
Other	2,882.07	415.5	0.5	14

pastures in TNP). Other land use categories, such as extensive orchards, overgrown agricultural land, trees and shrubs, uncultivated farmland, farmland with scattered woodland, built-up areas, and bodies of water, collectively account for 2% of all common land in TNP.

The overlap with nature conservation categories shows that 8,718.8 hectares (45%) of common land intersect with valuable natural features, corresponding to 21% of all areas covered by such features in TNP. An additional 346.4 hectares (2%) of common land was identified as nature or strict nature reserves (22% of the total area of such reserves in TNP). Furthermore, as much as 19,305.1 hectares (99%) of common land is part of the Natura 2000 network and thus contributes to biodiversity preservation; this accounts for 23% of all Natura 2000 sites within TNP (Table 4). TNP also includes quiet zones, which are especially important for the protection of plant and animal species and habitat types. Human presence and activities in these areas are regulated so that disturbance is kept to a minimum (Mirna ... 2024). One-quarter (2,867.02 hectares) of these quiet zones lie on common land. Special attention should be drawn to forests in TNP, which perform an important protective function. Nearly half of all forests in the park (49.7%) are classified as protective forests (Varovalni ... 2024). A significant share of these are located on common land, accounting for nearly one-third (32%) of all protective forests in TNP.

5 Discussion

This study provides three key insights. First, it offers an in-depth overview of the historical development of common land management in Slovenia from the early Middle Ages to the present. This covers a much longer timeframe than most studies to date, which usually use the 1848 abolition of serfdom as the main historical starting point. The historical development presented in this article shows that common land in Slovenia is much older, with its earliest known instances dating back at least to the ninth century. The difficulties surrounding the management of common land, along with the tendencies of various authorities and feudal estates with greater decision-making power to abolish it, also go back several centuries. In lowland areas, this abolition was already achieved by the early twentieth century. In contrast, in the more remote and less accessible parts of Slovenia, such as the Alps, the Kras Plateau, or the Dinaric regions, local populations successfully resisted these pressures due to their harsher natural and living conditions. Paradoxically, the 1848 abolition of serfdom contributed to an expansion of common land. In the process of »liberating« land from use rights, large landowners transferred part of such encumbered parcels to peasants in the form of common land, and peasants had to relinquish their use rights to the remainder of the estate. In such cases, peasants and local communities typically received less fertile and more remote land, which is also supported by the findings of this research in TNP, but it may come even more to the fore in a nationwide study. In TNP, as much as 35% of common land consists of dry open terrain with or without vegetation, comprising 32% of all land in this category within the park. According to historians, most agrarian communities were disadvantaged during the mid-nineteenth-century land division; nevertheless, they did retain, at least to some extent, control over common land, especially pastures and forests. However, under communist Yugoslavia, nationalization stripped agrarian communities of their decision-making power over this land (an estimated 1,000 to 1,500 agrarian communities were abolished). With Slovenia's independence and subsequent denationalization, they were able to reestablish the management of their former common land. However, in many remote regions, agriculture had largely declined in the meantime, diminishing interest in reestablishing common land management. In addition, the restoration of agrarian communities has proven to be an exceptionally complex bureaucratic process that, in many places, remains unresolved.

Alongside this historical overview, we propose that the traditional Slovenian term *srenja* be reintroduced for agrarian communities, grazing communities, and other contemporary communities that govern and manage common land. The translation of *commons* as *skupno* is not particularly fitting, and the Slovenian term *skupna zemljišča* 'common land' only partly conveys the meaning of communal

management (it refers primarily to the territory while overlooking the community's practices, values, and norms).

Second, this study provides an empirical assessment of the status of agrarian communities in Gorenjska region in 2025. Based on publicly available records and data from the MKGP, the Jesenice, Kranj, Radovljica, Škofja Loka, and Tržič administrative units, the Association of Representatives of Slovenian Agrarian Communities, the book *Slovenske srenje kot izročilo in priložnost* (Bogataj 2022), and responses provided by agrarian community representatives, we updated the 2007 list of agrarian communities established under the ZPVAS of 1994. Based on this, we identified active operations in 52 agrarian communities, which accounts for 48.1% of all agrarian communities in Northern and Central Upper Carniola. There is no information on the activity or organizational form of the remaining 56 communities (51.9%). An expert familiar with conditions in the area studied (Klinar 2025) reported that many grazing communities never filed restitution claims and therefore never registered under the agrarian community legislation. Nonetheless, they remain active and rent land for grazing that has been returned to other beneficiaries. In some cases, land was returned to private individuals, who then established a grazing community. In others, land was returned to an agrarian community, but a smaller group of active farmers within it established a separate grazing community. These cases suggest organizational and ownership differences between agrarian communities and grazing communities. However, it remains unclear whether grazing communities are legally equivalent to agrarian communities because no study systematically examining grazing communities could be identified in the literature. To determine actual activity, each agrarian community or grazing community marked as »operational status not identified« in Table 1 would need to be verified directly in the field.

Third, a detailed analysis of the land held by agrarian communities within TNP shows that the common land that was generally considered economically inferior during the land division around 1848 is becoming increasingly important from the ecological and social perspectives. Common land accounts for as much as 23% of TNP. These areas contain 21% of all registered valuable natural features, 22% of nature or strict nature reserves, 23% of Natura 2000 sites, 25% of quiet zones, and 32% of protective forests. The actual figures could be somewhat higher because there are even more parcels with multiple owners, for which it is unclear whether they belong to agrarian communities. A considerable portion of this land does not generate direct economic returns, but it plays a key role in protecting the park's natural heritage and is also important for recreational uses, such as hiking. However, agrarian communities have little say in planning and managing these activities, revealing a gap between their spatial significance and their actual management role.

In addition, some agrarian communities rent extra private land for grazing. Through the management of forests and pastures, they make a significant contribution to maintaining biodiversity, habitat types, and the Alpine cultural landscape. The management of protective forests further safeguards land against erosion, landslides, wind, water, snow accumulation, and other natural hazards, especially on steep slopes and riverbanks, and in flash flood-prone areas. This means that common land in TNP is no longer important primarily because of its economic benefits. Instead, further spatial analyses and qualitative approaches should clarify their significance in nature protection, biodiversity preservation, natural hazard prevention, and the provision of various types of ecosystem services. These include recreation, climate mitigation via carbon storage and reduction, drinking water supply, air-quality regulation, and the preservation of natural and cultural heritage, to name just a few. It would be appropriate for landowners to receive adequate financial compensation or incentives for some ecosystem services, especially those providing benefits to society at large (Šmid Hribar et al. 2025), or at least to be exempt from paying taxes on such land. The European Union introduced the Emissions Trading System (EU ETS; Direktiva ... 2003) as early as 2005, but forest owners in Slovenia currently cannot sell carbon credits because forests are not included in the EU ETS. Nonetheless, forest owners are entitled to various financial incentives and subsidies provided by the state to cofinance forest investments, such as silvicultural and conservation projects and forest-road maintenance (Strateški ... 2022).

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Figure 2: Cattle being let onto the common pasture in Poljšica pri Gorjah, May 2025 (upper figure); the renovated Golden Water (Sln. Zlata voda) pond above the Konjščica mountain pasture on the Pokljuka Plateau, August 2024 (lower figure).

Finally, the land use analysis showed that today most common land consists of forests rather than pastures, contrary to what might be inferred from the land categories listed in claims filed by agrarian communities after Slovenia's independence. This was already highlighted by Petek and Urbanc (2007), who noted that the land-use data in these claims did not reflect the actual conditions on the ground. It would be useful to prepare a land-use change analysis comparing the situation around the Second World War with that of today (2025) to determine the extent of pasture overgrowth over the past eighty years. However, based on field observations and interviews with members of agrarian communities, it can be concluded that agrarian communities remain the guardians and caretakers of mountain pastures, which are important elements of the traditional Slovenian Alpine cultural landscape. Without their active management, mountain pastures would practically no longer exist in Gorenjska region (Figure 2).

At the time of this research (i.e., 2025), thirty-one years have passed since the adoption of the ZPVAS (1994) and ten years since the adoption of the ZAgrS (2015). The ZAgrS was expected to accelerate the resolution of long-standing inheritance procedures and simplify the operation of agrarian communities so that they could finally focus on their primary objective: managing common agricultural and forest land. A prerequisite for this was re-registration and entry into the new Register of Agrarian Communities, which imposed a new administrative and financial burden on them. According to the analysis in this study, 33 agrarian communities and grazing communities in Northern and Central Upper Carniola have completed this process. Under the Act Amending the Agrarian Communities Act (Zakon o spremembah ... 2022; ZAgrS-A), all remaining agrarian communities and grazing communities that have not yet been registered under the 2015 act (ZAgrS) but were established under the 1994 act must register and be entered in the new MKGP register by 2030. Many of these communities will need support in the form of legal advice and best practice examples from the communities that have already registered.

Another challenge is emerging in connection with the management of common land. Research on the role of communal management in maintaining cultural landscapes in Slovenia (Šmid Hribar et al. 2023) shows that especially in recent decades new forms of community-based management and much smaller pieces of common land have been developing (e.g., the Škocjan Lagoon and the Krater collective in Ljubljana). These communities face different challenges, and so the ZAgrS (2015), which was designed for traditional agrarian communities, is irrelevant for them. For these more contemporary collective actions, new legal frameworks similar to those governing associations will need to be explored, and perhaps designed, in the future, allowing them to manage natural resources. These newer forms of collective actions use a more modern approach to natural resource management, both in cases where these communities own the land or resources and in cases where they do not and instead rent the land (which is even more common in practice). Typically, members of traditional agrarian communities and members of new collective actions related to natural resource management do not know one another or one another's methods. However, by creating a network connecting traditional agrarian communities and newer community initiatives, they could help one another by exchanging experience and advice, and by actively participating in community-based actions. These gaps would be worth exploring in future research.

6 Conclusion

This study shows that common land in Slovenia has a long history, going back at least to the ninth century, which is earlier than the chronological boundaries typically cited in studies to date. Over the centuries, its management has been shaped by repeated attempts by state authorities to abolish it, especially in more accessible areas, whereas in remote regions it persisted longer. The spatial analysis of common land in TNP confirms that these areas were often less fertile and less suitable for agriculture, but today they are important for nature protection and recreation – fields in which agrarian commu-

nities do not (yet) play a decisive role. Historical changes, such as the abolition of serfdom, nationalization, and denationalization, have fundamentally influenced ownership patterns and management possibilities, which to this day remain complex and in some places still unresolved.

