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Transhumant pastoralism in Poland: Contemporary challenges

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Abstract

Since the mid-2000s, transhumant pastoralism and the production of artisanal sheep's cheeses have experienced a revival in the Polish Carpathians. This revival has largely coincided with Poland's accession to the European Union in 2004, leading to a re-valuation of extensive livestock production from an economic and environmental liability to a form of 'High Nature Value' farming. Supported by Common Agricultural Policy CAP European Union subsidies, Polish pastoralists have been re-classified from being producers of livestock and agricultural products to suppliers of environmental and ecosystem services. Despite these changes, however, they continue to face significant systemic challenges which are rooted in the marked decline of the communist-era pastoral economy in the late 1980s and a subsequent increasing competition for land and labour under market conditions. Based on anthropological fieldwork conducted in Poland's Carpathian Highland region during the 2015, 2016, and 2017 pastoral seasons, this article provides insight into four sets of challenges deemed most important by working shepherds today: recruiting qualified labour, gaining access to pasture, gaining access to markets, and working within a Polish policy environment which fails to recognise the particular conditions and requirements of pastoral agriculture.

Keywords: Pastoralism, CAP, Agricultural policy, Labour, Market access, Pasture, Poland

Introduction

Introduced to the area by Wallachians who migrated into the area from the Balkans in the fourteenth century, transhumant sheep pastoralism was once the mainstay of life in the Polish mountains. From the mid-nineteenth century, however, Hapsburg policies of enclosure and the need to sustain rising population pressures triggered a slow decline in pastoralism in the region. This trend was further exacerbated by the post-1918 division of the territory of the Carpathian Highlands between Poland and Czechoslovakia, communist-era agricultural and environmental policies after World War II, and a marked decline in the pastoral economy in the late 1980s. Since the mid-2000s, however, transhumant pastoralism has once again become a viable economic activity in the Polish Carpathians. Its revival largely coincides with Poland's accession to the European Union in 2004 and the subsequent institutional and normative harmonisation of the agricultural sector in line with the requirements of the

Common Agricultural Policy (CAP). Introducing the European principle of 'multifunctionality' into Polish agrarian and environmental policy-making, membership benefited Highland shepherds. Previously regarded as an economic and environmental liability for mountain communities, pastoralism is now considered a form of 'High Nature Value' (HNV) farming by the European Commission. This means that pastoralists can draw on financial support from the CAP for livestock and pastoral land management in the so-called less favoured areas. Over the last three decades, in other words, Polish pastoralists not only have survived major systemic changes but also have seen themselves re-classified from being producers of livestock and agricultural products to suppliers of environmental and ecosystem services. As such, Polish pastoralism should be in an ideal position to follow the wider European trend of becoming a 'multifunctional business' sustained through a marketing of its unique cultural and environmental heritage (Kerven and Behnke 2011).

This article has two aims. Firstly, it seeks to answer the question of why this development has failed to take place. Taking our lead from interviews with working shepherds, the authors suggest that pastoralists in the

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region face four major handicaps to sustaining, developing, and diversifying their businesses: recruiting labour, gaining access to pasture, gaining access to markets, and working within a Polish policy environment characterised by an inconsistent application of the principles driving support for HNV farming. By shedding light on the challenges faced by Polish pastoralists, we wish to expand the small, but growing, literature on pastoral traditions in contemporary Europe geographically and conceptually. While several recent studies have examined long-term change has influenced key European pastoral traditions (e.g. Constantin 2003; Hadjigeorgiou 2011; Manzano Baena and Casas 2010), little attention has been paid to the specific legacies of communist rule, and post-communist social and economic reforms, on pastoralism in Central and Eastern Europe. In the case of Poland, we argue that the legacies of a low economic conjuncture for wool and meat in the early 1990s and post-communist changes in land-use and rural development policies continue to have a decisive impact on the conditions of pastoral agriculture today. The former caused a significant decline in the number of working shepherds and a break in the inter-generational transmission of pastoral knowledge, which has now resulted in an ageing workforce and lack of qualified labour. The latter has led to the growing municipal support for the tourism and leisure - activities which support pastoralists commercially by expanding their customer base, but which create competition for land, and drive up the opportunity cost of labour.

The second aim is to deliver a first, comprehensive, English language study of Polish pastoralism for an international academic audience. While English language studies considering the effects of pastoral agriculture on land management, ecology, and forestation are available (see Kozak et al. 2013), scholarship on the historical organisation and economics of pastoral agriculture and on pastoral culture and traditions is available almost exclusively in Polish and is divided along disciplinary and geographical lines (for example, Nowicka 2015, Jawor 1997, 2000, 2014). Comparative studies across Polish regions, as well as studies with an interdisciplinary approach to the cultural ecology of contemporary and historical pastoralism, are completely lacking. Furthermore, there is currently no dependable research available on the history of pastoralism across the Polish Carpathians: the rise and demise of pastoral practices in local communities remain largely unstudied, and there exist no reliable material compiling and analysing data on the size of flocks, grazing areas, and production and sale of cheese, wool, leather, and meat in the past or the present. Therefore, the authors start by supplying a concise overview of the historical development of pastoral agriculture in the Polish Carpathians, before tackling

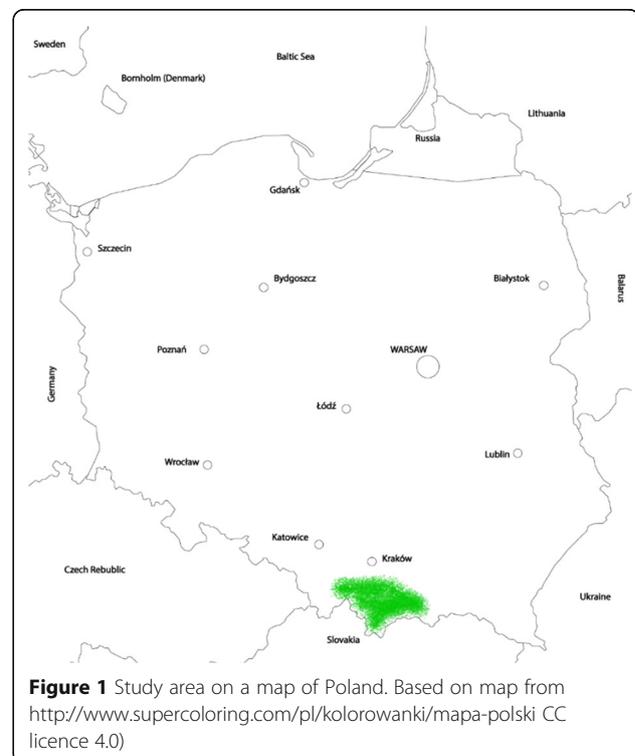
four sets of challenges facing contemporary shepherds. We complete the article with a brief, comparative evaluation of possible future trajectories of Polish pastoralism.

