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**COMMON PROPERTY REGIMES (*REGOLE*) IN THE VENETO REGION (ITALY):  
institutional linkages with Municipalities in the integrated forest landscape management**

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# Summary

Forest and pasture Commons are a shared trait of Alpine rural areas, with a total coverage of 1,668,851 hectares, i.e. almost 10% of the total agricultural area of the country (Istat, 2012).

Particularly in the Italian Eastern Alps, forest Common Properties have a long-lasting tradition. Mostly called *'Regole'* (singular: *'Regola'*), these were relevant institutions in the past, superintending to all aspects of community life and acting as essential regulator of natural resources use.

Since 19<sup>th</sup> century the Italian common lands have come under relevant attack by central State authorities, that considered them an anachronistic remaining of a feudal past, and unable to promote technological and economic development in the agriculture and forest sectors. Only since mid of 20<sup>th</sup> century, various national legislative initiatives have progressively returned power to Common Properties. Taking cue from this new climate of supporting legislation, the Veneto Region (north-eastern Italy – i.e. the selected case study area for this thesis research) was first in line in the policy process of recognition of the collective role in managing the regional forest landscapes and in fostering the rural development of mountainous territories.

Indeed, Common Properties have a long-standing tradition in the Veneto Region and were tenacious opponents of the fascist attempts to dismantle them. In 2012, Veneto counted 53 Common Properties, almost all of them located in the mountainous province of Belluno. Moreover, 17 Common Properties have been re-constituted since 1996 (Gatto *et al.*, 2012), i.e. since the enactment of a regional law in support of common property regime reconstitution. Where reconstitution processes were successful – or where they are likely to be completed in the near future – a radical change is on the way in the ownership structure of forest landscapes, with large forest and pasture assets shifting from public property regimes to common property regimes, with *'close'* membership.

Most of the existing bibliographic resources dealing with the Italian common domain limit their analyses to the historical vicissitudes that common lands passed through, or analyse legal issues in technical terms, or debate about some internal

Common Property governance and policy issues (e.g. gender balance, intergenerational renovation, need for statute renovation, etc.). Contrarily, very few published works assessed whether and how the internal Common Property dynamics also relate to and influence both the socio-economic and the institutional environments of the whole local mountain communities of residents, administratively identifiable with Municipalities, that *Regole* belong to.

Meaningfully, Municipalities still exert an overarching administrative control and planning functions over the lands comprised within their boundaries, common lands included. The *ratio* for such a prescription emerges out of the fact that Municipalities represent the entire resident population of communities, as the local residents include both members and non-members of local Common Properties. Then, municipal policy decisions should be informed by broad territorial vision that goes beyond sectorial interests, e.g. forest management, in order to ensure a territorial development as most comprehensive as possible.

Nevertheless, it seems that the recent, fast-paced process of re-constitution of Common Properties has the potential to create or increase institutional tensions at the local level, especially due to the new need to coordinate management rights and responsibilities between Common Properties and Municipalities. Florian (2004) reported that in some cases heavy legal disputes and institutional contrasts with local Municipalities were absorbing many available economic and administrative energies of the newly-reconstituted Common Properties. Carestiato (2008) pointed out a similar situation. Hampel (2012) implicitly suggested that nowadays a sort of 'feeling of power and individual property' over common resources by some right-holders might have negative consequences on the social environment that *Regole* are embedded within. Still nowadays, there are hints of disparate administrative and legal issues still pending among these institutions, insomuch to hinder remarkably the implementation or the achievement of integrated territorial development strategies.

For the reasons above, the Veneto Region represents an interesting case to assess the capacity for polycentric governance of forest resources between Municipalities and Common Properties. In the light of the new challenges and opportunities that *Regole* are called to face and cope with, among which the ongoing institutional reforms (Gatto



*et al.*, 2012) and deep societal and demographic changes (Steinicke *et al.*, 2014), two main research objectives have been identified.

Firstly, the thesis aims to describe and assess the institutional patterns which the institutional relationships between Common Properties and Municipalities are based on, trying to evaluate their mutual degree of cooperation in their own and interdependent statutory competences.

The second objective corresponds to the evaluation of whether, and to what extent, the regional Common Properties give concrete answers to the aims and prescriptions that the Regional law entrusted them with, i.e. forest landscape management and protection and socio-economic development of rural mountain areas.

Research activities have been modulated in three different phases. A prevailing qualitative methodological approach has been knowingly selected.

After a broad literature review, in the first step of the field data collection, face-to-face interviews have been carried out among the institutional representatives (e.g. Majors, Aldermen, Councillors, etc.) of those Municipalities including *Regole* within their administrative boundaries. It has been made use of a simple but effective data collection procedure and instrument, i.e. a structured survey questionnaire containing both closed and open-ended responses, allowing for analysis across respondents from organizations of the same category at similar administrative levels. Respondents have been asked to provide information on the institutional communication patterns characterising their relationship with local Common Properties. They were also inquired so to reveal their own perception about the Common Property capability to effectively stimulate the socio-economic development of mountain areas and proactively pursue a sound forest management.

In the second phase, taking advantage of a secondary data analysis and through descriptive statistics techniques, the common and municipal attitude towards the active provision of environmental services have been compared. Particularly, a set of environmental services others than wood has been selected, i.e. biodiversity protection, carbon storage, soil protection and water quality regulation, tourism promotion and support to recreational activities. It has been assessed whether Common Properties and Municipalities explicitly considered such environmental

services among their current multi-functional forest management practices. The assigned priority to the supply of the environmental services was also tested, analysing whether they consider such provision as a primary or secondary forest management objective. Finally, respondents declaring no or secondary commitment to the supply of one or more environmental services were asked to indicate under which conditions they would be potentially interested in strengthening such proactive provision.

In the third research step, a new set of interviews has been carried out to check and compare municipal representatives' opinions with common representatives' ones. So, face-to-face interviews have been carried out among common representatives of those Common Properties located in the same areas where the parallel survey had been conducted among Municipalities. Again, the collaborative mechanisms and the institutional linkages horizontally linking Common Properties with Municipalities have been explored, along with their self-evaluation on their own management options and outputs.

An informed viewpoint is therefore discussed, disclosing whether cooperative institutional relationships among Common Properties and Municipalities prevail and their mutual institutional tensions can be considered sporadic, or deeper and chronic issues affect them. Prerequisites and conditions best facilitating the establishment of fruitful relationships between these two entities are also described. Moreover, it is discussed whether the ongoing regional attempts at reconciliation between public policies and collective strategies is likely to result in higher levels of synergies also through a socio-economic lens. Results suggest that Municipalities remain the primary institutional reference point for mountain territories, and they continue to play a central role in regulation of local-level socio-economic dynamics. Usually, institutional tensions occur when the presumption that Common Properties have nothing to do with Municipalities prevail (and *vice versa*), although both these institutions play a role in managing overlapping territories. From a social perspective, it seems also recommendable that right-holders conceive Common Properties more as essential tools to ensure the involvement of right-holders in the local policy processes, rather than as a mere legal acknowledgement of ancient property rights. Nowadays, an excessive closure could even threaten the same survival of some Common Properties,

shifted from struggling against the so-called past 'enclosure of Commons' to the opposite situation, i.e. the risk to downgrade to 'common enclosures'.

Informal relationships among municipal and common representatives have been found to play a relevant role in maintaining the institutional contacts between these bodies vital and properly working. Nonetheless, mechanisms to enforce stable, robust and enduring cooperation (e.g. joint declarations of interest, procedural and/or economic memoranda and agreements, etc.) are worthwhile. In this way, it would be possible also to overcome and prevent personal contrasts that negatively and heavily affect the institutional relationships.

Finally, it is comprehensively argued whether or not the outcomes of the re-assignment of former municipal forests to Common Properties can be considered positive in terms of improved forest management practices and environmental services supply. A general consensus has been found, that forest management has improved since Common Properties newly gained control over local forest resources, probably because it represents their statutory and vocational core business. Particularly, the re-establishment of 'new' Common Properties may reinforce the main provisioning services. However, the dichotomy 'Common Properties focussed on market-based activities (i.e. wood harvesting) vs. Municipalities focussed on provision of environmental services' does not seem appropriate.



## Riassunto

Gli assetti fondiari collettivi forestali e agricoli rappresentano un aspetto tipico e diffuso delle aree rurali, in particolar modo alpine, per una estensione complessiva di 1.668.851 ha, pari quasi al 10% della complessiva superficie agraria italiana (Istat, 2012).

In particolare nelle Alpi dell'Italia orientale, le Proprietà Collettive vantano una lunga tradizione: principalmente chiamate `Regole`, esse in passato si configuravano come rilevanti istituzioni territoriali, sovrintendendo e agendo da essenziali regolatori dell'uso delle risorse naturali.

A partire dal XIX secolo, gli assetti fondiari collettivi italiani hanno subito l'attacco delle autorità centrali statali, che li consideravano anacronistiche rimanenze di un passato feudale ed incapaci di promuovere lo sviluppo tecnologico ed economico del settore forestale. Solo dalla metà del XX secolo varie iniziative legislative hanno progressivamente restituito titolarità istituzionale alle Proprietà Collettive. Nel solco di questo nuovo clima legislativo favorevole, la Regione del Veneto fu in prima linea nel processo politico di rinnovato riconoscimento del ruolo collettivo nella protezione ambientale e di gestione dei paesaggi forestali. Inoltre, la Regione del Veneto (Italia nord-orientale) – ossia l'area di studio selezionata ai fini del presente lavoro di ricerca – si pose in prima linea nel processo politico di nuovo riconoscimento di tale ruolo collettivo nel gestire i paesaggi forestali regionali e nel dare impulso e sostegno allo sviluppo rurale dei territori montani.

Le Proprietà Collettive `chiuse` vantano una lunga tradizione nella Regione del Veneto, e furono tenaci oppositrici del tentativo legislativo fascista mirato alla loro soppressione. Nel 2012, il Veneto contava 53 Proprietà Collettive, quasi tutte situate nella provincia montana di Belluno. Inoltre, 17 *Regole* erano state ricostituite dal 1996 e fino al 2012, cioè a partire dal varo di una legge regionale a supporto della loro ricostituzione. Laddove i processi di ricostituzione hanno avuto successo – così come dove è probabile che essi giungano a compimento nel breve periodo – si è verificato un cambio radicale nella struttura della proprietà terriera, con ampie superfici boschive e

pascolive passate dal controllo e dalla proprietà pubblica a quella collettiva, caratterizzata da criteri di accesso e *membership* spesso più restrittivi.

La maggior parte delle risorse bibliografiche esistenti in tema di assetti fondiari collettivi limita le proprie analisi alle vicissitudini storiche attraversate dalle Proprietà Collettive, oppure analizzano questioni legali in termini tecnicistici, o approfondiscono alcune dinamiche di *governance* e di *policy* interne alle Proprietà Collettive (ad esempio, la parità di genere, il ricambio intergenerazionale, la necessità di revisione degli Statuti, ecc.). Al contrario, davvero poche pubblicazioni hanno analizzato se, e come, le dinamiche interne alle Proprietà Collettive siano in grado di influenzare l'ambiente socio-economico ed istituzionale delle intere comunità locali, amministrativamente identificabili nei Comuni, a cui le Regole appartengono.

Significativamente, i Comuni esercitano ancora un controllo sovraordinato e complessivo dei territori ricompresi all'interno dei loro confini amministrativi, inclusi gli assetti fondiari collettivi. La *ratio* di una simile prescrizione scaturisce dal fatto che i Comuni rappresentano l'intera popolazione, residente e non, dal momento che sia regolieri (titolari di diritti collettivi) sia non-regolieri costituiscono la cittadinanza locale. Inoltre, le politiche municipali dovrebbe conformarsi ed essere ispirate da visioni ampie che superano largamente interessi specifici e di settore, quale ad esempio la sola gestione forestale, in modo da assicurare uno sviluppo del territorio quanto più comprensivo ed inclusivo possibile.

Tuttavia, sembra che il recente e repentino processo di ricostituzione delle Proprietà Collettive abbia il potenziale per creare o aumentare alcune tensioni istituzionali a livello locale, specialmente in ragione della nuova esigenza che Comuni e Proprietà Collettive coordinino i propri diritti e le proprie responsabilità in termini di gestione del patrimonio. Nel 2004, Florian osservò come, in alcuni casi, pesanti dispute legali e contrasti istituzionali con le municipalità locali stessero assorbendo molte delle energie economiche ed amministrative disponibili delle neo-ricostituite Proprietà Collettive. Carestato (2008) osservò una situazione simile. Hampel (2012) suggerì implicitamente che, oggigiorno, una sorta di `sentimento di potere e di proprietà individuale' applicato agli assetti fondiari collettivi da parte dei regolieri potrebbe avere conseguenze negative sull'ambiente sociale in cui le Regole sono inserite. Ancora oggi, vi sono indizi di disparati problemi e contenziosi legali e amministrativi ancora

pendenti, tanto da ostacolare la realizzazione o il raggiungimento di strategie di sviluppo territoriale integrato.

Per le ragioni in premessa, la Regione del Veneto rappresenta un caso interessante per esplorare la capacità di *governance* delle risorse forestali 'policentrica' tra Comuni e Proprietà Collettive. Alla luce dunque delle nuove sfide e opportunità con cui oggi le Regole sono chiamate a confrontarsi, tra cui le attuali riforme istituzionali (Gatto *et al.*, 2012) e profondi cambiamenti sociali e demografici (Steinicke *et al.*, 2014), sono stati identificati due obiettivi di ricerca principali.

Innanzitutto, il presente lavoro di tesi mira a descrivere e valutare i *pattern* istituzionali che caratterizzano e su cui si basano le relazioni istituzionali tra Comuni e Proprietà Collettive, provando sostanzialmente a valutare il grado di mutua e reciproca cooperazione in riferimento alle competenze statutarie, proprie ed interdipendenti, di queste istituzioni.

Il secondo obiettivo corrisponde ad una valutazione di come, e se, le Proprietà Collettive regionali diano risposta concreta agli obiettivi e alle prescrizioni assegnategli dalla legge, ossia la gestione e la protezione dei paesaggi forestali e lo sviluppo socio-economico delle aree montane.

Le attività di ricerca sono state modulate in tre fasi differenti. È stato scientemente adottato un approccio metodologico piuttosto qualitativo.

Nella prima fase, sono state condotte interviste tra i rappresentanti istituzionali (es. Sindaci, Assessori, Consiglieri, etc.) di quelle municipalità all'interno dei cui confini amministrativi insistono Regole. È stato fatto uso di procedure e strumenti di raccolta dati semplici ma efficaci, cioè un questionario strutturato che prevedeva risposte sia chiuse sia aperte, permettendo un'analisi di confronto tra diversi rispondenti, afferenti a diverse organizzazioni poste a pari livello amministrativo. Agli intervistati è stato chiesto di fornire informazioni ed evidenza dei *pattern* istituzionali che caratterizzano e su cui si basano le relazioni istituzionali tra il Comune e le Proprietà Collettive. Ad essi è stato anche chiesto quale sia la loro specifica percezione in merito alla capacità delle Proprietà Collettive di stimolare effettivamente lo sviluppo socio-economico delle aree montane, così come di perseguire una gestione forestale equilibrata e responsabile.

Nella seconda fase di ricerca, traendo vantaggio dall'analisi di dati già disponibili (analisi secondaria per mezzo di usuali tecniche di statistica descrittiva), è stata

comparata l'attitudine municipale e collettiva nell'erogazione proattiva di servizi ambientali. In particolare, è stato preso in considerazione il seguente *panel* di servizi ambientali, diversi dalla provvigione legnosa: protezione della biodiversità, accumulo di carbonio, protezione del suolo e regolazione della qualità delle acque, promozione turistica e supporto alle attività ricreative. È stato valutato se le Proprietà Collettive e i Comuni includessero esplicitamente tali servizi ambientali all'interno delle loro attuali pratiche di gestione integrata e multi-funzionale delle foreste. È stata anche testata la priorità assegnata a tali funzioni, analizzando se la loro erogazione fosse considerata di primaria o secondaria importanza. Infine, ai rispondenti con scarso o nullo interesse nell'erogazione proattiva di questi servizi ambientali è stato chiesto di indicare a quali condizioni sarebbero stati potenzialmente interessati a rafforzare il loro impegno in tal senso.

Nella terza fase di ricerca, è stata lanciata una nuova campagna di interviste per verificare e comparare le opinioni dei rappresentanti collettivi con quelle analoghe dei rappresentanti istituzionali municipali. Pertanto, le interviste faccia-a-faccia sono state condotte tra i rappresentanti di quelle Proprietà Collettive situate nelle stesse aree dove era stata condotta la prima fase d'indagine. Nuovamente, sono stati esplorati i meccanismi di collaborazione e le connessioni istituzionali che intercorrono 'orizzontalmente' tra Proprietà Collettive e Comuni, insieme all'autovalutazione dei rappresentanti regolieri circa le proprie opzioni e risultati di gestione forestale.

Vengono quindi presentate alcune considerazioni circa la prevalenza di relazioni istituzionali improntate alla cooperazione, e se le mutue tensioni e contrasti possano considerarsi sporadici, o se sussistano problemi più profondi e cronici. Vengono anche discussi i prerequisiti e le condizioni che meglio facilitano lo stabilirsi di relazioni proficue tra questi due Enti. Inoltre, viene discusso se è plausibile che gli attuali tentativi regionali di riconciliazione tra le politiche pubbliche e le strategie collettive possano risultare in più alti livelli di sinergia anche in un'ottica socio-economica più ampia rispetto al solo settore forestale.

I risultati suggeriscono che i Comuni siano ancora punti di riferimento istituzionali di prima importanza per i territori montani, e che continuino a giocare un ruolo centrale nella regolazione delle dinamiche socio-economiche a livello locale. Usualmente, si verificano contrasti e tensioni istituzionali quando prevale la



presunzione che le Proprietà Collettive non abbiano nulla a che spartire con i Comuni (e viceversa), sebbene entrambe queste istituzioni concorrano alla gestione dei medesimi territori. Adottando una prospettiva di natura sociale, sembra anche raccomandabile che i regolieri concepiscano le Proprietà Collettive più come strumenti fondamentali che assicurino il loro coinvolgimento nei processi decisionali e di politica locale, piuttosto che come mero riconoscimento di antichi diritti di proprietà. Oggigiorno, un'eccessiva chiusura delle comunità regoliere potrebbe finanche minacciare la sopravvivenza stessa delle Proprietà Collettive, passate in breve dall'opposizione alla riduzione degli assetti fondiari collettivi (*'Enclosure of Commons'*) ad una situazione opposta, ossia il rischio di regredire ad *'enclavi collettive'* (*'Common enclosures'*). È anche emerso come le relazioni di carattere informale tra i rappresentanti comunali e collettivi giochino un ruolo rilevante nel mantenimento di contatti istituzionali vitali e funzionanti tra questi enti. Nondimeno, meritano d'essere instaurati meccanismi stabili, duraturi e robusti di collaborazione (ad esempio, mediane dichiarazioni congiunte d'interesse, *memorandum*, accordi, ecc.). In questo modo, sarebbe anche possibile superare e prevenire i contrasti di natura personale, che tanto influenzano negativamente i rapporti istituzionali tra Comuni e *Regole*.

Infine, viene ampiamente dibattuto se i risultati della riassegnazione alle Proprietà Collettive di foreste precedentemente a gestione comunale possa considerarsi positiva in termini di miglioramento delle pratiche gestionali e di fornitura di servizi ambientali. È stato rinvenuto un ampio consenso circa il fatto che la gestione forestale sia migliorata da quando le Proprietà Collettive hanno ottenuto un rinnovato controllo delle risorse forestali locali, probabilmente perché la gestione forestale costituisce una loro finalità principe, ed un loro cardine statutario. In particolare, la ricostituzione di *'nuove'* Proprietà Collettive può rinforzare l'erogazione dei principali servizi di utilità generale. Per queste ragioni la dicotomia tra Proprietà Collettive focalizzate su attività di mercato (produzione legnosa) e Comuni concentrati sull'erogazione di servizi ambientali non sembra essere appropriata.



# 1. Introduction

This introductory chapter consists of three sub-chapters. In the first one, preliminary and basic concepts and definitions are recalled and described, as they directly or indirectly relate to the Commons theory *lato sensu*.

In the following section, information on Commons are provided through a historical lens. A specific focus is introduced too, either concerning the Italian common domain, and also Common Properties standing within the administrative boundaries of the Veneto Region (north-eastern Italy), i.e. the selected case study area for this thesis research work.

In the final section, a theoretical framework on the nested (institutional) polycentric systems is discussed, within a general overview on the new challenges and opportunities that nowadays the Italian Common Properties – and specifically those in the Veneto Region – have to face and cope with.

In Annex III some Author's written contributions are listed, that include further discussions on the contents presented in this thesis research monograph work.

## 1.1. Basic concepts and definitions

Samuelson (1954) was the first to define non-rivalry in consumption as a characteristic of public goods, describing it as a situation where each individual's consumption of one resource does not lead to any subtraction from the someone else's consumption possibility. He also indicated **rivalry in consumption** as a discriminating feature in the theoretical good classification. Rivalry obviously refers to the opposite situation, i.e. that one where each individual's consumption prevents the others' consumption, by 'subtracting' some resource portion: subtractability is therefore directly connected to rivalry.

Differently, Musgrave (1959) stated that goods can be categorized according to their **excludability**, i.e. the possibility to impede others' access to the resource. Table 1 shows the classic economic classification of goods, as a result of merging rivalry in consumption and excludability. Thus, by definition, common goods are characterized

by non-excludability and rivalry in consumption, the former feature being shared with public goods, whereas the latter with private ones.

**Table 1 – Classic economic classification of goods (categories).**

|                                   | <b>Excludability in consumption</b> | <b>Non-excludability in consumption</b> |
|-----------------------------------|-------------------------------------|---|
| <b>Rivalry in consumption</b>     | Private goods                       | Common goods                            |
| <b>Non-rivalry in consumption</b> | Club goods                          | Public goods                            |

Following this primary and fundamental categorization, common goods can be further classified, according to their nature, in tangible or intangible, material (also called natural) or immaterial, local or global, and limited, unlimited or renewable.

Scott (1954) firstly referred to ‘common-pools’ to indicate natural common goods. **Common-pool resources** therefore became synonymous with common goods.

Whereas the vast literature concerning common goods traditionally refers to natural of common-pool resources, e.g. fish shoals, forests and pastures, other key-subjects gradually increased their presence in such literature. Particularly, Bravo and De Moor (2008) noted that the environmental services recently began a new fundamental matter of discussion within this bibliographic *corpus*, such as biodiversity, air quality, water quality, soil erosion, etc.

Moreover, other new goods, facilities and services recently began to be further approached as common goods as well, being labelled as ‘**new Commons**’. Although this definition might reveal some ambiguities in distinguishing what good actually are common or public, it usually refers to technology-driven and human-made common-pool resources, e.g. Internet or genetic pools, according to the definition proposed during the 8th IASC (International Association for the Study of the Commons) Conference (Hess, 2000). Indeed, immaterial common resources, like knowledge and access to education, had ever been explicitly taken into account in the common-pool resource literature.

In her seminal work ‘*Governing the Commons*’, Elinor Ostrom (1990) defined **common-pool resources** as those natural or man-made resource systems that are sufficiently large as to make it costly (but not impossible) to exclude potential

beneficiaries from obtaining benefits from their use. Again, the non-excludability feature was there clearly recalled. Also man-made resource systems were included in the common good category, along with the natural resources *sensu stricto*. As but an example, a water basin could belong to the former case (natural resource), whereas an irrigation system to the latter (man-made resource system), but they still can be both considered common-pool resources. Moreover, the Author highlighted that, although exclusion is difficult or unlikely to happen, it still remains possible: for this reason, in the literature concerning common-pool resources, sometimes ‘low’ or ‘weak’ excludability are terms preferred to non-excludability.

Mosimane *et al.* (2012) indicated common-pool resources as those natural resources that, subject to joint-use forms, also support human well-being across multiple levels of social organization. Nonetheless, two other features add to non-excludability and rivalry in consumption here, i.e. joint-in-common use and multiple-level governance. Definitely, a subtle shift toward the common property regime definition can be acknowledged here, as discussed here below.

The adoption of common-pool resources as synonymous with ‘common good’ has been worldwide accepted since Scott’s definition (1954). Jodha (1986) was one of the firsts to adopt **common property resource** as synonymous with common-pool resource. Differently from the previous case, this latter is more controversial, i.e. equalling ‘common property resources’ to common-pool resources and therefore, transitively, to common goods. In fact, Ostrom (2000) argues that there is not necessarily a link between a type of resource and a specific regime that should govern it. Thus, whereas both the definitions of common-pool resource and common goods only recall non-excludability and rivalry in consumption, the concept of ‘property’ differently calls for other further key-issues, i.e. property rights definition and the establishment of an institutional framework, further characterized by some specific governance mechanisms.

According to Bromley’s definition (1990), **property** is a benefit stream, whilst right is “*the capacity to call upon the collective to stand behind one’s claim to a benefit stream*”. Subsequently, a property right is a claim to a benefit stream that a third entity – let’s say ‘the State’ – will agree to protect through the assignment of duties to

any subject other than the right claimant. Definitely, a **right** is a relationship between the claimant and those having **related duties** with reference to a specific object.

Nevertheless, rarely property rights and related duties are straight and linear when concerning natural common-pool resources. So, Schlager and Ostrom (1992) coined the expression '**bundle of rights**', to depict the possible existence of multiple and overlapping claims, rights and duties over the same resource. A set of five main relevant property rights have been identified:

1. Access: right to enter a resource delimited in space. Entrance also allows to enjoy not subtractive benefits, e.g. aesthetic features, recreational activities, cultural heritages;
2. Withdrawal: right to get possession of subtractive goods produced by the common-pool resource, also respectively named 'resource units' and 'resource system' (Ostrom, 1990);
3. Management: right to regulate the common-pool resource-associated benefit streams and to make the unit system better, undertaking *ad hoc* and proper actions;
4. Exclusion: binding possibility to define which individuals are allowed to enter the resource, therefore regulating withdrawal activities too;
5. Alienation: right to transfer one or more of the abovementioned rights.

So, people can be grouped on the basis of which property rights they are entitled to, with reference to a specific common-pool resource. Thus, the following categories of rights-holders can be identified on the basis of an increasing order that ranges from the entitlement with access right only to the entire set of rights (Ostrom, 2003):

1. authorized entrants;
2. authorized users;
3. claimants;
4. proprietors;
5. fully owners.

Individuals and groups may therefore hold different sets of rights within a particular system, possibly resulting in mutually opposite claims – all of them equally rightful. These distinct sets of rights are known as a tenure (Bruce, 1989).

Ostrom (1990) also observed that the distinction between the resource system and the resource units (i.e., the flow) is functional to understand *‘the process of organizing and governing common-pool resources’*. Through this reasoning, Ostrom clearly remarked the distinction between good-categories (e.g. common goods) and their management forms, in terms of different possible governance processes, institutional framework and tenure arrangements. In other words, she clearly stressed the difference between the resource and an associated management regime.

Even the meaning of **‘institution’** can vary according to the discipline it relates to. North (1990) defined the institutions as *‘the rules of the game in a society or, more formally, are the humanly devised constraints that shape human interaction’*, whilst Ostrom (1999) differently referred to institutions as *‘shared concepts used by humans in repetitive situations organized by rules, norms, and strategies’*. Whatever the definition preferred, no univocal tenure arrangements directly relate to one institutional arrangement, whether public, private or common property. In fact, neither public, private nor common property exactly denote which bundle of rights the right-holders are entrusted with (Ostrom, 2003).

Also **governance** concept remains multifaceted, although attempts to define common features have been advanced (Secco *et al.*, 2011). Generally, it could be thought as a set of processes, procedures, resources, institutions and actors determining how decisions are taken and implemented within a specific system (Saccone, 2010).

Thus, by exploring the literature on Commons, **Common Properties** can be generally defined as institutional frameworks where the exploitation of a common-pool resource is jointly performed by right-holders that generally share rights over the resource, according to some regulations (Short, 2008), either legislation, Commons’ register, and/or local custom and practice. Beside to *‘common property regime’*, also *‘common property institution’* can be found in the literature (Rudel, 2011).

