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# The Collective Domains in the Ecological Transition: A Preliminary Analysis in an Inner Area in the Campania Region, Italy

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**Abstract:** The growing attention to the sustainable management of territories leads to a reconsideration of common properties, those institutions which concern property rights belonging to all members of a well-defined community. Spread throughout the world in a variety of forms, they can play a crucial role in addressing the challenges posed by the ecological transition promoted by the European Green Deal. In Italy, common properties represent a historical phenomenon, specifically involving rural and mountain areas. Despite the fact that national law regarding collective domains fully recognizes their economic, social, and environmental functions, there is still much to be done in terms of their recognition. As the status of knowledge is lacking, especially in some areas of southern Italy, this article represents a preliminary analysis of the current consistency of collective domains. The introductory section places the topic in the broadest context of ecological transition, tracing its regulatory evolution. Next, collective domains are framed from an economic perspective, highlighting their multidimensional values and emerging assessment issues. The subsequent sections, based on the most recent available data, critically analyze the current supply of collective domains in Italy and in the Campania region. The in-depth analysis of an inner area, characterized by socio-economic marginality, represents the starting point from which it will be possible to identify the demand and to support policy makers and local communities in the valorization of common properties.

**Keywords:** ecological transition; collective domains; common properties; evaluation issues; inner areas



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## 1. Introduction

This article aims to explore the distinctive characteristics of Italian collective domains, as well as their spatial distribution and consistency, elucidating their manifold significance in the preservation and valorization of natural heritage. They are institutions of historical origin, currently custodians of multiple values, that have played a fundamental role in the conservation of natural resources, particularly within rural and mountain contexts. Today, collective domains take on particular relevance in the context of ecological transition, as traced by the European Green Deal.

As is known, the concept of *ecological transition* is not at all new; it has been around for decades. In recent years, it has become one of the dominant themes in international public debate. To trace some salient steps, its origins go back to 1966. Then, one of the founders of environmental economics, Kenneth E. Boulding, in his article "The Economics of the Coming Spaceship Earth", observed, "We are now in the middle of a long process of transition regarding the nature of the image that man has of himself and his environment. . ." [1]. For the American economist, even then, it was a matter of transitioning from an unlimited conception of space and resources to one in which both are limited.

A few years later, the Meadows report "The Limits to Growth", commissioned to MIT by the Club of Rome [2], insisted on the need for the "*transition* from a growth model to a global equilibrium", highlighting the ecological risks generated by economic and population growth. Later, in 1975, Nicholas Georgescu-Roegen, the inspirer of modern ecological economics, urged the transition from the traditional economy to a "bioeconomy", whose operation and rules are inspired by the remarkable phenomena of nature and life [3,4]. Another essential step in the evolution of the concept of ecological transition was marked in 1976 by the volume "*The Ecological Transition—Cultural Anthropology and Human Adaptation*" [5], in which American anthropologist John W. Bennett argues that *transitioning* to a more environmentally friendly society first requires a "cultural" change in modern civilization. About a decade later, in 1987, the Brundtland Report "Our Common Future", commissioned by the United Nations to the World Commission on Environment and Development (WCED), was presented, calling for a transition to Sustainable Development. Next, its first definition was given, which is still valid today: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs".

Beginning with the Bruntland Report, the sustainability paradigm has stood as a foundation for all subsequent documents and world conferences, leading to the adoption of the United Nations 2030 Agenda in 2015. Its 17 Sustainable Development Goals and 169 associated targets compose an action agenda to be fulfilled in the environmental, economic, social, and institutional spheres by 2030.

As an integral part of the strategy to implement the 2030 Agenda, a few years later, the European Commission promoted the Green Deal (2019), a set of policies and measures to undertake a green, fair, and inclusive *transition* to achieve climate neutrality in Europe by 2050. This solid economic revitalization plan for the Union places the climate change emergency and biodiversity loss at the center of policies by deploying a series of ad hoc actions and measures. With specific reference to the state of biodiversity, the loss of which has long been denounced by various international bodies [6,7], as a vital part of the European Green Deal, the new EU Biodiversity Strategy for 2030, "Bringing Nature Back into Our Lives", a long-term project for protecting nature and reversing the trend of ecosystem degradation [8], is relaunched. At the same time, and for the first time, the "Farm to Fork Strategy" [9] is introduced. This is a 10-year plan designed to guide the transition to a fair, healthy, and environmentally friendly food system. Both strategies point the way forward in the coming years to ensure the *ecological transition* to a system based on sustainable use of land and resources.

Against this backdrop, globally, there is a progressive awareness of the vital role of local communities and indigenous peoples in conserving biodiversity through sustainable forms of natural resource management. For a comprehensive overview and local, national, regional, and international analyses of territories and areas conserved by Indigenous peoples and local communities (sometimes abbreviated as "ICCAs" or "territories of life"), the ICCA Consortium, over the last decade, has developed studies and reports of such practices around the world [10]; the online platform provides data, case studies, maps, photos and stories, informative useful statistics, and analyses [11].

In Europe, albeit with heterogeneous forms and historical experiences, models of sustainable management of natural resources can be found in "common properties", ancient proprietary institutions "characterized by ecosystems in which local communities have managed to live and maintain themselves in close interdependence and without excessive conflict over the centuries, autonomously building their institutions" [12]. While there is no unanimous consensus regarding the definition of "common property" due to its various forms and contexts, some scientific and institutional literature offers a wide range of case study analysis and comparison at international level [13,14].

Although "common properties" have declined over the last century, it should be pointed out, in agreement with Louvin [15], that collective properties still have an undoubted potential on a European scale.

Various forms of common properties and civic uses are widespread in Italy, especially in rural and mountainous areas. Despite both being methods of using agricultural and forestry land, these two ancient institutions differ substantially. Indeed, while *civic uses* are "rights of enjoyment" (hunting, fishing, grazing, or woodland rights), *collective properties* are lands owned by inhabitants of a certain place (demanio civico).

Several authoritative scholars, regarding not only the legal disciplines, but also economics, agronomy, history, anthropology, and geography, have devoted themselves to the knowledge and interpretation of these institutions. Among the most authoritative protagonists of the research and debate, together with jurists Paolo Grossi and Fabrizio Marinelli, economist Pietro Nervi, founder of the Centro Studi e Documentazione sui Demani Civici e le Proprietà Collettive (Study and Documentation Center on Civic and Collective Property) at the University of Trento, has made a fundamental contribution, reverberated into the Law 168/2017, regarding collective domain. This law unites civic uses and collective properties under "collective domains". Through it, the Italian state promotes their protection and enhancement, recognizing them as the "primary legal order of the original communities". Collective domains are therefore recognized as an essential component of "territorial capital", covering both natural assets (forests, pastures, waterways, etc.) and intangible assets (knowledge, traditions, etc.), thus constituting a relevant heritage for local communities.

Despite the fact that national law regarding collective domains fully recognizes their economic, social, and environmental functions, there is still no comprehensive estimate of their current size in relation to the entire national territory; until now, there have been few studies offering a comprehensive survey of this land [16,17]. Particularly, studies that focus on the situation in the Campania region are almost completely absent. As the status of knowledge is lacking, this article represents a preliminary original analysis.

From this perspective, after a brief overview of the regulatory framework of collective domains, this article focuses on their economic characteristics and their related value system. The following sections outline what can be considered the current "supply". This refers to the availability of land over which the communities concerned can exercise the right of use. Then, the article explores the characteristics and distribution of collective domains in some small towns in the Campania region, characterized by socioeconomic marginality. This preliminary supply analysis represents the starting point from which it will be possible to identify the new "demand", suggesting possible innovative management forms for the sustainable development of these territories.

*The Regulatory Framework*

In Italy, civic uses and collective properties are ancient institutions with significant variability in institutional and ownership form, legal personality, belonging, history, size, and denomination[1], according to the various Italian regions [18]. Depending on the geographical area and the limit of access to the right and use of the property, in agreement with Lorizio [19], they can be grouped into three broad categories. First are intergenerational communities in the mountain areas of the north, i.e., mountain communities and organizations formed by groups of families directly descended from the ancient original cores (so-called "closed" structures). The second consists of community enterprises for social purposes in the former Papal Provinces in central Italy (agrarian associations known as "università agrarie", "comunanze", and "partecipanze"). The last group is represented by civic properties in central southern Italy, open to use by all residents and managed by the municipality.