Study area

Fieldwork was conducted in southern Poland's Carpathian Highland regions of Podhale, Orawa, Spisz, Beskid Śląski, and Beskid Żywiecki (Figure 1).

Methods

This paper draws on ethnographic fieldwork undertaken during the 2015, 2016, and 2017 pastoral seasons (between May and October) for the ongoing PhD project *The Revival of Pastoralism in the Podhale and Beskid. Between Tradition and Regional Brand* and as part of the project *Ecologies of Citizenship* funded by a John Fell Fund Grant from the University of Oxford. The main methods used were qualitative interviews and participant observation, which included time spent at shepherds' huts and on the alpine pastures, listening to their conversations, and daily concerns. Interviews were carried out with *bacas*, *juhasi*, activists from the pastoralist organisations *Pasterswo Transhumancyjne* and producer's cooperative *Gazdowie*, and local government officials. Our study of policies affecting Polish pastoralists began with the pastoralist themselves pointing out what they consider the biggest administrative hurdles, and from there, an analysis of policy documents



followed (government and EU websites, bills, and ministerial decrees). Media reports were also followed in local, regional, and nationwide newspapers and their online outlets, as well as the responses to those reports.

Results

Historical Background

The practice of transhumant pastoralism was brought to Poland by Wallachian shepherds who migrated into southern Poland along the Carpathian mountain range at the end of the Middle Ages. Originating in the Balkans, the cause of these mass migrations is unknown: they may have been precipitated by the Turkish expansion into the region in the fourteenth century (Jawor 1997, 53) or by ongoing power struggles between noble families in the historical regions of Wallachia and Moldavia (Jawor 2014, 26), as well as by increasing pressures on local resources caused by a large growth in the population (Dobrowolski 1970, 90). First observed in the Eastern Beskid mountain area of Huculszczyzna, in what is now Ukraine, the earliest written record of their presence in Poland was made in the chronicle of The Miracles of St. Kinga from 1406. Over the subsequent three centuries, the Wallachians continued to move westwards along the Carpathian mountain range, with some groups leaving the Carpathians and continuing northwards along the rivers Bug, Huczwa, and Styr (in today's Ukraine) (Dobrowolski 1970, 103). Their influx into the southern regions of Poland - where most of the fieldwork for this article took place - was recorded between the fifteenth and sixteenth centuries.

Under pressure from major landowners, including the Catholic Church, the Polish state reacted to their arrival by introducing novel legislation aimed at controlling, structuring, and taxing this new, transhumant population (Reinfuss 1959, 6). Previously, agreements about the settlement and use of land had been established according to the so-called German law (or *Ius Teutonicum*) established when newcomers from Germany had settled in Poland in the twelfth century. Under the German law, contracts entered into between settlers and landowners stipulated the rights and responsibilities of each party, the settlers commonly paying rent in grain or money (or a combination of the two), as well as performing corvée labour for the landowners during the sowing season. While such contracts offered a tax-free period when settlements were first established, they did not exempt inhabitants from military duties towards the Polish state or from the tithe paid to the Catholic Church. In mountain regions, where the vegetation

growth period is shorter than in the lowlands and the soil is of much poorer quality, attempted settlements under the German law proved unsuccessful: after their initial period of tax exemption, settlers were unable to produce enough grain to support themselves and to pay their obligations (Jawor 2014, 26).

With the arrival of the Wallachians, the German law was adapted in a number of ways to accommodate a pastoral way of life (Dobrowolski 1970, 92). Unsuccessful settlements were resettled using a new type of legislative setup which became known as the 'Walachian law' (*Ius Valachicum*). It differed from the German law in that the number of days to be spent working on the landowner's land was limited or non-existent, and it was also stipulated that rent could be paid in pastoral products: sheep, fleece, wool, and cheese. Jawor (2000, 27–28) argues that while the structure of the Wallachian law came from the German law, its substance was of foreign origin and that it was not so much an adjustment of the law but rather a whole new paradigm. People living in such settlements broke off with their past experiences as agriculturalists and embarked on a whole new way of doing animal husbandry. Under the Wallachian law, settlers also enjoyed a much greater personal freedom; they were, for example, allowed to leave the settlement without the permission of the landowner. Over time, the application of the Wallachian law became a matter quite separate from the ethnicity and origins of the settlers and connected instead to the primarily pastoral economy in which they were engaged. The law had the anticipated effect of structuring the migration and strengthening the defence of Poland's southern borders. Most importantly, however, it increased the income of both local landowners and the Polish state by introducing an entirely new way of using the poor agricultural lands of the mountains. Indeed, the Wallachians brought with them not just the required pastoral know-how; they were artisans as well, with high level skills in wood carpentry, leatherwork and blacksmithing. It was this ability to mix the proportions of pastoralism, small-time agriculture, and craftsmanship in a way that was appropriate to make a settlement viable that made them successful (Jawor 2014, 27).