**Right-holders** form groups various in nature, size, and internal structure across a broad spectrum. They are social units with defined membership and boundaries, with certain common interests, with at least some interaction among members, with some

common cultural norms, and often their own endogenous authority systems (Bromley, 1991).

Definitions aimed to conciliate the distinction between common-pool resources and their related governance and institutional processes or functions exist too. In these cases, the main focus concerns the **resource system**, composed by the resource and its management. Short (2008) noted that, in the traditional meaning of '**Commons**', the resource system is something shared among 'providers' and 'producers' (that might also coincide), whereas the resource unit cannot be shared, but also 'allocated' amongst the 'appropriators', because of the rivalry in consumption. McKean (1992) defined Commons as resource systems too, observing that common lands equal to pure common property resources where the institutions, rules and processes developed to manage the resource equate to a 'club good', and where right-holders operate largely as a club.

Cheria and Edwin (2011) provided a different approach to define the 'Commons', more colloquial than technical, but pleasantly evoking and suggestive: *'Commons are the gifts of nature, managed and shared by a community, which the community is willing and able to defend. They are resources not commodities, possessed not property, managed not owned'*.

Noteworthy, and differently from the Ostrom's approach, here a restricting definition of common-pool resources can be detected, given that human-made systems (e.g. irrigation systems) are intended to be common-pool resource management forms, and not common-pool resources *per se*.

Secondly, in the Cheria and Edwin's definition also the right-holders' ability and willingness to defend the common resources are recalled. The former concerns the attitude of the right-holders' community (Helfrich, 2012), that is the main responsible for deciding under which regime (private, public or common) the resource should be put, to 'prevent' it from being an open access regime. Nevertheless, willingness sometimes is not sufficient and external pressures, as well as internal dynamics within the common property regime could cause the common system collapse under endogenous or exogenous drivers and barriers (Ostrom's eighth principle, 1990).



Furthermore, this definition explicitly mentions the fundamental link between the common-pool resource with its reference **community**. Indeed, the same concept of 'resource' implies that someone has the possibility to obtain a benefit stream (e.g. a means of subsistence) from that particular resource. Olson (1965) was the first to elaborate the 'group theory', introducing the idea that non-excludability is a social constraint built up by a reference community. Put differently, it is the group to decide which category a specific good has to be assigned in (private, public, common, club), since institutions (that are men-made) are able to set down tenure arrangements so as to define the relevant good category, especially for those goods with a clear and well-defined geographical dimension.

A right is meaningless if the State is unwilling, or unable, to ensure compliance with related duties (Bromley, 1991). With special reference to common properties, this means that once right-holders commonly decided to share a common resource, it should be no more possible for a single right-holder refute the resource as jointly owned and invoke rights on his own share, at least until previous common decision would have been changed or infringed. In other words, a common-pool resource is not a simple sum of private shares: it is an undivided resource, commonly managed and possessed by individual shares, by means of governance dynamics and mechanisms occurring and established within the community institutional framework. Therefore, possess does not equal to full ownership, and it only relates to the use of the resource. In other words, the Ostrom's distinction between proprietors and fully owners echoes in the Cheria and Edwin's definition too.

However, an univocal definition of community is still far from being acknowledged – if ever it were possible. Of particular relevance for the communities' stake remains the possibility and/or their willingness to exclude those living beyond the boundaries of the community from the governance processes, either *de facto* or formally. In fact, different individuals or communities may have also different expectations and claims over the same resource, both in terms of objectives and management actions to be set up and undertaken. Thus, by increasing the number and type of actors, the diversity of and asymmetries in interests, claims and influences, and problems of exclusion and subtractability characterizing common-pool resources (Mwangi and Wardell, 2012) might dramatically intensify. Typically, such a situation affects natural common-pool

resources, as they provide multiple beneficiaries with a set of environmental services and functions, each of those having various related claims that go far beyond the boundaries of the right-holders' communities.

Definitely, several complex interactions between biophysical, demographic, economic, and institutional factors come along with ecosystem complexity (Poteete and Ostrom, 2004): several of those that Poteete (2012) calls 'multiples', i.e. levels, scales and linkages, affect natural resources both in functional and jurisdictional terms. Ultimately, global, regional, national and sub-national influences are all mediated at the local level (Wardell and Lund, 2006) and often small-scale institutions are thought to be better than larger ones, also thanks to the more incisive possibility to involve local stakeholders. By the way, an excessive jurisdictional atomization may lead at the same time to an extremely difficult manageability in situations where a broad and large-scale perspective is required (Murphree, 2000).

'**Polycentric governance**' (Nagendra and Ostrom, 2012), if well implemented, seems a reliable solution to balance these opposite issues. That is, some degrees of 'co-management' are to be defined, that is a *continuum* of arrangements relying on various degrees of power and responsibility shared between government agencies and local communities (Carlsson and Berkes, 2005). It is argued that both vertical and horizontal, as well as inter-temporal integration between different institutions, can enforce and stimulate a better overall resource management, also granting a deeper resilience capacity based on adaptive management.

## **1.2. The Commons throughout the history**

### **1.2.1. The origins of Commons and the 'de-commoning' process**

Few Authors explored the real or presumed origins of the Commons. Just to cite two of the most important contributions on this topic, Karl Marx identified the so called 'original accumulation' as the turning point in the creation of property, with that referring to the progressive historical separation of the human workforce from the

natural resources. Adam Smith somehow expressed the same idea, but pushing it back to a mythical past (Bandyopadhyay, 2011).

Differently, many Scholars focused their attention on the 'de-commoning' process, that common-pool resources progressively went through over the time.

To this end, a set of key-issues should be preliminarily recalled, as they are the key-stones that many scholars moved from. These, are the followings:

- tenure arrangements are always of man-made origins, and come along with a logic of exclusion (either to access, withdrawal and/or management);
- logics of exclusion take their origins from the need to cope with scarce resources;
- common property is only one out of four 'general' property forms, i.e. private, public and common property regimes and open access, each of them further characterized by possibly different tenure (re)arrangements.

In synthesis, this means that selecting one of the possible institutional forms and tenure arrangements is nothing else that a matter of choice, based on some socio-economic factors, that several Authors assigned different weights to. Heller (1998) argued that either explicit and implicit costs (e.g. transaction costs) and their distribution are the most important factors to be considered in the 'selection' of a specific institutional arrangement and property regime. Schlueter (2008) considered that personal and collective preferences and attitudes should not be disregarded as well, although a matter of price can be detected in almost every circumstance, even with reference to 'unpriceable' or intangible resources. Bromley (1992) explained the emergence of many common property regimes in the developing countries with the fact that the (economic) returns coming from the resource are not high enough to finance the definition of exclusive private property rights. This would explain the emergence of common property regimes where a natural resources-based subsistence economy often still prevails.

These observations find confirmation in the European experience, where a wide array of social, economic and technological changes have occurred since the industrial revolution seriously challenged the joint-use and management of many common-pool resources (De Moor *et al.*, 2002). In fact, since the middle of the 18<sup>th</sup> century, many European common property regimes had begun to face an increasing State opposition,

as they were considered inefficient resource management systems. As a result, most historical Common Properties have been suppressed by the end of the 19<sup>th</sup> century, at least in the north-west Europe (Bravo and De Moor, 2008).

Along with the modern State hostility against this institutional regime, it seems plausible that also other endogenous and exogenous pressures concurred to change the internal equilibrium that many common property regimes were based on. Particularly, a remarkable increase in societal heterogeneity might have weakened the traditional collective identity (Nkhata *et al.*, 2009), finally leading to their de-establishment. Likewise, a spatial expansion of trade flows led to new economic opportunities, so that reducing the salience of common-pool resources in community livelihoods satisfaction (Mosimane *et al.*, 2012).

Meaningfully, some other Authors suggested that disappearance is not the only historical destiny for common property regimes. Rudel (2011) argued that macro-sociological events can play relevant role in the arising of new common property regimes, as well as for the fate of the ancient ones. He also discussed that business cycles typically oscillate between boom and bust conditions: the former weakening common property regimes, whereas the latter enhancing them, thanks to the weakening or disappearance of livelihoods alternatives to common-pool resources. Moreover, sporadic disastrous events, mainly environmental ones, would promote the appearance of new common property regimes. Ostrom (1990) provided examples in which new Commons were built up, too. All such circumstances originated from the following pre-conditions:

- scarcity in a specific common-pool resource;
- considerable importance of that resource for a set of human activities;
- willingness to solve a `common´ problem (mainly, unbalanced property rights distribution), so as to overcome equity- and cost-issues.

Definitely, disappearance is not the solely, ineluctable destiny of common property regimes.

### 1.2.2. Does the tragedy concern the Commons?

‘Natural resource problems are property rights problems;  
natural resource policy is property rights policy’ (Bromley, 1991).

In 1968, Hardin presented the so-called ‘Tragedy of the Commons’ theory, discussing about a pretended ineluctable ruin-path that human beings enter when they are free to take management decisions over a common-pool resource. Particularly, the tragedy would happen when humans will try to ‘rationally’ maximize their own interests without external pressures as severe as to limit the possibility to reach their individual management goals. Hardin took a pasture as a paradigmatic example of his theory and outlined a situation where no constraining factors (e.g. war conflicts, illegal hunting and diseases) set appreciable limits to both human and animal activities. In such a situation, he observed that each herdsman will follow an alleged individual ‘rationality’ by adding new cattle to his own herd in order to reach higher income. Nevertheless, as every herdsman will be pushed to do the same, this general behaviour will soon lead the total livestock beyond the carrying capacity of the land. As final consequence, the overgrazing activities will cause a reduction of the total pasture utility, and each herdsman’s utility as well. Hardin concludes that ‘freedom in a Commons brings ruin to all’.

The ‘tragedy of the Commons’ theory was tackled by numerous authors. Bromley (1991) rejected it moving from the theoretical idea that in the Hardin’s example an open access regime had been considered, rather than a common property regime. In an open access regime situation, ‘free riding’ behaviours are actually likely to occur, leading to the common-pool resource impoverishment. Ostrom (1990) refused the Hardin’s theory too, pragmatically demonstrating that in some circumstances some people succeeded in solving common-pool resources-related issues, by means of different degrees and forms of social organization – ultimately, establishing a well-defined common property regime. On the contrary, she also gave evidence that in some other circumstances common property regimes failed, therefore reasoning on which principles and (pre)conditions make the birth and survival of common property regimes more likely to occur.

Nevertheless, it is undeniable that, often, many natural resources, along with their management solutions and governance mechanisms, face dramatic conservational issues. As but an example, it's the case of the ichthyic ocean resources, as their stocks dropped in the last decades. Bravo and De Moor (2008) observed that the 'common fisheries policy' is one policy area where a significant power amount is allocated to the EU, so that this really configures like a 'tragedy of the public property'.

Likewise, a dramatic property fragmentation occurred in some forestry areas under private property regime across Europe, resulting in severe mismanagement problems (particularly underutilisation) and difficulties in ensuring homogeneity in the active supply of a wide set of ecosystem services. In synthesis, too many owners entrusted with the right to exclude other (neighbouring) owners from each one's own *benefit stream*, led to almost unsolvable issues on management coordination (Schlueter, 2008). This phenomenon can be thought as the 'tragedy of the anti-Commons' (Heller, 1998), and it clearly relates to the private property regime.

Ascertained that neither the open access nor the common regimes are the only property regimes that a common-pool resource can be subjected to, the 'tragedy of the natural resources' does not specifically affect any specific property regime.

### **1.2.3. The common domain in the Italian legal framework**

The Italian legal framework distinguishes three different situations, according to the different tenure arrangements characterising the national common lands. These, briefly, are the following:

- customary rights (*usi civici*);
- civic lands (*terre civiche*);
- common property regimes *sensu stricto*, either 'open' or 'close' (*proprietà collettive*).

'**Customary rights**', also named 'civic uses' (Bassi, 2012), refer to rights that a community is entrusted with and that enable right-holders to benefit some *utilitates* (benefit streams) provided by a common-pool resource, owned by someone else, other than the right-holders. Put differently, it means that the owner cannot prevent the right-holders to enter the common land, such as the forest, and benefit some

particular benefits, e.g. collecting wood, mushrooms or leaves, grazing, hunting, fishing, etc. Civic uses can stand on a piece of land regardless of the property regime that the common-pool resource is subjected to, i.e. public or private property. Such situations usually derive from historical vicissitudes that confirmed access and withdrawal rights to local communities after the resource had been gained by a new owner, typically new landlords, liege lords – generally speaking, a new conquer. Thus, it is as if common rights were historically ‘frozen’ and handed down until the present days.

‘Civic lands’ represent the second Commons’ Italian category. In this case, as well as for the former, the adjective ‘civic’ takes its origins from the Latin noun *Civis*, i.e. citizen, therefore remarking the direct link between the inhabitants (*cives*) and the common-pool resource (the common land). The institutional regime associated with civic lands is a situation where whoever lives in the common-pool resource-affected area is rightfully considered a right-holders’ community member, having therefore the right to join the resource exploitation. Who gives up living in the common-pool resource-affected area quits also the right-holders’ community, while on the contrary new dwellers automatically obtain the right (‘open’ system). Often, the resource is managed, and ‘owned’ *de facto*, by the local Municipalities ‘on behalf of’ the local communities, that formally owns the common lands. Alternatively, in some other cases, a progressive shift toward an open access regime can be detected (with possible free-rider behaviours), especially where the historical ties between the local communities and the common-pool resources loosen, and begin to disappear from the common memory.

Finally, common property regimes (*proprietà collettive*, literally: Common Properties) *sensu stricto* correspond to the third legal distinction among the Italian common lands. The Italian *Proprietà collettive* fully represent a common property regime *sensu* Bromley (1991); right-holders are actually the real proprietors of the common resource. The system can be still open, but often a blood-line constraints exist to identify new right-holders, in addition to the residence criterion. This means that only offspring of the ancient inhabitants (*originarii*) can be part of the right-holders’ community, apart from new entrants possibly accepted by the common Assembly, maybe after paying an entrance fee. These, are ‘close’ systems. Hereinafter,

close common property regimes will be always referred as Common Properties – if not differently specified.

The following table summarises how common lands are distinguished in the Italian legal framework, according to the main tenure arrangements established over those resources.

**Table 2 – Common lands in the Italian legal framework (Bassi, 2012, modified).**

|   | Customary rights lands         | Civic lands                                     | Common Properties                          |
|---|--------------------------------|---|--|
| <b>Ownership</b>                          | Government OR private entities | Formally, the community                         | Community with legal status of association |
| <b>Administr. entity (accountable to)</b> | Depending on the owner         | a) Municipality (Municipality)                  | Board (Community)                          |
|   |                                | b) Separate Administration (Community/Municip.) |  |
| <b>Membership (Criteria)</b>              |                                | Open (residence)                                | a) Open – registration (residence)         |
|   |                                |   | b) Mostly close – registration (lineage)   |

A recent statistical survey (Istat, 2012) revealed that the number of bodies (organizations, associations, Municipalities, various etc.) managing common lands in Italy equals 2.233, with a total coverage of 1,668,851 hectares, i.e. almost 10% of the total agricultural area of the country. Unfortunately, it has not been possible so far to distinguish *usi civici* lands, common lands (*terre civiche*) and Common Properties (either open or close), so as to have more detailed information on their respective number and extension.

Although still vital, well-rooted and long-lasting Common Properties can be detected in Italy, they suffered a progressive and broad decline over the time (Rinaldi, 2011), and it can be hardly stated that this unfavourable trend is completely reversed. In fact, since 19<sup>th</sup> century, Italian common property regimes have come under attack by pre-unitarian States, that considered such Institutions unable to promote technological and economic development in the agriculture sector. Definitely, common property regimes were considered anachronistic remaining of a feudal past. Meaningfully, still nowadays a jurisprudential saying survives, i.e. *Ubi feuda, ibi*



*demanialità*, meaning that often common lands exist there, where in the past an ancient feud existed.

On these premises, in 1927 the fascist government tried to definitively dismantle all alpine common property regimes, through the national law no. 1766/1927 that forcibly privatized common lands suitable for agriculture, and placed forests and pastures under control of the Municipalities.

Notably, the law also introduced some legal constraints that still nowadays affect the Italian common-pool resources. These are the followings:

- Inalienability: the property of the resource cannot be transferred from the right-holders to someone else, nor become a private good, given that its integrity is considered of public interest. Thus, right-holders cannot be considered full owners, *sensu* Schlager and Ostrom (1992).
- Indivisibility, i.e. the legal common-pool resource ownership cannot be divided between single right-holders, but only considered as a whole, single property unit. Because of this feature, originating from the ancient German right, common property regime has been defined as a *tertium genus* (a third way) within the Italian legal framework (Cacciavillani, 2012 in Cacciavillani *et al.*, 2012).
- Inusucapionability: coherently with the fact that full ownership is not acknowledged, adverse possession is precluded;
- fixed land use destination: it cannot be changed because of the high values, both environmental and socio-cultural ones, that make the resource worth of protection.

Following the law no. 1766/1927, Municipalities were entrusted with management responsibilities over the former common lands. As a consequence, every municipal citizen gained the right to benefit from the resource exploitation, regardless of former right-holders' communities, and previously existing acceptance rules.

Strongest and longest-lasting Italian Common Properties, particularly those set in the north-eastern part of the Alpine region, energetically reacted to the fascist law. Since mid of 20<sup>th</sup> century, various national and regional legislative initiatives have progressively returned power to Common Properties. In 1948, the Decree no. 1104

gave them back the faculty to manage their common-pool resources, but such a disposition applied to few cases only.

In 1952, by means of the so-called 'First Law on the Mountain' (law no. 1979/1952), the Common Properties' statutory autonomy was recognized by law. Nevertheless, some following odd jurisprudential verdicts impeded a full application of the law.

In 1971, the Italian Parliament enacted the Second Law on the Mountain (law no. 1102/1971), finally declaring the inapplicability of the fascist law no. 1766/1927 to the 'close' Common Properties. Not less important, these were entrusted with a private legal personality – albeit their common property regime, and their public interest.

Finally, in 1994 the Italian Parliament tackled again the issue concerning common property regimes (law no. 97/1994, third Law on the Mountain), assigning them a relevant public role, i.e. the concurrence to the environmental protection and the socio-economic enhancement of mountainous areas. Again, the national law appointed the Italian Regions the responsibility to define and reorganize the legal discipline concerning local Common Properties.

#### **1.2.4. The peculiar case of the Veneto Region**

The national law also gave Italian regions the power to define and reorganize the regulations concerning regional common property regimes. Taking their cue from a climate of supporting legislation, some Italian regions began to support participation of Common Properties in regional forest and landscape management processes.

The Veneto Region was first in line in the policy process of new recognition of the collective role in rural development and forest landscape management. In fact, through the regional law no. 26/1996 and its following integrations (through R.L. 9/2008 and R.L. 13/2012), the Veneto Region recognized the regional Common Properties as subjects concurring in the environmental protection and in the socio-economic development of mountainous territories. Indeed, in the Veneto Region Common Properties have a long-lasting tradition. Mostly called '*Regole*' (sing. *Regola*), these institutions can also assume different names, like *Vicinia*, *General Convicinia*, *Colonnello* (Bortoli, 2005) – several other names occur along the country.

The exact historical moment when Italian Common Properties were set down is not precisely known, and it certainly varies for each specific case (geographical and historical peculiarities). Specifically focussing on the Veneto Region case study area, the most ancient written documents testify their existence before 1000 BC (Zanderigo Rosolo, 1982, in Florian, 2003). Someone suggests that this kind of institutional management dates back even to the early origins of human colonization of the Alps, as people were forced to strong ties and living together to face strong and challenging environment conditions (Tomasella, 2001).

Furthermore, the Region enhanced the reconstitution of past Common Properties firstly dismantled by the adoption of the Napoleon Civil Code in early 19<sup>th</sup> century, and then by means of law no. 1766/1927. In order to obtain the legal recognition, Common Properties have to provide the Region with their statutes, the list of the right-holders entrusted with the common property rights and the list of goods and resources commonly owned.

As a consequence of the R.L. 26/1996 approval, Common Properties have been restored when local citizens succeeded in giving evidence of their original tenure rights, set in place before past land property reforms and subsequent hostile legislative initiatives.

The aim of such a reconstitution was to promote investment choices in the forestry-, pasture- and agriculture-related sectors. To this point, Gatto *et al.* (2012) suggested that the regional Common Properties, that usually operate at a smaller geographical scale than municipal administrative units, actually demonstrate a positive commitment in actively managing their forests and pastures, and in making investments to improve or maintain the quality of commonly-held assets. Noteworthy, the regional explicitly stressed which public interests the regional Common Properties are called to pursue. Coherently with the national legislation, and despite their common regime, the regional law confirmed the legal status of private personality is assigned to Common Properties.

Data provided by Gatto *et al.* (2012) show good feedbacks following the regional law, since 17 Common Properties have been re-constituted after its enactment. The total Common Properties number in the Veneto Region equals to 54, but other

processes of formal recognition are currently ongoing and, therefore, that figure is expected to increase.

The regional law also regulated the coordination between Common Properties and public bodies, especially Municipalities, prescribing that the latter should always pre-emptively inform and involve the former in public initiatives and consultations concerning local territorial development.

The need for this latter prescription emerges out of several observations:

- First of all, Municipalities represent the entire resident population of communities. Residents of Municipalities include both members and non-members of local Common Properties.
- Municipal decisions and actions must be informed by broad territorial vision that goes beyond sectorial interests such as forest management to ensure comprehensive territorial development.
- Historical dimensions come into play in that Municipalities were held responsible for managing common-pool resources prior to re-constitution of local Common Properties, meaning that Municipalities also had to adapt to new governance dynamics once Common Properties were re-constituted. In fact, where the reconstitution processes succeeded, a considerable change occurred in the forest land ownership structure, with large forest assets shifting from public property and management to the common ones. Nonetheless, Municipalities still exert an overarching administrative control and planning functions over the lands comprised within their boundaries, common lands included.
- Yet, the regional law also regulates the coordination between Common Properties and public bodies, particularly Municipalities, prescribing that Common Properties should be pre-emptively informed and involved in an array of policy procedures concerning the local territorial development.

For all the reasons above, the Veneto Region represents an interesting case for assessing the capacity for polycentric governance between Municipalities and both long-running and newly re-constituted Common Properties. At the same time, the recent, fast-paced process of re-constitution of Common Properties has the potential

to create or increase institutional tensions at the local level, especially due to the new need to coordinate management rights and responsibilities between these institutions.

### **1.3. Managing socio-economic and institutional complexity: the polycentric governance approach**

#### **1.3.1. Challenges and opportunities between past and future**

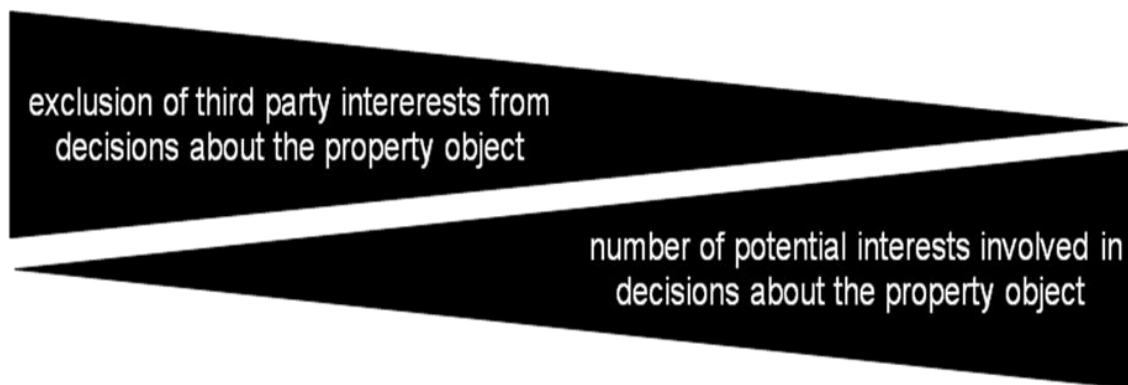
##### Socio-economic inclusiveness

In the common-pool resource public management imposed by the fascist law, the right-holders' community forcibly corresponded to the whole local citizenry, i.e. all people living within the municipal administrative boundaries people could advance righteous claims over common-pool resources exploitation. Notably, the right-holders' number considerably decreased when the national and regional laws assigned the private legal personality to the Italian Common Properties. In fact, through reinstating these ancient institutions, stricter entrance rules characterizing such systems (mainly, lineage) have been reinstated too, therefore lowering the right-holders' *corpus*.

On the one hand, for sure this 'new' situation led to more favourable common-pool resource management and governance conditions, e.g. higher control levels by a well-defined group of people over 'their' resource exploitation, therefore discouraging free-riding behaviours. On the other hand, such a restriction may also result in a reduction in the variety of interests to be considered in such governance processes and management options.

In fact, smaller number of people involved in and linked with the resource itself, less the number of stakeholders' interests and perspectives to be possibly considered in the common-pool resource management. In the most critical scenario, that is in case of few right-holders, and low interest and participation to the common governance processes even within the (small) right-holders' community, the common management would suffer a kind of shift toward 'private' (i.e. few more than personal) management conditions. In such a situation, pursue of public interests that Common Properties are entrusted with could be threatened as well. Figure 1 summarises this speculation.

**Figure 1 – Reverse correlation between third parties’ involvement and number of interests considered in managing the resource (Schurr, 2011).**



To this point, Carestiato (2008) remarked that Common Properties partially lost their social and economic functions under the pressure of the current liberal economic model, while it maintained a strong cultural connotation “*useful to maintain some traditional activities but not always sufficient to protect environmental and landscape features protected by law*” (in the Author’s words).

Maybe less explicitly, also other Authors suggested the risk that some right-holders’ communities experienced such a similar situation. Florian (2003) stated that some household members feel so much to belong to a long-lasting traditional system (the *Regola*) that they would like to restore it irrespective of the demographic and environmental conditions currently characterizing mountainous areas.

To this point, Steinicke *et al.* (2014) demonstrated that the recent inflow of newcomers (retired people, non-EU immigrants, distance workers, commuters, young urban ‘alternatives’, etc.) appears of real importance in the Alps (Figures 2 and 3), as it seems capable of reversing the demographic decline in many mountain areas, due to emigration and ageing population.

Somehow, these recent demographic changes, along with their socio- economic drivers and consequences, mirror the changes that in the last decades deeply affected, and still influence, the Alpine forest landscapes, with special reference to the role that forests play in the so-called rural development. In fact, at least until the Fifties, the Italian forests and agriculture landscapes played a fundamental role in ensuring basic means of subsistence to the mainly rural country population. Especially in the mountain areas, local people used to satisfy almost every need through an intensive

exploitation of forests (house building, house heating, cooking, etc.). As a consequence of the deep socio-economic developments occurred throughout the country after that period, i.e. urbanization, development of tertiary sector, new road networks and connections, etc., forests progressively lost their fundamental role in ensuring livelihoods of local mountain and rural populations. Definitely, forests landscapes experienced a dramatic change in their physiognomy (pasture extension decreased, whilst forests doubled in size). At the same time, whereas traditional forestry lost its traditional salience, demand for 'new' and complementary forest environmental services and functions, others than the provisioning one, is continuously increasing. Among the others, protection from natural hazards (>90% of Italian forests extend over areas with high hydro-geological risk), biodiversity protection, health care-related services such as water quality and carbon storage, protection and promotion of cultural heritages and values, recreational activities, aesthetic and existence values are worth of mention. Notably, although these environmental services somehow counterbalanced the loss of salience of the traditional timber-related activities, often they are difficult to be valued and priced, and their markets are only at an early development stage, and few examples exist (e.g. carbon credit markets, payments for environmental services).

As a consequence of such a process, potential right-holders and claimants over natural resources substantially increased too, given that more people pretend to have a 'right' over common-pool resources and to join their benefit streams, i.e. not only people living in the mountain areas. Definitely, this new environmental awareness about the far-reaching public role of forests triggered the adoption of new environmentally-friendly legislations. These, sometimes introduced some limitations to Common Property activities, including administrative procedures and constraints to be followed and fulfilled by Common Properties in their day-by-day and traditional forest management. For instance, the national law protecting the landscape heritage, i.e. the so called *legge Galasso* (law no. 431/1985), applies to common lands. To this point, Carestiato (2008) remarked the paradox that a virtuous management carried out by Common Properties throughout the history led to more imposed constraints than for those situation where past management was not such as virtuous and righteous as common management. Contrarily, some experiences suggest that through direct

involvement of local communities in the management of Parks and protected areas excellent goals can be achieved, there is a high incentive to maintain the resource in a good *status* and Common Properties can find new *stimuli* to further enhance their management skills (Carestiato, 2008; Gatto *et al.*, 2012). A similar disclosure of new challenges and possibilities, along with the imposition of some management limitations, has been detected at a supranational level, following the international commitments toward biodiversity protection (Kothari *et al.*, 2012).