In the past, "collective domains" have been a consistent and widespread phenomenon throughout the country. Their main regulatory institution is Law 1766/1927, concerning the reorganization of civic uses in the Kingdom and its implementing regulation (Royal Decree n. 332/1928). The law, inspired by the principles of the nineteenth-century Neapolitan regulatory system on properties, uniformly regulated proper "civic uses", i.e., collective servitudes on private property, and "collective property", referring to the community of

inhabitants of a given municipality or hamlet [20]. This law, enacted in the Fascist period, set objectives dictated by the socioeconomic situation of the time and aimed at settling civic uses on private property, reorganizing civic property consisting of woodland–pasture land, and distributing land usable for agricultural cultivation among users, according to technical plans for land arrangement or cultivation start-up. The same law introduced the figure of the Regional Commissioner for the Settlement of Civic Uses, who is still in force, and who was responsible for assessing, evaluating, and settling these rights for the people who applied for them. This framework led to the necessity of various technical estimation services. They were required either for property surveys, i.e., historical–legal research to highlight whether and where collective domains are present in a territory, or for property assessment, i.e., a survey of the status of the possessions on state property, or, finally, as a result of acts of management of civic property (parceling, alienation, concession, etc.). In all cases, classical estimation provides the most suitable criteria and appraisal procedures for the valuation queries requested by this law, as indicated in the specialized Italian literature [21,22] and in some articles in this Special Issue.

Overall, despite the slow pace of estimate operations initiated by the law, which contributed to the impoverishment of the extension of civic uses and collective properties, which were often alienated or illegally parceled out by the public administrations entrusted with their protection [23], it should nevertheless be pointed out that the law itself contained, implicitly, some principles of sustainable development. This is particularly evident in the legal regime envisaged for this property. It is considered "indivisible", as the ancient heritage must be preserved intact to transfer it to future generations. It is "inalienable", as its integrity is preserved by forbidding the transferring of the right of ownership. It is "non-usucaptible": protracted possession of the collective lands does not constitute a valid right to acquire ownership. Finally, it is subject to a perpetual agrosylvopastoral constraint: the collective lands are bound in perpetuity to agrosylvopastoral activities. This has proved to be a focus on the "long-term" dimension, considering the need for future generations to exercise the right of use over collective domains, guaranteeing their original agrosylvopastoral function over time.

The laws for managing mountain heritages represented one more critical step in revaluing collective property and civic uses. The first was Law 991/1952, instituting measures in favor of mountain territories, which recognized their high cultural, economic, and social value. Then, in Law 97/1994, new provisions for mountain areas were issued. The latter revamped mountain family communities and all other agrosylvopastoral entities, stressing their usefulness in landscape protection and thus requiring the regions to reevaluate them from both a production and environmental protection standpoint. In the meantime, the transfer of powers from the state to the regions was achieved by Presidential Decree No. 616 in 1977. Art. 66 of this decree sanctioned the transfer of state administrative functions to regions in the field of "agriculture and forestry", including the agricultural uses of civic use lands, in addition to the other functions already transferred and concerning civic uses, as well as in matters of settlement, termination of promiscuities, verification of occupations, etc. Since then, few regions have imposed legislation regarding this subject to regulate and safeguard this vital resource heritage. Moreover, its environmental value is established at the national level in Law 431 of 1981 (Galasso Law), which subjected several properties to a "landscape constraint", including areas assigned to "università agrarie" and areas encumbered with civic uses. This constraint was later reaffirmed by the 2004 Cultural Heritage and Landscape Code and more recently, by Law 168/2017, "Regulation on Collective Domains". The latter law fully recognizes their economic, social, and environmental functions by assigning the task of protecting and valorizing collectively enjoyed goods to the state. Moreover, the law is intended to ensure that the "laws that the regions want to enact on collective arrangements cannot disavow the idea and values of collective property". The Constitutional Court's ruling 113/2018 also recently intervened in this direction. According to this ruling, "the region cannot issue laws that disregard state regulations (Law No. 1766/1927, and implementing regulations), introducing new

hypotheses for the settlement of civic uses not provided for in state regulations: this is to safeguard the community's interest in the preservation of civic uses and the protection of the environment and landscape".

The substantial change made by Law 168/2017 to the purposes for which civic use rights were anciently established must be framed from this perspective. The rationale behind these rights originally resided in fulfilling the *basic needs* of the people who drew the fruits of their livelihood from the use of land. Instead, the new law declares the purpose of safeguarding the natural heritage, environment, and landscape, as the "environmental function" of collective domains.

## 2. Materials and Methods

### *2.1. Economic Perspective on Collective Properties*

As repeatedly highlighted by Pietro Nervi [24,25], three structural elements characterize collective domains: the *collectivity settled* in a given territory, whose members hold the rights of use (personal nature); the *"land" asset*, to be regarded as a plurality of heritages (economic, natural, cultural) subject to collective co-ownership, historically originated and projected in an inter-generational dimension of sustainability (patrimonial nature); the *common purpose*, which is the collective use and administration of the good itself (teleological nature).

In light of the aspects characterizing collective domains, recalling the classification of economic goods provided by the theory of public goods [26], land encumbered by civic use can be assimilated to "common goods". That is, the individual members of the local beneficiary community—holding the right of enjoyment—cannot be excluded from consumption; however, they are also rivals in consumption[2].

In this regard, it is pertinent to recall what Moretto and Rosato [27] (p. 91) have shown, highlighting the existence of an additional effect of rivalry in the consumption of the resource being exploited. That is, the increase in users negatively affects the per capita availability of the resource—unless it grows proportionately with the number of users—and the actual utilization of the resource. If, on the other hand, this "perverse" effect on the exploitation of the resource due to congestion does not occur, an increase in the number of users may undermine the productivity of the resource itself. This would incentivize its immediate use by each individual holder of the right of enjoyment to avoid future competition regarding its use. This is due to the full rivalry condition, which reduces a resource's availability due to the exploitation of other users.

There is, in essence, a problem of possible free-riding, whereby each member of the benefiting community might try to quickly exploit the available resource so that other holders of the same right do not seize it. This situation results in the well-known phenomenon known in the literature as the "tragedy of the commons", whereby the private benefit from an additional unit of the asset obtainable from the exploitation of the right to use land is greater than the private cost, as the costs of managing the collective domain can be passed on to the entire community. This scenario is far from far-fetched, considering that recent legislation on collective domains makes it clear that the exploitation of land encumbered by the right of collective enjoyment must be "normal" rather than "exceptional".

It is also necessary to add another consideration related to civic uses, namely, the possibility of exercising this right on privately owned lands if it has not been settled on publicly owned areas. Indeed, if land exploitation—which takes on the immanent character of the right of enjoyment—not only respects the "normal" connotation in terms of frequency but, depending on the type of utility that can be extracted, becomes quantitatively substantial, the right of private property loses economic content. This implies that the incentive to create, preserve, and increase the value of privately owned "land" assets is lost.

This highlights the importance of the self-regulation of collective properties by the holders of the right of enjoyment to prevent the collective right from being divided into multiple individual interests. Indeed, it is no coincidence that even though commons do not include the assignment of property rights at the individual level, the literature speaks

of a "tragedy of the commons" [28], as mentioned above. This tragedy has arisen as a result of two conditions: (a) the absence of communication among members of the beneficiary community and (b) the independence of the individual actions of the beneficiaries, the actions of each being aimed at maximizing the expected return.

From this point of view, the effectiveness of collective domains in terms of sustainable and supportive land management can only require verification of the existence of the four propositions advanced by Ostrom in 1992 [29]: (a) "common understanding of the problem"; (b) "common understanding of alternatives for coordination"; (c) "common perceptions of mutual trust and reciprocity"; (d) "common perceptions that decision-making costs do not exceed benefits".

### *2.2. The Multiple Values of Collective Properties: Assessment Issues*

The reaffirmation of the constraints on private land property—the most relevant production factor in agricultural activity—for purposes of collective utility, as provided for in recent legislation, makes explicit the recognition of a multiplicity of values that can be associated with collective domains. The need to preserve the environment and the landscape highlights how exercising the right of civic use is particularly important in marginal and extensive inner forest areas, where environmental problems are crucially significant.