While early sources are too fragmentary to offer an accurate picture of the exact mechanism of the Wallachian way of life, it is possible to deduce a certain amount through later studies of transhumant pastoralism in the area, as well as the traditions of other European pastoralists (Dobrowolski 1970, 89). Early accounts confirm that they lived a migratory way of life driven by the seasonality of highland pasture (Dobrowolski 1970, 91). This seasonality eventually became institutionalised and

embedded in the Catholic ritual calendar (from St. Adalbert's Day (on 23rd of April) to St. Michael's Day (29th of September) (Hołub-Pacewiczowa 1930, 102). Ethnographic sources also illustrate how the organisation of grazing and the role of the shepherd in the local community were consolidated over time. In 1911, Ludomir Sawicki described the local organisation of pasturage as follows:

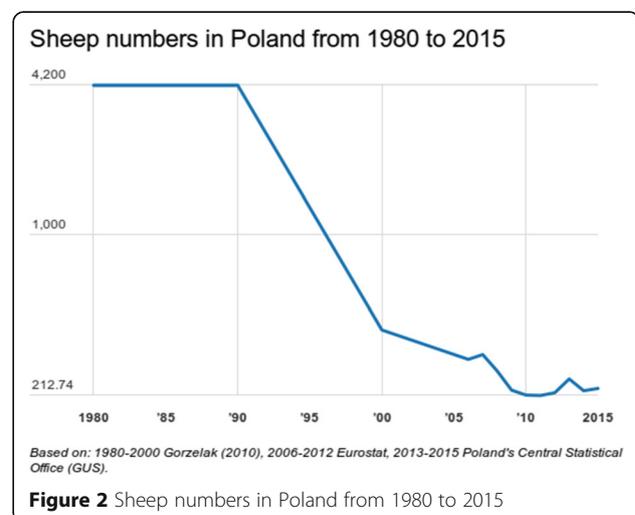
Pastures are usually the property of the settlement or a certain greater number of people who share the costs of building shelters there and also jointly choose the main shepherd (*baca*), whom they entrust with the cattle and sheep and they send their herds together to the pastures. The *baca* who is paid in money, or in kind, is responsible for the animals and the pasture, he is also the one to pick his shepherd helpers (*juhasi*), he is the one assigning the work to each, he calculates the milk productivity of cows and sheep, and in autumn, gives the animals back to the members of the community with the appropriate amount of cheese (Sawicki 1911, 105).

Along with land and its usage, the relationship between shepherds, highland communities, and the Polish state over time was defined by changing environmental factors. Until the seventeenth century, the effects of pastoralism on forests were negligible, but with the increase in population and hence the number of animals over the subsequent two centuries, the pressure on local resources began to be felt. By the nineteenth century, this adverse influence became quite pronounced: man-made meadows appeared where the forest had been cut down, there was a recession of the forests at higher altitudes, and this devastation of the forest was coupled with widespread soil erosion (Ciurzycki 2003, 82). These problems became more pronounced during the second half of the twentieth century, when Polish pastoralism experienced its peak in terms of its productive output. The Carpathian region saw a great increase in the size of local herd numbers during the Second World War, as sheep were exempt from mandatory war contributions. This upward trend continued after the War: in the Tatras, 18.6 thousand sheep were put to pasture in an area of 12,300 ha in 1945; a year later, this had risen to 22.4 thousand; and the number reached 30 thousand in 1947 (Ciurzycki 2003, 81). Concerned that this intensive use of the Tatra mountain passes for grazing purposes and would cause irreparable environmental destruction, the post-War government reacted by deciding to free the Tatras from excess grazing. In 1947, it offered Highlander shepherds new

pastures to use in the region near the village of Szczawnica. This policy was consolidated by the communist government in 1954 with the establishment of the Tatra National Park and the gradual dispossession of local Highland landowners.

In compensation, new pastures were made available to *bacas* from the Tatras in the Bieszczady region in eastern Poland. From the late 1950s and well into the 1980s, shepherds from southern Poland travelled a distance of over 200 km to the region by train every spring. Transporting their herds to these pastures by cattle waggons, they returned in the early autumn by foot, maintaining the same seasonality as in their original highland pastures. The milk and cheese produced were picked up by the state-owned dairy processors. The use of these new trails was strengthened over the years and has often persisted to this day. For example, many of the *bacas* grazing around Szczawnica set up pasture in the area there during this period, first as the *juhasi* for their fathers and then on their own.

The fall of the communist system in 1989 marked a period of radical change for Polish pastoralists. With the end of the centrally planned economy, state dairies no longer acted as the main buyers of their output, forcing shepherds to engage more directly with the developing market economy to reach a new, private clientele. Furthermore, in 1990, the world wool prices halved in response to the Australian Wool Reserve Price Scheme. As a result, sheep numbers in Poland fell from around four million in 1980s (Gorzelać 2010), eventually stabilising at 250,000 in the new millennium (Eurostat 2016) (Figure 2). These changes in the political economy of pastoral production were accompanied by a redirection of government policy



away from the control and curtailing of grazing practices, towards an acknowledgement of the environmental and cultural importance of pastoralism which started even before 1989. By the late 1980s, it had already become apparent that without sheep, the high mountain pastures would revert to forest with a significant loss of local biodiversity, as well as a deterioration of the landscape (Skawiński 2014, 9). The argument of cultural loss was also raised. As a compromise, in 1981, a bill was passed that allowed for the 'cultural grazing of sheep and cows' in the Tatra National Park, thus acknowledging not only pastoralism's environmental benefits but also its cultural importance for the people of the region (Ciużycki 2003, 81–82).

With the accession of Poland to the European Union, pastoralism in Poland started to function within the rules of a complex European Union policy framework. Considered a form of High Nature Value (HNV) farming by the European Commission, pastoralists in Poland's Highlands benefited from the Common Agricultural Policy (CAP) support for livestock and transhumant livestock management in the so-called less favoured areas (LFA) (Kerven and Behnke 2011; Nori and Germini 2011). Under the CAP 2007 to 2013, funding for HNV farming practices in LFAs was made available through the policy's second pillar of funding. The majority of this support was made available to Polish pastoralists through regionally managed environmental and rural development programmes. Unfortunately, the somewhat favourable funding environment created in this period is likely to suffer over the current 2014 to 2020 CAP term. While the current programme has been billed as a move towards ensuring sustainability through the introduction of compulsory environmentally friendly measures, it contains measures which are directly disadvantageous for extensive livestock farming practices such as pastoralism. Firstly, it gives states the power to reduce the value of the second pillar (rural development measures) by 15%, paving the way for a reduction in funding for HNV agriculture. Indeed, as payments per hectare in Poland are less than 90% of the average in the entire European Union, Poland has the right to reduce its value by another 10% (Kociszewski 2016). Secondly, the CAP now stipulates a minimum rate of livestock density as a condition for receiving subsidies and gives governments the right to enforce the mechanical cutting of pastures, removing the incentive to keep any livestock at all. If one or all of these measures are implemented in Poland, it may result in the disappearance of HNV farming in the mountain areas (Kociszewski 2016).