For these reasons, the Common Properties' capability to effectively pursue the objectives and responsibilities that the regional law entrusts them with, i.e. environmental conservation and management and socio-economic development of mountain areas, is worth to be evaluated. Particularly, the Common Properties' attitude toward the proactive supply of a 'new' set of environmental services and functions, complementary to the traditional forestry, seems worth of analysis. Indeed, a general lack of information extends over the real management actions undertaken by the regional Common Properties in their day-by-day forest management. With the almost only exceptions of data and figures provided by Gatto *et al.* (2012) and Zanderigo Rosolo (2012), the operative outputs and collective performances remain almost unknown as well. Yet, Branca and Perone-Pacifico (2003) argued that, at the Italian national level, a deplorable lack of accurate information on common-pool resource systems impedes to design and implement relevant policy instruments, adequate to support the national common-pool resource systems, both in administrative and operative terms.

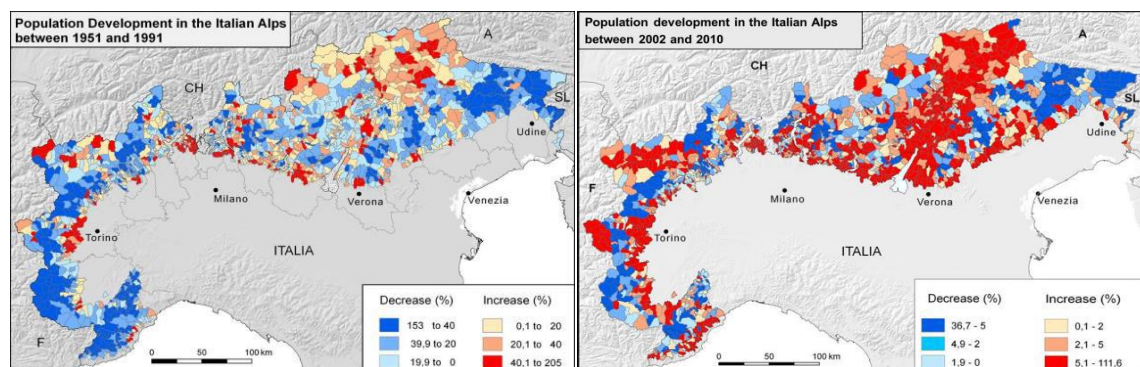
This assessment should be also performed in the light of the deep societal and demographic changes that the Italian Alps have gone through, either in the past and still at present days. Reflections on the Common Properties' capability to ensure social inclusiveness should not be therefore neglected. In fact, it might be speculated that, if a common strong collective identity more anchored to the past than projected to the future would prevail, such a kind of socio-economic common 'closure' would undesirably conflict with the achievement of the public interests that the regional law entrusted Common Properties with, i.e. a socio-economic development of mountainous areas. On the other hand, the same survival of excessively 'close'



Common Properties would be threatened, because of their incapacity to react and adapt to broad societal changes. Indeed, on these point some doubts have been already raised. Gatto *et al.* (2012) argued that “*the traditional tools which the communities have given themselves to manage their resources might be today not always sufficient to adapt to external change and disturbances, thus sometime leading to non-resilient socio-ecological systems*”.

**Figure 2 – Population development in the Italian Alps between 1951 and 1991. Modified from Steinicke *et al.* (2014).**

**Figure 3 – Population development in the Italian Alps between 2002 and 2010. Modified from Steinicke *et al.* (2014).**



### The institutional framework

The current need to reduce public expenditures is fostering widespread institutional reforms in Italy. This has specifically been manifested in the progressive loss of the lowest levels of public and private-public multi-utility companies administrative units, including the merging local government institutions (Municipalities) and the parallel dismantling of supra-local administrative units – Mountain Communities (alliances of Municipalities) and provinces. This institutional reform process is seriously calling into question the existing governance models and mechanisms that currently typify mountain areas (Gatto *et al.*, 2012). In this situation, concerns have been raised about the capacity of the public administration to ensure subsidiarity in environmental and natural resource management policies and to deal realistically with management issues at the local level.

In this present changing governance context, the revival, re-constitution and empowerment of traditional forms of local management, above all Common

Properties, could help counterbalance, or at least mitigate, the turmoil of re-organization of local public institutions.

Nonetheless, a better understanding of the positioning of these institutions is needed to appreciate how this might proceed. In particular, the role of Common Properties and municipal administrative units at the local level needs attention, as decentralized governance has resulted in a situation in which management responsibilities are sometimes unclear and occasionally contested between these local institutional actors.

To this point, most of the existing bibliographic resources that deal with the Italian common domain limit their analyses to the historical vicissitudes that common lands passed through, or analyse legal issues in technical terms, e.g. discussing legal verdicts concerning ownership and tenureship rights peculiarly characterising common lands. The Scialoja-Bolla archive collects several of these contributions (<http://www.usicivici.unitn.it/scialoja-bolla/>).

Some other publications discuss about internal governance and policy issues of Common Properties, mainly concerning gender balance, inter-generational renovation, need for statute renovation amongst others. Recently, Zanderigo Rosolo (2012, *in* Cacciavillani *et al.*, 2012) depicted a comprehensive review of the ongoing debates inside right-holders' communities.

Contrarily, very few published works assessed whether and how, the internal collective dynamics also relate to and influence both the socio-economic and institutional environments of the whole local mountain communities of residents, administratively circumscribable to Municipalities, that *Regole* belong to.

Florian (2004) reported that in some cases heavy legal disputes and institutional contrasts with local Municipalities were absorbing many available economic and administrative energies of the newly-reconstituted Common Properties. Carestiato (2008) pointed out a similar situation.

More Recently, Hampel (2012) focussed on the 'cultural' adaptive internal process that is currently occurring within many Common Properties in the Veneto Region, and pointed out that often Common Property members now perceive resources more as their individual property, through a 'feeling of power'. She implicitly suggested that

this attitude might have negative consequences on the broader surrounding social environment that *Regole* are embedded within. To our knowledge, no other authors further analysed the institutional relationship patterns occurring between Common Properties and municipal administrations, although there are hints <sup>1</sup> of disparate administrative and legal issues still pending, insomuch to hinder remarkably the implementation or the achievement of integrated territorial development strategies.

We understand institutional tensions to arise when both Municipalities and Common Properties claim their administrative jurisdiction over a specific task or role. Indeed, chronic tensions could compromise the effectiveness of Common Properties in managing the landscape for environmental conservation and local socio-economic development.

Notably, in her seventh design principles, Ostrom (1990) highlighted the importance that common institutions are not challenged by external governmental authorities, potentially capable to overturn rules and commonly devised systems. Thus, whereas the institutional nesting criterion can be considered substantially fulfilled at the Italian national level, likewise at the regional level in the Veneto Region too, some uncertainties still may affect the lowest administrative levels, i.e. at municipal level.

Then, the polycentric governance seems functional to deal with situations of decentralized power and decision-making, and is appropriate for an analysis of the relationship between the Common Properties and Municipalities of the Veneto Region.

### **1.3.2. Polycentric governance**

Environmental and natural resource management problems rarely manifest themselves at a single scale such that management responsibility divided among different levels is perceived as desirable (Armitage, 2008). This type of institutional arrangement has been termed multilevel governance, and is considered a key feature of adaptive resource governance. Although desirable management practices may result from coordination of management powers across scales, outcomes are often

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<sup>1</sup> Mainly, personal and informal communications with representatives of public administrations.

unpredictable and analytical approaches are best advised to incorporate themes of power relations and their mediation across scales (Armitage, 2008).

In complex natural resource management contexts, different actors may hold different bundles of rights and powers. Furthermore, interaction due to increasing number and heterogeneity of actors involved in management of a resource may exaggerate already well-studied problems of excludability and subtractability characteristic of common-pool resource management dilemmas (Mwangi and Wardell, 2012). Growing attention to polycentric schemes in the Commons literature may better capture these dynamics in situations featuring multiple levels of governance but also multiple centres of power (Andersson and Ostrom, 2008). The literature on Commons points to the likelihood of positive outcomes in polycentric systems when users have decision-making power to modify rules, and when these local institutions are nested in hierarchical governance arrangements that can provide support for local needs and circumstances (Ostrom, 1990). Ostrom makes special reference in her 8<sup>th</sup> design principle for enduring common property regimes to the necessity of organization in 'multiple layers of nested enterprises' (Ostrom, 2005: 269). Such nested systems can be considered polycentric when decision-making power is distributed among actors. However, institutional hierarchies may not involve a clear multi-level structure nested in territorial jurisdictions (Poteete, 2012). Poorly coordinated polycentric decision-making situations may feature contested authority, access regimes, and benefit sharing arrangements.

The division of territorial management responsibilities across institutional levels sets up situation of cross-scale interaction and institutional interplay, described as the process by which potential synergies or conflicts come into being among different institutional layers (Marshall, 2007; Young, 2002). Gruby and Basurto (2014) argue that situations of interplay may emerge around control that actors gain or lose over specific parts of decision-making processes through linkages across organizational levels, and the relative autonomy of actors in polycentric governance arrangements. Coordination of decision-making and collaboration across polycentric systems requires actors to take decisions on how to coordinate governance tasks across levels. The principle of subsidiarity leaves some doubts as to how this might be done, especially in rapidly changing governance contexts, as multiple institutions with different aims at local level

may be thrown together to resolve complex management dilemmas. In such situations, the polycentric governance literature might be developed upon because it references the interaction of overlapping networks of institutions vs discreet territorial levels (Bache and Flinders, 2004 in Mwangi and Wardell, 2012).

Often, polycentric governance issues strictly relate to cross-scale interactions. Adaptive dynamics in environment-society relationships involve changes in technologies, practices and institutions in response to perturbations at different scales (Davidson-Hunt *et al.*, 2013). Some types of change may require coordination among institutions, involving the rescaling of governance arenas in order to respond to perturbations at the appropriate scale (Davidson-Hunt *et al.*, 2013). Where complex governance arrangements exist, adaptation requires linking horizontally and vertically across institutional levels.

We adopt terminology from Berkes (2002) to classify interactions across scales. Horizontal linkages refer to interactions across spatial scales but within the same organizational level, while vertical linkages refer to interactions across levels of organization (Berkes, 2002). Commons associating at the level of valley, Municipality, region and/or State when we refer to vertical links and internal exchange among members of a common or any other abovementioned level when referring to horizontal links.

A related issue is the collective definition of problems if actors must agree on the appropriate scale (Adams *et al.*, 2003). Difficulties may be encountered in the way change is perceived across organizational scales. Furthermore, trade-offs may be perceived in forming linkages across scales, both horizontally and vertically. Adaptation requires local actors to deal with the mobilization of power of diverse actors and stakeholders (Adger *et al.*, 2006), especially as new resources or opportunities to control management and economic development processes are perceived at various scales. In changing action situations, scale issues potentially constrain or enable collective action to resolve resource management dilemmas emerging in the context of a changing environment or changing socio-economic or socio-ecological system.

As a final remark, to further stress the fit with a polycentric governance analysis, in the observed cases Common Properties sometimes nested neatly into higher institutional levels (i.e. Municipalities), but this was not always the case.

## 2. Research questions, objectives and methodology

### 2.1. Research questions

In the light of the new challenges and opportunities that nowadays the Italian Common Properties are called to face and cope with, two main research objectives have been identified. These, have been further described through sub-research questions:

1. Which institutional patterns and communication channels characterize the existing institutional relationships between common property regimes and municipal administrations in the Veneto Region?
  - a. Do cooperative relationships prevail, and can be institutional tensions considered sporadic, or do deeper and chronic conflicts affect their mutual institutional relationship?
  - b. Which prerequisites and conditions best facilitate the establishment of fruitful and cooperative relationships between these two institutional entities?
  - c. Are the ongoing regional attempts at reconciliation between public policies and collective strategies likely to result in higher levels of synergies and coordination, not only within the forest sector, but also with reference to a wider set of related socio-economic activities? Alternatively, which currently underlying tensions are likely to disclose in the future, being detrimental to such institutional collaboration and coordination?
2. Within the Veneto Region, do the Common Properties give concrete answers to the aims and prescriptions that the Regional law entrusted them with?
  - a. Can be the outcomes of the re-assignment of former municipal forests to Common Properties considered positive in terms of improved forest management practices and environmental services supply?
  - b. Do Common Properties actually commit themselves to actively promote the socio-economic development of the regional mountainous areas – also beyond the boundaries of the right-holders' communities?

## 2.2. Objectives and research steps

Thesis objectives can be synthesized as follows:

- Description and assessment of the institutional patterns which the institutional relationships between Common Properties and Municipalities are based on, trying to evaluate their mutual degree of cooperation in their own and interdependent statutory competences;
- evaluation of whether, and to what extent, the Common Properties in the Veneto Region give concrete answers to the aims and prescriptions that the Regional law entrusted them with, i.e. forest landscape management and protection and socio-economic development of rural mountain areas.

Then, research activities have been modulated in three different phases:

- 1) The institutional representatives (e.g. Majors, Aldermen, Councillors, etc.) of those Municipalities including *Regole* within their administrative boundaries have been contacted in the first step. Through an interviewing campaign, they have been asked to provide information on the institutional relationship patterns characterising their institutional relationship with the local Common Properties. They were also inquired so to reveal their own perception about the Common Property's capability to effectively stimulate the socio-economic development of mountain areas and proactively pursue a sound forest management;
- 2) In the second phase, taking advantage of some available data not analysed yet, the latter key-issue has been deepened, i.e. the Common Properties' attitude towards the active provision of environmental services, particularly those others than wood. This step foreruns the following, ascertained that the related results would have been informative for the last research phase;
- 3) To check and compare municipal representatives' opinions with common representatives' ones, a new set of interviews has been carried out, targeting Common Properties' representatives. Again, the collaborative mechanisms and the institutional linkages horizontally linking Common Properties with Municipalities have been explored, along with their self-evaluation on their own management options and outputs.



The following Table summarises cross-links among the different research steps, along with their connections with the above-mentioned research questions.

**Table 3 – Cross-links among different research steps, and connections with the research questions.**

|   | Research phase #no.                          |  |  |
|---|--|--|--|
|   | Phase #1                                     | Phase #2                                       | Phase #3                                     |
| <b>Methodological approach</b>                                | Qualitative                                  | Quali-quantitative<br>(descriptive statistics) | Qualitative                                  |
| <b>Data collection</b>  | Field data collection                        | Secondary data<br>analysis                     | Field data collection                        |
| <b>Correspondence with</b><br>(research questions no.)        | Research question #1<br>Research question #2 | Research question #2                           | Research question #1<br>Research question #2 |
| <b>Research step informative for</b><br>(research phase #no.) | Research phase #2<br>Research phase #3       | Research phase #3                              | ---  |
| <b>Research step informed by</b><br>(research phase #no.)     | ---  | ---  | Research phase #1<br>Research phase #2       |
| <b>Cross-check with</b><br>(research phase #no.)              | Research phase #3                            | Research phase #1<br>Research phase #3         | Research phase #1<br>Research phase #2       |

According to such three-step work subdivision, in the following ‘Methodology’ sub-chapter, the description of the adopted methodological approach has been split and presented in three different sections, one for each research phase.

For the same reason, the ‘Result’ chapter has been divided too, calling again attention to the three-phase research subdivision.

## 2.3. Methodology

### 2.3.1. Qualitative approach: *ratio* of choice

The decision whether a quantitative or qualitative approach should have been preferred, adopted and implemented to answer the research questions has been carefully pondered.

One possibility would have been the adoption of an analytical and quantitative approach, accompanied by the development of a conceptual framework based on a set

of dimensions, sub-dimensions and indicators to be measured and estimated, to finally perform an evaluating assessment and quantitatively answer the research questions.

Nevertheless, few bibliographic resources have shed light on either strategic and day-by-day pragmatic activities usually carried out by the regional Common Properties, definitely causing a lack of knowledge, at least empirical, on the matter of study. How collective governance dynamics and strategies relate to, and influence, either the socio-economic and institutional environments of the local mountain communities they belong to, was worth to be further explored too. Setting up a well-informed conceptual framework has been thought possible secondarily to this preliminary explorative research, in order not to build criteria and indicators more on partial and possibly biased information, rather than on robust and 'factual' key-factors. A qualitative approach has been therefore selected, as in-depth described hereinafter.

### **2.3.2. First research step: the municipal perspective**

This study made use of a simple but effective data collection procedure: a structured survey instrument administered during face-to-face interviews. The instrument contained both closed and open-ended responses, allowing for analysis across respondents from organizations of the same category at similar administrative levels. Nonetheless, it should be kept in mind that only the municipal side is represented here, and that it would be worth conducting other surveys in the future, in order to do a cross-check between municipal and collective (right-holders') positions.

Closed-ended responses called for exactly worded questions and multiple choice answers, sometimes variable according to initial yes-no queries or other funnel questions. Probing questions were adopted when a full exploratory approach was particularly needed, therefore eliciting thoughtful answers, also possibly through follow-up questions. Generally, interviewees were encouraged to highlight causes and motivations, and provide evidences of their statements, possibly integrating also closed-ended responses with further open reasoning. Qualitative information were mainly collected, though exceptions exist (e.g. Likert scales).

Interviews (duration: 1-1.5 hour) have been carried out in Spring and Summer 2013 by one researcher, also assisted by a young Master student. Answers have been written down, and only later transcribed on a database, as interview recording could have refrained respondents from answering freely. Notably, to prevent strategic answers, interviewees have been also granted that all the collected data and relevant information would have been elaborated aggregately.

Every Municipality with one or more Common Properties standing within its own administrative boundaries has been contacted; response rate equalled to 70%. Thus, representatives of 14 out of 17 Municipalities were interviewed. Three municipal administrations renounced to answer the questionnaire, without advancing any exact reason - political reluctance was implicit. Although they represent only ~17% of the total Common Property-affected municipal population, 16 Common Properties stand within their boundaries, i.e. ~30% of the regional Common Properties' population. Table 4 shows in which Municipalities the interviews actually occurred.

A purposive respondents' sampling strategy has been pursued as well, aimed to select the officer most responsible for, or at least well informed about the formal and informal relationships occurring between Municipalities and local Common Properties. Preliminarily, each municipal secretariat has been contacted by phone and email to give forth the research objectives and methodologies, then asking for the municipal representative most apt to answer the questionnaire. Interviewees covered different roles in the municipal administrations: namely 10 mayors, 2 council members, 1 municipal secretary and 1 office manager.

The key-issues to be assessed were mainly identified through informal communications with representatives of public administrations, and according to personal knowledge and experience. The following themes were investigated with the help of the survey instrument. Table 5 further descripts them.

- Main communication channels existing between municipal and collective administrations: (i) institutional coordination patterns, (ii) Common Property members' representation on the town council, (iii) reference persons in formal relationships and prevalence of formal or informal contacts in such relationships. Our hypothesis was that the higher the representation of Common Property

members in the municipal administration, the greater the robustness of institutional linkages between Municipalities and local Common Properties.

- Administrative constraints that Municipalities need to deal with by law, due to the compulsory nature of interfacing with Common Properties on some particular policies concerning territorial management decisions, such as urban development plans (cf. paragraph 'Urban and territorial management and development').
- Projects, activities and situations in which Common Properties and Municipalities cooperated, distinguishing four policy fields: (i) environmental management and conservation, (ii) local economic development, (iii) urban and territorial management and development and (iv) promotion of the local culture, customs and practices. The selection of these areas of interest was driven by the fact that the regional law prescribes that Municipalities have to pre-emptively inform and involve Common Properties in their initiatives concerning these issues.
- Economic effects suffered by Municipalities due to the reconstitution of former Common Properties, as these began to collect forest management revenues; Our hypothesis was that the abrupt shortfall of these incomes – due to the changes in the property regimes – generated negative impacts on the economic balances and budget of Municipalities, particularly for those lying in mountain areas where mass tourism is not well developed and the local economy is still partially based on traditional agro-forestry activities.
- Present or past occurrence of legal disputes, and the occurrence of institutional tensions, if any.
- Presence and magnitude of social tensions due to the exclusion of non-rights-holders from common-pool resource benefits. Here, social tensions refer to attitudes, actions and decisions on the part of Common Properties discriminating between right holders and non-right-holders, which are perceived by many non-members as generating detrimental rifts in the local community that the Common Property members belong to.
- Responses related to efficiency and effectiveness of local Common Properties in promoting (i) environmental conservation, (ii) social development, (iii) local economic development and (iv) tourism. Although promotion of tourism can be

considered a sub-distinction of economic development, it has been treated separately, given the major role that it plays in shaping and defining the latter.

The whole questionnaire is reported in Annex I.

**Table 4 – Municipalities affected by Common Properties’ existence, no. of Common Properties standing within each municipal boundaries, and municipal administrations contacted during the interviewing campaign.**

| Municipality                | Common Properties within municipal boundaries (no.) | Interviewed  |
|-----------------------------|---|--------------|
| Auronzo di Cadore           | 2   | Yes          |
| Borca di Cadore             | 1   | Yes          |
| Chies d’Alpago              | 5   | Yes          |
| Colle Santa Lucia           | 3   | Yes          |
| Comelico superiore          | 4   | Yes          |
| Cortina d’Ampezzo           | 11  | <b>No</b>    |
| Danta di Cadore             | 2   | Yes          |
| Forno di Zoldo <sup>2</sup> | See footnote  | See footnote |
| Pedemonte (VI)              | 1   | Yes          |
| Pieve di Cadore             | 3   | Yes          |
| San Nicolò di Comelico      | 2   | <b>No</b>    |
| San Pietro di Cadore        | 4   | Yes          |
| San Vito di Cadore          | 3   | Yes          |
| Santo Stefano di Cadore     | 4   | Yes          |
| Selva di Cadore             | 3   | <b>No</b>    |
| Vigo di Cadore              | 1   | Yes          |
| Vodo di Cadore              | 2   | Yes          |
| Zoldo Alto                  | 2   | Yes          |

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<sup>2</sup> In *Forno di Zoldo* no Common Properties had been already re-established when the interviews were carried out, but at that time four reconstitution processes were actively ongoing. One municipal representative and one *regoliere* (collective right-holder) have been interviewed, thanks to a sort of unintended “snowball” selection method. In these cases, interviews were very similar to informal talks, and an unstructured approach definitely prevailed. Thus, answers have been taken into account in shaping general reflections, but they have not been explicitly considered in the results section.

**Table 5 – Main assessed issues, sub-issues, main collected information and adopted methodology (first research step).**  
**Legend: Mc: open-ended question with multiple choice; Ls: open-ended question with Likert scale; OEq: open-ended question.**

| Main issue   | Sub-issue  | Main collected information  | Methodology                           |
|--|--|---|---------------------------------------|
| Identity records and preliminary data  | Interviewee identity records   | Name; role within the municipal administration; reasons for being designated as questionnaire respondent  | (-), OEq                              |
|  | Municipality identity records  | Name; extension; forest and pasture assets still owned/under municipal control  | (-), Mc                               |
| Representatives & institutional coordination                                     | Double-representativeness (both in the Town Council and Common Property administration)  | Roles respectively covered in the municipal administration and Common Property boards   | Mc                                    |
|  | Institutional privileged spokesmen   | Interlocutors responsible for both formal and informal Municipality-Common Property communications: roles and positions   | Mc                                    |
| Institutional coordination + graphic questionnaire                               | Institutional coordination mechanisms  | Existence of written <i>memoranda</i> ; typologies (if any)   | Mc, (OEq)                             |
|  | Municipal dependence on Common Properties' action, and <i>vice versa</i>   | Subject usually taking the institutional initiative; political and administrative constraint/freedom dependent on each other's institutional activities   | Mc, (OEq)                             |
|  | Common Properties' involvement by the Municipality, and <i>vice versa</i> , in projects, actions, activities, concerning (i) urban development and territorial strategies; (ii) economic development; (iii) forest and environmental management; (iv) social development | Projects, actions, activities, circumstances when such involvement occurred; prevalence of formal/informal contacts in the institutional coordination; co-management and/or co-funding; possible issues | (if any) OEq, Mc<br>(if no) Mc, (OEq) |
|  | Other agreements and coordination between the Municipality and Common Properties   | Municipality managing common assets through <i>ad hoc</i> mandate, and <i>vice versa</i> ; any other projects, actions, activities, circumstances when mutual coordination came to light                | OEq                                   |
| Common Property reconstitution and financial impacts on municipal balance sheets | Assessment of the existence of impacts   | Causes; magnitude; Impact patterns: positive vs. negative, direct vs. indirect, continuous vs. <i>una tantum</i>  | Mc                                    |
|  | Consequences and adaptations to financial impacts  | Administrative and policy adaptations; consequences for the whole local community   | OEq                                   |
|  | Reinvestment rate  | Former municipal reinvestment rate on forest assets prior to Common   | Mc                                    |

|  |  |   |                  |
|--|--|---|------------------|
|  |  | Property reconstitution   |                  |
| Institutional SWOT analysis                              | Institutional coordination assessment  | Reality vs. potentiality in the Municipality-Common Properties coordination                                   | Mc, Ls           |
|  |  | Institutional SWOT analysis   | OEq              |
|  | Municipal policy processes & Common Properties' internal life dynamics   | Municipal involvement in Common Properties' internal life and governance                                      | Mc, (OEq)        |
|  |  | Dependence of municipal policy processes on internal Common Properties' governance mechanisms                 | OEq              |
| Assessment of Common Properties' effectiveness           | Common Properties' skills assessment, concerning (i) forest management and environmental conservation; (ii) economic development; (iii) tourism promotion; (iv) social development | Projects, actions, activities; motivations; possible issues   | OEq, SSa         |
|  |  | Evaluation and rate justification   | Ls, Mc, (OEq)    |
|  | Benefit <i>coverage</i>  | Extension of Common Properties' action benefits beyond the right-holders' community;                          | Mc, (OEq)        |
| Outlooks and future expectations                         | Institutional relationship patterns between Municipalities and Common Properties, and among different Common Properties  | Positive and/or negative expectations and related opinions  | Mc, OEq          |
|  | Strengthening of the institutional coordination  | Actions to be possibly implemented to reinforce Municipality-Common Properties coordination                   | OEq              |
| Legal disputes, institutional contrasts and other issues | Legal disputes   | Past/current existence of Municipality-Common Properties legal disputes; reasons; foreseeable solutions       | (if any) Mc, OEq |
|  | Institutional contrasts  | Past/current existence of Municipality-Common Properties institutional contrasts; reasons; possible solutions | Mc, Ls, OEq      |
|  | Social issues and non-right holders' opinions on Common Properties   | Existence of social frictions due to Common Properties' activities; reasons; magnitude; expected evolution    | Mc, Ls, OEq      |
|  |  | (Indirect) assessment; positive and negative acknowledgments concerning Common Properties' activities         | Ls, OEq          |
| Any other relevant issue                                 | Any other relevant sub-issue   | Any other relevant information  | OEq              |

### **2.3.3. Second research step: which proactive supply for the environmental services?**

The municipal and collective commitment and attitude towards the provision of environmental services others than wood, have therefore been assessed and compared. The following environmental services were selected: biodiversity protection, carbon storage, soil protection and water quality regulation, tourism promotion and support to recreational activities.

In particular, it has been assessed whether Common Properties and Municipalities explicitly consider the selected environmental services among their current multi-functional forest management practices. The assigned priority to the supply of the environmental services was also tested analysing whether they consider such provision as a primary or secondary forest management objective. Finally, respondents declaring no or secondary commitment to the supply of one or more environmental services were asked to indicate whether they would be potentially interested in strengthening their attitude towards such provision, and under which conditions.

This research step consisted in a secondary data analysis, taking advantage of the data collection connected to the EU-FP7 Newforex Project (New Ways to Value and Market Forest Externalities). Analysed data were collected through a structured survey instrument administered during face-to-face interviews.