The analysis of agrarian communities in Northern and Central Upper Carniola in 2025 highlights the need for a systematic field survey of communities whose operational status remains unclear. Due to gaps in official records, it would make sense to establish an up-to-date register that would make it possible to conduct new landscape analyses. These, in turn, would facilitate more comprehensive natural-resource management. Such a register would also benefit agrarian communities themselves and strengthen their rights to use local natural resources because recent historical examples have shown the importance of proper registration of common land in the land cadaster. Active cooperation between national authorities and agrarian communities and grazing communities will be essential for this.

The analysis of common land within TNP confirms its growing ecological and social importance: it is vital for maintaining mountain pastures, supporting biodiversity, managing forests, enhancing the quality of life of society at large, and passing on tradition and Alpine cultural landscapes to present and future generations. Agrarian communities hold local knowledge about natural resources, forests, and pastures and, as such, they function as guardians of nature, biodiversity, and cultural landscapes. This knowledge has significant educational value, although it remains insufficiently recognized. For these reasons, it would be advisable to assess their value more precisely through spatial analyses and qualitative approaches (e.g., by assessing individual ecosystem services) and to develop appropriate mechanisms for financial compensation and incentives for landowners, including agrarian communities. This would help strengthen the recognition of their role as positive examples of common land management, whose benefits extend beyond individual interests and contribute significantly to the well-being of the wider community.

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7 References

- Agrarne skupnosti 2025. Združenja predstavnikov agrarnih skupnosti Slovenije. Medmrežje: <https://agrarne.si/agrarne-skupnosti/> (28. 4. 2025).
- Blaznik, P. 1970: Kolektivna kmečka posest. Gospodarska in družbena zgodovina Slovencev, Zgodovina agrarnih panog, Zv. 1: Agrarno gospodarstvo. Ljubljana.
- Bogataj, N. (ur.) 2022: Slovenske srenje kot izročilo in priložnost. Ljubljana.
- Bogataj, N. 2012: Model delovanja slovenskih agrarnih skupnosti. Soupravljanje naravnih virov: vaške skupnosti in sorodne oblike skupne lastnine in skupnega upravljanja. Wageningen.
- Bogataj, N., Krč., J. 2023: Towards the efficient response of forest owners to large-scale forest damage: An example of forest commons. Acta geographica Slovenica 63-3. DOI: <https://doi.org/10.3986/AGS.11084>
- Bogataj, N., Uršič Zupan, M. (ur.) 2023: Krhka ravnotežja: Podnebne spremembe in odziv primorskih agrarnih skupnosti nanje. Ljubljana.
- Cerar, G., Kliner, P., Papež, M. 2011: Prihodnost agrarnih skupnosti. Zelena dežela, Glasilo Kmetijsko gozdarske zbornice Slovenije 102. Medmrežje: <https://www.kgzs.si/uploads/dokumenti/glasilo-zelena-dezela/2011/zelena-dezela-102.pdf> (10. 8. 2025).

- Direktiva 2003/87/ES Evropskega parlamenta in Sveta z dne 13. oktobra 2003 o vzpostavitvi sistema za trgovanje s pravicami do emisije toplogrednih plinov v Skupnosti in o spremembi Direktive 96/61/ES. Uradni list Evropske unije L 275, 25. 10. 2003.
- Evidenca dejanske rabe kmetijskih in gozdnih zemljišč: Register kmetijskih gospodarstev. Ministrstvo za kmetijstvo, gozdarstvo in prehrano. Ljubljana, 2025. Medmrežje: <https://rkg.gov.si/vstop/> (8. 2. 2025).
- Gatto, P., Bogataj, N. 2015: Disturbances, robustness and adaptation in forest commons: Comparative insights from two cases in the South-eastern Alps. *Forest Policy and Economics* 58. DOI: <https://doi.org/10.1016/j.forpol.2015.03.011>
- Hafner, A. 2017: Zakon o agrarnih skupnostih s komentarjem. Ljubljana.
- Kačičnik Gabrič, A. 2014: To smemo že tako dolgo. Ljubljana.
- Klinar, K. 2025: Pašne skupnosti na Gorenjskem. Osebna korespondenca. Hrušica, 7. 3. 2025.
- Kozorg, E., Leban, F. 2023: Odtis agrarnih skupnosti in kulturni krajini Primorske. Krhka ravnotežja: Podnebne spremembe in odziv primorskih agrarnih skupnosti nanje. Ljubljana.
- Mirna območja. Triglavski narodni park. Osebna korespondenca. Bled, 24. 6. 2024.
- Naravne vrednote: Naravovarstveni atlas. Zavod Republike Slovenije za varstvo narave. Ljubljana, 2025.
- Natura 2000: Naravovarstveni atlas. Zavod Republike Slovenije za varstvo narave. Ljubljana, 2025.
- Pagot, G., Šmid Hribar, M., Rail, L. F., Walters, G., Hymas, O., Liechti, K., Haller, T., Urbanc, M., Dalla Torre, C., Joye, J.-F., Lorenzini, S., Bogataj, N., Penker, M., Bender, O., Manzoni, A. 2025: Territories of commons: A review of common land organizations and institutions in the European Alps. *Environmental Research Letters* 20-6. DOI: <https://doi.org/10.1088/1748-9326/add1f4>
- Peresin Meden, N. 2024: Afforestation of common land in the Classical Karst: Relations between the authorities, the local population, and the economic consequences of afforestation. *Acta carsologica* 53-1. DOI: <https://doi.org/10.3986/ac.v53i1.13483>
- Petek, F. 2021: Agrarne skupnosti Slovenije [zbrano leta 2007]. Osebna korespondenca. Begunje na Gorenjskem, 15. 3. 2021.
- Petek, F., Urbanc, M. 2007: Skupna zemljišča v Sloveniji. *Geografski vestnik* 79-2.
- Pipan, P., Šmid Hribar, M., Urbanc, M. 2023: Motivation, robustness and benefits of water commons: Insights from small drinking water supply systems. *Acta geographica Slovenica* 63-3. DOI: <https://doi.org/10.3986/AGS.11592>
- Premrl, T. 2013. Analiza stanja agrarnih skupnosti v Sloveniji na podlagi podatkov upravnih enot. Elaborat, Gozdarski inštitut Slovenije, Ljubljana.
- Premrl, T., Udovč, A., Bogataj, N., Krč, J. 2015: From restitution to revival: A case of commons re-establishment and restitution in Slovenia. *Forest Policy and Economics* 59. DOI: <https://doi.org/10.1016/j.forpol.2015.05.004>
- Ravnik Koprivec, V. 2022: Med preteklostjo in prihodnostjo. Slovenske srenje kot izročilo in priložnost. Ljubljana.
- Rebec, E. 2025: Število agrarnih skupnosti v Združenju predstavnikov agrarnih skupnosti v Sloveniji. Osebna korespondenca. Ljubljana, 25. 4. 2025.
- Rodela, R. 2012: Uvod v skupno lastnino in skupno upravljanje naravnih virov. Soupravljanje naravnih virov: vaške skupnosti in sorodne oblike skupne lastnine in skupnega upravljanja. Wageningen.
- Strateški načrt skupne kmetijske politike 2023–2027 za Slovenijo. Ministrstvo za kmetijstvo, gozdarstvo in prehrano. Ljubljana, 2022.
- Šmid Hribar, M., Bole, D., Urbanc, M. 2015: Public and common goods in the cultural landscape. *Geografski vestnik* 87-2. DOI: <https://doi.org/10.3986/GV87203>
- Šmid Hribar, M., Kozina, J., Bole, D., Urbanc, M. 2018: Public goods, common-pool resources, and the commons: The influence of historical legacy on modern perceptions in Slovenia as a transitional society. *Urbani izziv* 29-1. DOI: <https://doi.org/10.5379/urbani-izziv-2018-29-01-004>
- Šmid Hribar, M., Urbanc, M., Zorn, M. 2023: Commons and their contribution to sustaining Slovenian cultural landscapes. *Acta geographica Slovenica* 63-3. DOI: <https://doi.org/10.3986/AGS.11591>

- Šmid Hribar, M., Ribeiro, D., Villoslada, M. 2025: The contribution of common lands to carbon sequestration: A case study from Triglav National Park in Slovenia. *Acta geographica Slovenica* 65-3. DOI: <https://doi.org/10.3986/AGS.14491>.
- Urbanc, M., Šmid Hribar, M. 2021: Livek: a mountainous border area's transformation from a ski paradise to a resilient community. *Culture and Climate Resilience: Perspective from Europe*. Cham. DOI: https://doi.org/10.1007/978-3-030-58403-0_4
- Varovalni gozdovi: Pregledovalnik podatkov o gozdovih. Zavod za gozdove Slovenije. Ljubljana, 2024. Medmrežje: <https://prostor.zgs.gov.si/pregledovalnik/> (20. 12. 2024).
- Vilfan, S. 1996: Zgodovinska pravotvornost in Slovenci. Ljubljana.
- Zakon o agrarnih skupnostih. Uradni list Ljudske republike Slovenije 52/1947. Ljubljana.
- Zakon o agrarnih skupnostih. Uradni list Republike Slovenije 74/2015, 44/2022, 38/2024. Ljubljana.
- Zakon o denacionalizaciji. Uradni list Republike Slovenije 27I/1991-I. Ljubljana.
- Zakon o kmetijstvu. Uradni list Republike Slovenije 45/2008, 57/2012, 90/2012. Ljubljana.
- Zakon o ponovni vzpostavitvi agrarnih skupnosti ter vrnitvi njihovega premoženja in pravic. Uradni list Republike Slovenije 5/1994. Ljubljana.
- Zakon o razpolaganju s premoženjem bivših agrarnih skupnosti. Uradni list Socialistične republike Slovenije 7/1965. Ljubljana.
- Zakon o spremembah in dopolnitvah Zakona o agrarnih skupnostih. Uradni list Republike Slovenije 44/2022. Ljubljana.
- Zavarovana območja: Naravovarstveni atlas. Zavod Republike Slovenije za varstvo narave. Ljubljana, 2025.