Discussion

The first challenge - finding shepherds (*juhasi*)

Probably, the biggest challenge for pastoralists in Poland today is finding, hiring, and retaining shepherds or *juhasi*. As in many other European countries, there is an acute problem with the advancing age of shepherds and a failure to adequately reproduce a qualified workforce for pastoral enterprises (see Hadjigeorgiou 2011; Manzano Baena and Casas 2010). While good shepherds with years of experience still can be found, they are usually men of 65 years old or older. They belong to a generation who took advantage of the strong post-War pastoral economy. For this generation, pastoralism was a good way to make a living, with *bacas* and *juhasi* being both respected and relatively affluent during the Communist period. Illustrated by an old adage of 'kto ma owce, ten ma co chce' ('he who owns sheep, can afford whatever he wants'), this past prosperity is reflected in their biographies. *Baca* Antek from Podhale, for example, told us how, as a young man in the 1980s, he worked as a *juhas* for three years. His earnings allowed him to buy a few hectares of land, build a house, and get married.

Under contemporary economic conditions, however, working as a *juhas* for three seasons does not provide anyone with a foundation for life. Being a shepherd is no longer as lucrative as it once was, nor is it perceived as a desirable occupation for a young man. One reason is the 24-h nature of the job. It is the job of the *juhasi* to tend to the grazing sheep during the day, to milk the sheep twice a day, and to help with the cheese production. Furthermore, at least one of them has to spend the night with the sheep wherever they stay up on the alpine pastures, in order to protect the flock against wolves, which enjoy a protected status in Poland. In such cases, *juhasi* sleep in portable shelters so that they are ready to intervene when the sheep show signs of anxiety or their dogs sound the alarm (Figure 3). They also have to move the temporary enclosure, or *koszor*, at least once every two days (and more frequently if it is raining). Indeed, a *juhas* must have certain character traits that allow him to withstand the solitary aspect of this occupation, infrequent visits home, all male company, and basic hygiene. In a word, *juhasi* must be tough. This is a quality which pastoralists deem lacking in young men today. As the son of a *baca* working in Małe Pieniny explained:

There are no young people. Where can one find young guys to do it? There are none, I am telling you. I think that all those *bacówki* (shepherds' huts) are going to last maybe a few years more and then it is all



Figure 3 Portable shepherd's shelter for staying with sheep at night. New materials, traditional shape

going to die. [...] The young people don't even feel like getting a proper job where you have to really work, let alone to work on a *bacówka* where you have to stay from Sunday until Sunday, where you have to graze the sheep while others are free. They want to go to work that ends on Friday at twelve and starts on Monday at twelve, and get paid five thousand zloty (*laughs*).

His observations were echoed by *baca* Jasiiek, from Ochotnica who humorously, yet bitterly, remarked:

Everybody has this "weekend" now. In the old days, people didn't even know what a "weekend" was. Nobody wants this kind of work, with sheep, where one is tied down with them all the time, when the ewes give birth in the winter, when the spring comes and I realise I didn't even have time to shave.

In short, other opportunities for year-round employment, or at least employment offering those 'weekends' maligned by *baca* Jasiiek, mean that young men in the region consistently turn down offers of work

from head shepherds. Those young men who do not find alternative employment locally often opt to leave Poland completely, and seek better paid work in the UK. As a result, today's *juhasi* are often recruited from a pool of local men who would otherwise be considered unemployable due to chronic health issues or alcohol problems. This situation is well illustrated by the response of *baca* Adam, working in the Babia Góra region, when asked how he found help on a short notice. He told us that he went looking 'in front of the local store'. 'In front of the store' is the place in every village where unemployed men while away their hours drinking beer. In fact, the excessive drinking of alcohol is a frequent problem at Highland *bacówki*. The solitary and 24-h aspect of the job are triggers in themselves, but pre-existing addictions often exacerbate the issue. When drinking is excessive, it becomes a reason for dismissal. This happens quite frequently. Problems with excessive drinking, for example, led *baca* Antek to replace his entire team after the 2015 grazing season.

Because of these problems, some *bacas* decide to hire experienced shepherds from Ukraine. This is not a widespread practice, yet, but judging by the

experience of countries like Spain, Italy, Greece (Nori 2017), France, and Romania (Constantin 2003), it is likely that this trend will continue. More frequently, *bacas* take on people with less experience to perform more basic tasks, with hope of keeping and training the more promising prospects. This recruitment process takes the form of a lot of talking (frequently made in passing) and multiple meetings through which both parties try to ascertain each other's expectations and then negotiate the conditions of employment. These agreements never take a form of a written contract. Rather, they are sealed with a handshake, and then, an advance is paid out. Because winter is the time of the year when some people can find themselves short of money, it is frequently easy to contract someone out. However, this honour system of recruitment is at times abused by prospective *juhasi*. During our fieldwork, we met *bacas* who told us about such winter time hires taking on a job with someone else and not returning the advance, or walking off the job so early that not even the advance was paid off by their time of employment. There is no legal remedy for such situations, and *bacas* seem to accept this as part of the cost of doing business.

Yet, despite the poor quality of the candidates for the job of a *juhas*, their pay is relatively high. A retired *baca* Władek explains the increased opportunity cost of labour compared to the 1980s:

The whole of the Podhale has developed. There is a great demand for builders, carpenters and the like. Today it is possible to have a good, well paid work. So the *baca* too has to raise the pay of the *juhas*. You can earn two hundred a day in construction, but you have to feed yourself. And on the *sałas*, from spring till autumn the *baca* pays him one hundred or one hundred and twenty zloty, but he feeds him and gives him smokes too.