Within the regional boundaries, face-to-face interviews were conducted with private, public, and collective (Common Properties) forest owners and managers. The total number of respondents equalled 197, randomly selected from among the whole regional forest owners' population. Of these, 18 interviews were selected first, all those with Common Property representatives – mostly Presidents or Secretaries (out of 53 regional Common Properties; coverage: 34%). Interviews with municipal representatives were then selected, according to a geographical closeness criterion linking Municipalities with those Common Properties lying within their administered areas. 11 interviews with municipal representatives were therefore considered (carried out within these mountain areas: *Zoldano, Ampezzano, Comelico, Cadore* and *Alpago*), whereas 12 others were excluded as no information on Common Properties had previously been collected in the surrounding areas, and particularly *Agordino, Feltrino*



and *Longaronese* mountain areas. Table 6 summarises both selected Common Properties and Municipalities.

**Table 6 – Newforex questionnaire: sampled Common Properties and Municipalities also considered in this research work (secondary data analysis)**

|                          |  |
|--------------------------|--|
| <b>Common Properties</b> | Regola di Borca di Cadore<br>Regola di Campolongo<br>Regola di Candide<br>Regola di Cortina D'Ampezzo<br>Regola di Costalissoio<br>Regola di Costalta<br>Regola di Costalta <sup>3</sup><br>Regola di Funes, Pedol e famiglia Munaro di Molini<br>Regola di Mareson<br>Regola di Padola<br>Regola di Presenaio<br>Regola di San Pietro di Cadore<br>Regola di San Vito di Cadore<br>Regola di Tutta Danta<br>Regola di Villagrande di Auronzo di Cadore<br>Regola Grande di Coi<br>Regola Grande di Colle Santa Lucia<br>Regola staccata di Vodo di Cadore |
| <b>Municipalities</b>    | Auronzo di Cadore<br>Calalzo di Cadore<br>Forno di Zoldo<br>Ospitale di Cadore<br>Perarolo di Cadore<br>Pieve D'Alpago<br>Tambre D'Alpago<br>Valle di Cadore<br>Zoldo Alto<br>Zoppè di Cadore  |

The EU-FP7 Newforex Project encompassed a variety of objectives and research questions going far beyond the aims and purposes of this research work (see also [www.newforex.org](http://www.newforex.org)). Therefore, the research design, data collection and the sampling methods were not specifically designed to cover the regional Common Properties population, possibly introducing some degrees of statistical inaccuracy in Common Property sample representativeness. Nonetheless, it should be here recalled that the results analysis followed a qualitative and explorative approach, rather than a

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<sup>3</sup> Common lands jointly-owned by 4 different Common Properties (consortium).

quantitative one (no other similar surveys had previously been conducted on the same topic), and the main findings were also cross-checked and validated with those obtained during the other research steps. Thus, any possible representativeness inaccuracy of the sample does not seem to be causing any relevant misrepresentation of the main figures and results.

#### **2.3.4. Third research step: the Common Property perspective**

The outcomes of the previous survey suggested that the dominant literature exalting *Regole* and their commitment toward the whole set of responsibilities that the national and regional laws entrust them with, might not be always fully well-motivated. However, the opinions and evaluations by municipal representatives needed to be cross-checked with Common Property representatives' ones, to avoid partial and potentially biased conclusions. To check and compare municipal opinions with collective ones, directly targeting Common Property representatives an explorative approach has been adopted with a focus on the collaborative mechanisms horizontally linking Commons with Municipalities, i.e. the institutional linkages (Berkes, 2002) between the two institutions.

Face-to-face interviews have been carried out among Common Property representatives of those Common Properties located in the same areas where the parallel recent survey had been conducted among Municipalities.

Selected sampling criteria were the following:

- balanced geographical representativeness, according to the different regional mountain areas;
- inclusion of both long-lasting and newly reconstituted *Regole*, adopting the Regional Law 26/1996 as time rupture;
- Common Properties–Municipality relationship patterns previously emerged from prior data collections and surveys (Favero *et al.*, 2013 and 2014);
- political and economic Common Properties' significance. To better define this key-point, the most recent Common Property balance sheets were preliminarily collected, and informed regional policy stakeholders were also inquired.

Globally, representatives of 18 different Common Properties (out of 54 regional *Regole*, i.e. 33.3% of the total population) were contacted and interviewed. Table 7 displays sampled *Regole*. 13 interviews were with the Common Property Presidents, one with a vice-President, 4 with administrative Common Property assistants.

**Table 7 – Sampled and contacted *Regole*, with information on reference Municipalities, formal establishment (whether before or after R.L. 26/1996 enforcement).**

| Common Property extended name  | Municipality                               | Common Property establ. (before/after R.L. 26/1996) |
|--|--|---|
| Magnifica Regola di Villagrande  | Auronzo di Cadore                          | After   |
| Regola di Borca di Cadore  | Borca di Cadore                            | After   |
| Regola di Funes, Pedol e famiglie Munaro di Molini   | Chies d’Alpago                             | After   |
| Regola del Monte Salatis   | Chies d’Alpago                             | After   |
| Regola Grande di Colle Santa Lucia   | Colle Santa Lucia                          | Before  |
| Regola di Casamazzagno   | Comelico Superiore                         | Before  |
| Magnifica Regola di Nebbiù   | Pieve di Cadore                            | Before  |
| Regola di Tai e Vissà di Cadore  | Pieve di Cadore                            | After   |
| Regola di San Pietro   | San Pietro di Cadore                       | Before  |
| Regola di Costalta   | San Pietro di Cadore                       | Before  |
| Regola Generale o Granda<br>Regola di Chiapuzza e Costa<br>Regola di Vallesella, Resinego e Serdes | San Vito di Cadore<br>(1 single interview) | After   |
| Regola di Campolongo   | Santo Stefano di Cadore                    | Before  |
| Regola di Costalissoio   | Santo Stefano di Cadore                    | Before  |
| Regola di Santo Stefano  | Santo Stefano di Cadore                    | Before  |
| Magnifica Regola di Vigo, Laggio con Piniè e Pelos di Cadore                                       | Vigo di Cadore                             | After   |
| Magnifica Regola Grande dei Monti di Vodo  | Vodo di Cadore                             | After   |
| Regola Grande di Mareson   | Zoldo Alto                                 | After   |
| Regola di Casotto  | Pedemonte (VI)                             | After   |

Again, a semi-structured questionnaire has been developed and adopted in the interviewing process, so as to collect coherent and comparable information. Similarly

to the research instrument adopted in the first research phase, the following key-issues have been explored:

- forest and landscape management;
- economic development initiatives;
- tourism promotion, because of its peculiar relevance within the surveyed areas;
- social development (i.e. initiatives for the welfare of the Common Property members and the local community);
- formal and informal relationships with local Municipalities.

For each key-issues, Common Property interviewees have been asked to provide evidence of the activities they have promoted and implemented. They have been also stimulated to reply to some specific critiques by municipal representatives, stating how they evaluate such remarks (based on real evidence, controversial, motivated by strategic observations, etc.). In any case, they were encouraged to develop complete reasoning, highlighting causes and motivations of their actions.

Notably, to prevent strategic answers, interviewees have been granted that all the collected data and relevant information would have been elaborated aggregately. It should be also noted that the assessed key-issues were not further defined in more details, in order to let interviewees to stress any element they considered worth to be emphasized, either factual or more subjective.

The whole questionnaire is reported in Annex II.

## 3. Results

According to what stated in the previous ‘Objectives and research steps’ section, this chapter consists of three sub-chapters, that make reference to the three-phase research subdivision.

Thus, the first ‘The municipal perspective’ section contains the results of the interviews carried out among the institutional representatives of those Municipalities that, in the Veneto Region, include *Regole* within their administrative boundaries.

In the second section (‘Environmental services: which proactive supply?’), results concerning the municipal and common attitude toward the active provision of some selected environmental services are shown.

Finally, in the third ‘The Common Property perspective’ section, the outcomes from the interviews carried out among the Common Property representatives are discussed. These, are not only relevant *per se*, but they also allow to compare the common representatives’ opinions, positions and answers with the municipal ones.

### 3.1. The municipal perspective

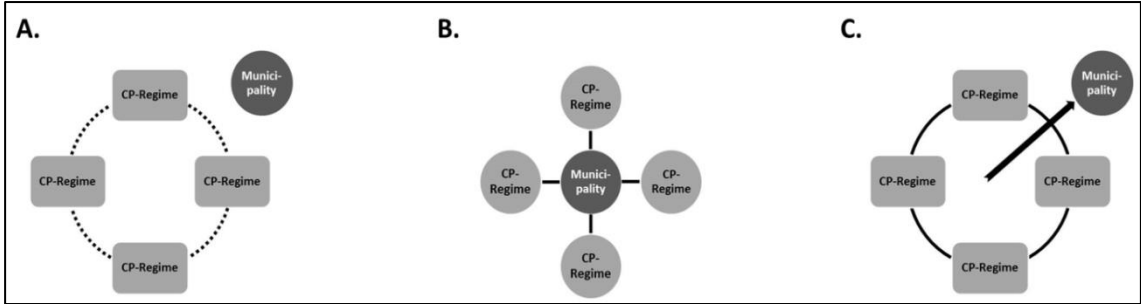
#### 3.1.1. Main communication channels

##### Institutional coordination patterns

Municipal representatives indicated a substantial lack of coordination (rare and weak institutional linkages) with local Common Properties in three out of fourteen cases (21.4%), involving six common properties standing within their municipal areas (case A, Figure 4). Differently, five municipal representatives (35.7%) reported well-established institutional linkages (case B, Figure 4) with local Common Properties – a total of 14 Common Properties. In one case (7.1%) the municipal representative suggested that local Common Properties (no. 2) usually fully coordinate their action in the institutional relationships with the Municipality (case C, Figure 4). Finally, in five other cases (35.7%) local Common Properties coordinate their institutional representativeness, but they also maintain specific and single contacts with the

Municipality (case C+B, Figure 4), depending whether the policy issues to be discussed affect all the local Common Properties, or just one of them. Note that no information about the quality of these institutional relationships (positive and fruitful or problematic and detrimental) are described here, but only their stability over time.

**Figure 4 – Institutional coordination patterns between Municipalities and Common Properties standing within the municipal areas.** Case A: rare and weak institutional linkages between Municipality and Common Properties, regardless the degree of cooperation among different Common Properties; Case B: well-established institutional linkages between Municipality and each single local Common Property; Case C: Common Properties fully coordinating their representativeness in the institutional relationship with Municipality. Case B+C exist as well.



Representation of Common Property members within the Town Council

Results demonstrated that in every town Council, at least one Councillor, Alderman<sup>4</sup> or even the mayor (nine cases, 64.3%) was also a Common Property member. Then, ascertained that these representatives are offspring of a household head, they also had the possibility to participate to the common Assembly as full right-holders, or on behalf of the household head. In only two cases (14.3%), neither the mayor nor any of the Aldermen were members of a local Common Property.

A full overlap in institutional responsibilities was observed twice, where municipal representatives had responsibilities within the local Common Property administration (i.e. as President or administrative board member). Often, lack of representation on the part of individuals across these two organizations was due to the statutes of the

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<sup>4</sup> In Italy, municipal Aldermen are members of the executive Board that superintends the main administrative life policy issues. To certain conditions, the Town Council accepts, integrates or rejects policies undertaken by the executive Board. Whereas the Aldermen are directly nominated by the Major, Councillors – that constitute the town Council – need to be democratically elected. Thus, one might also cover the double role of Councillor (elected) and Alderman (nominated).

Common Property, which explicitly impeded administrative overlap in order to avoid conflicts of interest.

#### Reference persons in formal relationships, prevalence of formal or personal contacts

In six cases (42.9%), only one person was found to be responsible for maintaining formal contacts with local Common Properties at the municipal level (the mayor in five cases, the deputy mayor in one case), whereas in four other cases (28.6%) a Council member or the deputy mayor reinforced the mayor's role. In only three cases (21.4%), the institutional contacts originated from a collegial effort, through the involvement of the entire town Council. According to the municipal interviewees, on the side of the Common Properties, a main role in maintaining institutional linkages was played by Presidents (42.9%), and was sometimes found to be supported by the vice-President (21.4%), the secretary (14.3%), or the administrative board members (21.4%).

Respondents were asked to indicate whether municipal and collective representatives mainly shared ideas, projects, strategies, through formal or informal contacts. Results revealed that only twice (14.3%) the institutional relationship entailed high formality levels, with official documents testifying meetings, proposals or mutual requests. Such situations emerged where relevant institutional tensions existed. Contrarily, in other two cases (14.3%) informal contacts prevailed, with municipal and Common Property representatives that are not used to formalize their agreements (in one case, a substantial lack of institutional communication channels has been also revealed). In all the other cases (71.4%), Common representatives stated that preliminary informal contacts usually forerun formal decisions, that give evidence of which agreements have been already reached.

#### **3.1.2. Administrative constraints**

Unexpectedly, in the majority of cases interviewees responded that they did not feel severely constrained in their management duties by the existence of Common Properties within their municipal boundaries (see Figure 8).

Municipalities were pretended to be the main promoters of a continuous and close relationship with local Common Properties (42.5% of cases), whereas the latter

took initiative in creating ties in only one case (7%). In the other cases, a balanced or irregular situation has been described. In these cases, municipal representatives suggested that, substantially, Common Properties ask for municipal cooperation when they needed to solve administrative and bureaucratic issues, e.g. land use destination changes to convert former pasture huts into new commercial activities (agricultural tourism enterprises). On the contrary, Municipalities tended to involve Common Properties through proposals and projects to be implemented within the Common Property-owned territories. In fact, 70% of surveyed Municipalities lost the ownership of the majority of forest lands with the process of Common Property re-constitution.

Thus, although theoretically the majority of municipal representatives did not feel administratively constrained by the existence of Common Properties, they also stated that there were difficulties related to the implementation of their strategies and actions, as these almost inevitably need to be applied on common lands. In fact, these have been returned to the former (and smaller) groups of right-holders, which might have different management objectives than Municipalities, first of all satisfying the needs of the right-holders' community, rather than on the whole local citizenry. Notably, in their remarks municipal representatives referred to fields possibly liable to institutional coordination, others than those the regional law calls Municipalities for compulsory involvement of Common Properties. Particularly, amongst the others, they mentioned footpaths development and various initiatives to sustain rural tourism.

### **3.1.3. Fields of institutional contact**

#### Environmental management and conservation

Issues of environmental conservation and forest landscape management revealed high levels of coordination between Municipalities and Common Properties, with the latter often active promoter of joint initiatives frequently co-funded by the former. Only in two cases (14.3%) no institutional contact has occurred in the last five years, as Common Properties preferred to practice in full autonomy from Municipalities. Maintenance of the existing forest roads and the construction of new ones are the most frequent matters of discussion (57%), followed by the joint application to Rural Development Plan measures (35%), maintenance of existing real estate (e.g. pasture



huts) and agro-forestry maintenance, such as pasture mowing and countering forest expansion (35%). Sometimes, forest plans were drawn up together (21.4%) and Common Properties and Municipalities stipulated agreements in order to jointly employ forest rangers (14.3%).

#### Local economic development

Often, plans, strategies, and activities targeting local economic development have been found to be embedded in the 'Ten-year Plans for future urban and territorial development' adopted at a municipal, provincial or even regional scale. Most commonly, institutional contacts focused on the creation of new ski areas and slopes (28.6%, i.e. four cases: three agreements and one opposition), or management of existing ski facilities (14.3%). Discussions often arose about the advisability of establishing hydroelectric plants (eight cases, 57.1%), with four favourable cases (executive or still to be implemented projects), one preliminary project and three cases where Common Properties and Municipalities successfully cooperated to prevent a plant being built, collectively perceived as detrimental for the environment. Often, the possibility of constructing bioenergy plants using local wood as fuel was under discussion, but no projects in this direction have so far been realized. In two situations (14.3%), beginning with an initiative on the part of a Municipality, there was an attempt to construct a stable coordination among the Municipality, Common Properties and other local associations or private businesses. The ultimate purpose of this initiative was the common management of local forests and the joint application to forest certification schemes. The other initiative was concerned with upgrading of local tourist services and facilities. Only one respondent reported no incidence of cooperation concerning economic development.

#### Urban and territorial management and development

As easily expected because of the regional law prescriptions, in many cases (85%) Municipalities involved Common Properties in projects or plans concerning urban development, mainly through participative processes aimed to legally adopt 'Ten-year plans for future urban and territorial development' at a municipal scale.

More than this, in five cases (35.7%) Common Properties also participated in (and co-funded) joint maintenance and improvement of urban decor, ranging from minor acts (e.g. provision of Christmas trees), to the restoration of public spaces, such as the town square paving. No cooperation on urban and territorial management and development was reported in only one Municipality.

#### Promotion of local culture and customs

Promotion of the local culture and customs was demonstrated to be the weakest field of institutional contact: in three cases (21.4%) there were no relationships in the last five years, whereas in seven cases (50%) Common Properties and Municipalities cooperated only for minor events. Interesting activities emerged in about 30% of cases, ranging from the joint management of visitor centres, promotion of the local dialect, to co-funded maintenance of school buildings.

Nevertheless, municipal respondents also indicated that Common Properties often carried out other activities autonomously, ranging from cultural to gastronomic and religious ones, some of them noteworthy. Particularly, they mentioned the organization of historical carnivals and thematic days dedicated to local customs, and cultural events aimed to disseminate knowledge about Common Properties and local traditions. Municipal representatives demonstrated appreciation toward these Common Property initiatives, stating that in such circumstances Municipalities provided Common Properties with administrative and bureaucratic facilitation.

#### **3.1.4. Reconstitution of Common Properties: economic effects on Municipalities**

As already mentioned, where the reconstitution process succeeded, a considerable change occurred in the ownership structure, as most of the time the forest area remained in the hands of Municipalities is negligible. Common Properties also began to collect revenues from timber selling, leasing of pastures, management of alpine huts and concessions for quarry sites and ski areas. Despite the high variability of such revenues, depending on the extent and quality of the resources involved, they were always quite relevant (on average around 200,000 €/year/Municipality, ranging from ~50,000 up to ~700,000 €/year).

Results suggested fewer negative effects than expected. In four cases (28.6%), municipal representatives stated that no relevant changes occurred in the number/quality of services provided to the citizens. In fact, the municipal balance sheets were robust enough to afford lower revenues, and the necessary financial resources were simply drawn from other non-essential balance items. In three cases (21.4%) they argued that lower incomes substantially equal lower annual expenditures (resource maintenance, bureaucratic issues). In other four cases (28.6%), the Municipalities had never gained through forest ownership, given that Common Properties continued *de facto* to manage local forests, therefore no economic contingencies came out of the re-constitution process. Only two interviewees (14.3%) stated that Municipalities suffered a severe shortage of capital resources, and this led to a lower level of services and higher tax pressure on the citizens, in the worst case even with the layoff of a municipal worker.

### **3.1.5. Disputes and disagreements**

Although major disputes were generally averted, the size and quality of some forest assets led to legal disputes concerning rights to these resources, often triggered by the inaccuracy in cadastral information available.

Figure 6 shows occurrence of disputes: in 7 of cases (50%) no legal disputes had arisen, whereas in three cases (21.4%) they have been solved. In four other situations, disputes were ongoing, even if it appeared that there was mutual willingness to reach a friendly agreement. Resolution of pending legal issues was demonstrated to be a relevant driver for a progressive and significant bettering of mutual institutional relationships.

In addition to legal disputes, the existence of other tensions has been assessed, in terms of allocation of institutional competences. Figure 6 shows that there were such divergences in 6 cases (~43%), the majority of which were considered reasonably serious (Figure 9). Interviewees argued that institutional tensions might arise from the 'dominant' attitude of some Common Properties that were disinclined to recognize the administrative role played by Municipalities in their area. A pertinent example of this was the municipal duty/right (established by the forest law) to issue access

permits for forest roads. Since these roads often crossed common lands, even if not entirely, some Common Properties claim the right to decide who should or should not be granted an access permit.

In the light of all the above remarks, municipal respondents indicated whether, and to what extent, they positively considered the compulsoriness and the opportunity for Municipalities to debate and interface with Common Properties. Grey bars in Figure 10 represent their evaluations. Differently, black bars display analogous assessments, but referred to an ideal point of view – rather than the reality. A certain tendency to give strategic answers was detected, ascribable to the polarization of answers, mostly concentrated on worst and best options. On average, positive evaluations counterbalanced negative ones, but the real, current situation is judged less positively than the potential one.

### **3.1.6. Social issues**

From a social perspective, interviewees suggested that social tensions were more frequent and serious, compared to institutional tensions (Figure 9). Several reasons underlie this situation, among others: (i) the difficulty in being accepted as a Common Property member for those who are not descendants of ancient local households, even if they have been living in the local community for several decades; (ii) some Common Property members' hostile attitude towards outsiders; (iii) the absence of gender balance within the right-holders' communities, as in some cases women are still not accepted as right-holders; (iv) the exclusion of non-members from the possibility of enjoying some resource benefits, either through direct exploitation (i.e. fuelwood) or indirectly, e.g. access to grants for young newly married couples, to scholarships, to building subsidies, etc.; (v) human discord originating from trivial differences of opinion concerning the institutional relationships between Common Properties and Municipalities (in the most negative situation reported, one Council member resigned). For the same set of reasons, interviewees often suggested that non-right-holder citizens perceive Common Properties as institutions rather poorly or not at all integrated into the local, social environment (Figure 11). Even though most of the time neither public protests nor evident verbal attacks emerge, these situations give rise to

personal controversies that undermine the social cohesion within the local community, respondents said.

### **3.1.7. Effectiveness of Common Properties**

Municipal representatives qualitatively assessed the effectiveness of local Common Property in pursuing the objectives stated by that the regional law, i.e. the environmental conservation and management and the socio-economic development of mountain territories. Figure 5 shows the results, displayed in ascending order, from the worst to the best overall evaluation.

#### Environmental conservation and management

The most positive judgements concerned environmental conservation and management: interviewees often observed that forest landscape management has improved since Common Properties have taken up management responsibilities, mainly because this is at the `core` of the perceived focus of Common Properties. Above all, municipal representatives suggested that the Common Property reinvestment rate of forest management revenues on forest assets increased, compared to the former public management. In fact, the minimum reinvestment threshold that Municipalities need to accomplish is defined by law, i.e. 10% of forest management revenues have to be rolled over forest and pasture resources. Often, municipal representatives stated that they precisely respected the due threshold, therefore allocating the majority of their economic resources to other balance sheet items. Differently, the common statutes identify the forest management as the core Common Property scope, this of course leading to higher reinvestment rates.

Criticisms have been raised twice: in fact, it was reported that the State Forest Police levied fines against Common Properties because of harvesting activities that had not received authorization. On this point, impatience with bureaucratic procedures and an overly practice-oriented traditional mentality have been stressed.

### Social development

The worst judgments on the part of municipal representatives concerned Common Properties' effectiveness in promoting social development: 78.5% of opinions were negative. This figure was in line with the issues listed above. Municipal representatives often highlighted the 'closed mentality' of some right-holders, especially the elderly, who still have a great influence in the Common Property assembly. Moreover, and no less important, municipal representatives argued that Common Properties should commit themselves to more actively support Municipalities in their welfare strategies, especially because they are targeted to the whole local community and not just the right-holders.

Nevertheless, they also observed that Common Properties allow local politicians to have direct feedback about their choices from the local population, or at least a part of it. In fact, often right-holders constitute a relevant share of the local population, insomuch that Common Properties are potentially able to strongly influence local elections, even steering the Mayor's election. Therefore, they can indirectly also heavily influence local policy processes and decisions.

They also admitted that increased participation prevents possible political speculation that could be detrimental for the local environment. In fact, respondents observed that the General common Assembly exerts high levels of control even for ordinary decisions concerning environmental issues, undertaken by Municipalities. Moreover, in some cases, to validate particular decisions (i.e. land use changes) Common Property statutory rules call for variable *quorum* thresholds to be reached in the common Assembly, and higher consensus levels are needed than the simple majority. From this point of view, the occurrence of some social friction is maybe the price to be paid in order to increase the participation of local people in the municipal administrative life.

### Local economic development

With regard to local economic development, favourable remarks nearly balanced negative ones. Again, a dichotomical situation and contradictions appeared, with positive cases contrasting with other rather discouraging ones.

The municipal interviewees recalled their positive remarks concerning the Common Property environmental management. Particularly, they suggested that Common Properties stimulated an increase in timber prices and revenues, and the establishment of new local forest enterprises too, through a more careful planning of timber selling activities and the extensive application to Rural Development Plan funding to maintain and further develop the forest road network.

Nonetheless, often they also suggested that Common Properties are inclined towards an 'ordinary management', rather than being focused also on innovative management options, e.g. branch wood and harvesting residues were not extracted from the forest and no bioenergy plant projects have so far been realized. They also observed that a well-established cooperation among different Common Properties is still largely missing, as testified by the lack of local sawmills or bioenergy plants fuelled by local wood resources. Interestingly, the 'attendant attitude' of some Common Properties has been criticized, since many relevant proposals have so far been launched by Municipalities.

### Tourism promotion

Negative remarks prevailed with reference to the promotion of tourism: municipal representatives observed that right-holders were tied to old logics, closely related to forestry and pasture management, and therefore not oriented towards supplying 'new' complementary goods and services, recreational services included. A certain hostile attitude toward foreign people was recalled, maybe driven by a sort of 'feeling of power' of some right-holders with regards to the common-pool resources, as if these were their own individual property.

In some cases, positive comments emerged, especially when Common Properties proposed their direct involvement in the management, and possibly further development, of local new ski slopes and ski facilities. On the contrary, in another locally well-known circumstance the *Regole* opposed to such a similar project, this leading to sharp contrasts with the local municipal administration. With regards to summer tourism, positive remarks concerned a renewed attention by Common Properties toward pasture management, aimed to produce and promote typical

mountain cheeses. The frequent refurbishment of traditional alpine huts in modern agritourist buildings has been mentioned as well.

Key results are summarized in Table 8.



