

Understanding community conservation in Europe

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Common property in the Eastern Alps and the challenge of managing the “Regole” in modern times

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The topic of the areas and territories conserved by local communities and indigenous peoples (“ICCAs”) is denominated common property or collective ownership (*proprietà collettiva*) in Italy, those diverse forms of rural land organization created centuries ago by the small local communities to manage resources, mainly pasture land and forests, together.

In the Middle Ages and in Modern Era Europe, common property was widespread throughout the rural world, finding ways to exercise rights on land that were tightly associated to the lifestyle of the small rural and mountain communities. This tradition underwent a period of crisis after the creation of the national States, but then endured and changed in the course of the XIX century. They really only started disappearing in the Twentieth century, replaced by public bodies or the division of land among private parties, often through illegal occupation or usurpation.

Urbanization, or the progressive abandonment of the countryside, contributed to the loss of this cultural heritage, often forgotten by the heirs of those people who had worked so hard to preserve them.

Common property is a practically unknown concept to most people today, a way of living the land that seems to no longer have anything interesting to say. There is not a lot of historical or juridical research being carried out on common property in universities either, this form being mostly abandoned in modern times among the wreckage left behind by history, almost completely gone.

This brief introduction will try to prove that there are still existing and vital forms of collective ownership in Italy, not just in communities living at the margins of modernization but also present in communities integrated with contemporary life, that they have found ways to survive with. Although there are many such examples spread throughout the Italian peninsula, we will be focusing on the Eastern Alps, on the regions of Trentino and Veneto.

Most of the information we have today about these Italian collective forms was generated by a newfound interest that the people managing this land showed in the past decade, prompted and stimulated by the academic world and in particular by the University of Trento (prof. Pietro Nervi): learning more about each other’s existence and moving beyond the more scientific aspects of this phenomenon led many of those concerned to regulate themselves through the *Consulta Nazionale della Proprietà Collettiva* (the National Council of Collective Ownership).

This federal association has the aim of promoting a free exchange of information and support among the different Italian models, getting the general public and the involved parties to learn more, in a network that today groups approximately 600 common properties in 12 regions. It is thus a still-present and quite thriving organization in Italy, even if it is not well known outside of these communities.

The form of common property that we will be analyzing is called “*Regole*” (in Italian the word “*regola*” means rule), mostly spread throughout the alps of the Veneto region and in some valleys of Trentino.

The communities of the *Regole* live in mountain areas that are strongly focused on tourism, where the pressure of urban society transformed many towns, leading them to abandon farming to work in the hospitality sector, in winter sports facilities and commerce.

In many alpine valleys, this led to the obliteration of the typical heritage of common property, which is mainly tied to the management of grazing land and forest land: a community of hoteliers

and ski teachers easily forgets the traditions of their fathers, finding an easier and more profitable way of life in the contemporary market, a more stimulating existence than the one offered by rural customs.

Some examples of communities of the so-called *Regolieri* that we will briefly mention have however survived, first and foremost the *Regole* of Spinale and Manez in Western Trentino, that manage large forests and mountain pastures on the Brenta group. The small community that owns these areas was capable of preserving the collective ownership of this land, partially using it for tourism and thus yielding economic resources that the community can re-invest to benefit its members. This form of land management is centralized and based on corporate principles; the community lives in small towns far from the land and is not directly related to it.

Another example is the Magnificent Community of Fiemme and the Feudal *Regola* of Predazzo, located in Eastern Trentino: this is also an area of alpine valleys covered by large forests, whose management is in the expert hands of companies purposely created by the collective ownership through a mindful exploitation of the forestland that balances the economic aspects with the environmental and landscape-related aspects. Here the management is centralized too and the community participates in the life of the *Regola* mostly when elections for elective offices take place.

In the Dolomites of the Veneto region there are many other *Regole*, some with a history and a consolidated experience and others that were created more recently.

The *Regole* of Cortina d'Ampezzo are a well-known example of common property. This community was able to preserve and enhance the value of the forest and grazing land despite being situated in an extremely tourism-oriented valley where speculative pressure in the past 60 years has completely changed the urban layout making Cortina one of the most prohibitive areas for real estate in Italy.