Notwithstanding the relatively high cost of the *juhasi* labour to the *bacas*, because of the seasonal nature of this employment, the money for the *juhas* is not enough on a yearly scale. As *juhas* Wojtek, who has been doing this job for more than three decades, explains:

"What you earn in the summer, ends sometime during the winter, that's the kind of a venture it is, it is just something that you have to like doing."

As Wojtek's comment illustrates, having a predisposition for the job and a fondness for the animals is a recurring theme in *bacas'* responses, and it seems to be key for successful, long-time hires. *Baca* Jasiak

managed to employ two young *juhasi* (16 and 17 years old at the time) in 2016, with their own sheep. He was very pleased with this arrangement, despite its disadvantages; the boys could only work for him during school break, and he had to train them and supervise them much more closely because of their inexperience. Ultimately, the advantages outweighed the disadvantages, and he re-hired them for the 2017 season. As their return for a second season attests, they had the desirable 'toughness' which as *baca* Stach claimed men in the Podhale region used to have 30 years ago.

Employing young men to help rarely ends so auspiciously. *Baca* Darek, who travels with his sheep from the Podhale to the Babia Góra region, told us this story of recruiting three local, 17-year-old boys to help:

I tell them. I will pay you eighty zloty per day. But I say to them, I pay you in full when you last the whole week. If you quit before that, I pay you nothing. Two of them lasted one day, and the third one lasted two days (laughs). But you have to understand, they had to be here at 3am, because that's when we get up so they had to be here to help [...] But this is something you really have to love to go up with the sheep and hang around them all day.

Baca Darek's monetary offer was quite generous and equivalent to around 80% of what an adult *juhas* would be paid, but it was not enough. What proved especially tedious to the boys, he told us, was grazing the sheep throughout the day.

At the end of July of 2015, while driving down from his *bacówka* in Małe Pieniny, *baca* Kazek pointedly explained what he saw as the problem with *juhasi* today:

In the old days, the work of the *juhas* was totally different, the *juhas* was totally different... he took joy in the sheep, he would always do his best to see that the sheep were well fed, milked... (*a painful sigh*) And today, it is all just barely... there are no young people, there are no men with their own sheep. A guy who had fifty of his own sheep tended to them like two, otherwise... now you have to watch them, argue with them "tend to them so they will be full", to do this and to do that, and then when I'm not there... (*another painful sigh*).

Kazek's lament referred to the fact that until the 1980s, a *juhas* was typically also a *gazda*, a subsistence farmer and thus owner of a number of sheep, which would form the part of the *baca's* herd for the

summer. Such an arrangement was beneficial to both the *baca* and the *juhas-gazda*: the *juhas* would look after his own sheep during the summer season (while being paid for it by the *baca*). The *baca* could be sure that such a *juhas* would take care of all the sheep in the herd, as he would of his own. Furthermore, if a *juhas* owned his own sheep, he was also likely to understand the sheep's grazing habits, which helped maximise the amount of milk they produced. Such *juhasi* also had the basic knowledge of how to treat variety of sheep's ailments, including the common hoof inflammation (*kulawki*) and were able to catch the early signs that a sheep may be becoming sick. In contrast, contemporary *juhasi* without their own livestock are no longer stakeholders in the common herd and have become just salaried employees, whose interests are quite divergent from those of the *baca*. The well-being of the flock is no longer part of the utility which the *juhasi* seek to maximise. Other factors become of primary importance: money, cigarettes, alcohol (and the time to consume it), and getting away with as little work as possible. Thus, the key to successful hires appeared to be a vested interest in the outcome of the pastoral venture.

The second challenge - securing pastures

The second serious challenge pastoralists face is securing grazing land for their herds. Polish shepherds do not generally own the land they use for grazing, meaning that they must negotiate access and conditions of use with its owners, whether these be private farmers or public authorities. Unlike in Romania, where access to pastures is obtained through public tender organised by local mayoralities, or in Southern France, where the same is done by a communal syndicate (Constantin 2003), *bacas* must usually make these arrangements on an individual basis. As we detail below, however, their efforts are increasingly hampered by changes in land use due to an increasing de-population of local communities and competing land claims because of pressures on municipalities to diversify the local economic landscape (Heffner 2015). Their attempts to access pasture have also been impeded by a lack of awareness of the importance of having unhindered tracts of land to move flocks between pastures. In contrast to Spain and France, where there has been a partial push to reclaim the traditional use of drove roads (Manzano Baena and Casas 2010; Biber 2010), such traditional routes are now disappearing in Poland and transporting the herds by lorries is becoming increasingly common.

For shepherds wishing to access land in national parks and other protected areas, grazing comes to pass through special arrangements with the park administration or local government. While public

property may lie within the confines of national parks, Polish pastoralists do not have any formal or customary grazing right as is the case in Sweden for example (Eriksson 2011). Beyond the need to make agreements with public authorities, however, pastoralists face a rather unique set of challenges which come with grazing their animals in the national parks. As *baca* Stach complained:

The shepherds of old had no problems like we do, we are in the middle of the national park, dead trees everywhere, hard to turn not to see one, but we have to get wood from a private forest, because they won't let us have those [...] [The *bacówka*] is not some electric power plant that needs god knows how many cubic meters of wood a day, these are really small amounts, but they are a bit strange, the park people; they are a law unto themselves.

Baca Stach must purchase firewood from villagers down below which he then transports it to his hut using a horse. Being in the national park, *baca* Stach also engages in the previously mentioned *wypas kulturowy* or 'cultural grazing'. Apart from setting limitations on the number and type of livestock shepherds may graze, 'cultural grazing' requires them to use traditional utensils for making cheese, as well as to dress in traditional costume and speak in local dialect for the benefit of the park's visitors (Skawiński 2014).