DESET LET PO NOVEM ZAKONU O AGRARNIH SKUPNOSTIH – STANJE AGRARNIH SKUPNOSTI NA GORENJSKEM

1 Uvod

V Sloveniji imamo večstoletno tradicijo upravljanja s skupnimi zemljišči in naravnimi viri prek agrarnih skupnosti, pri katerih poleg ekonomskih v ospredje vse bolj stopajo ekološki in socialni vidiki. Kljub obetajočim, a že nekoliko starejšim raziskavam (Petek in Urbanc 2007; Bogataj 2012; Rodela 2012; Premrl 2013), je stanje agrarnih skupnosti, upravljanja s skupnimi zemljišči in njihov prispevek v družbi na nacionalni ravni slabo raziskano. Po letu 2013 v Sloveniji ne beležimo več analize formalnega stanja agrarnih skupnosti in skupnih zemljišč na nacionalni ravni, izšle pa so znanstvene in strokovne študije ter monografije, ki so prispevale: uvide v revitalizacijo agrarnih skupnosti (Gatto in Bogataj 2015; Premrl s sodelavci 2015), vpoglede v zgodovinske razmere (Kozorog in Leban 2023; Peresin Meden 2024), pravne ureditve (Hafner 2017; Ravnik Koprivec 2022), teoretske koncepte (Šmid Hribar, Bole in Urbanc 2015; Šmid Hribar s sodelavci 2018; Šmid Hribar, Urbanc in Zorn 2023), praktično delovanje posameznih agrarnih skupnosti (Urbanc in Šmid Hribar 2021; Bogataj 2022; Bogataj in Krč 2023; Pipan, Šmid Hribar in Urbanc 2023) in prve uvide v povezavo (primorskih) agrarnih skupnosti in podnebnih sprememb (Bogataj in Uršič Zupan 2023). Nekatere slovenske raziskovalke smo se leta 2021 vključile v primerjalno analizo agrarnih skupnosti in skupnih zemljišč v Alpah, znotraj katere pa zaradi pomanjkanja raziskav in podatkov nismo mogle podati zanesljivih aktualnih podatkov na nacionalni ravni, kar je sicer velika pomanjkljivost tudi v nekaterih drugih alpskih državah (Pagot s sodelavci 2025).

Kljub navedenim študijam s področja agrarnih skupnosti in skupnih zemljišč v Sloveniji ugotavljamo, da v Sloveniji niti raziskovalci niti upravljalci in odločevalci ne razpolagamo z osnovnimi aktualnimi podatki o številu in porazdelitvi registriranih agrarnih skupnostih (koliko jih je in kje so), niti ne vemo, kje so njihova skupna zemljišča. Še vedno ne poznamo njihovega natančnega obsega in prostorske razporeditve, na kar sta pred slabimi dvajsetimi leti opozarjala že Petek in Urbanc (2007). Pomanjkanje podatkov na ravni nacionalnih ustanov, predvsem pristojnega ministrstva, je težko razumljivo, saj so takšni podatki bistveni za ustrezno upravljanje s kmetijskimi zemljišči. Vendar pa z vidika agrarnih skupnosti to ni presenetljivo, spomin na nacionalizacijo njihovih zemljišč leta 1947 je med njihovimi člani še zelo živ.

Leta 2015 je bil sprejet nov Zakon o agrarnih skupnostih (2015; v nadaljevanju: ZAgrS), katerega cilj je bil olajšati upravljanje skupnih zemljišč. Kljub občutnim izboljšavam so glavne pomanjkljivosti ostale; agrarne skupnosti še vedno niso upošteevane kot posebni pravni subjekti, temveč kot skupine fizičnih in pravnih oseb, kar ovira njihovo delovanje. Skladno s 16. členom ZAgrS (2015), ki opredeljuje Register agrarnih skupnosti, je predvideno tudi zbiranje seznama zemljiških parcel, vendar je bilo do marca 2025 v ta novi register vpisanih le 44 od 638 agrarnih skupnosti, ki so bile zavedene v registrih upravnih enot leta 2013 (Premrl 2013). Po podatkih Združenja predstavnikov agrarnih skupnosti Slovenije (Agrarne ... 2025) je v omenjeno združenje vključenih 114 agrarnih skupnosti, domneva pa se, da je aktivnih le polovica vseh agrarnih skupnosti v Sloveniji (Agrarne ... 2025; Rebec 2025).

Namen prispevka je osvetliti zgodovinski razvoj in izzive upravljanja s skupnimi zemljišči v Sloveniji ter empirično preveriti aktualno stanje agrarnih skupnosti. Zasledovali smo dva cilja: 1) osvetliti zgodovinski pregled skupnih zemljišč v Sloveniji v daljšem časovnem obdobju, iz katerega bo mogoče bolje razumeti razvoj in izzive upravljanja s skupnimi zemljišči ter 2) na pilotnem območju na Gorenjskem ugotoviti, i) koliko agrarnih skupnosti, ki so se registrirale po Zakonu o ponovni vzpostavitvi agrarnih skupnosti ter vrnitvi njihovega premoženja in pravic (1994; v nadaljevanju: ZPVAS) je še aktivnih,

ii) koliko se jih je uspelo registrirati po ZAgrS iz 2015, iii) kakšen je obseg ter iv) prostorska razporeditev njihovih skupnih zemljišč. Kljub temu, da se poleg termina 'agrarne skupnosti' uporablja tudi termin 'pašne skupnosti', redkeje tudi 'vaške skupnosti', skladno z zakonom ZPVAS in ZAgrS vse skupnosti, ki so se po osamosvojitvi ponovno vzpostavile, v članku enotno naslavljamo s terminom 'agrarne skupnosti'.

2 Zgodovinski vidiki skupnih zemljišč

V Sloveniji upravljanje s skupnimi zemljišči in naravnimi viri sega najmanj v srednji vek. Arhaična oblika tovrstnega skupnostnega upravljanja z zemljišči je bila sicer poznana že v 7. stoletju, ko so imeli predniki Slovencev svojo prvo državno tvorbo Karantanijo. V Karantaniji so bila zemljišča, tudi orna, še večinoma skupna in vezana na skupnosti (na primer vasi, velike družine), ki drugim niso dovolile gospodariti na teh zemljiščih (Blaznik 1970). Vendar pa skupnostno upravljanje z zemljišči in viri v današnjem pomenu besede datira v 9. stoletje, ko so z nastopom frankovske oblasti in uvedbo hubne ureditve lokalne skupnosti smele obdelovati neobdelana manj rodovitna zemljišča v bližini vasi, imenovana srenjska zemljišča (na primer srenjski pašnik, lahko tudi soseskin pašnik). Če so bila ta srenjska (torej skupna) zemljišča porasla z gozdom ali grmičevjem, so lahko nabirali tudi dračje, izvajali manjše sečnje, pridobivali steljo, lahko so lomili kamenje in kopali pesek (Blaznik 1970; Kačičnik Gabrič 2014). Pomembna kategorija skupnih zemljišč so bili bolj rodovitni, a od vasi oddaljeni pašniki, na katerih so upravičenci do planine organizirali skupno pašo, molžo in sirarjenje, zadolženi pa so bili tudi za vzdrževanje pašnih zemljišč in urejanje kalov. Do konca 18. stoletja so skupno pašo izvajali tudi na njivah pod strniščem ali v prahi. Med kategorije skupnih zemljišč so spadali še manj donosni gozdovi, v katerih so pridobivali predvsem drva, les za gradnjo, listje, včasih pa so na delu gozda lahko izvajali tudi gozdno pašo, in urejali kali za napajanje živine ter nekatere studence (Blaznik 1970).

Prvotno so bili upravičenci rabe skupnih zemljišč vsi vaščani. V fevdalni dobi so na gmajnah, planinah in vaških zemljiščih imeli določene pravice tudi fevdalni gospodje. Te pravice so bile lahko tudi bolj formalne in so lahko prešle v pozabo, v nekaterih primerih so morali kmetje fevdalcu plačevati dajatve, ponekod pa je zemljišče uporabljal tudi fevdalet (na primer fevdalet je gozd uporabljal za sečnjo, kmetje pa pašo). V takih primerih je obveljalo, da je postal fevdalet lastnik, kmetje pa so dobili služnostne pravice.

Dokler ni primanjkovalo zemljišč, skupna zemljišča niso povzročala večjih trenj. Med 13. in 15. stoletjem se je začel krepiti gospodarski pomen zemljišč, na katerih so bila skupna zemljišča, zlasti gozdov. Ti so se v tem času že uveljavili kot energetski vir, potrebo po lesu pa so imeli tudi meščani. Blaznik (1970) piše o pogostih sporih med različnimi srenjami, to je vaškimi skupnostmi (še posebej na planinskih pašnikih, kjer so bili vodni viri redki, planina brez vode pa praktično neuporabna, zato so bile meje med srenjami pogosto ob vodnih virih) ter med podložniki in fevdalci, ki so skušali kmete izriniti iz gozdov. V 14. in 15. stoletju, ko je začelo primanjkovati zemljišč za kolonizacijo, so začeli fevdalci nekatere srenjske pašnike spreminjati v nova naselja (na primer Koprivnik v Bohinju). Ponekod so fevdalci podložnim vasem odvzeli planine in jih dali v najem drugim srenjam, od katerih so si obetali večji dobiček.

Od 14. stoletja so na srenjska zemljišča z dovoljenjem srenj posegali tudi kajzarji, ki so se naseljevali na skupna zemljišča, zato je začelo primanjkovati predvsem srenjske zemlje za pašo. Sčasoma so skupnosti postale izključujoče in vse manj odprte za novince. V tem času naj bi se uveljavilo pravilo, da so pravice do skupnih zemljišč odvisne od obsega kmetije – kdor ima večjo posest, mu pripada več pravic, a tudi več dolžnosti pri vzdrževanju skupnih zemljišč. V tem oziru so kajzarji dobili precej manj pravic (Blaznik 1970).

