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**Technical, juridical and historical issues in the
management of collective resources.
First results in the analysis of an Italian
jurisdictional institution on commons (Italy, 20th
century).**

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The subject matter concerning commons has taken on significant scientific visibility and - in the last few years - has become increasingly pervasive in the juridical-political debate

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The aim of this paper is to suggest new instruments for addressing the environmental issues raised by the crucial role of the commons in shaping rural landscapes, which nowadays in Europe are protected as natural heritage

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**How can we study the concrete historical traces
which lead back to the use and management of the
natural resources that our current European
landscape is based on?**

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The subject of collective resources makes it possible begin an analysis of the relations among practices, norms, knowledge and juridical production, thus highlighting social relations among actors.

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The methodological key to address this topic will be the analysis of the rich and unique documentation of an Italian jurisdictional institution (Commissariato per la liquidazione degli usi civici), created in 1927 with the purpose of reforming and reorganizing all the controversies related to the common management of resources.

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Concentrating the research on a specific institution has a precise methodological reason: the intention is in fact to analyse the juridical system of collective property through case studies.

And this can be done by means of the analysis of concrete jurisdictional and administrative procedures rather than just through the reconstruction of the juridical-historical-political-agronomic debate.

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The Commissariato was set up in 1927 by will of the fascist government.

It had (and still has to date) the purpose of sorting out – throughout the entire country, starting from a topographical division into councils – all matters concerning ‘usi civici’, collective resource management and common rights.

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Furthermore, the intention was to resolve promiscuous uses, reassign the land used collectively to legitimate owners - when identifiable – and produce a complete mapping of the land to be used for exploitation in agreement with the regime’s intents

Analysis of the process of the production of these particular historical source, focusing on the construction of the its archive and on the role of the experts involved in the assessment of common lands:

- which office produces the papers**
- which people are involved**
- which are the aims and work methods used (surveys, research in local archives, interviews and conversations with the social actors involved)**
- which juridical/administrative outcomes originate from commissioner interventions, even over time, on the land**
- how history has been used to identify who has the rights of access to resources**
- what remodelling has been performed by juridical actions on the facts considered**

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The subject of expertise is related to the assessment of a problem or of an object and has to do with specific skills or professional experience: reports, surveys, claims, investigations, judicial memories and topographic sketches don't just lead to evaluation and opinions but also certify something.

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The experts appearing in the fact finding practices on commons may be observed while they work on a specific subject: a contended piece of land, or more precisely an area with an ambiguous *status*.

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In north-western Italy we have the chance to have the private archive of one of those experts (G. Torrero), that has luckily been preserved by his heirs in a Piedmont country village - the archive illustrates fifty years (from 1927 up to the Seventies) of work: they are the surveyor's working instruments and witness the evolution of practices in its original context.

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The study of the individual work performed by one of the experts makes it possible to overcome the merely political-administrative vision characterizing the jurisdictional institution and to access more directly the concerns and requests of the people and places involved, as well as the issues excluded from recording in the official practices

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Thanks to this rich and unknown documentary source the research will indeed concentrate on the role of the experts (surveyors, engineers, technicians and solicitors) who have practiced and therefore produced the history of commons

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This kind of analysis will allow, thanks to the intense legal process which left a wide-ranging collection of documents, with evidence going back to the Middle Age, a long-term perspective

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The technical and juridical nature of the sources addressed will help to better understand the actual issues of common resource management.

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The intention is to focus on conflicting procedures which have often fulfilled claims on collective rights on resources. Such historical excavation will result in an understanding of the resilience of common resource management systems and of the practices related to the solutions of the countless controversies which “made” the history of the commons and of the communities.

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The identification of the (legal) practices related to this historical dynamics constitutes an important key for planning present management of the European common land heritage, showing how negotiation performs a fundamental role to guarantee dynamic sustainability between social competition and an equal and durable access to environmental resources

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Can history be useful in current commons management? Studying the juridical assessment, investigation and commons definition procedures – in the context of the specific documentary source - allows to underline the positive role of local practices of environmental resources management in the maintenance of environmental systems.