**Table 8 – First research step, summary results.**

| Main issue  | Main collected information  |
|---|---|
| Institutional representativeness and communication channels                   | <p>Almost all Common Properties represented in the local Town Councils: Councillors, Aldermen, often even the Major are also right-holders.</p> <p>Double institutional representativeness is rare, due to statutory limitations and convenience.</p> <p>The Major is the main institutional spokesman; collegial institutional communications are rare.</p> <p>Informal communication broadly prevailing: more stable institutional coordination mechanisms are worth to be implemented.</p>   |
| Institutional coordination  | <p>Coordinated initiatives often launched by Municipalities.</p> <p>Municipal representatives do not perceive their own administrative life and managerial competences severely constrained by the compulsory nature of interfacing with Common Properties on some particular policies concerning territorial management decisions. Some issues are still perceived existing 'on the ground', in the real policy and strategy implementation.</p> <p>Institutional coordination came to light with particular reference to maintenance and building of the local forest road networks (coordinated application to Rural Development Plan funding possibilities), and local hydroelectric power plants establishment. Secondly, for urban development and social events.</p> <p>Municipalities do not manage common assets through <i>ad hoc</i> mandate, and neither <i>vice versa</i>.</p> |
| Common Property reconstitution & financial impact on municipal balance sheets | <p>Impacts ranging from 50,000 to 200,000 €/year/Municipality; high variability among different areas and Common Properties.</p> <p>Fewer negative effects on municipal balance sheets than expected: rare severe shortages of municipal capital resources. Often, no relevant consequences for the whole local community in terms of number/quality of services.</p> <p>Reported higher reinvestment rates (&gt;10%) by Common Properties on forest resources, compared to former municipal levels.</p>  |
| Institutional SWOT analysis   | <p>On average, positive evaluations counterbalanced negative ones, but the real, current situation is judged less positively than the potential one. A certain tendency to give strategic answers was detected.</p> <p>Common Properties able to strongly influence local politics, policy processes and decisions. Municipalities never involved in Common Properties internal life and governance mechanisms.</p>   |
| Municipal assessment of Common Property effectiveness concerning              | <p>From the worst to the best overall evaluation of Common Property:</p> <ul style="list-style-type: none"> <li>- Forest management and environmental conservation: forest management as Common Properties 'core' action;</li> </ul>  |

|  |   |
|--|---|
| <p>(i) forest management and environmental conservation; (ii) economic development; (iii) tourism promotion; (iv) social development</p> | <p>higher reinvestment rates; VS. overly practice-oriented traditional mentality.</p> <ul style="list-style-type: none"> <li>- Economic development: increase in timber prices and revenues; establishment of new local forest enterprises; application to Rural Development Plan funding to maintain and further develop the forest road networks; VS. 'ordinary management', rather than introducing innovative management options (branch wood and harvesting residues are not extracted from the forest and no bioenergy plant projects have so far been realized); 'attendant attitude' of some Common Properties.</li> <li>- Tourism promotion: some right-holders not oriented to supply 'new' complementary goods and services, recreational services included; hostile attitude toward foreign people; VS. some Common Properties directly involved in managing local ski facilities; renewed attention by Common Properties toward pasture management (production and promotion of typical mountain cheeses); refurbishment of traditional alpine huts in modern agritourist buildings.</li> <li>- Social development: difficulties for non-right holders in being accepted as new Common Property members; hostile attitude towards outsiders; weak gender balance; exclusion of non-members from the possibility of enjoying some resource benefits; according to municipal representatives, Common Properties should commit themselves to more actively support Municipalities in their welfare strategies.</li> </ul> |
| <p>Legal disputes, institutional contrasts and other issues</p>  | <p>Size and quality of some 'returned' forest assets led to legal disputes concerning rights to these resources, often triggered by cadastral inaccuracies. Recently, some pending legal issues were solved, with a progressive and significant bettering of the institutional relationships.</p> <p>Other institutional tensions exist, mainly concerning the allocation of institutional competences, e.g. duty/right to issue access permits for forest roads.</p>   |

### **3.2. Environmental services: which proactive supply?**

Interviewees were asked to indicate whether they considered the provision of environmental services others than wood compatible with the ongoing forest management practices, along with their inclusion in the current management goals and their assigned 'priority level'. Table 9 shows the related results. Interestingly, almost all the interviewees, both Common and municipal representatives, were convinced that current forest management practices are compatible with the supply of selected environmental services. A few municipal representatives gave negative answers referring to carbon storage (9.1% of times conflicting with current forest management actions) and soil protection (20.0%). The judgment was clearer concerning the inclusion of the investigated environmental services within the current forest management goals and plans: somehow, environmental services are always taken into consideration, with the only exception being carbon storage (6.7% of negative answers among municipal representatives). Nonetheless, municipal and collective representatives' positions differed considerably with reference to the assigned 'priority' given to provision of each single environmental service. In fact, in many cases municipal representatives designated such environmental service as 'main' forest management objectives; on the contrary, Common Property interviewees often described them as subordinate to wood supply. This particularly applies to tourism and recreational activities and carbon storage. Figures are summarised in Table 10.

Other figures confirmed a rooted Common Property commitment to wood supply: timber selling revenues have been described as representing almost the entirety (71.4% of times), or a relevant share (21.4%), whereas municipal representatives described them as 'not very relevant' (28.6%, opposed to 7.1% for Common Properties), or 'negligible' (71.4%) if referred to the whole municipal financial budget.

**Table 9 – Compatibility between environmental services (ES) provision and ongoing forest management practices, ES inclusion in the current forest management goals, and related assigned ‘priority level’.**

| ES types                       | Organization     | ES supply compatibility with current FM |        | ES supply as current FM goal |        | ES supply priority among FM goals (main or secondary) |           |
|--------------------------------|------------------|---|--------|------------------------------|--------|---|-----------|
|                                |                  | No                                      | Yes    | No                           | Yes    | Main  | Secondary |
| Tourism and recr. activity     | Municipalities   | 0.0%                                    | 100.0% | 0.0%                         | 100.0% | 88.9%   | 11.1%     |
|                                | Comm. Properties | 0.0%                                    | 100.0% | 0.0%                         | 100.0% | 14.3%   | 85.7%     |
| Biodiversity                   | Municipalities   | 0.0%                                    | 100.0% | 0.0%                         | 100.0% | 90.0%   | 10.0%     |
|                                | Comm. Properties | 0.0%                                    | 100.0% | 0.0%                         | 100.0% | 66.7%   | 33.3%     |
| Carbon storage                 | Municipalities   | 9.1%                                    | 90.9%  | 6.7%                         | 93.3%  | 50.0%   | 50.0%     |
|                                | Comm. Properties | 0.0%                                    | 100.0% | 0.0%                         | 100.0% | 7.7%  | 92.3%     |
| Soil protection, water quality | Municipalities   | 20.0%                                   | 80.0%  | 0.0%                         | 100.0% | 80.0%   | 20.0%     |
|                                | Comm. Properties | 0.0%                                    | 100.0% | 0.0%                         | 100.0% | 66.7%   | 33.3%     |

Interviewees declaring no inclusion of environmental services within current forest management objectives, or who assigned secondary relevance to such services and objectives, were also asked to indicate whether they were potentially interested in strengthening their commitment to supply such services, and under which conditions. Table 10 shows the related results. Uncertainty prevailed with reference to tourism: most interviewees, both Municipalities (100%) and Common Properties (66.6%), demonstrated that they do not know how recreational activities could be better linked with forestry interventions. Notably, 26.7% considered the proactive increase of biodiversity levels not applicable within their forest areas, or were not interested in such a commitment (13.3%). However, many interviewees were potentially favourable to further focussing on biodiversity even without direct earnings, simply by adjusting their forest management actions. On the one hand, interviewees broadly considered carbon storage compatible with current forest management actions, but they definitely saw it as secondary to timber provision; on the other hand, many stated that they would commit themselves to provide higher carbon storage levels only if associated to direct earnings (50% among Municipalities and 40% among Common Properties), and many others considered this goal not applicable to their forest areas (40% Municipalities and 33.3% Common Properties). Differently from the other environmental services, in the vast majority of cases soil protection and water quality were described as primary forest management objectives, and highly compatible with

current forestry practices. Nonetheless, the future interest in higher proactive supply levels of environmental services followed similar trends to those for carbon storage, that is little interest in doing more without direct payments. Table 10 summarizes these figures.

**Table 10 – Potential interest in supplying higher levels of environmental services (ES), and under which conditions (question targeting respondents declaring no ES inclusion within current forest management objectives, or assigning them secondary relevance).**

| <b>ES types</b>                     | <b>Future ES supply (attitude)</b> | <b>Municipalities</b> | <b>Common Properties</b> |
|-------------------------------------|------------------------------------|-----------------------|--------------------------|
| Tourism and recreational activities | Yes, with direct earnings          | -                     | 16.7%                    |
|                                     | Yes, also with no direct earnings  | -                     | -                        |
|                                     | Yes, with indirect profits         | -                     | 16.7%                    |
|                                     | No, I think it is not applicable   | -                     | -                        |
|                                     | No, in any case                    | -                     | -                        |
|                                     | I don't know                       | 100.0%                | 66.6%                    |
| Biodiversity                        | Yes, with direct earnings          | 10.0%                 | 20.0%                    |
|                                     | Yes, also with no direct earnings  | 60.0%                 | 26.7%                    |
|                                     | Yes, with indirect profits         | -                     | 6.7%                     |
|                                     | No, I think it is not applicable   | 30.0%                 | 26.7%                    |
|                                     | No, in any case                    | -                     | 13.3%                    |
|                                     | I don't know                       | -                     | 6.7%                     |
| Carbon storage                      | Yes, with direct earnings          | 50.0%                 | 40.0%                    |
|                                     | Yes, also with no direct earnings  | -                     | -                        |
|                                     | Yes, with indirect profits         | 10.0%                 | -                        |
|                                     | No, I think it is not applicable   | 40.0%                 | 33.3%                    |
|                                     | No, in any case                    | -                     | -                        |
|                                     | I don't know                       | -                     | 26.7%                    |
| Soil protection, water quality      | Yes, with direct earnings          | 33.3%                 | 40.0%                    |
|                                     | Yes, also with no direct earnings  | 33.3%                 | 13.3%                    |
|                                     | Yes, with indirect profits         | -                     | 13.3%                    |
|                                     | No, I think it is not applicable   | 22.2%                 | 33.3%                    |
|                                     | No, in any case                    | -                     | -                        |
|                                     | I don't know                       | 11.1%                 | -                        |

### 3.3. The Common Property perspective

#### 3.3.1. Forest management

In their self-evaluation, right-holders attributed the best rates to the environmental management (Figure 7), and often they proudly claimed that management practices have bettered since local *Regole* gained the direct control over the local forest and pasture land. In fact, they noted that their 'core business' and main statutory scope precisely consist of forest landscape management, whereas Municipalities have many other duties and tasks to fulfil and to cope with.

The minimum reinvestment threshold over forest assets that Municipalities need to accomplish is defined by law, i.e. 10% of forest management revenues have to be rolled over forest and pasture resources. Often, Municipalities precisely respected the due threshold, therefore allocating the majority of their economic resources to other balance sheet items. In reason of the fact that Common Property statutes identify forest management as the core common scope, 75% of right-holders suggested that their reinvestment rate of forest management revenues on forest assets increased, compared to the former public management. Contrarily, 16.7% declared it remained unchanged; 8.3% preferred not to answer.

Almost all Common Property interviewees listed both maintenance and new building of forest roads among the main activities that the common management is based on. They also stressed that this is a basic and primary way to raise the timber value, and to encourage new forestry practices, e.g. collection of wood residues for energy uses. Moreover, developing a proper road network facilitates the introduction of new forest mechanization, and the proactive supply of some environmental services, e.g. recreation, tourism and hydrogeological risk protection.

Interestingly, some right-holders stated that *Regole* took some years to completely assume administrative and operative control over forest management after their formal recognition following the regional law 26/1996 enforcement. So, they have been mainly focussing on forestry for almost a decade. Nonetheless, recently they began to conceive forest management in a wider and more integrated way, and in the last years many Common Properties made relevant investments to improve their

rangeland assets, e.g. pasture restoration after the past abandonment of grazing activities, renovation of tumbledown alpine huts and refurbishment of still serviceable ones. Results displayed in the Gigante's survey (2013) reinforce these statements.

Common Property representatives mainly reacted in two divergent ways with regard to the remark that their forest management would focus just on the ordinary practices, therefore without realizing the Common Property full potential entrepreneurship. Whereas some of them energetically and definitely rejected such critique, the majority indirectly validated such presumption, strategically preferring to describe which difficulties challenge their forest management-related activities.

Many right-holders stressed that disproportionate bureaucratic requirements hinder the Common Property capability to achieve a more efficient and effective forest management. In fact, they blamed the extensive body of environmental laws and related administrative and bureaucratic duties. Often, such requirements were considered unreasonable. Some other negative remarks moved from the evidence that only few right-holders have enough willingness and time to dedicate to the Common Property administration, and often they are retired people. To this point, some Common Property Presidents demonstrated consciousness of the need to increase the internal participation, and also to make recourse to new competences and skills, eventually external to the Common Property administrative boards.

Nonetheless, some of them also argued that restraining from an intensive harvesting does not equal low Common Property entrepreneurial ability, since the environmental management should not be driven solely by pure economic perspectives. For this same reason, some wistful *regolieri* perceive modern silvicultural interventions as 'aggressive' and harmful for forests, if compared to traditional and low technological ones, but necessary to properly remunerate modern forestry enterprises.

Regardless of whether or not they adopted conciliating positions, almost every contacted right-holder observed that even the mere prosecution of regular silvicultural interventions can be considered more than 'ordinary' management practice, as proved by the vast abandonment suffered by many private and also public forests. Indeed, data from previous research activities (Gatto *et al.*, 2011) validate the Common Property remarkable commitment toward wood provision: usually in the

common lands harvesting activities take place every year, whereas in public lands they tend to be more sporadic, i.e. performed every 2-3 years (29.2% of times) or occasionally (8.3%).

Interviewees also claimed that the Common Property control over local common-pool resources resulted in added confidence by the local citizenry – both right-holders and non-right holders – that forest landscapes will not easily suffer from ‘speculative policy actions’. This conviction particularly emerged when Common Property statutory rules call for variable *quorum* thresholds to be reached in the common Assembly to validate some decisions. In fact, these can vary according to the matter under discussion: whereas the simple majority is sufficient to validate ordinary decisions, higher consensus is needed to approve more relevant issues, e.g. land use changes. Possible thresholds equal to two thirds of right-holders participating to the Assembly, or even the right holders majority, regardless they whether or not participate to the Assembly and to the discussion. Meaningfully, implicit or even structured considerations on the juxtaposition between different democratic regimes developed on the backdrop of these main observations, i.e. collective direct democracy vs. municipal representative democracy. Particularly, Common Property representatives observed that their Assembly exerts high levels of technical control even for ordinary decisions compared to the municipal Town Council, where decision are frequently taken merely on the basis of the Council members’ political position.

### **3.3.2. Economic development**

Along with better forest management performances, Common Property representatives also claimed that their timber selling activities are more carefully planned. In fact, in few cases *Regole* began to sell harvested timber on the road side, whereas Municipalities used to sell standing trees. By doing so, timber prices and Common revenues increased, and the establishment of new local forest enterprises was facilitated too. This new conscientiousness probably mirrors how significant timber selling revenues are with respect to Common financial annual balances. In fact, these represent almost the entirety (71.4% of cases) or relevant shares (21.4% of cases) of the Common Property annual economic turnover, whereas municipal



representatives described them as 'not much relevant' in 28.6% of cases (7.1% for Common Properties) or 'negligible' (71.4%), compared to the whole municipal financial budget.

Right-holders observed that many of their rental contracts were more remunerative, compared to previous municipal management conditions based on lower rental fees for pasture land and rural buildings, such as refuges, alpine huts, agritourisms, etc. To this point, they observed that such fees can be a relevant source of income for *Regole*, whereas they are negligible for municipal budgets, and maybe therefore not fully appraised. Frequently, new clauses were recently introduced in the rental contracts of common alpine huts, therefore permitting the tenants to organize new accommodating possibilities and establish agritourism services. Sometimes, Common Properties took also advantage of the opportunity that the regional law provides forest owners with, i.e. introducing fees that people willing to collect mushrooms on common lands have to pay. Whereas, right-holders are exonerated from this payments, non-right holders have to comply with this requirement, regardless whether or not they are local citizens. Thus, although discounted fees were introduced for non-right-holders local citizens, such disparity raised some discontents among them (cf. social development issue).

Neither statutes nor legislative prescriptions impede *Regola* to invest on activities that fall outside forest management practices. In one interesting case, economic and social aims merged together: the local Common Properties actively promoted the establishment of a coffee bar in the hamlet, creating a meeting place able to support the community social cohesion. Urban restaurants and other tourist accommodations have been established as well. Once, the local *Regola* was found to purchase and rent several flats in the nearest city, quite far from the Common Property hamlet and located in the plain. The Common Property President explained such unusual activity with the intention to maintain the Common Property income high, even after the local quarry site closure, which the *Regola* used to earn money from. In few cases, a potential contribution to the development of new ski slopes and ski facilities has been hypothesized. On the contrary, in another well-known case (Municipality of San Vito di Cadore), local *Regole* opposed to one similar project, as they considered it economically unfeasible and environmentally detrimental.

Interestingly, right-holders highlighted that in some cases *Regole* act as ‘*economic multipliers*’ simply thanks to their private legal personality, e.g. when hydroelectric power plants or quarry sites are established on common lands. In fact, in these cases, licensees have to provide both Municipalities and Common Properties with monetary compensations, whereas only Municipalities should be compensated if common lands were publicly owned. Furthermore, Common Properties can autonomously apply to Rural Development Program funding available only to private organizations, therefore increasing the use at local level of European Union funds. To this aspect, appreciable degrees of coordination with Municipalities came to light, with these local institutions acting together to maximize the use of subsidies to be spent on the rural road maintenance. Some returns to scale in investment costs would be obtained as well thanks to a strict Common Properties-Municipalities cooperation.

Nonetheless, common representatives also stressed some difficulties in establishing robust synergies both with other neighbouring Common Properties, and with Municipalities as well. Mainly for this reason, average rates prevailed in their self-evaluation (Figure 7). Interviewees particularly stressed that higher levels of Common Properties-Municipalities coordination would facilitate the achievement of comprehensive local economic development strategies. Maybe, it is not a fortuitous case that one outstanding entrepreneurial project, i.e. the establishment of a new thermoelectric power plant to be fuelled with wood from local common lands, is being currently developed by a consortium of 5 different neighbouring *Regole*.

### **3.3.3. Tourism development**

Interestingly, many right-holders observed that the main Common Property target and objective consist of managing forest landscapes, rather than ‘promoting’ them through territorial marketing activities. With this attitude, tourism development would fall outside their statutory competences. Some right-holders also demonstrated a certain passive attitude toward local tourism, stating that Common Properties simply ‘*do not impede*’ tourist events (e.g. alpine marathons, bike races, snowshoes walking, etc.) to be realized on common lands by whomever else.

At the same time, they also clearly stressed that forestry and pasture management implicitly stimulate forms of rural tourism, assuming that well-managed forest landscapes attract tourists. To this point, alpine hut restoration or refurbishment, and their reorganization for agritourism housing purposes, were described as preeminent and intentional initiatives linked with and targeted to tourist promotion. In addition, maintenance of footpaths, creation of picnic areas and didactic boards placement were also cited. An appreciable number of cultural activities was also recalled, amongst which one week-long events or single thematic days dedicated to wood carving, sculpture and revival of ancient crafts and local customs. A couple of local ethnographic museums were established as well. Notably, one Common Property President recalled a recent project aimed to develop a 'diffused hotel'<sup>5</sup> system (including right-holders' houses) in order to increase the accommodation capacity of the local village.

So, whereas often right-holders suggested that the tourist promotion would go somehow beyond their statutory aims, on the other hand they also claimed the relevant Common Property role in enhancing the territorial tourist attractiveness, both indirectly (forest management) and directly (*ad hoc* initiatives).

Despite these interesting initiatives, in the self-evaluation right-holders declared to be conscious of the fact that *Regole* could actually strengthen their commitment toward tourist promotion (Figure 7). To this end, scarcity of human resources, both in terms of available time and personal skills, was pointed as one of the most heavy constraint and challenge that Common Properties have to face. For this reason, interviewees suggested that Common Properties consortia would be worth to be established, and Common Properties-Municipalities synergies to be reinforced as well. Indeed, administrative and institutional disputes between local *Regole* and Municipalities and, even more, personal contrasts between their representatives (Majors, Presidents), revealed to be the heaviest barriers for the tourist development of some specific areas.

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<sup>5</sup> The "*albergo diffuso*" is an innovative accommodation system invented in North-Eastern Italian Alps based on a network of rooms and flats in a (usually, semi-abandoned) mountain hamlet with a flat used for the reception services and as dining room.

Finally, a pair of Presidents complained that Common Properties do not have the possibility to apply to some regional public funding and incentives targeting tourist promotion activities, because of their rural organization legal profile. For this reason, and due to high investments needed, they have not been able to purchase some specific buildings so far, e.g. one alpine refuge and an ancient windmill to be restored and used as a local museum.

#### **3.3.4. Social development**

Municipal representatives and right-holders showed deeply divergent opinions about the Common Property capability to locally foster social development, as the latter asserted that their effectiveness in promoting the local welfare system covers the second position in the self-evaluation ranking (Figure 7).

Right-holders mainly stressed the fact that Common Properties induce social cohesion within local inhabitants, increasing the community identity, a factor of particular importance for the stability of small and isolated mountain villages. To reinforce the local social cohesion, they also recalled their proactivity in the organization of several events and public initiatives, ranging from cultural to gastronomic and religious ones, e.g., among others, local and historical carnivals, street singing of Christmas and Easter traditional songs, fairs and cultural events aimed to disseminate knowledge about local customs and historical vicissitudes endured by alpine Common Properties throughout the centuries, sometimes also involving school classes. Almost every Common Property representative listed numerous local associations they regularly subsidize, i.e. fire-fighters, sport associations, Italian Alpine soldiers' association, local choirs. Local schools and public libraries were mentioned too: Common Properties funded the purchase of various IT devices. Sometimes, Common Property buildings also serve as public halls.

Other relevant activities were listed too, such as interventions to local churches (ceiling maintenance, heating system installation, restoration of the traditional Christmas nativity scenes), or economic incentives to rebuild houses after a destructive urban fire. Interestingly, the intention to cooperate with the local Municipality and church to establish a social fund has been reported, in order to support impoverished

people and facilitate the access to favoured financial loans by right-holders and local citizens.

Nevertheless, right-holders variously recalled some difficulties to deal with in their social commitment: above all, they mentioned: (i) scarcity of human resources, (ii) limited economic availability and (iii) administrative issues and bureaucratic constraints challenging *'whatever Common Property does, or wants to do'*.

Although direct monetary profits cannot be generally distributed among right-holders, Common Property members can be relieved of some economic burdens thanks to social grants that *Regole* provide them with. The most common social interventions are grants covering the costs for children school transport and for school books purchase, grants for young married couples, for new babies, and for non-self-sufficient people. Once in their life, right-holders have also right to obtain a limited amount of timber to build or restore their own houses (the so-called right of *rifabbrico*), mostly receiving money rather than wood. Noteworthy, often right-holders observed that some benefits (e.g. wood fuel provision) or social grants are bestowed to non-right-holders too. Nonetheless, high variability among Common Property statutes exists: patchy situations came to light and they can be hardly generalized. Meaningfully, 53.3% of right-holders indicated that the Common Property social commitment target is represented by the whole local community, therefore including non-right holders. Differently, 26.7 % of them stated that benefits are limited only to the right-holders, whereas 20.0% indicated a *'balanced situation'*.

Common Properties consortia have been created to co-manage common lands jointly-owned by different Common Properties; such new joint institutions have their own new statutes, that integrate those of each Common Property member. Notably, sometimes new joint statutes extended benefit to non-right-holders, that single Common Property statutes would exclude from (see also specific paragraph, hereinafter).

In some other cases, single Common Properties renovated their own Statutes too, also tackling the gender balance issues, as already discussed by Zanderigo Rosolo (2012). Nonetheless, interviews suggested that critical situations still exist, as few Common Property representatives explicitly proposed male chauvinist considerations – in the Author's opinion, it is definitely not an accidental case that these Common

Properties have not updated their ancient statutes yet. Common Property interviewees also reported that relevant debates are currently ongoing among right-holders and common assemblies, concerning the opportunity to modify or introduce new criteria to regulate the admittance of non-right-holders to the right-holders' community. In few cases, through statutory renovation processes, Common Properties lowered the number of years that non-right holders need to live locally before being possibly accepted as right-holders. Also in this case, close attitude against foreign people and non-right-holders cannot be considered definitely overcome, and many Common Properties still do not accept new right-holders if they are not right-holders' offspring. Alternatively, 'new comers' are requested to live in the local Municipality many decades (up to 80 years) before being accepted as right-holders; this means that only their descendants will have this opportunity.

Though some *Regole* called into question such ancient statutory regulations, often the eldest right-holders show tenacious resistances against possible statutory changes. Remarkably, they still have a great influence in the Common Property Assembly, as statutory changes require, as already mentioned, high *quorum* thresholds to be validated. Some Common Property Presidents suggested that sorts of 'political minorities' still strongly support 'self-sufficient' and close attitudes in the common Assemblies and within the Common Property administrative boards. They also observed that this fact gives evidence that social changes occurred within *Regole* and *regolieri* over the time, as it is a matter of fact that just few years ago such positions were predominant within the Common Property Assemblies. Nevertheless, as it happened for gender balance issues, few interviewees explicitly argued that Common Properties should neither interfere with the municipal welfare state, nor commit themselves toward social aims that go beyond the right-holders' community – revealing that thorny situations still definitely exist.

Some interviewees observed that the ongoing debates on the Common Property 'openness' partially originate from disinterested considerations regarding the widespread and deep societal changes occurred throughout the mountain communities, but on the other hand they are also driven by urgent demographic issues affecting Common Properties and their future survival. Indeed, in line with the prevalent demographic trend characterizing mountain population, i.e. marked ageing

and low birth rates, many *Regole* began to experience slight decreases or worrisome drops in the right-holders' number. Even worse, participation to the common matters by young people is considered weak (50% of cases), either because of their lack of interest or due to few young forces: in the most dramatic situation, the interviewed Common Property President gladly announced that a baby was born in the local village, after 20 years since the last birth. Thus, the vast majority of Common Property representatives revealed awareness that such demographic trends will push Common Properties to react, possibly adopting new mechanisms to secure their survival and not to risk their own 'extinction'.

### **3.3.5. Collective consortia and horizontal Common Property cooperation**

Horizontal communication between Common Properties could be distinguished from local to national levels. Associations at local, regional, and national levels exist, with representative roles for individual Common Properties. Examples include the regional directorate of the national association of common property regimes in the Veneto Region (*Coordinamento Regionale del Veneto della Consulta Nazionale della Proprietà Collettiva*) and ARCFACO (*Associazione Regole Comunioni Familiari Comelico*). Whereas the former aims to represent all the regional Common Properties at the regional and national level, the latter represents a more specific geographical focus, as it counts 16 Common Properties located in the northern part of the Veneto Region (*Comelico*).

On a smaller scale, adjacent Common Properties have recently begun to organize themselves into associations. Such associations have set up shared administrative structures in order to jointly manage land under common ownership. Although single Common Properties maintain statutory autonomy, the integration between single Common Properties has led to a progressive increase in management coordination. In the Municipality of Cortina d'Ampezzo, such an organization comprises 11 Common Properties that share managerial responsibilities for a Regional Park (*Parco Naturale Regionale delle Dolomiti d'Ampezzo*) that extends over their commonly-held lands. In this case, the administrative structure shared among the various *Regole* (*Comunanza*) is also provided with its own statute.

Similarly, four Common Properties in the Municipality of San Pietro di Cadore established a consortium defined by a new associative statute in order to better pursue common objectives, to mitigate administrative burdens on each single Common Property, and to jointly manage certain commonly-owned lands. These same four Common Properties, along with five others, jointly own common lands in the Visdende Valley. Each Common Property oversees management on its own lands, but because these lands have not been formally recognized in the official cadastre, landscape management needs to be discussed and agreed upon by all Common Properties involved. Similar structures exist in the Municipalities of Selva di Cadore and San Vito di Cadore too, respectively involving four and three Common Properties, that either jointly share the ownership over some common lands, and also 'singularly' own some other forest assets.

Though statutes of such associations or consortia must ultimately be compatible with those of each single Common Property, associations have revealed themselves to be a powerful means by which new constitutional and operational rules and regulations can be introduced into individual member Common Properties. In some cases new statutes for associations led to the extension of certain benefits to non-right-holders that were excluded from individual statutes. This is significant in that in some cases, *Regole* were able to overcome resistance to statutory changes from powerful actors. One representative stated that according to the statutes of his organization, only children of rights-holders were eligible to receive scholarships, however, rights to scholarships were extended to others thanks to decisions taken by the *Consortio* (the association of *Regole*).

Where there were no formal linkages between Common Properties (neither *Comunanze* nor other types of associations), interview informants often demonstrated their willingness to establish joint management arrangements with other contiguous Common Properties to address both for short term or long term priorities. Some informants expressed the need to communicate horizontally with other Common Properties on legal issues or constraints, although these may occur bilaterally between organizations in the absence of formal protocol dedicated to these types of interaction (Deutsche, field-notes, 06/2014). Repeated interaction have been found between adjacent associations, between newly reconstituted Commons regimes, and between



Common Properties that have experienced major episodes of historical discontinuity and Commons that could draw upon significant historical and recent experience. For example the *Regole* of Cortina, with their long uninterrupted history, are often consulted on a range of issues by other Common Property administrations.

### **3.3.6. Common Properties-Municipalities institutional relationship patterns**

Collected data confirmed the high recurrence of legal disputes between Common Properties and Municipalities. Often litigations have been triggered by cadastral information inaccuracies, as they mainly concern property right definition over some forest resources, assets or buildings. In some cases these controversies have been already solved, but many of them are still ongoing. Other institutional contrasts concerning the formal allocation of some particular competences (e.g. permission release to access forest roads), came to light as well. The severity of such institutional frictions was mainly described as reasonable (57.1%), whereas it was considered relevant or heavy respectively in 14.3% and 28.6% of cases.