Theoretically, the constitution of collective domains can represent a form of insurance against land abandonment, with its environmental repercussions, where agricultural activity is unfavorable. Indeed, in these cases, the consequent economic results often do not guarantee the continuity of local businesses or the entry of new ones into the sector.

It should also be noted that forest use is predominant in many areas with a higher prevalence of this form of land tenure. The absence of protection and preservation of forest land often causes fires, resulting in the loss of a resource producing both market goods (wood, undergrowth products, cellulose, etc.) and a plurality of services with high environmental and landscape value (regulation of surface water, reduction of wind erosion, utilization of solar energy through photosynthesis, etc.). Instead, they could be guaranteed by collective properties.

This aspect highlights the multifunctionality of this property configuration. Moreover, a multiplicity of values can be associated with each function performed, given the recognition that, in addition to producing market goods, the land's agrosylvopastoral destination also provides territorial–environmental services from which the entire community benefits [30]. This supports the principle of sustainability, since preserving the collective natural and rural heritage allows future generations to enjoy it as well, as long as shortcomings in the management of the collective lands do not lead to abandonment, or even landfill use. It must be emphasized that this land-use model is realistically effective only if the following two conditions are met: (a) compatibility of the "exploitation"—mentioned in the most recent legislation represented by Law 168/2017—with the environmental purposes of collective domains; and (b) existence of a "demand" for civic uses, without which assigning constraints to the full exercise of the right of ownership over the land may be preparatory to its abandonment.

Art. 2 of Law 168/2017 itself establishes the "protection and valorization" of collectively enjoyed goods, since they are recognized as fundamental elements for the life and development of local communities, primary tools for ensuring the preservation and valorization of the national natural heritage; stable components of the environmental system; territorial bases of historical institutions for the conservation of cultural and natural heritage; eco-landscape structures of the national agrosylvopastoral heritage; and a source of renewable resources to be valorized and used for the benefit of the local communities of the right holders.

As previously pointed out, full recognition of economic, social, cultural, and environmental functions thus means assigning multiple values to collective domains characterized by use and exchange values and values independent of use. Indeed, it is well known that

instrumental value alone is insufficient to express the overall value of natural resources. According to several environmental economics theories, the phenomenon of value does not have an exclusively subjective character related to the human–nature relationship; it also exists per se. Natural heritage, like collective domains, as well as a use value, or economic value, consequent of its ability to provide services to production, tourism, etc., also has intrinsic value because of its autopoietic capacity (cf. Table 1).

**Table 1.** Collective property: functions, values, and goods/services, adapted from Nervi [24] (p. 86).

| Functions | Values | Goods/Services |
|---|---|---|
| Economic | Direct and indirect use value | Agrosylvopastoral products, renewable resources<br>Prices, costs, etc. |
| Cultural | Historical–documental value<br>Aesthetic–landscape value | Ancient heritage, historical maps, cultures, local traditions, etc.<br>Natural beauty, landscape integrity |
| Social | Recreational value | Heliotherapy, camping, excursions, ski–climbing, horse-riding, hunting, fishing, etc. |
| | Educational value | Culture of sustainability, ecological information, educational paths, etc. |
| | Identity value | Local community development, capacity of self-recognition as a community (consortiums, agrarian associations, etc.) |
| Environmental | Protective value | From erosion, landslides, rockfalls, noise, microclimate, etc. |
| | Global value | Carbon anhydride/oxygen exchange |
| | Local value | Absorption of harmful and polluting elements, biomass |
| | Intrinsic natural value | Biodiversity conservation |

Classical estimation provides the most suitable criteria and estimation procedures for solving the various estimative questions[3] regarding civic use rights over private lands. However, the estimation activity is more complex when the use-independent values of collective properties must be determined alongside the use and exchange value, as in the total economic value perspective [31–35].

However, for this particular typology of collectively enjoyed goods, it is also becoming increasingly necessary to integrate the economic approach with the multidimensional method, using and developing different indicators, such as ecological indicators (rarity, species diversity, naturalness, ecological value index, etc.), to express an area's biological diversity. This is because it determines the specificity of the area itself, and consequently, the choices regarding its protection/management/valorization depend on it. This also aligns with the ecosystem valuation framework [36], first developed in the 1960s. Starting with the valuation of the multiple benefits that ecosystems provide to humankind, the framework also considers the spatial scales at which ecosystem services are provided and the implications of these scales concerning the values attributed by different stakeholders.

Therefore, in operational research, it is more essential than ever to analyze and evaluate the performance in terms of services/benefits offered by the system of collective domains throughout the Italian regions and concerning criteria and indicators that can suggest lines of action aimed at enhancing and safeguarding this precious resource heritage.

This approach still requires suitable tools for knowledge and decision support to increase the effectiveness and sustainability of collective domain asset management. Pietro Nervi previously referred to a "comprehensive physical and monetary system of accounting for the natural and man-made resources on civic lands" as necessary. After recognizing that civic resources combine to deliver diverse final natural services, he tried to define their contours [24]. The author highlighted the multi-functionality of collective domains. Since the very beginning of his studies, in addition to their productive economic function, he acknowledged their environmental function in regards to both the local and global dimensions, as these institutions can conserve, protect, and even guard biodiversity, considering that most of them consist mainly of forests and pastures. Finally, he recognized their cultural function. Later [25], analyzing the potential utilities rendered by collective

domains, Pietro Nervi echoed what De Groot proposed in 2002 to evaluate ecosystem services [37].

The status of knowledge and the mapping of collective domains is still remote, especially in some areas of southern Italy. Yet, this is an essential prerequisite for formulating any hypothesis of sustainable management of this extraordinary heritage of resources (especially forest), which characterizes many inner areas.

The distribution of the involved areas is still uncertain and needs to be identified, especially in the Campania region; this is also because many municipalities still lack the "Regulations of Civic Uses" expressly requested in Royal Decree 332/1928, that is, the implementing regulation of Law 1766/1927. As detailed in the following, a preliminary exploration has been undertaken to deepen the knowledge framework, representing the "common understanding of the problem", as suggested by Ostrom.

## 3. The Size of Collective Domains in Italy

There is still no comprehensive estimate of the current size of collective domains in regards to the entire national territory. However, a reference can be drawn from the comparison between the survey conducted by the National Institute of Agricultural Economics on the distribution of land ownership[4] in Italy in 1947 [38] and the 6th and 7th General Census of Agriculture (ISTAT, 2010, 2020). According to the 1947 INEA survey, shown in Table 2, collective heritages (communal properties and agrarian associations) comprised about 3 million hectares (ha 3,054,028). They were located mainly in the alpine territories (ha 1,773,720) and also in the central (ha 100,888) and northern Apennines (ha 285,315), in the continental south (ha 386,692), and in Sardinia (ha 314,814).

**Table 2.** Size of collective properties in Italy by geographic area, 1947 [38].

| Geographical Area | Municipalities | Agrarian Associations | Total |
|---|---|---|---|
| Alpine Region | 1,446,246 | 287.474 | 1,733,720 |
| Po Valley | 20,306 | 3.051 | 23,357 |
| Central Appennines | 67,830 | 33.058 | 100,888 |
| Northern Apennines | 173,727 | 112.088 | 285,815 |
| Latium | 111,087 | 53.121 | 164,208 |
| Southern Continental Italy | 386,692 | 0 | 386,692 |
| Sicily | 44,534 | 0 | 44,534 |
| Sardinia | 314,814 | 0 | 314,814 |
| Italy | 2,565,236 | 488,792 | 3,054,028 |

Thus, in 1947, collective properties occupied about 3 million hectares, or 10% of the entire national territory. Only a few decades later, with the 6th General Census of Agriculture by ISTAT (2010), it was possible to achieve a more precise, though not exhaustive, picture of the extent of collective property, intended as "property, whether publicly or privately owned, encumbered by rights of enjoyment (civic uses) by individuals belonging to a given community" [39]. The ISTAT had implemented European legislation on surveys of farm businesses and production methods. Thus, integrating the data provided by the National Council of Collective Property, it initiated the first statistical survey of civic uses for census purposes. Collective properties related to land with agricultural use, particularly animal grazing, were surveyed for the first time because they fell within this field of observation. If exclusive, collective properties referring to other types of land use (forests, building areas, etc.) were therefore not included in the census survey.

