

The development of forest ownership and users rights in Sweden

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Abstract

The forest ownership structure in Sweden today very clearly reflects the main objective of the privatisation of forest land two hundred years ago, *i.e.* to provide every homestead with enough forest to cover the needs for forest products. In this article the development from forest commons in the early 16th century to private ownership in the early 21st century is analysed. In pre-modern Sweden extensively used land, *i.e.* forest land, had no distinct owners, but was held as commons by communities. Land tenure can be seen through two complementary perspectives; *dominium directum*, a formal ownership right, including rights to sell, bequeath the lands, but also *dominium utile*, a user right, which could be customary, or well defined and upheld in court. Three actors played central roles in the socio-political development in Sweden; the peasants, the Crown and the companies. The peasants struggled to control the ambitions of the Crown, *i.e.* political stability and maximal revenue. At the early 19th century when the future value of the forest became recognize industrial companies and peasants got motives of full ownership of forest land. This turbulent period with exploitation of peasant land owners, temporarily ruined forest land and corporate law infringements, finally led to the breaking of political blocks and the creation of stable institutional frameworks. The government policy had achieved its objectives. At the early 20th century the concept of exclusive forest ownership took root rapidly, once the subsistence economy had been replaced by a market economy. But the attitudes among stakeholders towards *dominium directum* and *dominium utile* have changed swiftly following the trends in society and the two perspectives have been fused. Thus future forest policy ought to take into consideration that land ownership has widely different significance to different categories of owners and that user rights consider several recognized users.

Keywords: dominium directum, dominium utile, forestry legislation, forest ownership structure, property rights, tenure