V 16. stoletju se je gospodarski pomen gozda dodatno okreplil, saj so v tem obdobju gozd začeli uporabljati tudi fužinarji, zato so se spori okrog rabe gozdov še povečali. Obenem so gozd tudi vse bolj

izkoriščali in posledično siromašili. Primanjkovalo je zlasti pašnikov, ki so se krčili na račun delitve gozdov med nove deležnike, podaljševanje kolobarja ali celo njegovo opuščanje zaradi intenzifikacije kmetijstva. Ta je povzročila zmanjšanje zemljišč v prahi, ki so jih uporabljali za pašo, uvedbo hlevske živinoreje, zaradi katere so potrebovali več travnikov in krmnih rastlin. K zmanjšanju pašnih zemljišč je prispevalo tudi naseljevanja kajzarjev na skupnih oziroma srenjskih zemljiščih (Blaznik 1970). Poleg tega so se lahko skupna zemljišča prepletala s tako imenovanimi služnostmi oziroma servituti (služnostne pravice do koriščenja določenega naravnega vira), ki so jih na določenih zemljiščih lahko imeli posamezniki lahko pa tudi skupnosti, čeprav skupnih zemljišč in služnosti ne smemo enačiti (Kačičnik Gabrič 2014).

Zaradi navedenega je že v 17. stoletju prihajalo do prvih pobud za razdelitev skupnih zemljišč. Marija Terezija je z (začasnim) gozdnim redom (*Interimswaldordnung*) iz leta 1745 ukazala razdelitev skupnih gozdov in skupnih planin, na katerih so smeli kmetje v okviru skupnosti gospodariti z gozdovi in pasti (Kačičnik Gabrič 2014). Dopusčena pa je bila možnost ohranitve skupnih gmajn in pašnikov okrog vasi. A izvajanje zakonodaje je le počasi napredovalo, saj so ji mnogi kmetje nasprotovali; nekateri od njih niso mogli preživeti z majhnimi individualnimi deleži (zlasti pašnikov), zato so skupna zemljišča marsikje do leta 1848 večinoma ostajala v skupni lasti. Poleg težnje po odpravi skupnih zemljišč je bila že od 16. in 17. stoletja prisotna tudi težnja po odpravi služnosti (Kačičnik Gabrič 2014). Ker so služnosti ovirale gospodarjenje, saj so isto zemljišče poleg lastnika smeli uporabljati tudi služnostni upravičenci, so nekatera zemljiška gospodstva skušala del gozdov odstopiti podložnikom v zameno, da le-ti, torej služnostni upravičenci ne uporabljajo drugih delov gozdov. Vendar so bili takšni dogovori le malo-krat uspešni, saj so se gospodstva in podložniki težko sporazumeli. Kmetje so se bali, da jih bodo ogoljufali in da jim bodo pobrali servitute, torej služnostne pravice, brez katerih pa bi le težko uspešno kmetovali in preživeli.

Zemljiška odveza leta 1848 je imela pomembno vlogo pri skupnih zemljiščih. Patent iz leta 1853 je določil, da je treba zemljišča (na splošno, ne le skupna zemljišča) osvoboditi služnosti tudi z odstopom določenega dela takih zemljišč kmetom. V redkih primerih so bili gozdovi razdeljeni posameznim kmetom, medtem ko so pašniki ostali v skupnem upravljanju. Tako so se skupna zemljišča, zlasti gozdovi, ki so zaradi gozdnega reda iz leta 1745 postopoma upadala, po letu 1848 sprva povečala, nato pa ponovno začela usihati. Tudi delitev zemljišč, začeta sredi 19. stoletja, je potekala zelo počasi in je ponekod ostala nedokončana vse do leta 1941 (Blaznik 1970).

S tem ko so želeli odpraviti služnosti, so ponekod podložnikom dodelili del posesti, predvsem gozdove, v nedeljeno posest – torej kot skupna zemljišča. Vendar so za ta namen pogosto izbrali oddaljene ali manj rodovitna gorska zemljišča, v nekaterih primerih celo močno izčrpana zemljišča. Zaradi takšnega preračunavanja, ki je bilo naklonjeno veleposestnikom, so podložniki pogosto prejeli zemljišča bistveno slabše kakovosti, kot so jih uživali prej – včasih le polovico ali celo manj kot petino njihove prejšnje vrednosti (Blaznik 1970). Po drugi strani pa Kačičnik Gabrič (2014) ugotavlja, da so k slabemu stanju gozdnih in pašnih zemljišč s prekomernim sekanjem in podiranjem dreves v neustreznem času ter izkoriščanjem pašnikov prispevali tudi kmetje sami.

Zatikalo se je tudi pri vpisovanju skupnih zemljišč v zemljiško knjigo, kar je povzročilo dodatno zmedo. Skupna zemljišča so 1) v mnogih primerih vpisali kot skupna zemljišča, pripisana starim skupnostim (na podlagi prejšnjih deležev), 2) v nekaterih primerih so bila skupna zemljišča v celoti vpisana na novoustanovljene politične občine, 3) pogosto pa sploh niso bila vpisana, saj niso bila obravnavana kot samostojen predmet zemljiškega vpisa (Blaznik 1970; Vilfan 1996). Vrsta zemljiškoknjžnega vpisa v tistem času je vplivala na to, kdo je imel pravico do uporabe skupnih zemljišč.

V socialistični Jugoslaviji so imela skupna zemljišča še slabšo usodo kot zasebna lastnina posameznikov. Na podlagi Zakona o agrarnih skupnostih iz leta 1947 in Zakona o razpolaganju s premoženjem bivših agrarnih skupnosti iz leta 1965 so bila skupna zemljišča in agrarne skupnosti ukinjene ter nacionalizirane (Šmid Hribar s sodelavci 2018). Po podatkih Cerarja, Klinerjeve in Papeža (2011) je bilo v Sloveniji v času socializma v postopku nacionalizacije ukinjenih ali razlaščenih med 1000 in 1500

agrarnih skupnosti. Hafner (2017) navaja, da naj bi agrarne skupnosti ob podržavljenju obsegale približno 180.000 hektarov zemljišč, od tega je bilo okrog 60.000 hektarov planin.

2.1 Ponovna vzpostavitev agrarnih skupnosti

Z osamosvojitvijo Slovenije leta 1991 se je v sklopu denacionalizacije ponudila priložnost za ponovno vzpostavitev agrarnih skupnosti in vračilo nacionaliziranih skupnih zemljišč. Prvo priložnost za vračilo je omogočal že Zakon o denacionalizaciji (1991), po katerem naj bi bila zemljišča vrnjena posameznim dedičem. Vračilo v takšni obliki je bilo za agrarne skupnosti zelo neugodno, saj je spodbujalo privatizacijo nekdanj skupne lastnine ter povzročilo drobljenje in spremembo rabe teh zemljišč, o čemer smo že pisali (Petek in Urbanc 2007; Šmid Hribar, Bole in Urbanc 2015; Šmid Hribar s sodelavci 2018). Da bi omilili težave, je država leta 1994 sprejela Zakon o ponovni vzpostavitvi agrarnih skupnosti ter vrnitvi njihovega premoženja in pravic (1994; ZPVAS), s katerim je bilo premoženje agrarnih skupnosti vrnjeno nekdanjim članom agrarnih skupnosti kot njihova solastnina ali skupna lastnina, kar je poenostavilo in pospešilo denacionalizacijske postopke. Ta zakon je v 6. členu predvideval register agrarnih skupnosti, za vpis v register pa ni zahteval seznama njihovih zemljišč, saj so bila le-ta znana šele po pravnomočnih odločbah o vračanju premoženja agrarnim skupnostim.

Leta 2007 je bilo v register vpisanih 665 agrarnih skupnosti in v tistem času so bila zemljišča vrnjena 71 % agrarnih skupnosti (Petek in Urbanc 2007). Nekdanja skupna zemljišča agrarnih skupnosti, ki se niso ponovno registrirala, so ostala v državni ali občinski lasti (Kozorog in Leban 2023). Analize stanja agrarnih skupnosti se je čez nekaj let ponovno lotil Premrl (2013), ki je navajal, da je v registerjih upravnih enot zavedenih 638 agrarnih skupnosti, od tega 547 potencialno aktivnih, od katerih jih v tistem času 48 še ni imelo zaključenih postopkov vračila premoženja. Agrarnim skupnostim naj bi bilo do vključno 2013 vrnjenih 77.486,47 hektarjev zemljišč, kar je 3,67 % ozemlja Slovenije.

3 Metode

Pri preverbi stanja agrarnih skupnosti in obsega ter prostorske razporeditve skupnih zemljišč smo se zaradi pomanjkanja človeških in finančnih virov sprva osredotočili na Zgornjo in Osrednjo Gorenjsko, ki vključujeta upravne enote Jesenice, Kranj, Radovljica, Škofja Loka in Tržič. To smo preverjali na tri načine: z analizo uradno dostopnih pravnoformalnih podatkov, z anketnim vprašalnikom ter s pregledom izbrane literature.

Na podlagi seznama agrarnih skupnosti, ki jih je leta 2007 identificiral Petek (2021), smo pripravili seznam vseh agrarnih skupnosti iz omenjenih upravnih enot. Julija 2024 smo vsem predstavnikom agrarnih skupnosti, razen tistim z upravne enote Škofja Loka, poslali uradni dopis s pojasnilom o namenu zbiranja podatkov ter priloženim kratkim anketnim vprašalnikom. Z njim smo želela pridobiti informacije o stanju delovanja agrarnih skupnosti (na primer, ali organizirajo občne zборе oziroma sestanke vsaj enkrat letno), pravni podlagi njihove registracije (ali so vpisane v skladu z ZPVAS iz leta 1994 ali ZAGRŠ iz leta 2015) ter podatke o parcelnih številkah skupnih zemljišč, s katerimi gospodarijo. Predstavnikom agrarnih skupnosti z upravne enote Škofja Loka smo dopis poslali marca 2025.

Vzporedno smo uradni dopis poslali tudi na Ministrstvo za kmetijstvo, gozdarstvo in prehrano (v nadaljevanju: MKGP), ki je pristojno za vodenje novega Registra agrarnih skupnosti. Prosili smo jih, da nam skladno s 15. členom ZAGRŠ iz registra v elektronski obliki posredujejo ime in sedež vseh agrarnih skupnosti ter za vsako izmed agrarnih skupnosti še seznam zemljiških parcel z navedbo številke parcele in katastrske občine. Ker je zbiranje podatkov potekalo zelo počasi, smo februarja 2025 uradni dopis z enakim zaprosilom kot za MKGP poslali še na upravne enote Jesenice, Kranj, Radovljica, Škofja Loka in Tržič.