Table 3 reports data from the last two censuses on collective properties throughout the Italian regions: the number of farm businesses, the utilized agricultural area (UAA), and the total agricultural area (TAA). It shows that, as of 2010 [40], collective properties covered 610,165 hectares of utilized agricultural area (4.7% of the UAA of the entire national

territory) and 1,668,851 hectares of total agricultural area (9.8% of the TAA of the entire national territory)[5]. These surfaces were managed by 2.233 entities qualified as municipality or institutions ("Comunanze", "Università", "Regole", "Consortele"), corresponding to as little as 0.1% of Italian farm businesses, both in terms of TAA (747.36 ha vs. 9.52 ha) and UAA (273.49 ha vs. 7.57 ha).[6]

The ecological and environmental—rather than economic—value of collective properties is proven by the mainly mountainous location of their involved surfaces, with a share of 84.4% (TAA) and 82.3% (UAA). Considering farm businesses, these percentages drop respectively to 22.1% and 28.8%. As stated above, due to the unsuitability of these locations for agricultural activity, satisfactory income levels—required for business permanence—can only be achieved if business scales can significantly affect production costs. This leads to decision rights over the regulation of collective resources—as defined by Schlager and Ostrom in 1992 [41]—becoming the discriminating factor. This is because the absence of an agreement between beneficiaries hinders pursuing the goals underlying the ratio of legislation on collective properties, to the point of leading to probable land abandonment. Considering the unmarketability of the property, this abandonment also has negative effects on a possible consolidation of the structural layout of agriculture in marginal areas, which is preliminary to the improvement of their economic conditions.

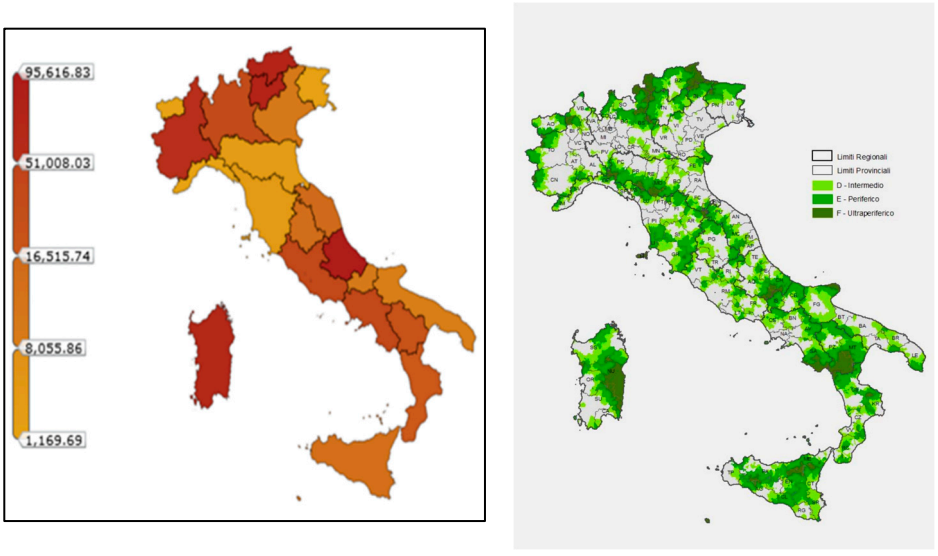
Data from the latest census (2020) [42] show that while the number of bodies (municipalities or instrumental bodies) managing land with civic uses has increased overall compared to that of the previous decade, there has been a further reduction in both the utilized and total agricultural area. Regarding the regional distribution, the phenomenon has decreased in the central and southern regions (at least regarding the land used for agriculture), as the contraction in these areas is greater than the reduction in the total regional area. The only exception is in Calabria, where the proportion of both TAA and UAA in the total regional surface has increased to the point that this region's weight in the national landscape has also increased. The percentage of these areas in the total regional areas is growing in the northern regions.

**Table 3.** Distribution of collective properties in Italy (source: ISTAT Census 2020 [42], 2010 [40]).

| Common Properties by Region | 2020 | | | 2010 | | |
|---|---|---|---|---|---|---|
| | Number of Farms | UAA (ha) | TAA (ha) | Number of Farms | UAA (ha) | TAA (ha) |
| Piedmont | 107 | 23,033 | 56,194 | 162 | 51,008 | 154,174 |
| Aosta Valley | 16 | 1874 | 6822 | 1 | 332 | 1267 |
| Liguria | 26 | 1654 | 5739 | 21 | 1170 | 5395 |
| Lombardy | 90 | 25,356 | 53,695 | 77 | 36,264 | 88,405 |
| Autonomous Province of Bolzano | 491 | 48,698 | 168,480 | 384 | 71,904 | 103,665 |
| Autonomous Province of Trento | 233 | 26,478 | 150,476 | 229 | 75,535 | 310,908 |
| Veneto | 156 | 18,060 | 111,601 | 86 | 9803 | 50,950 |
| Friuli-Venezia Giulia | 42 | 7187 | 32,200 | 21 | 1305 | 6496 |
| Emilia-Romagna | 129 | 3178 | 31,126 | 54 | 3467 | 16,145 |
| Tuscany | 37 | 2229 | 21,211 | 39 | 4119 | 21,663 |
| Umbria | 20 | 5905 | 5905 | 138 | 15,309 | 53,656 |
| Marche | 139 | 10,603 | 28,216 | 105 | 16,315 | 43,935 |
| Latium | 60 | 43,509 | 43,509 | 146 | 44,095 | 106,008 |
| Abruzzo | 155 | 64,276 | 154,319 | 192 | 95,617 | 262,478 |
| Molise | 43 | 7537 | 25,850 | 56 | 9707 | 33,440 |
| Campania | 254 | 24,252 | 141,840 | 155 | 43,992 | 123,347 |
| Apulia | 39 | 8403 | 16,613 | 37 | 8056 | 15,853 |
| Basilicata | 39 | 21,336 | 50,608 | 39 | 23,941 | 68,555 |
| Calabria | 118 | 17,305 | 51,526 | 99 | 16,516 | 49,549 |
| Sicily | 89 | 8922 | 20,473 | 91 | 13,915 | 30,138 |
| Sardinia | 210 | 53,140 | 80,932 | 101 | 67,795 | 122,853 |
| Italy | 2493 | 422,944 | 1,257,344 | 2233 | 610,165 | 1,666,851 |

However, this dynamic led only Veneto and Friuli Venezia Giulia to exceed the national trend, with an increase in the corresponding percentages. It should also be emphasized that in some central-northern contexts, the phenomenon of contraction takes on a significant character, as in the case of Umbria, Piedmont, and the province of Trento. Here, the reduction in the agricultural use areas encumbered by civic uses has been so vast as to exceed national contraction. This resulted in a downsizing of the weight of these three entities at the national level in 2010. Comparing the 2010 regional distribution of the UAA of collective properties [16] with the map of Inner Areas of the National Strategy for Inner Areas (NSIA), promoted by the Italian government as part of the 2014–2020 Partnership Agreement [43], provides additional information (Figure 1). Indeed, it emerges that a large portion of collective properties is concentrated precisely in areas far from the centers where essential services are provided, covering about 60% of the national land area. These areas play a key role in the country's economic and social geography and represent deposits of agrosylvopastoral and cultural resources due to the widespread presence of "rural commons" [44]. Currently, these assets constitute a significant heritage in quantitative and qualitative terms. They represent an opportunity for territorial development and preservation of the ecosystem, biodiversity, and landscape, especially in areas with lower population density and anthropization levels than those of metropolitan areas.

The NSIA emphasizes the intrinsically strategic datum of the great extent of "inner areas". Thus, among its objectives, in addition to demographic development, it indicates the increase in the utilization of "territorial capital", to which collective heritages belong. Although there is no comprehensive quantitative estimate yet, the two images in Figure 1 show how inner areas are distributed along the entire Apennine ridge and in the Alps, that is, "the mountainous areas of our country, where precisely civic uses have been preserved to a greater extent" [45].




(**a**) (**b**)

**Figure 1.** (**a**) Distribution of common properties in Italy [16]; (**b**) NSIA inner areas classification [46].

The following paragraph analyzes collective domains in the Campania region in the framework of inner areas [47–49]. It starts with a survey process of their surfaces and then delves into a specific field of observation: the inner area of Matese Casertano.