The local community has however maintained a sense of preservation of the land, managing to find a good balance between the landscape, the environment and tourism. For more than twenty years now this management philosophy has been supported by the direct and independent administration of a natural park that the Veneto region created on a part of the land belonging to the *Regola*.

The Dolomites of the Veneto region have been included in collective ownership since the Middle Ages, an autonomous and democratic form of government of the land that was defended throughout the centuries, even in times of war and during different reigns. An example of this virtuosity was the so-called "*Statuto Cadorino*" (Statute of Cadore) of 1338, a collection of civil and penal laws that the community of Cadore wrote independently and with a democratic spirit in a time when freedom was much more limited than it is nowadays.

What wasn't changed in the following centuries by wars and Napoleon's reforms, later adopted by the Italian State, was changed with the new industrialized economy, which led many to abandon the mountains in search of work in the Pianura Padana or abroad. Cadore thus became a land of migrants that, upon leaving their homeland, also left their customs and the cultural heritage of the *Regola* that they had developed over the centuries behind. The *Regole* of Cadore gradually disappeared and the municipal administrations started managing the communities, as in the rest of the country.

A turnaround of this trend took place in the Nineties thanks to the farseeing activity of those *Regole* that still survived: through precise paragraphs of the Italian national Law on mountains of 1994 and the approval of a specific regional law in 1996, the *Regole* of the Veneto region experienced a resurrection and were acknowledged by the state as organizations capable of self-discipline, autonomous management and territorial conservation.

These acknowledgements gave a second wind to those communities that were once regulated by the *Regole*, but that had disappeared for decades. After 1996 various committees were created leading to the revival of the ancient *Regole* with a modern outlook. The creation of a regional section of the Committee of Common Property in 2007 led to a speedy aggregation of almost all these new bodies, together with the *Regole* of Cortina d'Ampezzo and the *Regole* of Comelico, that had never ceased to exist.

If we ask ourselves why we are experiencing the rebirth of ancient ways to manage the territory in a society that sees land as an element to be exploited for individual economical reasons, the answer can be found in the sense of self-government that still survives in small mountain communities, where the memory of their roots has not yet completely vanished. Now that the government bodies have proven they were not effective in managing resources, and given the threat of the greater economical powers that have a way of “stealing” local resources, the small communities hope that the resurgence of an ancient system based on direct democracy can be the basis for a new development model of mountain regions.

These words may sound familiar and perhaps rhetorical, they may clash with the reality of an economic crisis in towns that had placed their trust in the tourism industry, the abandonment of the less interesting areas from a tourist standpoint and an ever-growing push towards consumption in those towns that already experienced the surge of residential real estate linked to tourism.

How can collective ownership survive in a human society that already marginalized and abandoned them several decades ago?

The answer can be found analyzing the virtuous examples of collective ownership mentioned above, or in these communities’ capability of surviving on the market and in contemporary society. In all honesty, collective ownership has always had an economic basis, it has always been a way of administering a territory whose aim was to guarantee the survival of the single components of the community.

Keeping this connection between the community’s wellbeing and the management of natural resources, finding new ways to use the land that guarantee its conservation, is the key to the effectiveness of some Italian common properties, whose purpose is the preservation of the territory’s integrity as a fundamental requirement for the operation of the tourism industry.

If anything, the effect is nonetheless virtuous and positive because it allows a long-term conservation of the land and of a habitat, reasons that are sufficient to study the model of the *Regole* as one of the measures for governance of natural and semi natural territories.

The recent placement of the Dolomites as a UNESCO world heritage site can be a way to highlight the role of common property in the alpine area: the *Regole* of the Veneto region have already asked to be granted a leading role in the management of the promotion linked to the world heritage.

Finally, the tight relation existing between common property and a community’s economy and the consent that a community has to spontaneously lend to the management style of common property for it to thrive over time is evident: laws and regulations are not sufficient, the community itself has commit itself to preserving the collective heritage, otherwise it will vanish like almost everywhere else.

According to the author, these relicts of an almost-outdated world still have a lot to say, even more so if they are interpreted as civilization models to be projected towards the future, to be preserved beyond the present global market society that – despite the appearances – suggests models for living and of relating with the land that are not sustainable.

We do not know how the human race will develop in the coming decades, so we can only try to keep these ancient forms of symbiosis between man and land alive, to turn them into models to imitate, elements to make us think and examples to be follow by those who will come after us.

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