Dobljeni podatki o parcelnih številkah so bili vneseni v digitalni Kataster nepremičnin v Sloveniji, s katerim je bil ustvarjen digitalni sloj skupnih zemljišč. Ker nam do marca 2025 ni uspelo zbrati podatkov o vseh agrarnih skupnostih s seznama za Gorenjsko, smo območje raziskave zožili na območje Triglavskega narodnega parka (v nadaljevanju: TNP). K tej odločitvi je botrovalo dejstvo, da je to območje dovolj obvladljivo za ročni pregled lastništva zemljišč v zemljiški knjigi. Za pridobitev podatkov agrarnih skupnosti na primorski strani TNP, ki ni bila neposredno vključena v to raziskavo, smo uradni dopis z zaprosilom za posredovanje podatkov februarja 2025 poslali še na Upravno enoto Tolmin in odgovor s podatki prejeli marca 2025.

Stanje agrarnih skupnosti, ki niso odgovorile in za katere nismo prejeli podatkov iz MKGP ali upravnih enot, smo dodatno preverili prek članstva v Združenju predstavnikov agrarnih skupnosti v Sloveniji in prek morebitnega opisa v monografiji Slovenske srenje kot izročilo in priložnost (Bogataj 2022). V tej monografiji, ki je izšla leta 2022, se je s kratkimi prispevki predstavilo 80 agrarnih skupnosti v Sloveniji. Če agrarna skupnost ni bila zaznana po vsaj enem od naštetih kriterijev, ki sicer med seboj niso enakovredni, smo v preglednici 1 označili, da stanje delovanja identificirane agrarne oziroma pašne skupnosti ni zaznano.

V zadnjem koraku je bil digitalni sloj zemljišč agrarnih skupnosti v TNP prekrit s sloji Rabe tal (Evidenca ... 2025), Nature 2000 (2025), Zavarovanih območij (2025), Naravnih vrednot (2025), Mirnih območij (2024) in Varovalnih gozdov (2024), s čimer so bile ugotovljene kategorije rab zemljišč na skupnih zemljiščih ter analizirana stopnja prispevka agrarnih skupnosti k ohranjanju biodiverzitete, ekosistemov in naravne dediščine v TNP.

4 Pregled stanja delovanja agrarnih skupnosti na Zgornji in Osrednji Gorenjski

Na seznam agrarnih skupnosti za Zgornjo in Osrednjo Gorenjsko je bilo leta 2007 uvrščenih 108 agrarnih skupnosti z upravnih enot Jesenice, Kranj, Radovljica, Škofja Loka in Tržič. Od predstavnikov agrarnih skupnosti smo po pošti ali telefonu prejeli 23 anketnih odgovorov. Po pogovorih z zaposlenimi na upravni enoti Jesenice smo ugotovili, da agrarna skupnost Smokuč in pašna skupnost Gozd-Martuljek–Jesenje ne obstajata več, zato smo ju odstranili s seznama. Agrarna skupnost Blejska Dobrava je bila vpisana na dveh seznamih (Upravna enota Jesenice in Upravna enota Radovljica), zato smo en zapis odstranili. Na novo se je po ZAGR v okviru agrarne skupnosti Jesenice, Sava, Plavž, Prihodi ustanovila pašna skupnost Jeseniška Rožca, ki smo jo dodali na seznam. V Upravni enoti Škofja Loka sta bili po Zakonu o kmetijstvu (2008) ustanovljeni 2 pašni skupnosti: pašna skupnost Blegoš in pašna skupnost Soriška planina. Po posodobitvi seznama smo skupno v upravnih enotah Jesenice, Kranj, Radovljica, Škofja Loka in Tržič zabeležili 108 agrarnih skupnosti (preglednica 1).

Februarja 2025 smo iz MKGP prejeli podatke, iz katerih je razvidno, da je v novi register vpisanih 44 agrarnih skupnosti, od tega 14 na območju Gorenjske. Prav tako februarja 2025 smo z Upravne enote Jesenice prejeli seznam 14 agrarnih skupnosti, vpisanih po ZAGR. Z Upravne enote Radovljica smo prejeli seznam 14 agrarnih skupnosti; v Tržiču sta po podatkih iz upravne enote dve taki agrarni skupnosti, enako v Kranju, v Škofji Loki ni nobene.

Ostale agrarne skupnosti na Gorenjskem so, kot kaže, še vedno registrirane po ZPVAS. Za 52 agrarnih skupnosti (skupaj 48,1 % od vseh agrarnih skupnosti na seznamu) na Zgornji in Osrednji Gorenjski lahko z gotovostjo trdimo, da so dejavne, za preostalih 56 (51,9 %) podatek o njihovi aktivnosti ni bil zaznan.

Preglednica 1: Stanje delovanja agrarnih in pašnih skupnosti na Gorenjskem leta 2025.

ime agrarne skupnosti (AS), pašne skupnosti (PS) ali vaške skupnosti (VS) v seznamu 2007	upravna enota	sodelovali v anketi	registrirana po ZAgRS 2015 na upravni enoti	v registru MKGP	članstvo v ZPASS	opis v Bogataj (2022)	stanje delovanja ni zaznano
AS Dovje – Mojstrana	Jesenice	x	x		x	x	
AS Kranjska Gora – Log	Jesenice		x		x	x	
AS Rateče – Planica	Jesenice		x			x	
AS Žirovnica – Moste	Jesenice		x				
AS Hrušica	Jesenice		x			x	
AS Gozd in Srednji Vrh	Jesenice						x
AS Javorniški Rovt – Slovenski Javornik	Jesenice	x	x		x	x	
AS Blejska Dobrava	Jesenice		x				
AS Smokuč – Rodine	Jesenice	x	x				
AS Zabreznica – Selo	Jesenice						x
AS Planina Pod Golico	Jesenice		x		x	x	
AS Doslovče – Breznica	Jesenice	x	x				
AS Jesenice, Sava, Plavž, Prihodi	Jesenice						x
AS Podkoren	Jesenice		x	x			
AS Vrba	Jesenice						x
AS Potoki	Jesenice		x			x	
AS Koroška Bela	Jesenice		x		x		
PS Zgornja Radovna	Jesenice						x
PS Srednji Vrh	Jesenice						x
PS Kočna	Jesenice						x
PS Podkoren	Jesenice						x
PS Belca	Jesenice						x
PS Jeseniška Rožca	Jesenice		x				
AS Srednja vas – Zalog	Kranj						x
AS Povelje	Kranj	x			x		
AS Tupaliče	Kranj						x
PS Jezerca	Kranj	x			x	x	
PS Kriška Planina	Kranj	x			x	x	
AS Bašelj	Kranj		x	x	x		
AS Babni Vrt	Kranj		x	x			

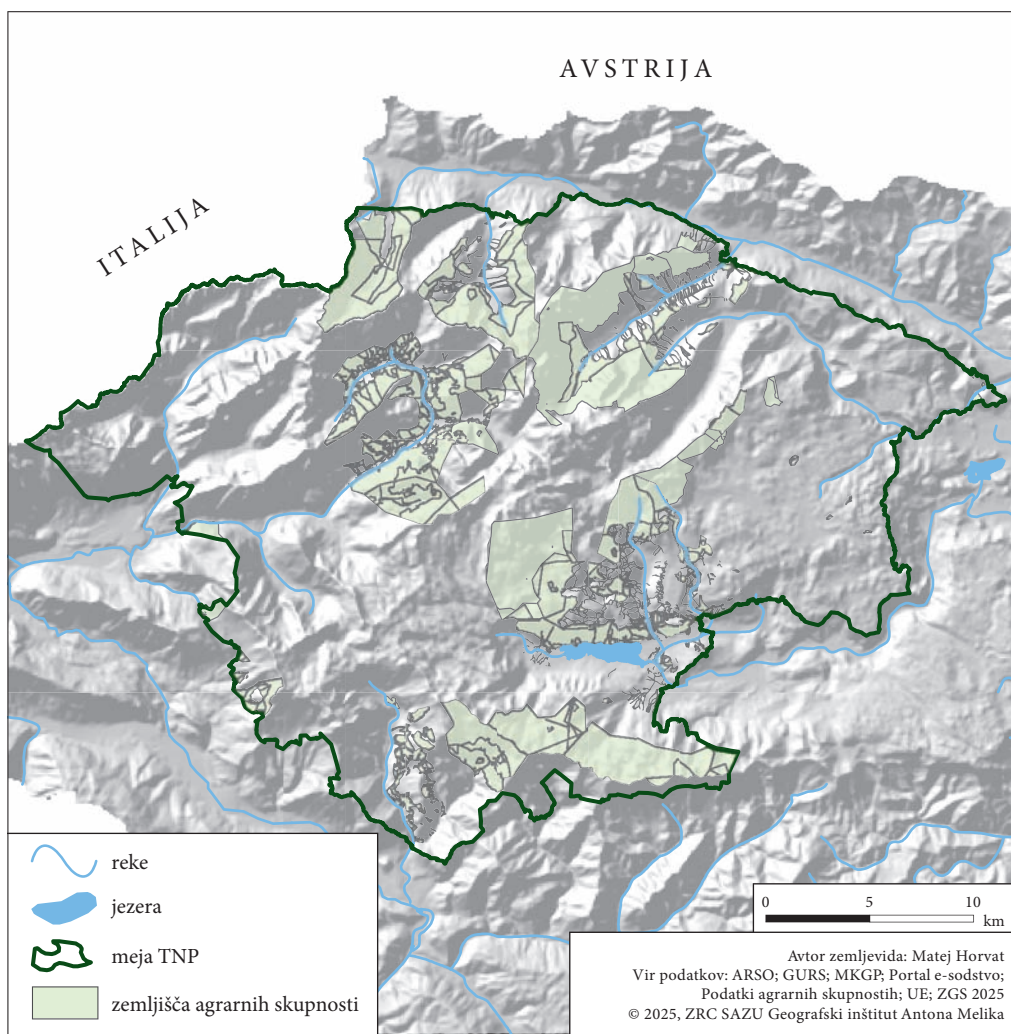
ime agrarne skupnosti (AS), pašne skupnosti (PS) ali vaške skupnosti (VS) v seznamu 2007	upravna enota	sodelovali v anketi	registrirana po ZAgrS 2015 na upravni enoti	v registru MKGP	članstvo v ZPASS	opis v Bogataj (2022)	stanje delovanja ni zaznano
AS Cerklje	Kranj						x
AS Trboje	Kranj						x
AS Visoko	Kranj						x
AS Možjanca	Kranj						x
AS vas Jama	Kranj						x
AS Spodnje Bitnje	Kranj						x
AS Luže	Kranj						x
VS Rupa	Kranj						x
VS Voklo	Kranj				x		
AS Stara Fužina – Studor	Radovljica	x	x	x	x	x	
AS Gorjuše – Nomenj (Planina Javornik)	Radovljica	x					
AS Srednja vas v Bohinju	Radovljica	x	x	x	x	x	
AS Bohinjska Bela	Radovljica		x	x	x		
AS Bohinjska Češnjica, Jereka, Podjelje, Koprivnik	Radovljica						x
AS Bohinjska Bistrica	Radovljica		x	x	x	x	
AS Savica	Radovljica				x	x	
AS Kranjska Dolina	Radovljica	x	x		x		
AS Gorjuše	Radovljica						x
AS Zgoša Planina Prevala	Radovljica						x
AS Selo (pri Bledu)	Radovljica		x	x	x		
AS Zasip	Radovljica						x
AS Lipniška Planina	Radovljica						x
AS Ravne (v Bohinju)	Radovljica	x	x	x	x	x	
AS Sveta Lucija	Radovljica	x					
AS Hraše	Radovljica						x
AS Gorjuše – Nomenj Gozd Ozebovc	Radovljica						x
AS Nomenj, Log, Lepence, Bitnje	Radovljica						x