*An Exploration in the Campania Region*[7]

The present value of collective domains in the Campania region can be better understood through a study by D'Alpaos et al. [50]. They interpreted the historical vicissitudes of collective domains throughout the country by analyzing the relationship between the evolution of land productivity and the degree of socioeconomic development. Where

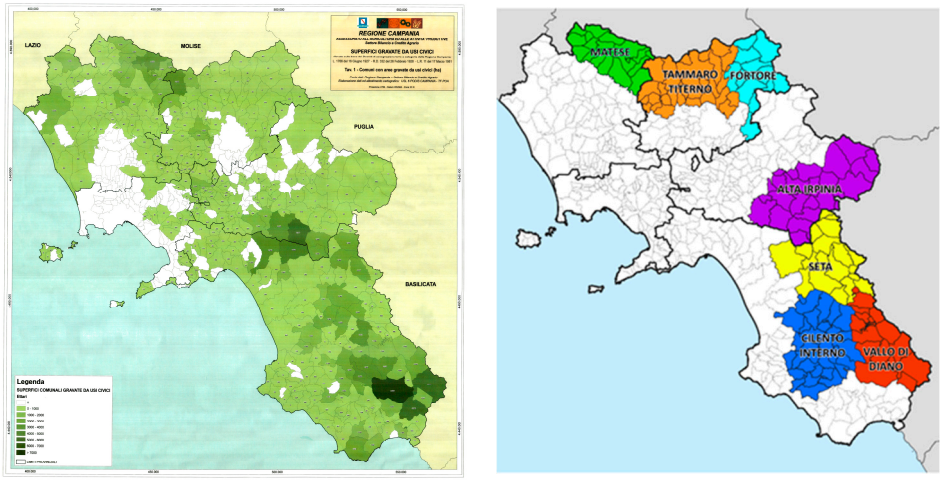
productivity experienced rapid appropriable improvements, there has generally been progressive privatization of civic uses, as in the communal lands of the Po Valley–Venetian plain. Instead, where productivity is modest (forest soils, marginal pastures) and socioeconomic development is good, civic uses have been maintained over time. They are now being transformed into institutions with predominantly social and environmental objectives, as signified by the Communities and Rules of the Eastern Alps. Finally, areas with modest productivity and slow socioeconomic development have pursued the preservation of civic uses with mainly economic purposes but have not produced institutions robust enough to cope with the successive changes, as in the common lands of marginal areas.

The latter phenomenon has affected many of the collective properties in southern Italy. In particular, in the Campania region, where national laws (Law 1766/1927; Law 168/2017) are compounded by Regional Law 11/1981, "Regulations on Civic Uses", types of collective ownership are still widespread in various forms. These properties belong to the local community and are managed for their benefit by municipalities, their hamlets, or, where they exist, by agrarian associations; the municipality (or the agrarian association) is the administrative body representing the owning community. Thus, the property is collective and subjected to a public right rather than being private (patrimonial) and belonging to the institution. Hence, the property does not belong to the municipal assets but to the community of which the entity is a mere representative, holding only administrative powers. With this institution, the Kingdoms of Naples and Sicily guaranteed their citizens a kind of "right of citizenship", a collective property that less well-off people could use to meet their needs (civic uses).

Even today, the overall distribution is uncertain, partly because many municipalities lack the "Regulation of Civic Uses", expressly provided for in Royal Decree No. 332/1928, that is, the implementing regulation of Law 1766/1927. Its Article 43 stipulated that, following the assignment of land to category A)—land conveniently usable as forest or permanent pasture—and the notification of the decree of ascertainment, the municipalities were to compile the regulation of civic use. More than 300 municipalities in Campania have yet to comply with this legal obligation, and numerous dossiers are pending at the competent Regional Office for Civic Uses. The Campania region highlighted the urgency of this process by adopting the Regional Guidelines for the Approval of Municipal Regulations for the exercise of Civic Uses with DGR 61/2015. However, many municipalities are still nonconforming.

One of the available sources for the survey of collective domains in the Campania region is the table prepared by the Campania region (Department of Agriculture and Productive Activities—Budget and Agricultural Credit Sector 2005–2009). This document highlights the municipalities with areas encumbered by civic uses, surveyed based on the Decrees for the Allocation of Land to Category A). As shown in Figure 2, civic uses are mainly concentrated in rural areas, where the NSIA has identified a total of seven inner areas (the first four, Alta Irpinia, Vallo di Diano, Cilento Interno, Tammaro-Titerno, identified in 2014; the other three, Alto Matese, Sele Tanagro Alburni SETA, and Fortore, chosen between 2021 and 2022).

A picture of the current dimension of collective domains in the entire Campania region, albeit partial (as it refers only to land where agricultural activity is practiced), can be achieved through data from the 7th General Census of Agriculture (Table 3). It identifies 254 units qualified as a municipality or entity (up by 93 units from the previous census), which corresponds to 24.252 ha of utilized agricultural area (about 55% less than in the previous census) and 141,840 ha of total area (up from the previous census). Table 4 refers to data from the two censuses, 2020 and 2010, and shows the distribution of collective properties in the five provinces of the Campania region in terms of the number of bodies (municipalities or instrumental entities) managing land with civic uses, utilized agricultural area, and total area.




(**a**) (**b**)

**Figure 2.** (**a**) Areas encumbered by civic uses [51] (p. 179); (**b**) identification of inner areas in the NSIA [52] (p. 3).

In line with the national trend, the number of managing organizations has almost doubled in all five provinces. The historicity that characterizes the institution of collective properties rules out the possibility of new institutions. Instead, it can be inferred that this mode of surveying, which has been gradually refined, has led to a more consistent picture of the number of institutions managing collective properties. On the other hand, it is possible to notice a reduction in the extent of agricultural land used for agricultural cultivation and an increase in the total agricultural land area, which would include, according to the ISTAT definition, the areas covered by forests, unused agricultural land, and other land (buildings, farm roads, naturally infertile land). Since forests are outside the scope of the census survey, which only considers areas associated with agricultural farms, the collective properties represented by forests are not comprehended in the census survey because only the forests attached to farms are considered. Thus, the picture from the previously illustrated data suggests that a land abandonment trend is gaining ground, as unused UAA is a component of TAA. In other words, part of the UAA encumbered by civic use was probably no longer used, especially those previously utilized for pasture; however, it increases the TAA category. This shows how the effectiveness of this legal institution is closely linked to the satisfaction of a need expressed, albeit latently, by the possible beneficiaries.

**Table 4.** Distribution of common properties in Campania provinces (source: ISTAT Census 2020 [42], 2010 [40]).

| Common Properties by Province | 2020 | | | 2010 | | |
|---|---|---|---|---|---|---|
| | Number of Farms | UAA (ha) | TAA (ha) | Number of Farms | UAA (ha) | TAA (ha) |
| Avellino | 58 | 2804 | 21,840 | 24 | 1860 | 10,490 |
| Benevento | 36 | 4115 | 12,260 | 19 | 4620 | 10,405 |
| Caserta | 46 | 3023 | 23,173 | 23 | 3533 | 11,671 |
| Naples | 12 | 397 | 1789 | 1 | 0.5 | 0.5 |
| Salerno | 102 | 13,915 | 82,778 | 88 | 33,976 | 90,780 |
| Campania | 254 | 24,253 | 141,840 | 155 | 43,991 | 123,347 |