Worth to be recalled here, the regional law designates Common Properties as institutional subjects ‘concurring’ both to forest management and socio-economic development of mountain areas, and it also prescribes some mandatory mechanisms of institutional coordination with Municipalities. Thus, interviewees were asked to indicate to what extent they perceive as limited their own management responsibilities because of such law prescriptions. Unexpectedly, the consciousness that a sort of ‘compulsory coordination’ based on a top-down law prescription does not pose heavy limitations to the each one’s autonomy and ordinary management prevailed (Figure 8).

Nevertheless, Common Property representatives mainly complaint that often the Common Properties-Municipalities institutional relationship is simply reduced to a series of administrative procedures and bureaucratic requirements that *Regole* have to follow and fulfil. To this point, they acquiesced that it is justifiable for Municipalities to exert pre-emptive and *ex post* controls over private entities, but frequently they objected that Common Properties are peculiar private subjects. In fact, Common Properties own the vast majority of forests and rural lands within the municipal

boundaries. Thus, interviewees argued that Municipalities should share visions and projects concerning the territorial development in stricter cooperation with *Regole*, rather than just technically verifying, approving or denying Common Property interventions. Interestingly, often right-holders described themselves as '*territorial volunteers*', stressing that their role should be more conscientiously considered by Municipalities.

Also on this point, few right-holders even took a clear position against the potential mutual Common Properties-Municipalities cooperation, stating that these two different regimes should not interfere with each other. Finally, other more balanced and structured opinions were expressed, revealing high variability among interviewees' opinions on this matter of discussion: on the one hand Common Property representatives recalled and firmly claimed Common Property statutory autonomy, on the other hand they admitted that forestry clearly relates to the landscape management theme, over which Municipalities still maintain an overarching administrative and planning control.

Regardless the different attitude toward Common Properties-Municipalities cooperation, all right-holders specified that municipal representatives have never been formally involved on discussions concerning Common Property internal life, dynamics and governance rules. Eventually, municipal representatives limited themselves to informal and personal suggestions (37.5%), whereas they usually abstain (62.5%) as they are not supposed to deal with such issues.

Some argumentative right-holders quibbled over Municipalities, stating that these are willing to involve Common Properties only when some financial support is needed, like in the case of co-funded investments. Relevant examples were restoration of urban fountains, paving of the local square, Christmas decorations supply, rural and urban road network maintenance. Nevertheless, other milder right-holders observed that such interventions embellish their living place, and through such interventions *Regole* gladly concur to strengthen the community's identity.

Right-holders have been asked to indicate which institutions they consider their main territorial actors, with reference to their statutory objectives. Surprisingly, in 55.6% of cases Municipalities were explicitly disregarded: some interviewees even bemoaned that Municipalities somehow lost the clear perception on which

interventions the territory would really need. The following institutions have been therefore mentioned: the regional Forest Services (88.9%), other regional offices, departments and agencies (50%) such as the Hydro-geological Service, the Soil Protection Service, the regional Road network Agency, and the regional Agency for payments in the agriculture sector. Then, private environmental consulting service companies (16,7%) followed, along with the State Forestry Corp (11.1%), other local rural development agencies (5.5%) and the farmers' unions (5.5%).

Interestingly, forms of political interference between Common Properties and Municipalities have been revealed. In fact, often right-holders constitute a relevant share of the local population, therefore Common Properties are potentially able to strongly influence local elections, even steering the Major's election. Indirectly, they can also heavily influence local policy processes and decisions. As but an example, in the Municipality of Pieve di Cadore, local *Regole* jointly opposed to the projected establishment of a natural park, proofed that they would have been excluded by the Park Administrative Board and their usual forest operations might have been limited. As a consequence of the joint Common Properties' opposition, Municipality abandoned its resolution to apply to the project. Generally, Common Properties seem more capable to influence municipal policies (several cases) than *vice versa* (only one case).

Interviews carried out among municipal representatives had already suggested that often just one single municipal representative is responsible for maintaining formal contacts with local *Regole* – mostly the Major. Likewise, the same happens for Common Property: Presidents assumed this responsibility 94.4% of times (in one case, the Common Property secretary was delegated), eventually assisted by the vice-President (33.3%), the secretary (22.2%) or various administrative Board members (16.6%).

More than half times (12 out of 18), statutes do not impede Common Property representatives to cover at the same time the municipal Councillor role. Thus, it has been investigated what right-holders thought about potential conflicts of interest. Right-holders belonging to those Common Properties whose statutes preclude the institutional overlapping always defended such choice. Elsewhere, neither defence or critic positions clearly prevailed, and right-holders mainly adopted a pragmatic

approach, taking advantage of such fruitful opportunity where possible, or avoiding to exacerbate already wound-up institutional relationships. To this point, in one circumstance it has been revealed that a local citizen covering the double role of municipal Alderman and Common Property Board member resigned from both his positions because of the bipartisan political 'pressures' he was exposed to. Nevertheless, the interviewees stressed that most of the time institutional litigations are not really due to administrative reasons or policy issues, but they originate from personal contrasts, misunderstandings and peevish relationships between Municipalities and Common Property representatives. As but an example, in one circumstance the Common Property President had been also candidate to the municipal elections, competing against the elected Major. Thus, the Common Property-Municipality institutional relationship was evidently suffering from the existing hostility between their respective representatives.

Moving from the firm belief that public and common (private) regimes should not interfere with each other, some right-holders argued that their statutory and managerial autonomy is so much separate from the municipal one that they consider useless a potential strengthening of their operative coordination. Differently, municipal representatives always looked positively at this eventuality. Nevertheless, in 72.2% of cases a possible improvement in mutual relationship was considered positive, or alternatively (5.6%) already optimal. Various motivations have been provided to justify this opinion. First of all, Common representatives declared to be aware that a relevant social overlapping between right-holders' and municipal communities exists, as right-holders belong to the whole local citizenry. Thus, cooperation would contribute to increase the common social welfare, as already mentioned. Wittily, one interviewee observed that to resolve institutional and legal disputes '*right-holders settle lawyers' professional fees twice*', either as right-holders and also as citizens.

Then, right-holders were also aware that Common Properties and municipal respective competences are not mutually contrasting: on the one side Common Properties are private forest owners, on the other side Municipalities supervise the overall territorial planning. Thus, assumed that forest landscapes and the local living environment are public goods, right-holders, citizens and also new comers would benefit from a positive coordination among these entities. Thus, right-holders agreed

that Common Properties and Municipalities should define integrated territorial development strategies and projects, and share common objectives to be achieved through joint planning and managerial synergies. To better achieve these results, right-holders would appreciate whether municipal and public technical offices provided Common Properties with administrative facilitation, so as to avoid bureaucratic delays and, generally speaking, to speed up procedures and processes. Stricter cooperation would also imply higher levels of human resources and technical skills availability to reach common targets.

Finally, the current need to reduce public expenditure also stimulated institutional rearrangements: many small mountain Municipalities will have to compulsorily merge through the creation of Unions of Municipalities and the subsequent expected disappearance of the smallest public administrative units. As a result, some doubts were raised about the real capability of public administrations to deal with micro-scale environmental management issues (Gatto *et al.*, 2012). Thus, Common Properties-Municipalities cooperation and coordination would possibly mitigate even this problem.

**Table 11 – Third research step, summary results.**

| Main issue               | Summary results   |
|--------------------------|---|
| Environmental management | <p>Frequent claim that forest management practices have bettered since <i>Regole</i> gained renewed direct control over local forest and pasture lands ('core business' and main statutory scope; reinvestment rate &gt;10% annual income). Main relevant mentioned activities: maintenance and new building of forest roads and investments to improve rangeland assets. Consciousness that restraining from an intensive harvesting does not equal low Common Property entrepreneurial ability. Even the mere prosecution of regular silvicultural interventions can be considered more than 'ordinary' management. Some years to completely assume administrative and operative control over forest management after formal recognition following the regional law 26/1996 enforcement. Therefore, specific focus on forestry for almost a decade. The extensive body of environmental laws, and related administrative and bureaucratic duties, have been blamed. Juxtaposition between different democratic regimes, i.e. collective direct democracy vs. municipal representative democracy. The Common Assembly exerts high levels of technical control even for ordinary decisions compared to the municipal Town Council (Council members' political positions). Common Properties prevent forest landscapes from suffering 'speculative policy actions', also thanks to variable <i>quorum</i> thresholds mechanisms.</p> |
| Economic development     | <p>Timber selling activities more carefully planned; timber prices and revenues increased; the establishment of new local forest enterprises was facilitated; many rental contracts have been made more remunerative; new clauses introduced in the rental contracts of common alpine huts, permitting the tenants to organize new accommodating possibilities and establish agritourism services. Numerous activities that fall outside forest management practices. In some cases <i>Regole</i> act as 'economic multipliers' simply thanks to their private legal personality (e.g. when hydroelectric power plants or quarry sites are established on common lands); Common Properties can autonomously apply to Rural Development Program funding available only to private organizations. Appreciable degrees of coordination with Municipalities came to light, even though higher levels of Common Properties-Municipalities coordination would facilitate the achievement of comprehensive local economic development strategies.</p>  |
| Tourism development      | <p>Common Properties' target and objective should consist of managing forest landscapes, rather than 'promoting' them through territorial marketing activities. By the way, forestry and pasture management implicitly stimulate forms of rural tourism (well-managed forest landscapes attract tourists).</p>  |

|   |  |
|---|--|
|   | <p>Some respondents showed passive attitude toward local tourism: Common Properties simply <i>'do not impede'</i> tourist events. Others: consciousness of the fact that <i>Regole</i> could actually strengthen their commitment toward tourist promotion (but: scarcity of human resources)</p> <p><i>Ad hoc</i> interventions: maintenance of footpaths, creation of picnic areas and didactic boards placement, cultural activities, alpine hut restoration or refurbishment, and their reorganization for agritourism housing purposes.</p> <p>Common Properties consortia would be worth to be established, and Common Properties-Municipalities synergies to be reinforced as well.</p>   |
| Social development                        | <p>Common Properties induce social increasing the community identity, of particular importance in small and isolated mountain villages.</p> <p>Proactivity in the organization of several events and public initiatives; subsidies to local associations; provision of social grants.</p> <p>Some benefits (e.g. wood fuel provision) or social grants are bestowed to non-right-holders too. New joint statutes (Common Consortia) extended benefit to non-right-holders, that single Common Property Statutes would exclude from.</p> <p>Some statutory renovation processes: lower number of years that non-right holders need to live locally before being possibly accepted as right-holders. Contrarily, sometimes resistances against possible statutory changes came to light; few Common Property representatives explicitly proposed male chauvinist considerations.</p> |
| Coordination with other Common Properties | <p>Horizontal communication between Common Properties can be distinguished from local (e.g. ARCFACO – <i>Associazione Regole Comunioni Familiari Comelico</i>) to national (e.g. <i>Coordinamento Regionale del Veneto della Consulta Nazionale della Proprietà Collettiva</i>) levels.</p> <p>On a smaller scale, adjacent Common Properties have recently began to organize themselves into associations: set up shared administrative structures in order to jointly manage land under common ownership. Single Common Properties maintain statutory autonomy, but the integration between single Common Properties has led to a progressive increase in management coordination. New statutes for associations led to the extension of certain benefits to non-right-holders that were excluded from individual statutes.</p>  |
| Coordination with Municipalities          | <p>Almost all Common Properties are represented in the local Town Councils: Councillors, Aldermen, often even the Major are also right-holders. Double institutional representativeness is rare, due to statutory limitations and convenience.</p> <p>The President is the main institutional spokesman. Informal communication broadly prevailing. More stable institutional coordination mechanisms are worth to be implemented: personal contrasts between their representatives (Majors, Presidents), revealed to be the heaviest coordination barriers.</p> <p>Consciousness that a sort of <i>'compulsory coordination'</i> based on a top-down law prescription does not pose heavy limitations to the each one's autonomy and ordinary management prevailed</p>  |

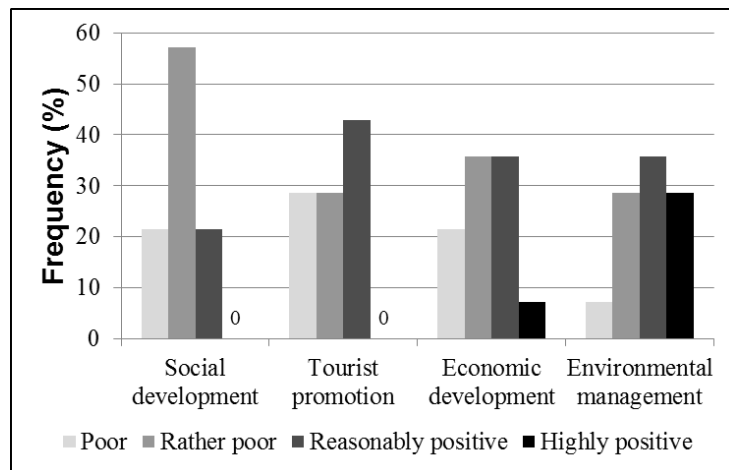
Size and quality of some `returned` forest assets led to legal disputes concerning rights to these resources, often triggered by cadastral inaccuracies. Recently, some pending legal issues were solved, with a progressive and significant bettering of the institutional relationships. Other institutional tensions exist, mainly concerning the allocation of institutional competences, e.g. duty/right to issue access permits for forest roads. Complaints about the fact that often the Common Properties-Municipalities institutional relationship is simply reduced to a series of administrative procedures and bureaucratic requirements that *Regole* have to follow and fulfil.

Forms of political interference between Common Properties and Municipalities have been revealed.

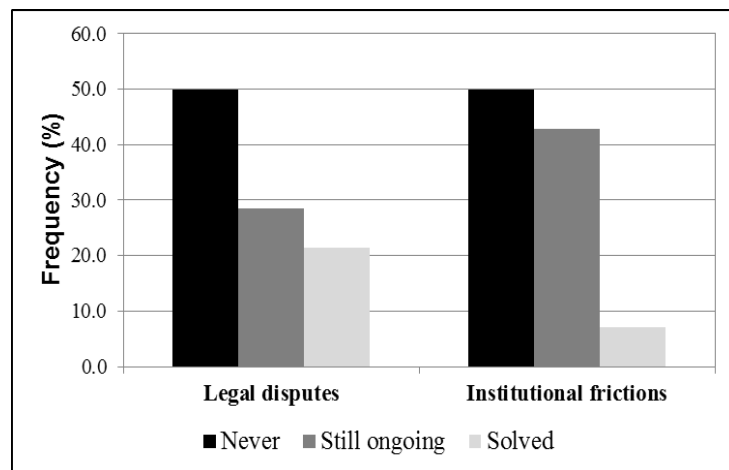
Awareness that Common Properties and municipal respective competences are not mutually contrasting. Conviction that Common Properties and Municipalities should define integrated territorial development strategies and projects, and share common objectives to be achieved through joint planning and managerial synergies. Cooperation would contribute to increase the common social welfare too.



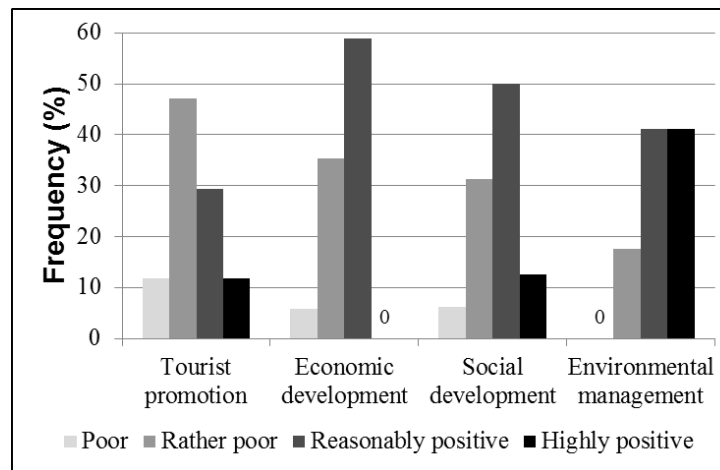
**Figure 5 – Municipal representatives' assigned rate to Common Property effectiveness in promoting social and economic development, tourist promotion and environmental management.**



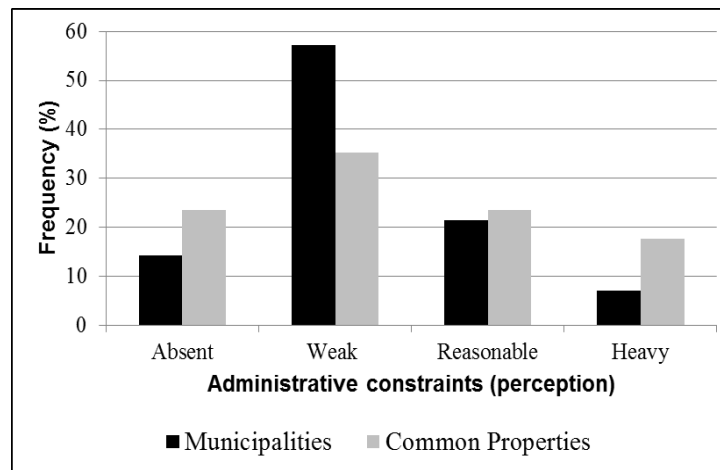
**Figure 6 – Occurrence of legal disputes and institutional contrasts between Municipalities and local Common Properties.**



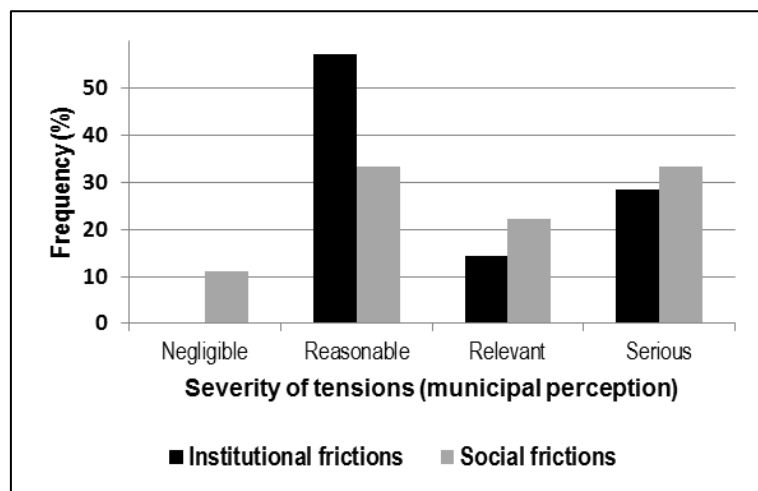
**Figure 7 – Self-evaluation of Common Property representatives of their own effectiveness in promoting social and economic development, tourist promotion and environmental management.**



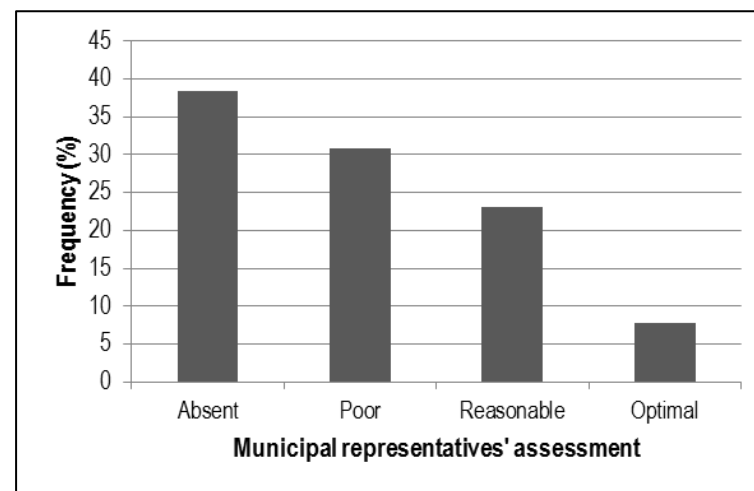
**Figure 8 – Perceived limitations to each one's ordinary management ascribable to compulsory institutional coordination.**



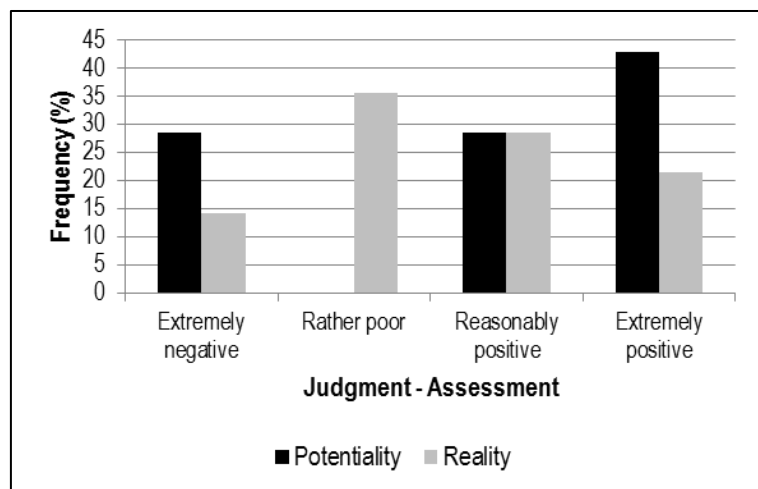
**Figure 9 – Reported severity of institutional and social tensions (municipal representatives' perception).**



**Figure 11 – Commons' integration with the local socio-economic environment (municipal representatives' assessment).**



**Figure 10 – Opportunity to deal with Common Properties.**



## 4. Conclusions

Trying to answer the initial research questions, and particularly whether the ongoing attempts at cooperation and reconciliation between roles and responsibilities of Common Properties and Municipalities are precursory to better coordination within the forestry sector, we found new evidence about the need to progressively improve coordination among these local level institutions.

Polycentricity helps to understand, in this relatively simple analysis at the municipal administrative level, the degree to which relationships are being explored with local common property regimes, and the degree to which these relationships change dynamics of decision-making processes and the relative decision-making autonomy of actors within these processes.

### 4.1. Horizontal linkages

Both municipal and common representatives interviewed for the present study mentioned the need to reinforce not only the coordination between Municipalities and Common Properties, but also among different Common Properties, so that they could share fruitful ideas, solutions and experiences.

Scaling out to create temporally stable associations of Common Properties had interesting results in terms of rule changes and new opportunities to participate in, or take control of management processes at a broader scale.

Horizontal communication between Common Properties could be distinguished from local to national levels. Examples of these types of polycentric governance innovation do exist. Associations at local, regional, and national levels exist, with representative roles for individual Common Properties. Examples include the regional Directorate of the national association of common property regimes in the Veneto Region (*Coordinamento Regionale del Veneto della Consulta Nazionale della Proprietà Collettiva*), and ARCFACO (*Associazione delle Regole e Comunioni Familiari del Comelico*). Whereas the former aims to represent all the regional Common Properties at the regional and national level, the latter has a more specific geographical focus, as

it counts 16 Common Properties located in the northern part of the Veneto Region (*Comelico* area).

Meetings between different Common Properties and the association of larger groups were found to play a symbolic role in the reproduction and reinforcement of values related to Commons management, and their continuity over time.

Variability in awareness of the role (and sometimes the outright existence) of these associations has been identified, where some Common Properties had very weak or non-existent relationships with regional and national associations.

Results gave evidence that, on a smaller scale, adjacent Common Properties have recently begun to organize themselves into associations. Such associations have set up shared administrative structures in order to jointly manage lands under joint-in-common ownership. Although single Common Properties maintain statutory autonomy, the integration between single Common Properties has led to a progressive increase in management coordination. In Cortina d'Ampezzo, for instance, such an organization comprises 11 Common Properties that share managerial responsibilities for a Regional Park (*Parco Naturale Regionale delle Dolomiti d'Ampezzo*) that extends over their commonly-held lands. In this case, the administrative structure shared among the various Regole (*Comunanza*) is also provided with its own statute.

Similarly, four Common Properties in the Municipality of San Pietro di Cadore established a consortium defined by a new associative statute in order to better pursue common objectives, to mitigate administrative burdens on each single Common Property, and to jointly manage certain commonly-owned lands. These same four Common Properties, along with five others, jointly own common lands in the Visdende Valley. Each Common Property oversees management on its own lands, but because these lands have not been formally recognized in the official cadastre, landscape management needs to be discussed and agreed upon by all Common Properties involved.

Though statutes of such associations or consortia must ultimately be compatible with those of each single Common Property, associations have revealed themselves to be a powerful means by which new constitutional and operational rules and regulations can be introduced into individual member Common Properties. In some cases new statutes for associations led to the extension of certain benefits to non-right

holders that were excluded from individual statutes. This is significant in that in some cases, Regole were able to overcome resistance to statutory changes from powerful actors. One representative stated that according to the statutes of his organization, only children of rights-holders were eligible to receive scholarships, however, rights to scholarships were extended to others thanks to decisions taken by the *Consorzio* (the association of *Regole*).

Where there were no formal linkages between Common Properties (neither *Comunanze* nor other types of associations), often interview informants demonstrated their willingness to establish joint management arrangements with other contiguous Common Properties to address both for short term or long term priorities. Some informants expressed the need to communicate horizontally with other Common Properties on legal issues or constraints, although these may occur bilaterally between organizations in the absence of formal protocol dedicated to these types of interaction.

Repeated interaction have been found between adjacent associations, between newly reconstituted Commons regimes, and between Common Properties that have experienced major episodes of historical discontinuity and Commons that could draw upon significant historical and recent experience. For example the Regole of Cortina, with their long uninterrupted history, are often consulted on a range of issues by other Common Property administrations, and often referred as an example to be followed.

#### **4.2. Vertical linkages**

In the Veneto Region, new legal frameworks gave traditional Commons institutions new meaning: the national law no. 97/1994 formally acknowledged Italian common property management systems as appropriate 'tools' to foster both environmental sustainability and socio-economic development of mountain areas. The Veneto Region undertook a set of initiatives to sustain the process of recognition of the role of Common Properties in rural development. As a consequence, some Common Properties managing forest landscapes have been restored when local citizens succeeded in providing evidence of their original land tenure regimes that were active before the Napoleonic land reforms and consecutive hostile legislative

initiatives. Where such reconstitution processes succeeded, a considerable change has occurred in the ownership structure, with large forest areas reverting from public to common property management. Yet the regional law of 1996 also regulates the coordination between Common Properties and public administrative bodies, prescribing that the latter should always actively inform and involve the former in an array of initiatives concerning local territorial development. In regional and national policy circles, the revalorization of Commons was encouraged by the argument that Commons regimes were recognized as successful forest managers

Despite the Municipality is at a higher administrative level, yet both the Municipality and Common Properties can be considered to act at a local level, and sometimes responsibilities overlap, making for complex decision-making contexts.

Results emerged from field surveys confirmed that the institutional conflicts among these institutions are frequent. Luckily, a mutual willingness to reach friendly agreements has recently prevailed. Resolution of litigations revealed to be a relevant driver for better cooperation and to establish more sound institutional relationships. Such resolutions should therefore definitely be pursued by both the contending parties.

Institutional tensions, expressed in negative evaluation of relationships between Municipalities and Common Properties, were significantly more frequent than open legal disputes. In these case, there was no need for courts to resolve litigation in these cases: generally, mild legal aid was sufficient to reach friendly agreement and overcome the ongoing issues.

In such cases, cooperation between municipal and common administrations decreased, affecting their whole institutional relationship, until they rid themselves of mutual tensions. In these circumstance, new joint actions or mutual administrative support can be hardly expected to developed.

Interestingly, data collection has shown that Common Property representativeness within the municipal administration is not a discriminating feature in setting up positive or negative institutional relationships, even though it represents a positive integration of these two local Institutions. In fact, in every town council, at least one municipal representative (a Councillor, or even the Mayor) was also

discovered to be a Common Property member. However, not every Common Property in every Municipality was represented on council, for example, in cases where several Common Properties exist in the same Municipality, not all Common Properties were always represented.

Generally, in the formal contacts between Common Properties and Municipalities, we found a higher level of collegiality in Common Property administrations compared to municipal ones, almost always represented by the Mayor: Common Property Presidents are normally supported by vice-President and other Common Property representatives.

Rather, results suggested the importance of formal (and informal) contacts between these two bodies being carried out by more than just one municipal representative. Otherwise, if the institutional relationship is reduced to a matter of individual and personal contact (Mayor-President), the robustness of the whole institutional relationship may suffer from any worsening of this same 'private' contact.

To this end, mechanisms to enforce stable, robust and enduring cooperation (e.g. joint declarations of interest, procedural and/or economic *memoranda* and agreements, etc.) are worthwhile. In this way, it would be possible also to overcome and prevent personal contrasts negatively affecting the institutional relationship.