ime agrarne skupnosti (AS), pašne skupnosti (PS) ali vaške skupnosti (VS) v seznamu 2007	upravna enota	sodelovali v anketi	registrirana po ZAgrS 2015 na upravni enoti	v registru MKGP	članstvo v ZPASS	opis v Bogataj (2022)	stanje delovanja ni zaznano
AS Selsko-Kupljeniška Planina	Radovljica						x
AS Poljšica	Radovljica	x	x	x	x	x	
AS Mošenjska Planina	Radovljica				x	x	
AS Bodešče	Radovljica		x	x	x		
AS Spodnje Laze	Radovljica						x
AS Spodnje in Zgornje Laze	Radovljica						x
AS Grad – Bled	Radovljica	x	x		x		
AS Ribno	Radovljica		x	x		x	
AS Nemški Rovt	Radovljica						x
AS Draga-Kisovec	Radovljica	x			x		
AS Ribenska in Grofova Planina	Radovljica		x	x	x	x	
AS Podhom	Radovljica		x	x			
AS Spodnje Gorje-Podhom-Zgornje Laze	Radovljica						x
AS Rečica	Radovljica		x			x	
AS Vrbnje	Radovljica						x
AS Poljče	Radovljica						x
AS Kupljenik	Radovljica						x
AS Bistrica pri Tržiču	Tržič		x			x	
AS Javornik	Tržič						x
AS Leše	Tržič				x	x	
AS Planine Šija	Tržič						x
AS Planina Pungrat	Tržič	x				x	
AS Bičevje	Tržič				x	x	
AS Brinje	Tržič						x
AS Lom – Zanjivico	Tržič						x
AS Zvirče	Tržič		x			x	
AS Tegošče	Tržič				x	x	
AS Polana	Tržič		x		x		
AS Brdo	Tržič						x
AS Brezje – Visočje	Tržič				x		

ime agrarne skupnosti (AS), pašne skupnosti (PS) ali vaške skupnosti (VS) v seznamu 2007	upravna enota	sodelovali v anketi	registrirana po ZAgrS 2015 na upravni enoti	v registru MKGP	članstvo v ZPASS	opis v Bogataj (2022)	stanje delovanja ni zaznано
AS Kofce	Tržič						x
AS Dražgoše in Selca – Dražgoše pri cerkvi	Škofja Loka						x
AS Krnice	Škofja Loka						x
AS Podlonk	Škofja Loka						x
AS Prtovč	Škofja Loka						x
AS Zabrdο	Škofja Loka						x
AS Podgora	Škofja Loka	x					
AS Torka-Ravne	Škofja Loka						x
AS Spodnja Sorica	Škofja Loka						x
AS Zgornja Sorica	Škofja Loka						x
AS Soseska Lajše	Škofja Loka						x
VS Vaška skupnost Javorje, Dolenčice, Murave	Škofja Loka						x
AS Zgornje Danje	Škofja Loka						x
AS Robidnica, Lajše, Krnice	Škofja Loka						x
AS Leskovica, Kopačnica, Studor	Škofja Loka						x
AS Soseska Kališe (Srenja S. Križ)	Škofja Loka	x					
Pašna skupnost Ratitovec – Klom	Škofja Loka						x
Pašna skupnost Selca	Škofja Loka	x					
Pašna skupnost Golica II		x					
Pašna skupnost Blegoš	Škofja Loka						x
Pašna skupnost Soriška planina 2	Škofja Loka						x
skupaj	108	23	33	14	31	25	56

4.1 Agrarne skupnosti na območju Triglavskega narodnega parka

Na območje TNP s skupnimi zemljišči v celoti ali deloma sega 23 agrarnih skupnosti, od katerih jih je 19 registriranih po ZAgRS, štiri, registrirane po ZPVAS pa so bile najdene ročno. Nekatere agrarne skupnosti, kot na primer Blejska Dobrava in Podhom ter Grad – Bled in Rečica, si del zemljišč lastijo skupaj (v preglednici 2 označene z * in **). Celokupno agrarne skupnosti v TNP obsegajo 19.453,4 hektarov skupnih zemljišč, kar je 23% površine TNP (preglednica 2, slika 1). Dopuščamo možnost, da je zemljišč agrarnih skupnosti v TNP še več, ker je nekaj zemljišč v lasti večjega števila lastnikov. Vendar tega iz dostopnih podatkov ni mogoče ugotoviti, saj pri omenjenih zemljiščih ni navedbe, da gre za agrarno ali pašno skupnost.



Slika 1: Agrarne skupnosti na območju Triglavskega narodnega parka.

Preglednica 2: Agrarne skupnosti na območju Triglavskega narodnega parka po površinah v naravovarstvenih kategorijah in po rabi tal za večje kategorije.

agrarna skupnost	upravna enota	registrirana po ZAgRS	površina v TNP (ha)	NATURA 2000 (ha)	(strogi) naravni rezervat (ha)	naravne vrednote (ha)	travnik/ pašnik (ha)	gozd (ha)	suho, odprto zemljišče z ali brez rastlinskega pokrova (ha)
Blejska Dobrava*	Jesenice	1	18,9	18,9	0,0	16,2	1,0	17,8	0,0
Bohinjska Bela	Radovljica	1	3,1	3,1	0,0	3,1	2,2	0,5	0,0
Bohinjska Bistrica	Radovljica	1	781,9	781,9	0,0	162,5	59,9	448,3	237,1
Bohinjska Čošnjica, Jereka, Podjelje, Koprivnik	Radovljica		3,4	3,4	0,0	3,4	0,5	2,6	0,0
Čadrg	Tolmin		518,3	518,3	0,0	39,2	13,3	473,9	24,0
Čezsoča	Tolmin	1	176,5	176,5	0,0	4,6	31,6	129,9	5,6
Drežniške vasi	Tolmin		193,1	193,1	0,0	14,6	13,1	103,5	70,4
Dovje - Mojstrana	Jesenice	1	3733,1	3729,9	0,0	3534,8	57,1	1713,8	1920,4
Grad - Bled**	Radovljica	1	0,0	0,0	0,0	0,0	0,0	0,0	0,0
Hrušica	Jesenice	1	1,3	1,3	0,0	0,7	0,0	0,8	0,4
Kranjska Dolina	Radovljica	1	15,6	15,6	0,0	15,6	9,4	6,0	0,0
Kranjska Gora - Log	Jesenice	1	1698,5	1697,5	0,5	134,9	16,1	741,9	924,2
Kraški Vrh	Tolmin	1	0,8	0,8	0,0	0,0	0,0	0,8	0,0
Plaze Soča	Tolmin	1	758,8	758,8	0,0	15,8	23,3	458,8	265,5
Podhom*	Radovljica	1	22,2	14,8	0,0	11,7	2,9	18,9	0,0
Poljubini	Tolmin	1	869,9	869,9	0,0	200,7	46,2	505,3	267,6
Rateče - Planica	Jesenice	1	1368,9	1367,2	18,7	1357,2	8,2	577,6	777,2
Ravne v Bohinju	Radovljica	1	2,0	2,0	0,0	2,0	0,4	0,6	0,9
Rečica**	Radovljica	1	2,3	2,3	0,0	2,3	0,3	2,0	0,0
Savica	Radovljica		1390,1	1340,3	1,1	1086,7	79,9	887,0	385,3
Srednja vas v Bohinju	Radovljica	1	716,4	712,0	0,0	415,8	102,5	445,9	142,9
Stara Fužina Studor	Radovljica	1	3601,5	3520,6	0,0	848,1	297,5	2455,6	731,1
Vasi Trenta	Tolmin	1	3152,9	3152,9	326,2	462,6	38,0	2136,1	951,4
neznane AS	Jesenice, Radovljica		39,4	39,4	0,0	1,7	0,9	34,5	3,7
*Blejska Dobrava in Podhom	Jesenice, Radovljica		64,5	64,5	0,0	64,5	24,0	37,6	0,0
Grad - Bled in Rečica	Radovljica		320,3	320,3	0,0	320,3	39,5	233,7	29,1
skupaj		19	19453,4	19305,1	346,4	8718,8	867,6	11433,3	6737,0

Z vidika rabe skupnih zemljišč v TNP (preglednica 3) kaže, da med prevladujočimi kategorijami izstopajo gozdna območja, ki obsegajo 11.433,3 hektarjev, kar je 59 % vseh skupnih zemljišč v TNP (21 % gozdov v TNP (preglednica 4)). Sledijo suha odprta zemljišča z ali brez rastlinskega pokrova, ki obsegajo 6737,0 hektarov oziroma 35 % skupnih zemljišč v TNP (32 % tovrstne rabe v TNP). To so območja zemeljskih plazov, nerodovitna in nedostopna zemljišča s kamnito podlago, prodnate površine, suhe rečne struge in podobno. V TNP se ta kategorija v veliki meri nanaša na visokogorska območja. Pomembna, čeprav ne zelo obsežna skupna zemljišča v TNP so travniške in pašne površine z 867,6 hektarji, 4 % vseh skupnih zemljišč v TNP (14 % vseh travnikov oziroma pašnikov v TNP). Druge kategorije