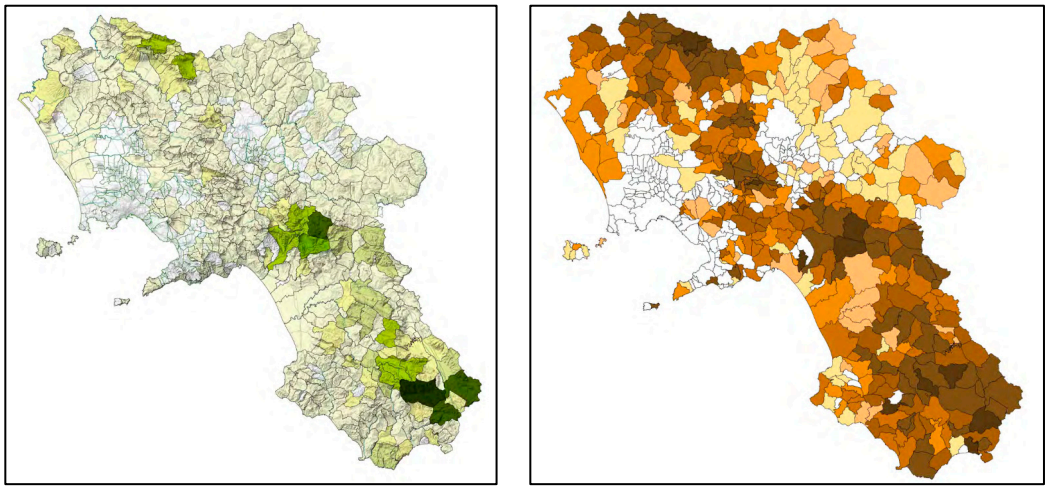
Another valuable source of information is the Preliminary Document of the Piano Paesaggistico della Regione Campania (Campania Region Landscape Plan, hereinafter PPR) of 2019, prepared per the Code of Cultural Heritage and Landscape (Legislative Decree 42/2004). The preliminary work for drafting the PPR also included recognizing and

digitizing areas of landscape interest protected by law. Thus, areas assigned to Università Agrarie and areas encumbered by civic uses (art.142, letter h of the Code) were also identified. As shown in the report of the preliminary document of PPR [53], in Campania, about 214,683 out of 1,359,000 hectares are encumbered by civic uses, corresponding to 16%. Out of 550 municipalities, 388 are encumbered by civic uses. Table 5 reports the total area of municipalities (in ha), the land encumbered by civic uses (in ha and as a percentage), the total number of municipalities, the number of municipalities with land encumbered by civic uses, and the number of municipalities with land not encumbered by civic uses for each province and the whole Campania region.

**Table 5.** Distribution of common properties in the Campania region provinces [53] (p. 111).

| Parameter | Avellino | Benevento | Caserta | Naples | Salerno | Campania |
|---|---|---|---|---|---|---|
| Total surface of municipalities (ha) | 279,200 | 207,100 | 263,900 | 117,100 | 491,700 | **1,359,000** |
| Land encumbered by civic uses (ha) | 32,487 | 19,438 | 37,963 | 2903 | 121,892 | **214,683** |
| Land encumbered by civic uses (%) | 11.64% | 9.39% | 14.39% | 2.48% | 24.79% | **15.80%** |
| Total number of municipalities | 118 | 78 | 104 | 92 | 158 | **550** |
| Municipalities with land encumbered by civic uses | 83 | 64 | 66 | 30 | 145 | **388** |
| Municipalities with no land encumbered by civic uses | 32 | 11 | 34 | 58 | 13 | 148 |
| Recently established municipalities | 3 | 3 | 4 | 4 | 0 | 14 |

Annex H of the report also shows the land allocation decrees (source: former Budget and Agricultural Credit Sector Administrative Service—Civic Uses of the Campania Region), broken down by category and province (Law 1766/1927; Royal Decree 332/1928; RL 11/1981). The same report includes planimetries, with a survey of the areas encumbered by civic uses in ha according to classes, represented by different color shades (table GD22h1) and in a percentage (table GD22h2); both tables are included in Figure 3. Therefore, the survey elaborated in the PPR also shows that many lands encumbered by civic uses fall in the Inner Areas of the Campania Region. The provinces of Salerno and Caserta have the highest number of hectares of total area of land encumbered by civic uses (24.79% and 14.39%, respectively).



(**a**) (**b**)

**Figure 3.** Civic uses in Campania: (**a**) in hectares [53] (p. 112); (**b**) in percentages [53] (p. 113).

## 4. The Matese Casertano Study Area

An opportunity to take an in-depth look at collective domains in the province of Caserta, particularly in the Matese Casertano area, was provided by the Interdepartmental Research Project[8] "Riabitare i Paesi. Strategie Operative per la Valorizzazione e la Resilienza

delle Aree interne (RI.P.R.O.VA.Re.)" (Re-Inhabiting Villages. Operational Strategies for the Valorization and Resilience of Inner Areas), funded by the Ministry of Ecological Transition and intended to support policies and strategies for the "re-centralization" of inland territories [54]. One of the three areas under study and experimentation lies within the province of Caserta and includes 17 municipalities in Matese Regional Park. The Park, established in 2002, safeguards one of the largest and most important limestone and dolomite massifs in the Campania region. It covers 33,326.53 hectares and constitutes one of the most significant naturalistic and environmentally interesting areas in the central-southern Apennines. The configuration of its slopes characterizes the territory of Campania—constituting the eastern boundary of the upper Caserta area—and the territory of Molise, identified by the Benevento—Isernia route.

The seventeen municipalities in the province of Caserta, located within the park area, which is recognized as a "Site of Community Importance" (Directive 92/43/EEC Habitat and Natura 2000 Network), compose the Mountain Community Zona del Matese (established by Regional Law 12/2008 for cooperative development). Moreover, they belong to the "Alto Matese" area, identified by the NSIA in the 2021–2027 planning cycle, where they are all classified as "ultra-peripheral". Based on the data from the last two censuses, depopulation is evident in all municipalities (a −8.73% decrease from the 2011 census), with a negative trend and significant variations. Only two municipalities have a population of over 5000 (Alife and Piedimonte Matese), while the rest fall into the category of so-called "small municipalities" (Table 6). The latest Census of Agriculture, combined with the data in the Preliminary Report for the Selection of the Inner Areas of the Campania Region [55], shows that the utilized agricultural area (UAA)—more than 40% of which consists of permanent meadows and pastures—covers 32% of the territory. Although lower than the regional and national average for Inner Areas, this value is closely linked to the sharp contraction (about −30%) of agricultural areas recorded over the last 30 years (here, the negative trend is more marked than in the other inner areas of Campania).

**Table 6.** Municipalities of Matese Casertano area: territorial surface and demographic shift (source: ISTAT [56]).

| Municipalities | Territorial Surface (ha) | Resident Population | | |
|---|---|---|---|---|
| | | 2011 | 2020 | var% |
| Ailano | 1606 | 1380 | 1252 | −9.28 |
| Alife | 6432 | 7660 | 7337 | −4.22 |
| Capriati a Volturno | 1839 | 1594 | 1482 | −7.03 |
| Castello del Matese | 2177 | 1509 | 1403 | −7.02 |
| Ciorlano | 2865 | 440 | 382 | −13.18 |
| Fontegreca | 971 | 849 | 767 | −9.66 |
| Gallo Matese | 3113 | 648 | 522 | −19.44 |
| Gioia Sannitica | 5442 | 3640 | 3316 | −8.9 |
| Letino | 3159 | 715 | 646 | −9.65 |
| Piedimonte Matese | 4143 | 11,504 | 10,373 | −9.83 |
| Prata Sannita | 2121 | 1571 | 1382 | −12.03 |
| Pratella | 3374 | 1615 | 1469 | −9.04 |
| Raviscannina | 2464 | 1376 | 1194 | −13.23 |
| San Gregorio Matese | 5650 | 1022 | 890 | −12.92 |
| San Potito Sannitico | 2313 | 2000 | 1918 | −4.1 |
| Sant'Angelo d'Alife | 3352 | 2276 | 2095 | −7.95 |
| Valle Agricola | 2442 | 975 | 784 | −19.59 |
| Total Area | 53,463 | 40,774 | 37,212 | −8.73 |

The abandonment of cultivated areas has contributed to the conversion of part of them to forest areas, which, according to 2010 data, cover 50% of Alto Matese. Another significant fact is that 47% of the territory consists of protected areas, compared with the regional average of about 20% for inner areas. The agricultural sector's importance index

is at the regional average, while the incidence of livestock farms (about 25%) in the total number of farm businesses is higher; the percentage of farm businesses with PDOs and PGIs is half the regional average of inner areas [55] (p. 9).

Most municipalities still lack "Municipal Regulations for the Exercise of Civic Uses". However, category A) (forest and pasture) falls under forest property management, and almost all municipalities have up-to-date and in-force Piani di Gestione Forestale [57] (PGF, Forest Management Plans). These are compulsory planning tools for sylvopastoral property, also regulating the mode of use and status of civic use rights.

Considering the overall picture provided by the surveys and the various sources (Preliminary Landscape Plan of the Campania Region, 2019; 7th Agriculture Census 2020; Forest Management Plans), since only collective properties on agricultural-use land are included in the agriculture census—thus excluding land covered by forests—municipalities with substantial convergence between the size of collective forest properties (data not exhaustive to date) and forest areas were chosen among the 17 surveyed.