Bacas who graze their flocks predominantly on privately owned land must deal with the fact that land in the mountains frequently has a complicated ownership structure. When grazing their herds near their domicile, they can usually arrange for the use of the land with each owner individually. As they move further afield from their home base, it becomes easier (and often necessary) to engage with some sort of an intermediary such as the *soltys* (village mayor). However, the fragmented nature of local agricultural plots means that sometimes, some owners are able to extract from the pastoralists an unfair premium. *Baca* Marek working in Spisz region explains:

It is all done without any formal lease agreement. We graze it, they get the subsidies and they get something from me too. [...] Sometimes someone makes problems and then you have to come to some agreement and if you can't then you have to fence this plot off, so the sheep will not wander in. [...] This year we had to cut off two pieces on that side [...] There, another owner wanted to cut a piece off too, but we managed to come to an agreement. [...] Those two plots fortunately don't block our passage, but we need two shepherds when we graze there, which is an additional cost for me: to send

an additional boy in, because one wouldn't be enough. One has to stand on one end, the other on the other to make sure the sheep don't wander in there.

The situation described by *bacha* Marek is the result of the historical system of partible inheritance in the Polish mountains which has created a great subdivision of land resulting in plots as small as 0.05, 0.10, or 0.15 ha (Bański and Stola 2002). This fragmentation is the result of individuals, over generations, inheriting ever-smaller pieces of land, which are then shared between subsequent heirs. For the *bacha*, not only does it mean that he has to talk to a lot of people to secure his seasonal pasture but he also has to make sure that, as he does so, he gives no offence to anyone, because anyone who feels slighted may not agree to the grazing of his land next year. Sometimes, the ownership of the required plots of land may be unresolved for years as their heirs do not claim them. There are also people who are simply unwilling to let their land be used. One reason could be a fear of dispossession that lingers on from the Communist times or some more general 'post-socialist mistrust in collective action' which also characterises Romania (Sutcliffe et al. 2013, 61).

Over the last 30 years, declining profitability has led to a general move away from agricultural production in Highland communities (Bański and Stola 2002). As a result there has been a significant change in the type of land that can now be utilised for pastures. Thirty years ago, the land close to the villages was used for agriculture and for grazing the cows. However, as the younger generation chooses jobs away from the villages or takes on occupations unconnected to agriculture, and older family members die, livestock is sold and the land close to the villages often lies fallow. As *bacha* Paweł from Beskid Żywiecki explained, with this new abundance of land close by, he would be able to graze his sheep in and around the village all year round. What induces him to take the trek up to the historical alpine pastures used for generations by his family is financial incentive. This comes from a regional programme *Owca Plus* (Sheep Plus) financed by the region of Silesia, aimed at revitalising the highland pastures in order to protect and restore their biological diversity. Depending on the weather, *bacha* Paweł takes his sheep up to graze on these *hale* (alpine pastures) for two to four weeks during the season.

Alongside the demise of agricultural production in Highland communities, the last 30 years have also seen the increasing development of rural areas. Since 1990, pastoralists have had to compete for land which can have other uses and their needs have most often not been taken into account as local councils try to attract investors. The majority of investment in the region is now directed at encouraging manufacturing and warehouse activities, rather than agricultural use of local

farmland (Heffner 2015). Probably, the most pernicious development has been the acquisition and building of the so called second homes by non-locals. These homes, whose owners often seek ecologically pure regions with picturesque landscapes, ironically cause the degradation of both. Frequently, they are a part of a strategy for local development, as they are thought to bring with them an influx of cash and employment opportunities for local businesses. However, as there are no firm guidelines aimed at protecting the landscapes or the environment, the result is often an encroachment of these new structures on the areas of great environmental and landscape value (Czarnecki and Heffner 2008).

Such new developments force the sheep to move near the tops of the mountains and spread out on the yet unoccupied plots, rather than travelling along the valley floor. They limit the pastures and hinder the movement of animals across the slopes, and their new owners may not look favourably on being disturbed by sheep or being left with sheep dung on their property afterwards (Figure 4). In 2017, one of the authors of this article accompanied the *juhasi* of *bacha* Jasiiek for a few days during the autumn *przepaski* - the grazing of the sheep around the village after they have come down from the higher pasture and have encountered a cluster of three such homes situated mid mountain. In this particular case, the houses were not yet sold. There was no grass for the sheep to graze in their immediate vicinity, so they grazed on the grass around the newly barren construction site. One of the *juhasi* used the water feature in front to give one of his dogs a surprise bath, while the other marvelled at a custom-built tree house that went with the property. After exploring the empty properties, the *juhasi* retreated back up to the mountain to cross the stream.

The third challenge - accessing markets

On the face of it, the market for the primary products of Polish pastoralists - fresh, fermented, and/or smoked sheep's cheeses for domestic consumers and spring lambs for export - appears healthy. The production and sale of unpasteurised cheeses were legalised in 2002 under the so-called Kalinowski decree, opening the retail market to Highland shepherds. Furthermore, Polish membership in the European Union since 2004 has offered pastoralists the opportunity to apply for trademark protection under the European Commission's geographical indicator scheme. To date, Polish pastoralists have obtained the Protected Designation of Origin indicator for three traditional Highland cheeses: *bryndza podhalańska* (in 2007), *redykołka* (in 2009), and *oscypek* (in 2008). Furthermore, since 2010, they have been able to take advantage of the possibility of producing and selling cow's milk cheeses during the winter months under a



Figure 4 'Second homes' situated mid-slope above Ochotnica Górna

government directive aimed at accommodating 'local, marginal and limited activity' (MOL). This directive allows for the relaxation of selected hygiene rules for the production of cheeses using traditional methods and allows producers to market their goods through commercial retailers within their administrative region. However, while the legislation surrounding the production and sale of traditional pastoral foods appears supportive, fieldwork revealed that many Highland shepherds suffer from a lack of adequate commercial infrastructure to access the wider Polish market. The seasonality of pastoral production, lack of adequate storage facilities, and transportation all mean that sales are limited in terms of numbers and geographical reach. These challenges mean that the single most important factor for their commercial success remains the location of their enterprise.