Preglednica 3: Raba zemljišč agrarnih skupnosti v Triglavskem narodnem parku leta 2025.

kategorija rabe zemljišča	površina zemljišč agrarnih skupnosti v TNP (ha)	delež posamezne kategorije rabe od zemljišč agrarnih skupnosti (%)
gozd	11.433,3	59
suho odprto zemljišče z ali brez rastlinskega pokrova	6737,0	35
travnik/pašnik	867,6	4
drugo	415,5	2
skupaj	19.453,4	100

Preglednica 4: Primerjava površin Triglavskega narodnega parka in skupnih zemljišč agrarnih skupnosti v parku glede na naravovarstvene kategorije in izbrane kategorije rabe zemljišč.

	površina v TNP (ha)	površina zemljišč agrarnih skupnosti v TNP (ha)	delež zemljišč agrarnih skupnosti v TNP (%)	delež zemljišč agrarnih skupnosti v posamezni kategoriji rabe v TNP (%)
celotna površina	83.973,28	19.453,4	23	
naravovarstvena kategorija				
Natura 2000	82.920,77	19.305,1	23	
naravni rezervat/strogi naravni rezervat	1607,12	346,4	22	
naravne vrednote	40.739,31	8718,8	21	
mirna območja	11.445,67	2867,02	25	
varovalni gozd	26.810,54	8697,04	32	
raba zemljišča				
gozd	53.977,45	11.433,3	14	21
suho odprto zemljišče z ali brez rastlinskega pokrova	21.039,07	6737,0	8	32
travnik/pašnik	6074,69	867,6	1	14
drugo	2882,07	415,5	0,5	14

rabe tal kot so ekstenzivni sadovnjak, kmetijska zemljišča v zaraščanju, drevesa in grmičevje, neobdelana kmetijska zemljišča, kmetijska zemljišča z gozdnim drevjem, pozidano in vode skupaj predstavljajo 2 % skupnih zemljišč v TNP.

Prekrivanje z naravovarstvenimi kategorijami pokaže, da se 8718,8 hektarov (45 %) skupnih zemljišč prekriva z naravnimi vrednotami, kar predstavlja 21 % vseh površin naravnih vrednot v TNP. Dodatnih 346,4 hektarov (2 %) skupnih zemljišč je prepoznanih kot naravni ali strogi naravni rezervat (22 % površin vseh naravnih ali strogih naravnih rezervatov v TNP) in kar 19.305,1 (99 %) hektarov skupnih zemljišč prispeva k varstvu Nature 2000, torej k varstvu biodiverzitete, kar je 23 % vseh površin pod Naturo 2000 v TNP (preglednica 4). V TNP posebej beležijo tudi tako imenovana 'Mirna območja', ki so še posebej pomembna za varstvo živalskih in rastlinskih vrst ter habitatnih tipov. Na teh območjih so obiskovanje in druge dejavnosti prilagojeni tako, da so motnje čim manjše (Mirna območja 2024). Četrtnina (2867,02 ha) tovrstnih 'Mirnih območij' je na skupnih zemljiščih. Posebej izpostavljamo še gozdove v TNP, ki opravljajo pomembno varovalno funkcijo. Skoraj polovica vseh gozdov v parku (49,7 %) je uvrščena med varovalne gozdove (Varovalni gozdovi 2024). Pomemben delež teh gozdov je na skupnih zemljiščih, ki obsegajo skoraj tretjino (32 %) vseh varovalnih gozdov v TNP.

5 Razprava

Pričujoča raziskava prinaša tri spoznanja. Prvič, poglobljen prikaz zgodovinskega razvoja upravljanja s skupnimi zemljišči v Sloveniji od zgodnjega srednjega veka do sedanjosti. Predstavlja namreč precej daljši časovni razpon, kot ga obravnava večina dosedanjih študij, ki za mejnik običajno postavljajo zemljiško odvezo leta 1848. Z zgodovinskim razvojem v tem prispevku smo osvetlili, da so skupna zemljišča v Sloveniji veliko starejša in s prvimi pojavi segajo najmanj v 9. stoletje. Prav tako so več stoletij stari izzivi z upravljanjem skupnih zemljišč in težnjami različnih oblasti ter gospodstev oziroma lastnikov z večjo močjo odločanja po njihovi ukinutvi. V ravninskem svetu je ta ukinitve v veliki meri uspela že do začetka 20. stoletja. V težje dostopnih predelih Slovenije, kot so Alpe, Kras, dinarski svet, pa so se prebivalci zaradi težjih naravnih pogojev in življenjskih razmer temu uspešno upirali. Paradoksalno je k porastu skupnih zemljišč dodatno pripomogla zemljiška odveza leta 1848, ko so v procesu 'osvobajanja' zemljišč služnosti večji lastniki del tako obremenjenih zemljišč odstopili kmetom v obliki skupnih zemljišč, pri čemer so se morali kmetje odreči služnostni pravici na preostalem delu zemljišča. Kmetje oziroma lokalne skupnosti (srenje) so v takih primerih praviloma dobili slabša in odročnejša zemljišča, kar potrjuje tudi naša raziskava na območju TNP, to pa bi utegnilo priti še bolj do izraza pri nacionalni raziskavi. Na primeru TNP ugotavljamo, da kar 35 % skupnih zemljišč obsega suha odprta zemljišča z ali brez rastlinskega pokrova, pri čemer ta delež predstavlja 32 % vseh zemljišč v tej kategoriji v TNP. Z delitvijo v letih okrog 1848 so bile po mnenju zgodovinarjev agrarne skupnosti večinoma sicer oškodovane, vendar so, vsaj v določeni meri, na primer pri pašnikih in gozdovih, ohranile upravljanje skupnih zemljišč v svojih rokah. V času socialistične Jugoslavije so z nacionalizacijo skupnih zemljišč agrarne skupnosti izgubile moč odločanja o teh zemljiščih (v tem času naj bi bilo ukinjenih 1000 do 1500 agrarnih skupnosti), osamosvojitve Slovenije in denacionalizacija pa jim je vrnila možnost ponovne vzpostavitve upravljanja z nekdanjimi skupnimi zemljišči. Medtem je kmetijstvo, še posebej v odročnejših predelih marsikje zamrlo, s tem pa tudi zanimanje za ponovno vzpostavitev skupnih zemljišč. Dodatno se je postopek obnove agrarnih skupnosti izkazal za izjemno zapleten birokratski postopek, ki marsikje še ni rešen.

Ob bok zgodovinskemu pregledu predlagamo, da se za agrarne, pašne in podobne, tudi novodobne skupnosti, ki upravljajo s skupnimi zemljišči, v slovenskem jeziku znova uveljavi star izraz 'srenja'. Menimo, da prevod angleškega izraza *commons* kot 'skupno' ni najbolj posrečen, izraz skupna zemljišča pa le delno zajema pomen skupnostnega upravljanja (navezuje se predvsem na območje, zanemarja pa delovanje, vrednote in norme skupnosti).

Drugič, raziskava prispeva empirično preveritev stanja delovanja agrarnih skupnosti leta 2025 na Gorenjskem. Na podlagi javno dostopnih evidenc in podatkov iz MKGP, upravnih enot Jesenice, Kranj, Radovljica, Škofja Loka in Tržič, podatkov iz Združenje predstavnikov agrarnih skupnosti Slovenije, monografije Slovenske srenje kot izročilo in priložnost (Bogataj 2022) in odgovorov predstavnikov agrarnih skupnosti, smo prek posodobitve seznama agrarnih skupnosti iz leta 2007, ki so se vzpostavile po ZPVAS (1994), aktivnost zaznali pri 52 agrarnih skupnostih, kar predstavlja 48,1 % agrarnih skupnosti na Zgornji in Osrednji Gorenjski. Ni pa znano, kako dejavne so, oziroma v kakšni obliki obstaja preostalih 56 (51,9 %) gorenjskih agrarnih skupnosti. V pogovoru s strokovnjakom, ki pozna razmere na proučevanem območju (Klinar 2025) se je izkazalo, da marsikatera pašna skupnost ni vložila zahtevka za vrnitev premoženja in se zato sploh ni registrirala po zakonih o agrarnih skupnostih. Kljub temu je aktivna in za pašo najema zemljišča, ki so bila vrnjena drugim upravičencem. V nekaterih primerih so bila zemljišča vrnjena fizičnim osebam, ki so nato ustanovile pašno skupnost. Spet v drugih primerih je lahko določena agrarna skupnost dobila vrnjena zemljišča, znotraj nje pa je ožja skupina ljudi, ki še kmetujejo, ustanovila pašno skupnost. Skladno s tem lahko sklepamo, da med agrarnimi in pašnimi skupnostmi vsaj z organizacijskega in lastniškega vidika obstajajo razlike. Vendar pa ostaja raziskovalna vrzel glede vprašanja, ali so pašne skupnosti s pravnega vidika identične agrarnim skupnostim. V obstoječi literaturi nismo zasledili raziskav, ki bi sistematično obravnavale pašne skupnosti. Pri ugotavljanju aktivnosti bi bilo treba vsako agrarno oziroma pašno skupnost, pri kateri je v preglednici 1 označeno, da aktivnost ni znana, preveriti neposredno na terenu.

Tretjič, podrobnejša analiza zemljišč agrarnih skupnosti na območju TNP je pokazala, da so skupna zemljišča, ki so v času delitve zemljišč v letih okrog 1848 z ekonomskega vidika po predvidevanjih veljala za slabša zemljišča, vse pomembnejša z ekološkega in družbenega vidika. V TNP skupna zemljišča obsegajo kar 23 % celotne površine. Na skupnih zemljiščih je registriranih 21 % vseh naravnih vrednot, 22 % naravnih ali strogih naravnih rezervatov, 23 % Nature 2000, 25 % mirnih območij in 32 % varovalnih gozdov. Številke bi lahko bile še višje, saj je zemljišč z večjim številom lastnikov še več, vendar ni jasno, ali ta zemljišča pripadajo agrarnim skupnostim. Znatno del zgoraj omenjenih zemljišč ne prinaša neposrednih ekonomskih koristi, a imajo ključno vlogo pri varovanju naravne dediščine parka, dodatno pa so pomembna za rekreacijsko rabo, kot je pohodništvo. Vendar pa agrarne skupnosti pri načrtovanju in upravljanju teh dejavnosti nimajo odločilnega vpliva, kar kaže na vrzel med njihovim prostorskim pomenom in dejansko upravljaljsko vlogo.