As shown in Table 7, in all nine municipalities analyzed, the entire land area is encumbered by collective properties, from a minimum of 35% (Prata Sannita) to a maximum of 72% (Castello del Matese). These mainly consist of forests and pastures and to a small extent, agricultural land. The extraordinary potential of this heritage, markedly characterized by competitive factors that cannot be delocalized, primarily the value of the territory, biodiversity, agribusiness, and intangible heritage, has yet to be fully expressed by concrete and effective valorization strategies.

**Table 7.** The total surface of collective properties in the selected municipalities (source: [42,53,56,57]).

| Municipalities | Territorial Surface (ha) | Common Properties | | | |
|---|---|---|---|---|---|
| | | Forests | | UAA 2020 Census (ha) | Total (ha) |
| | | 2019 Landscape Plan (ha) | Forest Management Plan (ha) | | |
| Castello del Matese | 2177 | 1569 | 1569 | 2 | 1571 |
| Fontegreca | 971 | 382 | 398 | 85 | 475 |
| Gioia Sannitica | 5442 | 1767 | 1767 | 87 | 1854 |
| Letino | 3159 | 1857 | 1883 | 117 | 1987 |
| Piedimonte Matese | 4143 | 2548 | 2548 | 104 | 2652 |
| Prata Sannita | 2121 | 512 | 515 | 225 | 739 |
| San Gregorio Matese | 5650 | 3675 | 3791 | 286 | 4019 |
| San Potito Sannitico | 2313 | 1335 | 1332 | 96 | 1429 |
| Valle Agricola | 2442 | 1183 | 1187 | 43 | 1228 |
| Total | 28,418 | 14,829 | 14,990 | 1045 | 15,954 |

The RI.P.R.O.VA.Re research project [54] (pp. 66–76) has moved in this direction**:** its strategic axis "Innovate Matese" (the other two being "Valorize Matese" and "Re-Inhabit Matese"), includes the action line: "valorization of collective domains". Its goal is to promote greater awareness by the settled communities of the manifold value of collective domains in their territories (Figure 4).

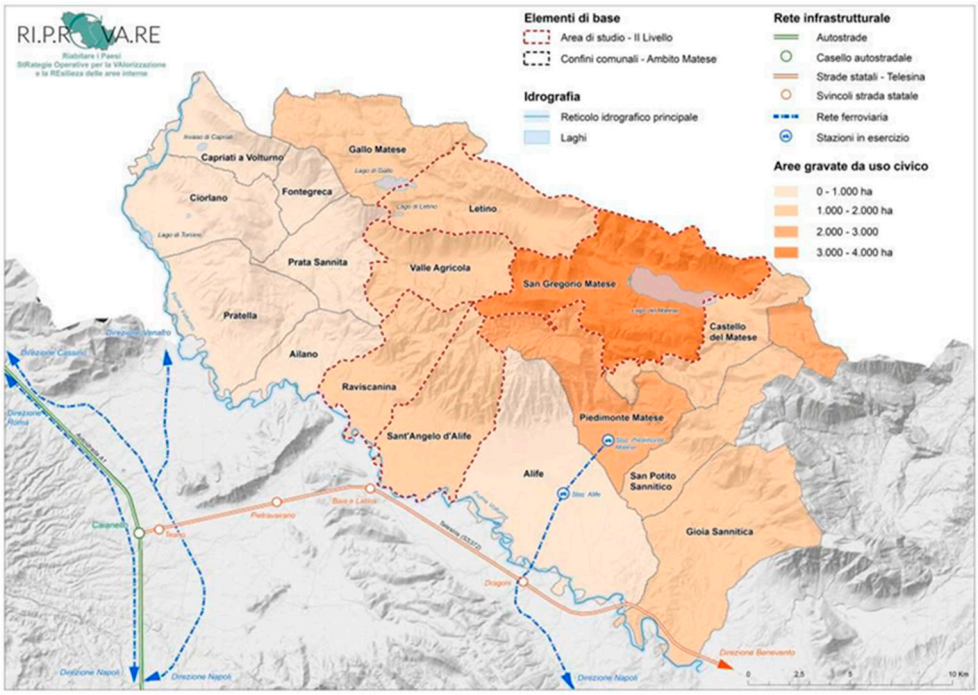



**Figure 4.** Naturalistic environmental system of Matese Casertano and collective domains, (RI.PRO.VA.RE project, author Bello G.).

To this end, the actions proposed and shared with the various stakeholders in the thematic tables organized at the municipalities aim first and foremost at "knowledge and mapping of the collective domains" in the Matese Casertano area. This is an essential prerequisite for formulating any hypothesis for protecting and enhancing the extraordinary heritage, especially woodland, that characterizes these territories.

Out of the 17 municipalities in the Parco del Matese area within the province of Caserta, only the municipality of Pratasannita has currently adopted the Regulations for the Exercise of Civic Uses, following the Regional Guidelines. The minimum content of the documentation accompanying the application for approval of the regulations (forwarded by the municipal administration or the agricultural association, if present, to the Executive Operational Forestry Unit) must cover the identification of users and civic-use property. From this perspective, the valuation approach is beneficial in analyzing the demand: who are the users of collective properties, and with whom can we associate the use and non-use components in the perspective of the "total economic value" of these properties?[9] The technical annexes must also include the outlook of state land encumbered by civic use, showing the data from the commissioner's decree of assignment to a category, the current cadastral identification, and the extent reported in the historical records. Finally, they must include cadastral cartography, consisting of the 1:10,000 scale framework of the maps constituting the municipal territory and the identification of civic-use areas. Figure 4 shows the table of the Naturalistic Environmental System, prepared as part of the RI.P.R.O.VA.Re research project. The areas encumbered by civic uses are also indicated, based on the knowledge acquired at the time. The most reliable starting point for accurately knowing the quantity and quality of the collective properties in the territories under study is naturally represented by the regulations. This reveals the importance and urgency for the municipalities lacking this document to draft it. These documents represent the most reliable starting point for effectively knowing and assessing the quantity and quality of collective properties characterizing the municipalities under study.

Another line of action proposed under the strategy is the allocation of collective properties by municipalities or representative administration bodies, once the status of these areas has been ascertained. Assignations should prioritize young farmers, including those

from neighboring municipalities, consistent with Art. 3, paragraph 8 of L.168/2017: "In any procedures for the allocation of land defined as collective property under this article, the administrative bodies representing the titular communities shall prioritize young farmers, as defined by the relevant provisions of the European Union". This priority assumes strategic importance, considering the significant UAA decrease in the last intercensal period.

EU Regulation no. 2017/2393, amending Regulation (EU) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), defines a young farmer as "a person who is no more than 40 years of age at the moment of submitting the application, possesses adequate occupational skills and competence and is setting up for the first time in an agricultural holding as head of that holding; the setting up may be done solely or jointly with other farmers, irrespective of its legal form (Art. 2, letter n)". Since the young resident population (40 years and under) in the municipalities under study is not particularly large, training activities for young entrepreneurs, including those from other municipalities, should be favored. This could follow the model that has already been initiated in the municipality of Agricola Valley, where the Training School for Young Agricultural Entrepreneurs has recently been established. Along with training activities, possible actions to be encouraged to foster economic development, creating new demand from a perspective of innovation (as well as multifunctionality) are entrepreneurial activities related to renewable energy production (biomass, hydroelectric, wind, solar); recreational/therapeutic tourism; and organic farming. To this end, the Campania region, by Regional Law 1/2020, encourages the establishment of community cooperatives ("Cooperative di Comunità")[10], whose characteristics (general interest, an identifiable and participatory community of reference, "new naturals", mutual exchange, intergenerationality, etc.) fully correspond to the structural elements of collective properties.

The prevailing presence of the elderly population in these areas also suggests formulating actions to involve them more widely in protecting and enhancing forest and pasture areas under collective ownership. This is also the perspective of the new *silver economy* megatrend, the whole of economic activities aimed at the population 65 years of age or older who partially or totally cease working, moving from an active lifestyle to a differentially active lifestyle. According to Oxford Economics, it constitutes the third-strongest economy in the world and is continuously growing [58].

## 5. Discussion

The "spiral of marginality" has long since affected the inner areas, such as the one under study. Still, these areas are characterized by a considerable heritage of collective properties. From a quantitative and qualitative point of view, they represent a model of sustainable growth for meeting the objectives of ecological transition: ecosystem biodiversity preservation, landscape protection, and territorial development. As noted earlier, collective domains are the historical product of the need for people in rural mountainous areas to independently and collectively manage their resources to secure their livelihoods.