A *baca* can legally sell his products directly to the customer at his *bacówka*. *Baca* Adam, whose *bacówka* near Babia Góra we visited one day in late September 2015, is an extreme example from one end of the spectrum of the location desirability. We had directions that were not as precise as we might have wished and we spent some time in the fields and forests wondering if we were choosing the right direction every time the road bifurcated. Eventually, the dirt road turned so muddy that we left the car by the roadside and continued on foot. *Baca* Adam was quite surprised to see us as he does not usually get many visitors, especially on rainy

days. Asked to whom he sells his product, being so far away, he had this to say: "Here, to the locals, and also to the co-op. It was really problematic in the beginning. Nobody wants to come out to the forest, unless the weather is good and they really want to eat *oscypek*". On the other extreme are the *bacówki* situated close to roads or busy tourist paths, like the *bacówka* located in the Pieniny National Park which benefits from a steady customer base of park visitors. This shepherd's hut lies on the main path into the park, just five minutes away from the entrance. Here, the shepherds not only sell a range of different cheeses but can also sell *żentyca* - whey, the by-product of cheese production - to passing tourists. Shepherds in other locations will generally give this away to anyone who wishes to have it, or feed their pigs and dogs with it and throw away the excess.

While there are still tourists that can walk for hours up a mountain path to reach a *bacówka* where they can buy an authentic product, and enjoy a more authentic overall experience of pastoralism, they are a relatively rare breed. The majority of customers are simply interested in purchasing cheese and are unwilling to travel that far or even to walk anywhere at all. As *baca* Mietek told us, 30 years ago, it would have been possible to have his *bacówka* towards the top of the slope of the pasture that stretches from the dirt road to the nearest ridge. However, most customers want to be able to drive up right up to the *bacówka* and not to get their city shoes

dirty. Consequently, his shepherd's hut is right next to the dirt road at the bottom of the pasture. Indeed, to be able to sell their product, many *bacas* construct a second, mock *bacówka* in some roadside location, which serves only as the shop for selling the product (Figure 5).

Other *bacas* are somewhere in between these two extremes, and those in more difficult locations try to develop their own, more profitable channels of distribution. *Baca* Kazek sells all his product directly to private customers, who keep returning and spreading good word of mouth. Sometimes, the *bacas* move the product between themselves. *Baca* Jasiak who has more favourable tourist accessible location during the holiday season sometimes sells the products of *baca* Antek, whose location is more difficult to access. But such an arrangement requires a great deal of trust and confidence in the other party's product, because reputation once lost may never be recovered, or as *baca* Kazek's son succinctly put, "it is not a difficult trick to fuck up one's reputation once and for all".

The situation in this respect is in line with Romania where also finding and keeping one's own clientele is an important part of doing business (Constantin 2003). A number of pastoralists also sell their cheeses through the producers' cooperative *Gazdowie* which was established in 2007. The organisation attempts to help the *bacas* meet the challenges of the market by trying to raise the public's awareness of pastoralist products (especially cheeses) and their special qualities and health benefits and by buying the excess product in peak season and storing it in cold rooms until it can be sold when the cheese production dwindles towards the season's end.

Often times, however, this type of distribution is not enough to sell all of his product. If he wants to distribute it further afield, he has to become a businessman and fall under another set regulation as well as bear the additional costs which include registering his business with its associated monthly costs, keeping records, and doing or paying for bookkeeping. Frequently, this business part of the pastoral



Figure 5 A *bacówka* anywhere further up this slope would be too far for today's customer says *baca* Mietek

enterprise is taken up by the *baca's* wife. In this way, according to Polish law, the *baca* is the sheep breeder and farmer, while his wife is a businesswoman who markets and retails the product further afield (the law permits the *bacas* to sell directly to customers but not to the shops). This type of division of labour between men and women is quite common and can be attributed to the way things were historically divided, where the men would stay in the mountains with the sheep and the women would sell the cheeses in the nearby markets. This is similar to what may be found in Romania, where the wives of the herders sell their cheese, fighting over the best spots with local traders on the markets in Bucharest and elsewhere (Constantin 2003, 69–70).

The fourth challenge - the policy environment

On one visit to *baca* Jasiiek, he described to us what he saw as the difference between how the pastoral enterprise was arranged once and how the contemporary agricultural policies hamper this customary way of doing things:

The most difficult thing is that the profession of shepherd isn't defined in any legal documents in Poland, not anywhere. By law we are just ordinary animal breeders and farmers and we are not pastoralists, we do not conduct our business as the traditional *szalas* co-op. Because years ago the *szalas* meant the co-op. It wasn't like today, when *szalas* means the physical hut. There was the *baca*, who was responsible for organising this co-op, but there were other stakeholders in it too: people who had cows and who had sheep and those who had the pastures. And that's the *szalas*, this group. We try to restore it and we almost manage to do it in a traditional way.

The final set of challenges faced by Polish pastoralists is of a bureaucratic and administrative nature. As *baca* Jasiiek pointed out, not only is the pastoralist activity not recognised and therefore not facilitated under current Polish law but also pastoralists have to work around the regulations that were created for agriculturalists. In the worst-case scenario, they find new legislation imposed on them by the government. As detailed above, government policies historically worked to restrict and control pastoralists, both with regard to the transhumant migrations and its cultural and commercial aspects. More recently, successive post-1989 Polish governments have expressed their support for pastoral agriculture. Yet, despite a lot of lip service on the part of officials, the actual policies

implemented do not reflect those lofty declarations, with a special disconnection occurring between the actions and policies of the ministries of agriculture and environment. Ironically, it is the latter which is more receptive of the two to pastoralists' needs as they coincide with the goals of the active protection of landscapes and rare species habitats. To the Ministry of Agriculture, however, pastoralists are simply regular farmers upon whom great bureaucratic and reporting burdens are placed.

At the end of the 2016 grazing season, *baca* Jasiiek pointed out that the strict enforcement of all the existing rules could easily put an end to all pastoralist activities. He told us he had put forward a number of questions to an official from the regional government (Urząd Marszałkowski), which were left unanswered. They were the following: are the activities at *bacówkas* even legal from the strictly statutory point of view? Should the collecting of the sheep from different owners be considered under the registration of animal movement rules, and the moving of the herd around different pastures, under animal migration rules? If that were the case, he remarked, there would be no time for him to do any physical work because he would have to spend all his time doing the paperwork. *Baca* Jasiiek was thus publicly pointing out the grey area in which the Polish pastoralists have been forced to operate, by virtue of not having the formal recognition of their status by the government.