Informal relationships among municipal and common representatives have been found to play a relevant role in maintaining the institutional contacts between these Entities vital and properly working. Usually, in such circumstances, formal agreements are established only after reaching similar agreements in informal meetings

Yet, also in this case peevish personal contacts between few institutional representatives might challenge the whole institutional coordination.

Furthermore, where informal and personal contacts represent the main and/or most frequent institutional communication patterns, few information can be found concerning projects, activities and proposals that have not been implemented yet. Only oral information allow to maintain evidence of such hidden processes.

The high frequency in the occurrence of institutional conflicts between Common Properties and Municipalities, concerning each one's own administrative

competences, somehow mirrors the pretended sharp distinction between right-holders and the whole local citizenry. Meaningfully, the presumption to have nothing to do with municipal managerial and policy life does not conciliate with some right-holders' willingness to be acknowledged as volunteers, acting for a comprehensive commonweal and deserving administrative support.

Results suggest that Municipalities remain the primary institutional reference point for mountain territories, and they continue to play a central role in regulation of local-level socio-economic dynamics. Institutional tensions occurred when the presumption that Common Properties had nothing to do with Municipalities prevailed, although both play a role in managing overlapping territories.

Tensions generally arose also when both Municipalities and Common Properties claimed administrative jurisdiction over specific tasks or roles, resulting in problems of institutional coordination. A rising level of debate with state administration concerning forest roads and 'ordinary' management practices is in line with some characterisations of the forest sector as a 'highly regulated system' (Pettenella and Secco, 2011), with little possibility for forest stakeholders to introduce new degrees of flexibility into local forest management. For this same reason, it is not a surprise that legislation is usually felt as interference, invoking resistance or apathy.

On the other side, it seems recommendable that right-holders conceive Common Properties more as essential tools to ensure the involvement of right-holders in the local policy processes, rather than as a mere legal acknowledgement of ancient property rights. Significantly, this seems to be the interpretation implicitly recommended by the regional law, which empowered Common Properties with fundamental public responsibilities, but also established compulsory mutual institutional contacts between Common Properties and Municipalities.

In the light of a (renewed) civil active role in the administrative life of the whole community, some institutional divergences would be probably also overcome. On the other side, an increased level of debate might be the price to be paid to increase participation in public life by local people.



### **4.3. Expectations on future institutional partnerships**

The need for more effective coordination was raised in several interviews because of overlap in statutory autonomy of Common Properties with municipal oversight of local environmental and urban planning, and social and economic development. The majority of Commons representatives interviewed felt that the statutory scopes of Common Properties were more specific to forest/pasture-related issues than the wide fields of competence that Municipalities were required to cover administratively.

Some Common Property representatives claimed that their statutory and managerial autonomy was effectively kept separate from municipal responsibilities, such that they did not consider any further strengthening of coordination with Municipalities to be necessary. On the other hand, municipal representatives surveyed in Veneto were found to always look positively at this kind of coordination. This was found not only to be the case in terms of increasing coordination between Municipalities and Common Properties, but also in terms of a role for Municipalities in coordination of multiple local Common Properties falling within their jurisdiction. In one particular case, the issue at play was coordination among Common Properties for the maintenance of high trails and pasture systems to encourage tourists to visit a valley that was perceived to have poor connectivity to nearby popular tourism destinations.

Municipal representatives were often confident that the institutional relationship with Common Properties would improve in the future too, both in terms of overall frequency and quality of institutional interaction. This belief was mainly based on three different considerations. The first was the progressive resolution of pending legal issues, and therefore the overcoming of past hostilities and tensions, including interpersonal friction. Secondly, both Municipalities and Common Properties needed to cooperate more closely in order to better cope with the ongoing process of institutional re-organization, which was not perceived to have favourable consequences in terms of local territorial development. The current massive cutbacks in public expenditure will probably facilitate, or even force, higher degrees of mutual integration between these two territorial institutions.

Surprisingly, Common Property representatives were not inclined to acknowledge Municipalities as cornerstone territorial institutions. Nevertheless, this opinion does not apply to their future expectations. In fact, both municipal and Common Property representatives demonstrated good confidence in a future, mutual stricter cooperation. Significantly, they mostly agreed on the mutual economic advantage and the need to cope with higher-level institutions and their legislative initiatives. Pleasantly, one right-holder summarized this issue with the following words: *“when the water level reaches your throat, you have to swim not to drown”*.

Nonetheless, a long way still has to be gone through. In fact, whereas Municipalities would appreciate more cooperation on their welfare strategies, Common Properties would prefer stricter coordination on local economic activities implementation. Almost useless to be said, both these perspectives are worth to be jointly pursued. In fact, where the institutional overlapping between Common Properties and Municipalities has been found stricter, that is where usually joint actions are undertaken on both forest management and welfare-oriented initiatives, social and institutional contrasts were either less relevant or negligible, and higher levels of mutual and fruitful cooperation had been reached.

#### **4.4. Forest landscape management and supply of environmental services**

The Common Properties' real commitment to the ambitious requests of the regional law has been investigated. Positive and negative evaluations of outcomes of linkages between Municipalities and Common Properties were expressed by interviewees in municipal administrative positions. This was frequently, but not always found to confirm differences in territorial management responsibilities, however, discontent can be understood to reflect desire for greater coordination between these organizational units over and above what is specified in the 1996 enabling regional law.

Despite some differences in the opinions of the two groups of stakeholders, we found remarkable degrees of similarity between Common Properties and municipal representatives regarding the relevant role that Regole play in rural development. Above all, there is a general consensus that forest management has improved since

Common Properties newly gained control over local forest resources, probably because it represents their statutory and vocational core business. Common Property representatives proudly claimed their commitment to implement traditional forest management practices.

Sometimes, municipal representatives stated that the renewed Common Property control over the forest resources also had the positive spin-off of relieving Municipalities of a difficult and time-consuming administrative burden. Furthermore, it also resulted in added confidence that no speculative action with detrimental social and environmental consequences would be carried out within the local forest landscape.

It is interesting to note that right-holders retraced the theoretical discussion among several scholars on the commodification of nature (Costanza, 2006; McCauley, 2006). Particularly, the belief that the environmental management should not be driven solely by, and evaluated only through, pure economic criteria, prevailed among Common Property representatives.

However, the debate about the provision of environmental services, others than wood, remained marginal among the common interviewees: right-holders definitely focused on wood-oriented traditional forestry, considering other services as spill-overs.

Furthermore, right-holders clearly assigned priority to timber provision, though they consider environmental services not only compatible, but also embedded within their current forest management practices.

Interviewees mainly perceived forest-related tourism as not really included in the existing forest management plans, and forest landscapes are simply thought to be the essential *substratum* needed for local tourism. Differently, no evident trade-offs between wood provision and carbon storage service appeared. Biodiversity was perceived as a sort of forest management spill-over, not necessary to be further proactively fostered through *ad hoc* interventions. On the one hand, soil protection appeared to be a sort of forest management pre-requisite, on the other, it was described as an implicit management side-line.

Results suggested that Common Properties are more committed to traditional forest management than Municipalities, thus the re-establishment of 'new' Common Properties may reinforce the main provisioning service, i.e. wood harvesting. However the dichotomy 'Common Properties focussed on market-based activities vs. Municipalities focussed on provision of environmental services' does not hold for at least two reasons:

- (i) in the highly regulated Italian forest sector, Municipalities tend to abandon or to make a more extensive use of their forests, actively managed for centuries and now ageing and thus increasingly vulnerable, resulting in a reduced provision of some environmental services. On the contrary, active Common Property forest management more oriented to wood production can indirectly support the provision of some environmental services (landscape conservation, carbon storage, soil stability);
- (ii) because of institutional arrangements and, especially, of constitutional rules of Common Properties, only 10% of profits deriving from forest management activities by Municipalities are reinvested in the forestry sector, while in the case of Common Properties almost all profits have to be reinvested in land resources improvements.

In synthesis, these results suggest that Common Properties particularly address their activities to forestry and forest landscape management, whereas they are less committed toward other responsibilities that the regional law entrusts them with, i.e. social and economic development of mountain areas. This also explains the reason why they mentioned Municipalities as reference institutions less than half of the times, i.e. only 44.4% of cases.

#### **4.5. Economic development**

Common Property representatives demonstrated to be more careful than municipal ones in the appraisal of some specific income possibilities. Results also revealed relevant investments on common assets, indirectly stimulating various entrepreneurial activities at a local level, e.g. wood-working and road-building enterprises.

Nonetheless, it seems that Regole indirectly contribute to the economic development of mountain areas especially through their high commitment toward active forest management practices, rather than through specific managerial objectives. Such evidence has been further underpinned by some right-holders, convinced that 'other' aims and scopes, including economic development and tourism promotion, simply 'follow' forest management and Common Property welfare strategies (cascade effect).

Tourism promotion seemed particularly suffering from this pre-eminence of forest landscape management over other aims and objectives, and not rarely right-holders admitted that they should commit themselves more toward this particular issue. In the past, Alpine Common Properties played a fundamental role in providing mountain populations with basic livelihood services, based on internal regulations and social rules. Meaningfully, in the ancient times Regole have never had to develop economic strategies for the development of tourism or other sectors. Nowadays many of them are facing this issue for the first time, in their efforts to adapt to the new modern social, environmental and economic stances.

Definitely, it seems appropriate that an entrepreneurial logic closely tied just to forestry *sensu stricto* would be overcome. Yet, a decade ago Florian (2004) observed that such a positive process had already started, and this survey confirmed similar advances, but difficulties still persist and an entrepreneurial disposition of some Common Properties seems far from being fully realized.

#### **4.6. Inclusiveness and social development**

In the introduction, it has been speculated that if an overly powerful collective identity more anchored in the past than projected towards the future undesirably prevailed, the resulting situation might conflict with the ultimate scope of the national and regional law.

As a driver of change of primary importance, people in the south-eastern Alps no longer rely on commonly-held lands for their livelihoods, and private economic activities at the household level have superseded the importance of benefits derived from Commons. Other important drivers include the increasing number of outsiders,

decreasing number of insiders, the changing economy of the forest sector, changing forest property regimes, changing expectations around who could participate in democratic society, and poor public and political awareness of this particular form of ownership.

Ultimately, if Common Properties were unable to adapt to the new external and internal dynamics characterizing the Italian forest sector, the future survival of common properties could once again become uncertain and threatened. Yet, Gatto *et al.* (2011) hypothesized that past and traditional tools that Common Properties adopted to manage their resources might today not always be sufficient to adapt to external changes and disturbances, potentially leading to non-resilient socio-ecological systems.

Results suggested that it is likely that new demographic trends will lead Common Properties to develop new rules and criteria to possibly accept new members within the Common Property Assembly.

In fact, whereas the gender issue is being progressively solved or mitigated, even though there is still a long way to go (Zanderigo Rosolo, 2012), other social issues appear even more urgent. Among these, the exclusion of those not descended from ancient local inhabitants from the possibility of entering the common community, even if they have been living in the area for several decades and have demonstrated an interest in actively participating in the common resource management.

In Italian Alpine Common Properties where membership is closed, right-holders are defined through both a blood-line constraint and a residence criterion, while only the latter is needed for open-membership commonly-held land (*usi civici*). Thus, in the case of closed Common Properties, only descendants of inhabitants with ancient local roots can be counted as members of the community. National legislation formally assigns the legal status of 'private personality' to Common Properties, shifting from the previous 'public personality' of the *usi civici*. The subsequent decrease in the number of people with rightful claims on the common assets may result in a reduction of the variety of interests to be considered in the forest governance processes and related management activities (Schurr, 2011).

The reasons that in the past led to the imposition of such 'social barriers', namely the increasing human pressure on scarce and essential forest resources, no longer appear to be justified.

Our data suggest that Common Properties have been called on to address perceived closure of membership. Several interviewees stressed that the number of Common Property members dropped over time because of legal statutes restricting entrance possibilities. A reduction in levels of participation at assemblies and in rule-making processes has also been noted as an outcome of these, and other related demographic processes, although efforts to get younger rights-holders involved have been observed.

Nowadays an excessive closure could even threaten the same survival of some Common Properties, that shifted from struggling against the so-called 'enclosure of Commons' (Bravo and De Moor, 2008) to the opposite situation, i.e. the risk to downgrade to 'common enclosures'. Unable to open up and adapt to extensive societal changes, Common Properties could even be exposed to the risk of extinction due to rapid demographic decline, in case they were unable to counteract these trends.

This is the most worrisome issue tackling the future Common Properties' survival in the Veneto Region, and it seems likely that Common Properties will have to re-think their intrinsic physiognomy. By doing so, historical and ancient traditions might be deeply shaken, e.g. membership rights only inherited by lineage.

To this end, it seems desirable that innovative rules and criteria to possibly accept new members within the Common Property assembly are developed and validated through statute revisions, even though practical difficulties (i.e. minimum *quorum* thresholds in statute reform) or ideological hostilities may arise.

Whereas a new open attitude recently began to prevail, Common Properties still remain quite effective in mainly catering for the interests of right-holders and protecting the *status quo* in forest land use.

The most outstanding difference between the municipal representatives' perception and the Common Property self-evaluation regarded the capability of local Regole to promote social development, with right-holders advancing vibrating claims

on their commitment toward such goal. Maybe, this deep divergence can be explained through the adoption of different perspectives, according to their respective social user base and social targets, i.e. right-holders versus the whole local inhabitants. Whatever the reason, in a changing mountain society with relevant immigrant newcomers flows (Steinicke *et al.*, 2014), perhaps Common Properties should commit themselves to promote social models as inclusive as possible, and to more actively support Municipalities in their welfare strategies.

To this point, it is clear that when rule-making autonomy is vested in local-level Common Properties, processes at higher levels are also formulated with the necessity of creating the appropriate linkages with the local level. However, the level of autonomy for local participants in polycentric system is often not clear. The level of voice or autonomy is often the issue of interest in giving effective direction to these systems. This current focuses on how institutional nesting affects polycentricity and how different levels and forms of autonomy can affect the trajectory of the overall system (Gruby and Basurto, 2014). In this context, it seems worth emphasizing the need to move beyond panaceas in supporting coordination in polycentric governance situations, i.e. there are no institutional designs and approaches that can lead to effective resource governance in all situations (Ostrom *et al.*, 2007). In nested polycentric systems, governance re-arrangement has not meant replacement of one governance level with another, rather a process of negotiation of governance across scales is underway. This is also the case of the Common Properties in the Veneto Region.



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<http://diritto.regione.veneto.it>

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<http://p2pfoundation.net/Commons>



<http://www.iasc-commons.org>

<http://www.thecommonsjournal.org>

<http://www.iccaforum.org>

<http://www.regoladicasotto.it>



# Annex I – First step research questionnaire

## PART I – INTERVIEWEE: PRELIMINARY INFORMATION

- Surveyed Municipality
  - Interviewee: basic information
    - Name and Surname
    - Role within the municipal Administration
    - Other personal data (e.g. age, education, etc.)
    - Why responsible for answering the questionnaire?
- 

## PART II – MUNICIPALITY, COMMON PROPERTIES AND FOREST ASSETS

1. How many and which Common Properties stand within the administrative municipal area, either completely or partially?
  - Full name
  - Year of recognition/reconstitution [*if known*]
2. What is the total extension of agriculture and forest lands within the administrative municipal boundaries? [*hectares*]
3. What is the extension of the tenure assets owned by local Common Properties? [*hectares, at least approximately, if known*]
4. Does the Municipality still manage any agriculture and/or forest asset, or have they been all transferred to Common Properties, after their reconstitution?
  - Alpine huts
  - Agritourisms
  - Pastures and grasslands
  - Forests
  - Pit sites
  - Other assets [*to be specified*]

5. If yes, what is the extension of this 'residual' portion? [*hectares, at least approximately, if known*]
- 

### **PART III – GRAPHIC QUESTIONNAIRES**

6. Which of these situations [*looking at the pictures, next page. CP-Regimes stands for 'common property regimes'*] better describes the existing and current institutional relationship between *Regole* and Municipality?

**Case A)** *Regole* are not stably coordinated among themselves (few contacts), and neither with the Municipality.

**Case B)** *Regole* are not stably coordinated among themselves, but they have single and consolidated contacts with the Municipality.

[Further deepening whether the Municipality acts as an institutional mediator between different *Regole*].

**Case C)** *Regole* are stably coordinated among themselves, but they have few contacts with the Municipality – either singularly or jointly.

**Case D)** *Regole* are both stably coordinated among themselves, and they also have single and consolidated institutional contacts with the Municipality.

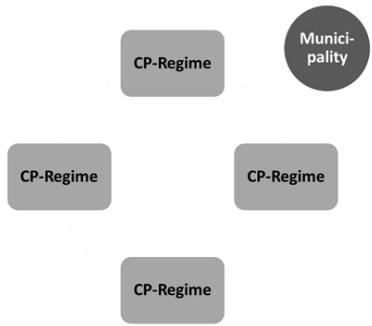
**Case E)** *Regole* are stably coordinated among themselves, and they have also consolidated institutional contacts with the Municipality. In the institutional relationship with the Municipality, *Regole* mainly coordinate their action.

**Case F)** *Regole* are stably coordinated among themselves, and they have also consolidated institutional contacts with the Municipality. In the institutional relationship with the Municipality, *Regole* both coordinate their action and also maintain some singular and specific communication channels.

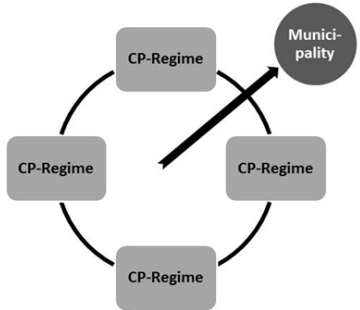
**Or various combination of former possibilities.**

[Further deepening on which *Regole* coordinate their action, and which ones do not – both with regards to the other Common Properties and with the Municipality].

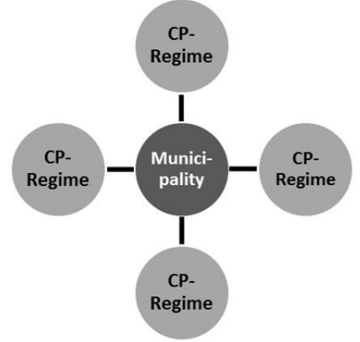
Case A



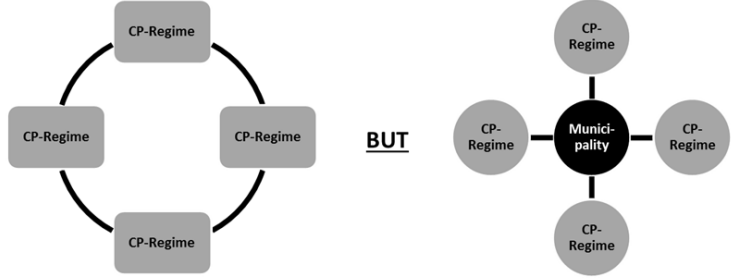
Case D



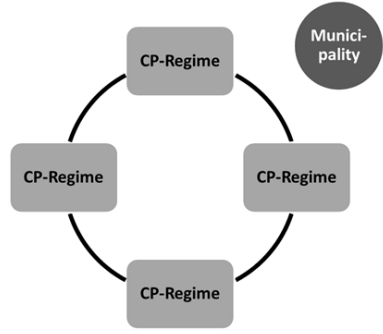
Case B



Case E



Case C



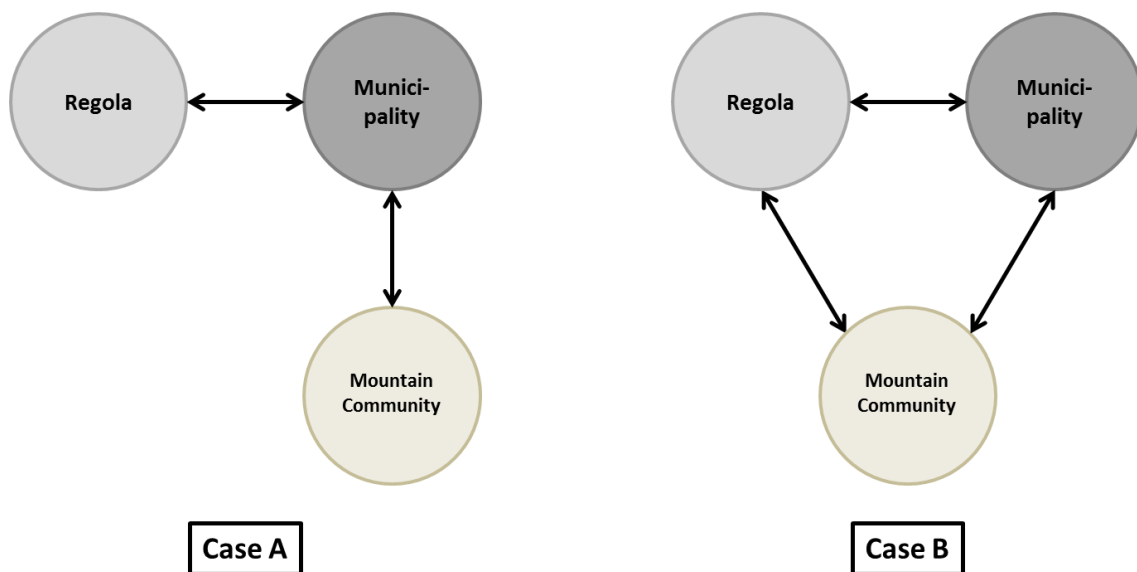
Case F: Case B + Case D

7. Does a Mountain Community exist? [Yes; No]

- [if any] Which one? [full name]
- [if any] Which of these situations [looking at the pictures, here below] better describes the currently existing institutional relationship patterns between *Regole*, the Municipality and the Mountain Community?

**Case A)** *Regole* are only or mainly coordinated with the Municipality, and the Municipality is stably coordinated with the Mountain Community

**Case B)** *Regole* are stably coordinated both with the Municipality and the Mountain Community, and these among themselves too.



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#### PART IV – INSTITUTIONAL REPRESENTATIVENESS AND `DOUBLE-REPRESENTATIVENESS`

8. Does a common-municipal `double institutional representativeness` exist, i.e. does any municipal representative also represent the Common Property?

- No cases of `double-representativeness`
- Yes, a `double-representativeness` exist

[if any, the municipal organigram have been shown, and the interviewees have been asked to highlight such a peculiarity, linking one person and his role covered within the municipal administration with the his role within the Common Property administration]

**Role in the municipal administration**

- Major
- Deputy Major
- Municipal secretary
- Aldermen [*competences to be specified*]
- Town Councillor [majority or minority]
- Technician, head of one specific [*to be specified*]
- Other role [*to be specified*]

**Role in the Common Administration**

- President
- Vice-President
- Common Property Secretary
- Economic auditor
- Administrative Commission member
- Member of other Common Commission [*to be specified*]
- Only *regoliere* (right-holder)
- Other role [*to be specified*]

9. Who represents the formal and privileged spokesman between the Common Property and the Municipality?

**Role in the municipal administration**

- Major
- Deputy Major
- Municipal secretary
- Aldermen [*competences to be specified*]
- Town Councillor [majority or minority]
- Technician, head of one specific [*to be specified*]
- Other role [*to be specified*]

**Role in the Common Administration**

- President
- Vice-President
- Common Property Secretary
- Economic auditor
- Administrative Commission member
- Member of other Common Commission [*to be specified*]
- Only *regoliere* (right-holder)
- Other role [*to be specified*]

10. Who represents the privileged spokesman in the informal, personal, unofficial communications occurring between the Common Property and the municipal administration?

### Role in the municipal administration

- Major
- Deputy Major
- Municipal secretary
- Aldermen [*competences to be specified*]
- The municipal board, as a whole
- The municipal councillorship, as a whole
- Town Councillor [majority or minority]
- Technician, head of one specific [*to be specified*]
- Other role [*to be specified*]

### Role in the Common Administration

- President
- Vice-President
- Common Property Secretary
- Economic auditor
- Administrative Commission member
- Member of other Common Commission [*to be specified*]
- Common Property members as a whole, as they are also municipal citizens
- One 'simple' *regoliere* (right-holder)
- Other role [*to be specified*]

11. Who usually takes the formal initiative, when institutional relationships occur between the municipal and the common administration?

- (Almost) always the Municipality
- Both, but mainly the Municipality
- [*only if explicitly stated by the interviewee*] Balanced situation, mutual neutrality
- (Almost) always the Common Property
- Both, but mainly the Common Property
- Irregular, depending on the situations [*further description*]

12. According to the real experience, how would you consider the municipal 'position' in terms of policy and administrative autonomy, with respect to the Common ones?

- Passive: Often Municipality simply ratifies Common Property decisions, that are quite 'binding'
- Passive openness: Municipality is inclined to ratify Common Property decisions, but these are not considered 'binding'
- [*only if explicitly stated by the interviewee*] Balanced positioning, mutual neutrality
- Pro-active openness: Common Properties are inclined to ratify municipal decisions, but these are not considered 'binding'
- Active: often Common Properties simply ratify municipal decisions, that are quite 'binding'
- Irregular, according to different situations [*further description*]



13. Do you think this is the optimal situation? [Yes; No; I don't know]
- [If no] what situation do you think could be considered optimal? [Open answer]
14. Does any kind of written *memorandum* exist between the *Regola/Regole* and the Municipality, i.e. a signed document regulating their mutual relationships? [Yes; No; I don't know]
- [If any] what is its nature?
    - Programmatic [further open explanation]
    - Economic [further open explanation]
    - Procedural
      - Mechanisms of institutional relationship [further open explanation]
      - Allocation of operative roles [further open explanation]
    - Other [further open explanation]
  - [If no]:
    - The institutional relationship is mainly based on informal contacts
    - Different roles and competences are distinct and separate, therefore the institutional relationship is limited
    - Other [further open explanation]
- 

## **PART V – THE OBJECTIVES AND TASKS ASSIGNED BY LAW TO THE COMMON PROPERTIES IN THE INSTITUTIONAL RELATIONSHIP WITH THE MUNICIPALITY**

*Introduction to the 4 different topics that will be questioned the hereafter:*

- a. Urban choices and local territorial development plans;*
- b. Actions aimed to develop local economy*
- c. Forest and environmental management actions*
- d. Activities aimed to promote local culture and traditions*

15. In the last 5 years, has the Municipality ever **formally** involved Common Properties, pre-emptively asking for their opinion, in projects and/or activities concerning **urban choices and local territorial development strategies**?
- I don't know

- No, there were no opportunities/situations/occasions
- No, but they have been involved in an informal way
- No, for other reasons [further open explanation]
- Yes
  - In which occasion/situation? [further open explanation]
  - Common Properties gave written answers
    - Common Properties did not give written answers
  - Did the Assembly discuss the issue? [Yes; No; I don't know]
  - In addition to the pre-emptive opinion (initiative or creation phase), did Common Properties also **take active part** in the project/activity promoted by the Municipality?
    - No
    - Yes ...in the implementation phase 
      - ...in the evaluation phase
    - Co-funding: Yes  No

**16. On the contrary**, in the last 5 years, have Common Properties ever formally involved the Municipality, pre-emptively asking for its opinion, in projects and/or activities concerning **urban choices and local territorial development strategies** (on areas owned by themselves)

- I don't know
- No, because this topic lays outside Common Property competences
- No, because Common Properties preferred to take complete advantage of their own autonomy
- No, there were no opportunities/situations/occasions
- No, but the Municipality has been informally
- No, for other reasons: [further open explanation]
- Yes
  - In which occasion/situation? [further open explanation]
  - Common Properties gave written answers
    - Common Properties did not give written answers
  - Did the Assembly discuss the issue? [Yes; No; I don't know]

→ In addition to the pre-emptive opinion (initiative or creation phase), did Common Properties also take active part in the project/activity promoted by the Municipality?