These areas are strongly characterized by depopulation, with the exodus of young people and the consequent population aging. According to Dalla Torre et al. [59], there, "Two emerging tensions can be seen, recalling the concepts of resilience and transformability: (a) a social tension toward the inclusion of new *stakeholders* in the access, recess, and management of collective resources in the system of *commons*; (b) an economic tension toward a reintegration of the *commons* into the economy, intended as habitat care". In this sense, while the Matese Casertano municipalities have a considerable supply of collective properties, both tensions are still in the making. This also concerns how the "reintegration of the commons into the economy" is intimately connected to "habitat care" and thus, to the exercise of rights.

The possibility of generating "new demand" in these territories may lie in innovative management forms, starting precisely with those "cooperative" behaviors that have characterized collective properties throughout history. In line with the three models indicated

by Pietro Nervi to define the acts of collective property management in an ever-changing economy/environment system, it should be emphasized that "the purpose of patrimonial valorization presupposes that the patrimonial characteristics of the collective property can be sought, besides in the holders of possession—who construct these characteristics through management decisions—in the subjects who are not holders of the collective property and yet are interested in the demand for patrimonial elements or utilities that these characteristics entail" [25] (p. 641).

These include the demand for tourism or areas typically designated for production. Many good practices are spread throughout the country, especially in the north [60–62]. Despite being historical institutions, underlying value system of collective domains is as relevant as ever and favors both local communities and a wider audience. Understanding them can help in the re-discovery of a functional model of territorial identity valorization, environmental preservation, solidarity, and sustainable economy.

To this end, it is first necessary to complete the investigation: as this preliminary analysis has shown, there is still no definitive picture in regards to the collective domains in the Campania region, especially in some inner areas; this article is a first attempt at surveying their distribution. Adequate skills are also needed to assess the multiple values/services/benefits offered by the system of collective domains present in the area under study. The most appropriate tools and approaches must be employed using interdisciplinary logic to support decision-making processes aimed at protection and valorization, as established in Article 2 of Law 168/2017. Finally, managing bodies—with legal personality under private law and statutory autonomy—must innovate management forms with a more entrepreneurial function.

Research work in this direction is only just beginning.

## 6. Conclusions

As it should be recalled, collective domains are historical institutions in Italy. Thus, their distinctive features make us wonder whether and to what extent they are still relevant and necessary. This article attempted to provide an answer along these lines, starting with an exploratory investigation focusing on a specific field of observation. In the introductory section, collective domains were placed in the broader context of the ecological transition. Thus, the regulatory framework was traced, from the intentionally settlement-oriented approach of the 1927 law to the more recent law 168 of 2017. This law marks a decisive turning point, as it assigned the state the task of protecting and enhancing the assets of collective enjoyment, establishing the full recognition of their economic, social, and environmental functions.

This multifunctionality leads to a broader demand for evaluation, as highlighted in the second section of the article. Theoretically, this involves considering the use and/or exchange values (implied in the 1927 law regarding the category of civic use rights over private lands), as well as the different values/services/benefits provided by collective domain systems. This is to support protection and enhancement choices for the development of local communities and the preservation of natural and cultural heritage, as required by current legislation.

From the operational point of view, there is still much to be done, especially in terms of "recognition": to date, in fact, many municipalities do not possess adequate mapping (with a clear identification of perimeters), nor are they equipped with regulations for the enjoyment of collective domains. Especially in some southern contexts, the state of knowledge is still lacking. Therefore, in the third section of the article, an attempt was made to outline the current national supply of collective domains, based on data from the last two agricultural censuses. Despite being partial, they provide a picture of their dimensions and variation over time. The analysis also highlighted that most of the collective domains are concentrated in the country's inner areas, in ultra-peripheral municipalities that are predominantly rural and characterized by an extraordinary heritage of natural and environmental resources. Thus, the exploratory approach focused on the

Campania region, particularly the inner area of Matese Casertano. The analysis revealed that these municipalities have a considerable supply of collective property, mainly forests and pastures. This is a complex system of resources and potential utilities in terms of goods and services, whose full description and understanding are still needed. More generally, regarding the protection and enhancement of collective domains, the crucial point is now to understand and promote their relevance. The analysis presented in the article provides a starting point.

**Author Contributions:** Conceptualization: F.F.; methodology and data curation: F.F. and P.C.; formal analysis: F.F. and P.C.; formal writing—original draft: F.F.; writing—reviewing and editing: P.C. All authors have read and agreed to the published version of the manuscript.

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**Data Availability Statement:** The data used in this study, as referenced in the text, are available online at the links below: https://esploradati.istat.it/databrowser/#/ (last access on 20 March 2024), http://dati-censimentoagricoltura.istat.it/Index.aspx (accessed on 24 July 2023), https://www.istat.it/it/archivio/156224 (last access on 7 January 2024), http://www.agricoltura.regione.campania.it/foreste/paf.html (last access on 10 February 2024), https://www.territorio.regione.campania.it/paesaggio-blog/piano-paesaggistico-regionale-ppr, (last access on 10 March 2024).

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**Conflicts of Interest:** The authors declare no conflict of interest.

## Notes

1 For an in-depth analysis of the history and regulatory framework of civic uses and collective property in Italy, the Italian Center for the Study of Collective Property, established by the University of Trento https://www.usicivici.unitn.it/ and the Demanio Civico Association https://www.demaniocivico.it/, offer a broad overview.

2 Rivalry cannot be null, since an increase in the exploitation of the land encumbered with this right by a beneficiary party naturally limits the availability of the usable resource by other parties holding the same right.

3 This requires estimates for the enfranchisement of civic use rights (estimate of the annual fee), dissolution of promiscuity (estimate of compensation), legitimation of state land occupation (estimate of the emphyteutic fee), reinstatement of occupied land (fruits), and land distribution, among others.

4 Since 2015, Centro di ricerche Politiche e bio-economia (CREA–PB) of the Consiglio per la Ricerca in agricoltura e l'analisi dell'Economia Agraria (CREA).

5 However, it must be highlighted that the data on the UAA only refer to common and undivided surfaces and do not consider those assigned for free use to beneficiaries, which can be estimated as around 60,000 ha (Greco, 2014) [16].

6 The huge differences between the TAA and the UAA of collective properties result from the presence of over a million hectares of non-agricultural surfaces—mainly woodlands—which are not cosidered in the UAA, but only in the TAA.

7 We thank the Agronomy Officer of Campania Region, Ms. Emilia Casillo, for her support in interpreting the census data referring to collective domains.

8 Scientific Coordinator of the project: Adriana Galderisi; research staff: Adriana Galderisi, Claudia de Biase, Giuseppe Guida, Francesca Castanò, Fabiana Forte, Maria Antonietta Sbordone, Luigi Maffei; Partners: Department of Architecture and Industrial Design (DADI) of the University of Campania Luigi Vanvitelli, Department of Civil Engineering (DICIV) of the University of Salerno, and Department of European and Mediterranean Cultures (DiCEM) of the University of Basilicata.

9 In this regard, it is worth mentioning that the enactment of Law No. 168/2017 arguably places a constraint. When addressing situations that characterize the right over collectively enjoyed lands, Article 2, paragraph 3, clarifies that the right is in "normally, and not exceptionally enjoying the utilities of the fund, residing in its use" (letter *a*). This may raise the question: is the raison d'être of the right of collective enjoyment based solely on its actual exercise, resulting in the reduction of the non-use components of the total economic value? Consequently, should municipalities without Regulations for the Exercise of Civil Uses take this constraint into account when drafting them? Notwithstanding that the Campania Region's Guidelines for the Approval of Municipal Regulations for the Exercise of Civic Uses predate the 2017 law, is this maybe the point of Art. 3, Paragraph 5, of Law No. 168/2017, for which "the use of the civic domain shall be in accordance with its intended purpose and per the rules of use established by the collective domain"?

10 The International Cooperative Alliance—ICA—defines a cooperative as an autonomous association of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly owned and democratically controlled enterprise. There are several examples in Europe, such as Community Enterprises (community shops in rural areas) in the UK,

the Société Coopérative d'Intérêt Collectif in France, bioenergy villages as community enterprises in Germany, and about one hundred in Italy, to date.

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