Poleg tega nekatere agrarne skupnosti za pašo najemajo tudi dodatna zasebna zemljišča. Z upravljanjem gozdov in pašnikov pomembno prispevajo pri vzdrževanju biodiverzitete in habitatnih tipov ter alpske kulturne pokrajine. Upravljanje varovalnih gozdov pa dodatno omogoča zaščito zemljišč pred erozijo, plazovi, vetrom, vodo, zameti in drugimi naravnimi nevarnostmi, zlasti na strmih pobočjih, bregovih ter hudourniških območjih. To pomeni, da skupna zemljišča v TNP niso več ključna z ekonomskega vidika, temveč bi bilo treba z nadaljnjimi prostorskimi analizami in kvalitativnimi pristopi ugotoviti njihov pomen pri (za)varovanju narave, ohranjanju biodiverzitete, preprečevanju naravnih nesreč in prispevek k različnim tipom ekosistemskih storitev, kamor spadajo rekreacija, blaženje podnebnih sprememb prek skladiščenja in zmanjševanja ogljika, preskrba s pitno vodo, zagotavljanje kakovosti zraka, ohranjanje naravne in kulturne dediščine, če naštejemo le nekatere. Prav bi bilo, da bi lastniki zemljišč za nekatere ekosistemske storitve, posebno za tiste, ki prinašajo koristi širši družbi (Šmid Hribar, Ribeiro in Villoslada 2025), prejimali ustrežna nadomestila in spodbude, ali bi bili vsaj oproščeni plačila davkov na tovrstna zemljišča. Evropska unija je že leta 2005 uvedla Sistem trgovanja z emisijami (v nadaljevanju: EU ETS; Direktiva ... 2003), vendar v Sloveniji lastniki gozdov trenutno nimajo možnosti prodaje emisijskih kuponov za ogljik, saj gozdovi niso vključeni v EU ETS. Kljub temu so lastniki gozdov upravičeni do različnih finančnih spodbud in subvencij, ki jih zagotavlja država in so namenjeni sofinanciranju vlaganj v gozdove, kot so gojitvena in varstvena dela ter vzdrževanje gozdnih cest (Strateški ... 2022).

In ne nazadnje, analiza rabe zemljišč je pokazala, da glavnino skupnih zemljišč v sodobnem času predstavljajo gozdovi in ne pašniki, kot bi lahko sklepali iz navedb zemljiških kategorij na oddanih zahtevkih po osamosvojitvi. Na to sta opozorila že Petek in Urbanc (2007), saj raba na zahtevkih ni odsevala dejanskega stanja v naravi. Zanimivo bi bilo pripraviti analizo spremembe rabe zemljišč, v kateri bi primerjali stanje okrog druge svetovne vojne z današnjim (2025) stanjem, da bi dobili podatek o stopnji zaraščanja planinskih pašnikov v zadnjih osemdesetih letih. Na podlagi terenskih opazovanj in pogovorov s člani agrarnih skupnosti pa lahko trdimo, da so agrarne skupnosti varuhi in vzdrževalci planinskih pašnikov, ki so pomemben element tradicionalne slovenske alpske kulturne pokrajine in identitete. Brez njihovega aktivnega upravljanja na Gorenjskem praktično ne bi bilo več planinskih pašnikov (slika 2).

Slika 2: Spust živine na skupni pašnik na Poljšici maja 2025 (zgoraj) in obnovljena kal 'Zlata voda' nad planino Konjščica na Pokljuki avgusta 2024 (spodaj).

Glej angleški del prispevka.

V času te raziskave (2025) mineva 31 let od sprejetja Zakona o ponovni vzpostavitvi agrarnih skupnosti ter vrnitvi njihovega premoženja in pravic (1994; ZPVAS) in 10 let od Zakona o agrarnih skupnostih (2015; ZAgrS). Od slednjega se je pričakovalo, da bo pospešil razrešitev dolgotrajnih dedičinskih postopkov in poenostavil delovanje agrarnih skupnosti, da se bodo le-te končno lahko posvetile svojemu glavnemu cilju, to je upravljanju in gospodarjenju s skupnimi kmetijskimi in gozdnimi zemljišči. Pogoj za to je bila ponovna registracija in vpis v novi Register agrarnih skupnosti, kar pa je bilo za agrarne skupnosti novo administrativno in finančno breme. Skladno z analizo v tej raziskavi je na območju Zgornje in Osrednje Gorenjske to doslej uspelo 33 agrarnim in pašnim skupnostim. Skladno z Zakonom o spremembah in dopolnitvah Zakona o agrarnih skupnostih (2022; ZAgrS-A) se morajo ostale agrarne in pašne skupnosti, ki še niso registrirane po ZAgrS (2015), a so se vzpostavile na podlagi ZPVAS (1994), do leta 2030 registrirati in vpisati v že omenjeni novi register, ki ga vodi MKGP. Pri tem bo marsikatera agrarna in pašna skupnost potrebovala pomoč v obliki pravnih nasvetov in dobrih praks tistih agrarnih in pašnih skupnosti, ki so se že registrirale.

Na področju upravljanja skupnih zemljišč se odpira še en izziv. Raziskava o vlogi skupnostnega upravljanja pri vzdrževanju kulturnih pokrajin v Sloveniji (Šmid Hribar, Urbanc in Zorn 2023) je pokazala, da predvsem v zadnjih desetletjih nastajajo tudi nove oblike skupnostnega upravljanja in znatno manjša skupna zemljišča (na primer Škocjanski zatok, Krater v Ljubljani), ki se soočajo z drugačnimi izzivi in za katere ZAgrS (2015) ni aktualen (ta je bil pripravljen za tradicionalne agrarne skupnosti). Za novejša oblike skupnostnih praks bo treba v prihodnje preučiti in morda oblikovati novo pravno ureditev – podobno kot velja za društva –, ki pa bi jim omogočala upravljanje z naravnimi viri. Pri novejših oblikah skupnostnih praks gre namreč za sodobnejši pristop k upravljanju z naravnimi viri, tako v primerih, ko so takšne skupnosti lastniki virov oziroma zemljišč, kot tudi takrat, ko niso lastniki in zemljišča najemajo, kar je v praksi še pogostejše. Praviloma se člani tradicionalnih agrarnih skupnosti in člani novih skupnostnih praks s področja upravljanja naravnih virov med sabo ne poznajo niti ne poznajo praks drug drugega. Z vzpostavitvijo mreže tradicionalnih in novih tovrstnih skupnosti bi si lahko pomagali z deljenjem izkušenj in nasvetov ter z aktivno udeležbo na skupnostnih akcijah. Omenjene vrzeli bi bilo smiselno preučiti v prihodnjih raziskavah.

6 Sklep

Raziskava je pokazala, da imajo skupna zemljišča v Sloveniji dolgo zgodovino, ki sega najmanj v 9. stoletje, kar presega časovne mejnike, ki jih navajajo obstoječe študije. Njihovo upravljanje je bilo skozi stoletja prepleteno s težnjami oblasti po ukinitvi, zlasti na bolj dostopnih območjih, medtem ko so se v odročnejših predelih ohranila dlje. Prostorska analiza skupnih zemljišč na primeru TNP potrjuje, da

so bila le-ta pogosto manj rodovitna in primerna za kmetijsko rabo, a so po drugi strani v sodobnem času pomembna za naravovarstvene in rekreacijske dejavnosti, pri katerih pa agrarne skupnosti (še) nimajo odločilne vloge. Zgodovinske spremembe, kot so zemljiška odveza, nacionalizacija in denacionalizacija, so bistveno vplivale na lastništvo in možnosti upravljanja, ki vse do danes ostaja zapleten in ponekod še vedno nerešen proces.

Analiza stanja agrarnih skupnosti na Zgornji in Osrednji Gorenjski leta 2025 kaže na potrebo po sistematičnem terenskem pregledu skupnosti z nezaznanim statusom delovanja. Zaradi pomanjkanja podatkov v uradnih evidencah bi bilo smiselno vzpostaviti ažurno evidenco, ki bo omogočila nove pokrajinske analize, le-te pa celovitejše upravljanje z naravnimi viri. Obenem bo takšna ažurna evidenca koristila tudi samim agrarnim skupnostim in njihovi pravici do rabe lokalnih naravnih virov, saj smo iz ne tako starih zgodovinskih primerov videli, kako pomembno je, da so skupna zemljišča ustrezno vpisana v zemljiško knjigo. Pri tem bi morali aktivno sodelovati tako državni organi kot agrarne in pašne skupnosti.

Analiza skupnih zemljišč znotraj TNP potrjuje njihov vse pomembnejši ekološki in družbeni pomen: skupna zemljišča so pomembna za ohranjanje planinskih pašnikov, vzdrževanje biodiverzitete, gospodarjenje z gozdovi, prispevajo k boljši kakovosti življenja širše družbe ter za prenos tradicije in alpske kulturne pokrajine na sedanje in bodoče generacije. Agrarne skupnosti predstavljajo nosilce lokalnega znanja o naravnih virih, gozdovih in pašnikih in so kot take varuhi narave, biodiverzitete in kulturne pokrajine. To znanje ima veliko izobraževalno vrednost, ki pa je premalo prepoznana. Zaradi naštetega bi bilo smiselno njihovo vrednost s pomočjo prostorskih analiz in kvalitativnih pristopov natančneje oceniti (na primer prek ocenjevanja posameznih ekosistemskih storitev) ter oblikovati ustrezne mehanizme finančnih nadomestil ter spodbud za lastnike, torej tudi za agrarne skupnosti. To bo pripomoglo k večji prepoznavnosti vloge agrarnih skupnosti kot pozitivnih zgledov upravljanja skupnih zemljišč, katerih koristi segajo onkraj interesov posameznikov, ter pomembno prispevajo k blaginji širše skupnosti.

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Dostopnost raziskovalnih podatkov: Raziskovalni podatki, na katerih temelji članek, so na voljo v prispevku samem.

7 Viri in literatura

Glej angleški del prispevka.