It can be said that there have been no administrative measures in the agricultural policy-making in Poland aimed at helping the pastoralists, since the abolition of the Wallachian law. Not only there is no support in law for these communal practices, but there is a general feeling amongst its practitioners that the auditing processes the Polish state has put in place are divorced from the physical reality of the pastoral enterprise itself. Controllers sent in to check pastoralists' eligibility for subsidies and certifications are frequently not at all interested in seeing the actual sheep, choosing instead to pour over every detail of the paperwork for them. Consequently, *bacas* feel they are not evaluated on their essence of being head shepherds, but tested on some different bureaucratic level, by people who have no practical knowledge. This is how *baca* Paweł described the process of obtaining European certification for his *oscypek* cheese:

So, a guy comes from the city of Katowice, who maybe was in a *bacówka* before or maybe he wasn't, and he comes to certify me! People, where are we? At least the guy honestly admitted [his lack of knowledge]. So, I say to him, 'there at least try it,

here, hold this *oscypek* in your hand. To which he said, 'better not', if I, the lowlander, should touch it, the lightning might strike the *bacówka*. At least he was an honest guy. But he didn't have the faintest idea about the *bacówka*, yet they sent him to have me certified! And he spent the whole day here, and he was paid for that. He watched how the milking is done, what the production process looks like, and so on. He was here from dusk till dawn, he was here to witness the whole process: milking, cheese making, the lot. But how did he know if I was doing things right or not if he was so clueless himself? *[laughs]*

Shepherds complain about the amount of paperwork required to graze, milk, and slaughter their sheep, as well as the cost of constant hygiene and food safety controls. As *baca* Kohut lamented:

Out of farmers, they turn us into bureaucrats. We spend more time on paperwork, and the audit is not about going into the field and checking if things are done right. They look into the paperwork. This is crazy. Did you go and check? No, because here, the calculations in the paperwork have to agree.

The ever-tightening bureaucratic authority can have unfortunate results. Rules can be imposed from above, without consultation and without taking account of the specifics of pastoral enterprise. This happened in 2015 when new rules for livestock subsidies were passed (Sejmu 2015). While the *bacas* were previously able to make claims for sheep alive on the 20th of May, the period that sheep now have to be 'kept' in the herd has been elongated to 20th of November, with the rules for goats and cows left unaffected. This means shepherds will not be able to submit claims for any sheep who fall, ill, die, or are lost to wolves over the summer. It also means that the sheep cannot be slaughtered before the November deadline - by which time the ewes are two months pregnant. The new rules thus have financial and ethical consequences for pastoralists: until now, any sheep which were deemed unfit for another season would be slaughtered in early autumn. As *baca* Stasiak summed it up: *serce się kraje* (literally 'the heart slices itself up') as you pull out lamb foetuses out of a dead ewe.

Conclusions

In this article, we have sought to throw light on the major challenges faced by Polish pastoralists today. Drawing on recent fieldwork in the Polish

Carpathians, we have shown how shepherds face difficulties in recruiting and training labour and gaining access to adequate pasture. These challenges, we argue, are the legacy of major systemic changes which coincided with, or were the result of, post-1989 socio-economic and political reforms. Firstly, a low economic conjuncture for wool and meat in the early 1990s caused a decline in herd sizes and working shepherds, resulting in a break in the inter-generational transmission of pastoral knowledge and a rapidly ageing workforce. Secondly, the post-Communist marketization of Polish society ushered in profound changes in land-use and rural development policies which has created competition for land and access to pasture, as well as driving up the opportunity cost of labour. The dismantling of the planned economy likewise loosened the ties between shepherds and industrial dairies in the region, requiring pastoralists to establish themselves in the market without any serious commercial infrastructure. In addition, we have highlighted how an inconsistent application of the principles driving support for HNV farming by Polish policy-makers continues to obstruct successful pastoral enterprise. In order to take advantage of available funding, some pastoralists actively participate in biodiversity and environmental conservation projects, re-branding themselves as suppliers of environmental and ecosystem services. However, the Polish state continues to create a unified agricultural policy which does not differentiate between the conditions and needs of lowland producers of livestock and highland pastoral enterprise. This leads to the implementation of legislation which may be directly detrimental to traditional forms of pastoralism in the region.

In the light of a weakening of support for HNV in the new 2014 to 2020 CAP provisions, the pervasive nature of these challenges makes the future direction of Polish pastoralism uncertain. Recent developments have been both encouraging, such as the establishment of significant new sheep grazing areas in the national landscape parks in Małopolska in 2016, and discouraging, such as the aforementioned move of the cut-off date payment of for livestock subsidies from May to November in 2015. While the authors of this article remain cautiously optimistic, we recommend that lessons from elsewhere in Europe be applied to the Polish context in order to preserve the cultural and environmental value of local pastoral traditions. First of all, we recommend serious steps be made to facilitate meaningful dialogue between pastoralists and policy-makers. In the UK, for example, shepherds have been developing a consultative process which adequately addresses the problems of the uplands

(Short and Dwyer 2012). As a result, commons culture has been revived because environmental schemes require a committee of rights holders (*ibid.*). Furthermore, we suggest that further effort be made by local, regional, and national authorities - as well as shepherds themselves - to link the public perception of pastoralism with environmental and social values such as notions of tradition and quality, independence, freedom, and being one with nature. This aspect of emotional attachment is not to be undervalued as it has been shown to be an important factor for the survival of pastoral activities elsewhere in Europe: Hadjigeorgiou (2011), for example, argues that in Greece, the future of the sector appears relatively secure since its products and their quality are associated with Greek cultural roots. In Poland, a similar positive effect could be achieved through the creation of stronger markets for traditional, certified pastoral products, as well as strengthening of synergies between heritage, environmental protection, and tourism through the support of eco- and agro-tourism in the Carpathian.

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