- No
- Yes ...in the implementation phase   
...in the evaluation phase
- Co-funding: Yes  No

**17.** As for question no. 15, focussing on actions aimed to develop local economy

**18.** As for question no. 16, focussing on actions aimed to develop local economy

**19.** As for question no. 15, focussing on forest and environmental management actions.

[*The following option added*]  Municipality delegated these functions to the Mountain Community

**20.** As for question no. 16, focussing on forest and environmental management actions

**21.** As for question no. 15, focussing on Activities aimed to promote local culture and traditions

[*either major and minor events considered*]

**22.** As for question no. 16, focussing on Activities aimed to promote local culture and traditions

[*either major and minor events considered*]

[*The regional law states that Common Properties can delegate the management of their own properties to territorial Public Bodies, and vice versa.*]

**23.** Did the Municipality empowered Common Properties with the responsibility to manage some municipal property?

I don't know  No

Yes. Which ones and through which mechanisms? [*further open explanation*]

**24.** ...and vice versa? [as for question no. 23]

I don't know  No

Yes. Which ones and through which mechanisms? [*further open explanation*]

25. In the last 5 years, which other actions did the Municipality approve, implement or undergo in the last 5 years, that had something to do – directly or indirectly, with the local Common Properties? [open answer]

26. ...and *vice-versa*? [open answer]

---

## PART VI – ECONOMIC ISSUES

27. In economic terms, how did the Common Property reconstitution affect the municipal financial resources?

– [Alternatively, if the Common Property reconstitution dates back to a distant past]

What would happen to the municipal financial resources if, just hypothetically, the common assets were moved under the municipal ownership and management?

There were no effects

I don't know/It's difficult to say because... [further open explanation]

It produced economic effects (either positive or negative)

[code A] More burdens and expenditures (negative direct effect)

[code B] Less revenues (negative indirect effect)

[code C] Less burdens and expenditures (indirect positive effect)

[code D] More income and revenues (direct positive effect)

→ Provision of a list of the effects, distinguishing case-codes A, B, C or D

→ Estimation of each effect

→ Description of each effect:  *una tantum*, in the past

*una tantum*, still currently

continuous, in the past

continuous, still currently

28. How did the Municipality adapt to such changes? [OR: how would it adapt?]

– 3 most positive adjustments (if any) [open answer]

– 3 most negative adjustments (if any) [open answer]

29. Which were the consequences for the local community? Which adjustments occurred?

[OR: *what would they be?*]

- 3 most positive consequences and/or adjustments (if any) [*open answer*]
- 3 most negative consequences and/or adjustments (if any) [*open answer*]

30. Which was the reinvestment rate in agriculture, pasture and forest management activities, before land ownership was reinstated to Common Properties?

- <10%
- 10%
- >10%
- I don't know

31. **According to your opinion**, how much positive might be (potentially) for the Municipality to have to deal with the Common Properties?

| 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

32. **According to your real experience**, how much positive is for the Municipality to have to deal with the Common Properties?

| 0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

33. Describe the 3 most positive aspects for the Municipality of dealing with the Common Properties

[*open answer*]

34. Describe the 3 most negative aspects for the Municipality of dealing with the Common Properties

[*open answer*]

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## **PART VII – THE OBJECTIVES AND TASKS ASSIGNED BY LAW TO THE COMMON PROPERTIES IN THE COMMON INSTITUTIONAL AUTONOMY**

*The national and regional laws recognize Common Properties as subjects concurring to the environmental protection and socio-economic development of mountain territories.*

**35. To what extent do you think that local Common Properties really promote/sustain:**

• Environmental protection | 1 | 2 | 3 | 4 | 5 |

→ Mainly through which actions? [open answer]

→ If the vote is negative (0-5) or poor (6), indicate the reason:

- Common Properties' disinterest
- Low internal organizational ability (governance)
- Ineffective Initiatives
- Missing coordination with other Bodies
- Other [open answer]

• Social development | 1 | 2 | 3 | 4 | 5 |

→ Mainly through which actions? [open answer]

→ If the vote is negative (0-5) or poor (6), indicate the reason:

- Common Properties' disinterest
- Low internal organizational ability (governance)
- Ineffective Initiatives
- Missing coordination with other Bodies
- Other [open answer]

→ Mainly, with effects on:

- Whole local (municipal) community
- Right-holders' community

[Only if explicitly expressed]:  Balanced situation

• Economic development | 1 | 2 | 3 | 4 | 5 |

→ Mainly through which actions? [open answer]

→ If the vote is negative (0-5) or poor (6), indicate the reason:

- Common Properties' disinterest
- Low internal organizational ability (governance)
- Ineffective Initiatives
- Missing coordination with other Bodies
- Other [open answer]

→ Mainly, with effects on:

- Whole local (municipal) community
- Right-holders' community

[Only if explicitly expressed]:  Balanced situation

• Tourism | 1 | 2 | 3 | 4 | 5 |

→ Mainly through which actions? [open answer]

→ If the vote is negative (0-5) or poor (6), indicate the reason:

- Common Properties' disinterest
- Strong defence of their cultural identity from external influences.
- Low internal organizational ability (governance)
- Ineffective Initiatives
- Missing coordination with other Bodies
- Other [open answer]

**36.** Have the Common Properties ever involved the Municipality, both directly or indirectly, in issues concerning their internal Common Property life, i.e. governance aspects? [Yes; No; I don't know]

→ [If yes] in which circumstances? [open answer]

**37.** How can the Municipality provide the Common Assembly with ideas, comments, suggestions, even though it is not formally involved?

- I don't know
- It doesn't give any suggestions, since it is not its competence
- It doesn't give any suggestions, since it is not interested
- Through informal and personal contacts
- Other [to be specified]

**38.** In relation to the effectiveness of Common Property tasks and objectives, and according to your opinion, a stricter coordination between Common Properties and Municipality would be:

- Positive. Why? [open answer]
- Negative. Why? [open answer]
- Useless. Why? [open answer]
- I don't know

**39.** In relation to the effectiveness of Common Property tasks and objectives, and according to your opinion, a stricter coordination among different Common Properties would be:

- Positive. Why? [open answer]

- Negative. Why? *[open answer]*
- Useless. Why? *[open answer]*
- I don't know

40. Do you think that the internal, decisional mechanisms of Common Properties somehow influence municipal decisions?

- I don't know  No  Yes. *[further open answer]*

41. Do legal disputes exist between the Municipality and the Common Property, or did they exist in the past?

- No, neither currently nor in the past
- Yes, in the past, but currently solved
- Yes, still in place

→ *[If any]*, for which reason? *[open answer]*

→ How were they solved? Which evolution is foreseeable, and/or desirable? *[open answer]*

42. Apart from legal disputes, in the last 5 years did you perceive divergences, frictions or contrasts in terms of institutional competences?

- No, neither currently nor in the past
- Yes, in the past, but currently solved
- Yes, still in place

→ *[If any]*, for which reason? *[open answer]*

→ How were they solved? Which evolution is foreseeable, and/or desirable?  
*[open answer]*

→ *[If any]*, how much severe (*magnitudo*) do you think these contrasts was?

| 1 | 2 | 3 | 4 |

43. In the last 5 years, did you perceive divergences, frictions or contrasts from a **social** (community) point of view?

- No cases
- Yes, still ongoing
- Yes, solved

→ *[If yes]* how much do you think they can be considered relevant? (*magnitudo*)



| 1 | 2 | 3 | 4 | 5 |

→ [If yes] what was/is their reason? [open answer]

→ [If solved] in which way they have been solved? [open answer]

→ [If still pending] what evolution is foreseeable? [open answer]

44. How do you think that the relationship between the Municipality and the Common Property(ies) will be in the future?

- |  |                                       |
|--|---------------------------------------|
| <input type="checkbox"/> More continuous/close | <input type="checkbox"/> Better       |
| <input type="checkbox"/> More sporadic         | <input type="checkbox"/> Worse        |
| <input type="checkbox"/> Stationary, unvaried  | <input type="checkbox"/> Unvaried     |
| <input type="checkbox"/> I don't know          | <input type="checkbox"/> I don't know |

45. According to your perception, to what extent do local non-right holders inhabitants perceive *Regole* as balanced and integrated institutions within the local territory?

| 1 | 2 | 3 | 4 | 5 |

→ Which critiques are ascribed to local Common Properties? [open answer]

→ Which positive characteristics are bestowed to local Common Properties? [open answer]

46. Which actions do you think that *Regole* would/should undergo in order to improve their ability to coordinate with other organizations and institutions, so as to make territorial returns higher? [open answer]

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## PART VIII – OTHER OBSERVATIONS

Eventually, further deepening of the following issues, and whatever other relevant issue come to light during the interview [open answer, explorative approach]:

- Relationships between *Regole* and the neighbouring Municipalities
- Relationships among different and/or neighbouring *Regole*
- Nature and mechanisms underlying the informal contacts between the Municipality and *Regole*. Does the Municipality act as 'mediator' between different *Regole*?
- Are some Common Property reconstitution processes still ongoing? What are the future expectations, both positive and/or negative, about such reconstitution processes?



# Annex II – Third research phase questionnaire

## PART I – THE INTERVIEWEE AND THE COMMON PROPERTY: PRELIMINARY INFORMATION

- Interviewee: basic information
    - Name and surname
    - Role within the Common administration
    - Other personal data (e.g. age, education, etc.)
  
  - Surveyed Common Property: basic information
    - Full name
    - Existence of common lands jointly owned by different Common Properties (*promiscuità* or *comunanze*), or other forms of aggregation among local Common Properties.
    - Geographical extension of common assets (including *promiscuità*, if any)
- 

## PART II – THE COMMON PROPERTY RECONSTITUTION

1. Year of Common Property reconstitution and formal recognition  
[*alternatively*]  The Common Property has been never dismantled, or similar situations
  
2. Deepening of the following key-issues [*open answers, highly explorative approach*]:
  - Did the Common Property reconstitution process originate from a collective initiative, due to a ‘common-feeling’ broadly and well-rooted within the local community, or did few people stimulate such a process?
  - Prior to the reconstitution, to what extent were the local people still aware of being common right-holders?
  - Was there someone familiar with the administrative competences, essential to manage the Common Property administration ? How were such competences recovered, or newly developed?
  - Did any political pressure play a role in the purposefulness of reconstituting the local Common Property (with particular reference to the political movements advocating secessionist claims)? In which way, if any?

**PART III – THE COMMON PROPERTY RECONSTITUTION**

3. Does a common-municipal `double institutional representativeness` exist, i.e. does any municipal representative also represent the Common Property?

- No cases of `double-representativeness`
- Yes, a `double-representativeness` exist

*[if any, the municipal organigram have been shown, and the interviewees have been asked to highlight such a peculiarity, linking one person and his role covered within the municipal administration with the his role within the Common Property administration]*

| <b>Role in the municipal administration</b>                 | <b>Role in the Common Property Administration</b>                                |
|---|--|
| ▪ Major   | <input type="radio"/> President  |
| ▪ Deputy Major  | <input type="radio"/> Vice-President   |
| ▪ Municipal secretary                                       | <input type="radio"/> Common Property Secretary                                  |
| ▪ Aldermen <i>[competences to be specified]</i>             | <input type="radio"/> Economic auditor   |
| ▪ Town Councillor [majority or minority]                    | <input type="radio"/> Administrative Commission member                           |
| ▪ Technician, head of one specific <i>[to be specified]</i> | <input type="radio"/> Member of other Common Commission <i>[to be specified]</i> |
| ▪ Other role <i>[to be specified]</i>                       | <input type="radio"/> Only <i>regoliere</i> (right-holder)                       |
|   | <input type="radio"/> Other role <i>[to be specified]</i>                        |

4. What does the Common Property statute prescribe, on the `double representativeness` issue?

- The `double representativeness` is not impeded
- The `double representativeness` is impeded
- Other option or peculiarity *[to be further specified]*

5. Did such statutory dispositions evolve over time?

- In the past, forms of institutional `double representativeness` were impeded/less tolerated
- In the past, forms of institutional `double representativeness` were more encouraged/tolerated
- No relevant statutory changes concerned this issue over time
- Other option or peculiarity *[to be further specified]*

6. Do you think this is the optimal situation? [*Yes; No; I don't know*]
- Why? [*open answer*]
  - [*If no*] what situation do you think could be considered optimal? [*Open answer*]
7. Who represents the formal and privileged spokesman between the municipal and the Common administration?

**Role in the municipal administration**

- Major
- Deputy Major
- Municipal secretary
- Aldermen [*competences to be specified*]
- The municipal board, as a whole
- The municipal councillorship, as a whole
- Town Councillor [majority or minority]
- Technician, head of one specific [*to be specified*]
- Other role [*to be specified*]

**Role in the Common Property Administration**

- President
- Vice-President
- Common Property Secretary
- Economic auditor
- Administrative Commission member
- Member of other Common Commission [*to be specified*]
- Common Property members as a whole, as they are also municipal citizens
- One 'simple' *regoliere* (right-holder)
- Other role [*to be specified*]

8. Who represents the privileged spokesman in the informal, personal, unofficial communications occurring between the Common Property and the municipal administration? [*the same list above follows*]

**PART IV – THE COMMON PROPERTY-MUNICIPALITY INSTITUTIONAL RELATIONSHIP**

9. With particular reference to the statutory objectives and tasks prescribed by law to the Common Properties, i.e. environmental conservation and management, social development, economic development of mountain areas, does the Municipality represent the local privileged and main institutional interlocutor?

Yes, completely

- Yes, but only for
- Environmental conservation and management
  - Economic development
  - Social development
- Not at all

– Why? [*open answer*]

**10.** Alternatively and/or subordinately, who represents the privileged interlocutor – not only in institutional terms? [*open answer*]

**11.** Who usually takes the formal initiative, when institutional relationships occur between the municipal and the common administration?

- (Almost) always the Municipality
- Both, but mainly the Municipality
- [*only if explicitly stated by the interviewee*] Balanced situation, mutual neutrality
- (Almost) always the Common Property
- Both, but mainly the Common Property
- Irregular, depending on the situations [*further description*]

**12.** To what extent do you think that Common Properties affect and limit the municipal policy and administrative autonomy?

- The municipal administration is not constrained at all, with the obvious exception of whatever the Common Property is strictly responsible for. Sometimes, *Regola* simply ratifies the municipal decisions.
- The municipal administration is not much constrained, and it maintains well degrees of autonomy on whatever the Common Property is strictly responsible for.
- [*only if explicitly stated by the interviewee*] Balanced positioning.
- The Municipality is considerably constrained in its autonomous administrative initiative, but it still maintains its own administrative autonomy.
- The Municipality is highly constrained in its autonomous administrative initiative. Sometimes, the municipal administration simply ratifies the Common Property decisions, that are quite binding.
- Irregular, according to situations [*further open explanation required*].

13. And, reversely, to what extent do you think that the municipal administration affects and limits the Common autonomy? [*the same list above is reported here, with the Common Property as a subject*]
14. Do you think that this is the optimal situation? [*Yes; No; I don't know*]
- If no, what situation do you think could be considered optimal? [*Open answer*]
15. Does any kind of written *memorandum* exist between the *Regola/Regole* and the Municipality, i.e. a signed document regulating their mutual relationships? [*Yes; No; I don't know*]
- [*If any*] what is its nature?
    - Programmatic [*further open explanation*]
    - Economic [*further open explanation*]
    - Procedural
      - Mechanisms of institutional relationship [*further open explanation*]
      - Allocation of operative roles [*further open explanation*]
    - Other [*further open explanation*]
  - [*If no*]:
    - The institutional relationship is mainly based on informal contacts
    - Different roles and competences are distinct and separate, therefore the institutional relationship is limited
    - Other [*further open explanation*]
- 

## **PART V – THE OBJECTIVES AND TASKS ASSIGNED BY LAW TO THE COMMON PROPERTIES IN THE INSTITUTIONAL RELATIONSHIP WITH THE MUNICIPALITY**

16. In the last 5 years, has the Municipality ever formally involved Common Properties, pre-emptively asking for their opinion, in projects and/or activities concerning urban choices and local territorial development strategies? [*open answer, explorative approach*]
17. On the contrary, in the last 5 years, has the Common Property ever formally involved the Municipality, pre-emptively asking for its opinion, in projects and/or activities concerning

urban choices and local territorial development strategies to be developed on common lands? [*open answer, explorative approach*]

18. As for question no. 16, focussing on actions aimed to develop local economy
  19. As for question no. 17, focussing on actions aimed to develop local economy
  20. As for question no. 16, focussing on forest and environmental management actions.
  21. As for question no. 17, focussing on forest and environmental management actions
  22. As for question no. 16, focussing on the activities aimed to promote local culture and traditions [*considering both major and minor events*]
  23. As for question no. 17, focussing on the activities aimed to promote local culture and traditions [*considering both major and minor events*]
- 

## **PART VI – ECONOMIC ISSUES**

24. Which income sources can the Common Property rely upon?

- Timber selling
- Fuelwood selling
- Leasing of pastures
- Alpine huts (leasing)
- Agritourism buildings
- Mountain refuges
- Ski facilities
- Hydroelectric power plants
- Pit sites
- Camping
- Parking
- Entrance fees, tolls, etc.
- Other activities [*to be specified*]



- 25.** In the last years, which funding sources did the *Regola* benefit of?
- Rural Development Plan
  - Regional funding, others than Rural Development Plan
  - Other CE funding possibilities
  - Funding from other subjects [*to be specified*]
  - Other sources [*to be specified*]
- [*for each of them*] What was the aim/objective of such funding sources [*open answer*]
- 26.** Which new or different income sources or higher income revenues did the Common Property activate, compared to the (former) municipal management of forest assets? Which economies of scale did the *Regola* obtain? How did the Common Property obtain such results? [*open answer*]
- 27.** Which income sources did the Common Property lose, and/or which income revenues lowered? Which higher expenditures did the Common Property have to sustain, compared to the (former) municipal management of forest assets? Why? [*Open answer*]
- 28.** Compared with the (former) municipal management of forest assets, the Common Property reinvestment rate of forest-related incomes on forest assets...
- Lowered
  - Unvaried
  - Increased
  - I don't know
- Which considerations does your opinion move from? [*Open answer*]
- 29.** Which economic effects did the municipal balance sheets experience after the Common Property(ies') reconstitution, considering the whole set of higher and/or lower income sources/revenues?
- The Municipality didn't experience any economic effect
  - The Municipality mainly experienced positive economic effects [*reasons to be listed*]
  - The Municipality mainly experienced negative economic effects [*reasons to be listed*]
  - Negative and positive effects substantially equalled
  - I don't know/difficult to be estimated
- [*For each of them*] Can you provide at least a rough estimation [€; *open answer*]

30. How did the Municipality adapt to these economic changes? [*open answer*]

- Positive adaptations
- Negative adaptations

31. Which consequences did such changes in the municipal economic balance sheet trigger within the local community? [*open answer*]

- Positive adaptations
  - Negative adaptations
- 

## **PART VII – RELATIONSHIP PATTERNS BETWEEN COMMON PROPERTIES AND MUNICIPALITIES**

32. Do legal disputes exist between the Municipality and the Common Property, or did they exist in the past?

- No, neither currently nor in the past
- Yes, in the past, but currently solved
- Yes, still in place

→ [*If any*], for which reason? [*open answer*]

→ How were they solved? Which evolution is foreseeable, and/or desirable? [*open answer*]

33. Apart from legal disputes, in the last 5 years have you ever perceived divergences, frictions or contrasts in terms of institutional competences?

- No, neither currently nor in the past
- Yes, in the past, but currently solved
- Yes, still in place

→ [*If any*], for which reason? [*open answer*]

→ How were they solved? Which evolution is foreseeable, and/or desirable? [*open answer*]

→ [*If any*], how much severe (*magnitudo*) do you think these contrasts was?

| 1 | 2 | 3 | 4 |

34. Did the Municipality empowered Common Properties with the responsibility to manage some municipal property?

I don't know     No

Yes. Which ones and through which mechanisms? [*further open explanation*]

**35.** ...and vice versa? [as for question no. 23]

I don't know     No

Yes. Which ones and through which mechanisms? [*further open explanation*]

**36.** How do you think that the relationship between the Municipality and the Common Property(ies) will be in the future?

More continuous/close

Better

More sporadic

Worse

Stationary, unvaried

Unvaried

I don't know

I don't know

**37.** According to your opinion, how much positive might be (potentially) for the Common Property to have to deal with the Municipality?    | 1 | 2 | 3 | 4 |

**38.** And vice versa, for the Municipality?    | 1 | 2 | 3 | 4 |

**39.** According to the real experience, how much positive is for the Common Property(ies) to have to relate with the Municipality as main territorial and institutional interlocutor?

| 1 | 2 | 3 | 4 |

**40.** Describe the 3 most positive aspects [*open answer*]

**41.** Describe the 3 most negative aspects [*open answer*]

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## **PART VIII – THE OBJECTIVES AND TASKS ASSIGNED BY LAW TO THE COMMON PROPERTIES IN THE COMMON INSTITUTIONAL AUTONOMY**

*[Introduction: the national and regional laws recognize Common Properties as subjects concurring to the environmental protection and socio-economic development of mountain territories.]*

42. To what extent do you think that local Common Properties, considered as a whole, really promote/sustain:

- Environmental protection | 1 | 2 | 3 | 4 |
  - ...and what about your own Common Property, specifically? | 1 | 2 | 3 | 4 |
  - Mainly through which actions? *[open answer]*
  - To this purpose, what are the main obstacles and difficulties that the Common Property has to cope with? *[open answer]*
  
- Social development | 1 | 2 | 3 | 4 |
  - ...and what about your own Common Property, specifically? | 1 | 2 | 3 | 4 |
  - Mainly through which actions? *[open answer]*
  - To this purpose, what are the main obstacles and difficulties that the Common Property has to cope with? *[open answer]*
  - The main effects of such efforts mainly affect:
    - Only the right-holders' community
    - The whole local community (municipal level)
    - The whole local community, and even beyond
  - [Only if explicitly recalled]*  Balanced situations *[further explanation required]*
  - Particularly, which actions explicitly target the whole local community? *[open answer]*
  
- Economic development | 1 | 2 | 3 | 4 |
  - ...and what about your own Common Property, specifically? | 1 | 2 | 3 | 4 |
  - Mainly through which actions? *[open answer]*
  - To this purpose, what are the main obstacles and difficulties that the Common Property has to cope with? *[open answer]*
  - The main effects of such efforts mainly affect:
    - Only the right-holders' community
    - The whole local community (municipal level)
    - The whole local community, and even beyond
  - [Only if explicitly recalled]*  Balanced situations *[further explanation required]*
  - Particularly, which actions explicitly target the whole local community? *[open answer]*

- Tourism development | 1 | 2 | 3 | 4 |
  - ...and what about your own Common Property, specifically? | 1 | 2 | 3 | 4 |
  - Mainly through which actions? [*open answer*]
  - To this purpose, what are the main obstacles and difficulties that the Common Property has to cope with? [*open answer*]

**43.** Do you think that a strong protection of the Common cultural identity against external cultural pressures might obstacle the tourist promotion and the socio-economic development?

[*No; Yes; I don't know*]

- Why? [*open answer*]

## **PART IX – COORDINATION AMONG COMMON PROPERTIES, AND BETWEEN COMMON PROPERTIES AND OTHER LOCAL SUBJECTS**

**44.** According to your knowledge, does any subject responsible to represent and coordinate different local Common Properties exist? [*No; Yes; I don't know*]

- Who are they? [*open answer*]
- Does your Common Property hold membership in such subject(s)? [*open answer*]
- Does someone participate on behalf of your Common Property to the activities organized by such subject(s)? [*open answer*]
- What do you think about their role and the efficiency and effectiveness of their activities? [*open answer*]
- How would it possible to improve them? [*open answers*]
- What's your opinion about the relationship patterns, and the real partnerships set in place among different Regole? [*open answer*]

**45.** Which actions would/should Common Properties undergo, in order to improve their ability to coordinate their own activities and policies with other organizations and institutions, to make territorial returns (*sensu lato*) higher? [*open answer*]

- With other Common Properties
- With the local Municipality and/or neighbouring Municipalities
- With the Mountain Community
- With other subjects [*to be specified*]

46. Specifically referring to the objectives and tasks assigned by law to the Common Properties, how would you consider a stricter coordination between Common Properties and Municipality?

- Positive.
  - Why? [*open answer*]
- Negative
  - Why? [*open answer*]
- Useless
  - Why? [*open answer*]
- I don't know

47. Specifically referring to the objectives and tasks assigned by law to the Common Properties, how would you consider a stricter coordination among different Common Properties?

- Positive.
  - Why? [*open answer*]
- Negative
  - Why? [*open answer*]
- Useless
  - Why? [*open answer*]
- I don't know

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## PART X – GOVERNANCE AND SOCIAL ISSUES

47. Has the Common Property ever involved the Municipality, both directly or indirectly, in issues concerning the its internal life, i.e. governance aspects? [*Yes; No; I don't know*]

→ If yes, in which circumstances? [*open answer*]

48. How can the Municipality give ideas, comments, suggestions to the Common Assembly, even though it is not formally involved?

- I don't know
- It doesn't give any suggestions, since it is not its competence
- It doesn't give any suggestions, since it is not interested
- Through informal and personal contacts
- Other [*open answer*]

49. Do the internal, Common Property decisional mechanisms somehow influence the municipal decisions?

[Yes; No; I don't know]

– [if yes] How? [further open answer]

50. In the last 5 years, did you perceive divergences, frictions or contrasts from a **social** (community) point of view?

No cases

Yes, still ongoing

Yes, solved

→ [If yes] how much do you think they can be considered relevant? (*magnitudo*)

| 1 | 2 | 3 | 4 |

→ [If yes] what was/is their reason? [open answer]

→ [If solved] in which way they have been solved? [open answer]

→ [If still pending] what evolution is foreseeable? [open answer]

51. To what extent do the non-right-holder local inhabitants perceive Common Properties as institutions integrated within the local socio-economic local environment? | 1 | 2 | 3 | 4 |

→ Which critiques are ascribed to the local Common Properties? [open answer]

→ Which positive remarks are bestowed to the local Common Properties? [open answer]

52. How many right-holders' households currently exist? [no.]

53. What is the current amount of individual right-holder members? [no.]

54. Can you depict a historical trend?

|                 | Households               | Right-holders (members)  |
|-----------------|--------------------------|--------------------------|
| Heavy drop      | <input type="checkbox"/> | <input type="checkbox"/> |
| Slight decrease | <input type="checkbox"/> | <input type="checkbox"/> |
| Unvaried amount | <input type="checkbox"/> | <input type="checkbox"/> |
| Slight increase | <input type="checkbox"/> | <input type="checkbox"/> |
| Heavy increase  | <input type="checkbox"/> | <input type="checkbox"/> |

55. According to your opinion, do the local Common Properties risk to 'shut themselves off', either in cultural, economic and social terms? [*open answer*]
56. According to your opinion, is the intergenerational turnover within the Common Properties sufficient to ensure their survival? [*open answer*]
- What do young people, including non-right-holders, think about the Common Properties? [*open answer*]



## Annex III – Author’s contributions on Commons

A research monograph format has been adopted for this thesis work. Nonetheless, some contents are based on the Author’s written contributions that are listed here:

- Favero, M., Deutsche<sup>6</sup>, N., Gatto, P., Pettenella, D., Secco, L., in press (second review). *The role of common property regimes and Municipalities in forest management in the Veneto region (Italy): conflict or synergy?* International Journal of the Commons.
- Favero, M, Gatto, P., Pettenella, D. and Secco, L., 2013. *Role of Common Properties and Municipalities in forest management of Veneto Region (Italy): conflicting or synergic relationship?* in Proceedings: ‘Socio-economic analyses of sustainable forest management’, International IUFRO symposium, Prague 15-17/05/2013.
- Favero, M., Gatto, P., Pettenella, D., 2014. *Common Properties and Municipalities: institutional relations in forest environmental services provision. A case study in an Alpine Region* in Proceedings, Scandinavian Society of Forest Economics (SSFE) – Biennial Scientific Conference, Uppsala 21-23/03/2014.
- Favero, M., Gatto, P., Pettenella, D., 2014. *Role of Common Properties in the integrated forest management of Veneto Region (Italy): which coordination with local Municipalities?* in internal proceedings, IASC European Regional Meeting 2014 “From generation to generation – the use of Commons in a changing society”. Umea, 16-19 September 2014.
- [draft paper, not to be cited without Authors’ permission] Deutsch, N., Gatto, P., Bogataj, N., Hampel, W., Favero, M., 2014. *Intergenerational adaptation in alpine commons: comparative insights from Italy and Slovenia.* in internal proceedings, IASC European Regional Meeting 2014 “From generation to generation – the use of Commons in a changing society”. Umea, 16-19 September 2014.

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