

A LAND OWNERSHIP SCHEME AS ANCIENT AS IT IS MODERN

The *Partecipanze Agrarie* are one of the few forms of managing collective property to have survived from the Middle Ages, and they are quite distinct from all other systems. The Region of Emilia-Romagna counts six (Nonantola, Sant'Agata Bolognese, San Giovanni in Persiceto, Cento, Pieve di Cento, Villa Fontana in the Commune of Medicina) of the eight schemes known throughout Italy. The other two are: the *Partecipanza dei Boschi* in Trino Vercellese and the *Partecipanza di Grignano Polesine*. Though they are all different, they do have elements in common: they came into being as land-reclamation tenures with the obligation of improving the land while residing within the Commune; the right to inherit passes via the male heir and is reserved to the descendants of the original families.

The juridical status of the *Partecipanze* was established in 1894 by law no. 397, an ordinance which governs collective properties. This law did not take account of their peculiarities, but it did have the merit of removing legal ambiguities.

The peculiarities were later addressed in the provisions applied under law no. 1766 of 1927 (on redefining civic land uses) which stipulated (clause 65 and 66 of the provisions themselves) the exclusion of the *Partecipanze* from the norms applied to settlement, distribution and usufruct of the assets from all other collective dominions.

NONANTOLA AHEAD OF ITS TIME

The *Partecipanza Agraria* of Nonantola is the only such scheme in the province of Modena and is also the most ancient. It traces its origins to the Charter of 1058 drawn up by Abbot Gotescalco of Nonantola, which concedes land-use rights to the local populace. However, the Charter of 1058 should not be thought of as a donation but, as is laid down in the document itself, a "Charta Convenientiae", since Abbot Gotescalco makes a concession that applies to woods, meadows, flatlands and wetlands for an unlimited time to all the people who live (and will live) in Nonantola, naming those who will have the right in future generations to farm the land. He pledges, both for himself and for his successors, hence for ever, not to grant these concessions to others, and guarantees several fundamental rights concerning the person, such as the right not to be bound, assaulted, beaten, or killed, and others concerning the property, such as the individual's right not to be deprived by force, without valid justification, of his own goods. In return, it asks that the people of Nonantola build three quarters of the wall and moat surrounding the Castle, pledging itself to the loyal defence of the Monastery on all occasions and against all enemies.

Clarification of the juridical nature of points left undefined by the Charter did not come until almost four centuries later. In 1442, a contract was stipulated by the Notary Andrea Della Cappellina in which it is established that the lands are subject to perpetual usufruct every twenty-nine years based on a clear agreement: the administrative management of the lands and of its fruits passes into the hands of the Communal Council; no interference in the farming of the lands must come from the Abbey with regard to a commitment to farming those lands efficiently; and the rent is fixed at 4 wax candle holders per year (annual rent) and every 29 years a calf weighing 125 pounds (contractual commitment).

Freedom from all commitment to pay for the right to farm the lands, and thus complete autonomy, came in 1961.

The history of the *Partecipanza di Nonantola* was marked by recurrent battles to withstand attempts to bully and dispossess on the part of the powerful, who, at various times and by various means, had tried to misappropriate the bulk of the income earned by working common land.

At present, the *Partecipanza* extends to the North-East of the centre of Nonantola, occupying around 760 hectares of land mostly given over to farming. In 1894 (law no. 397), it was recognized as a "moral body" in possession of its own Statutes which define its administrative structures: the General Assembly of Participants, the Administrative Council, the Executive Board and the Chairman. Its head-office is in an ancient palace situated in the historical city centre.

Like other *Partecipanze*, it still represents an alternative to private ownership. This particular collective land-management scheme, rich in historical and social implications, is based on a form of solidarity that links certain groups to the land in accordance with rules which have remained unchanged through the centuries. They are based on the obligation to conserve and improve the heritage, granted almost a millennium ago, and to hand it on to future generations.

Today, those who have a right to a “*bocca*” of land, decided by ballot every twelve years, are the descendents of the ancient families of Nonantola. Their names are: Abati, Ansaloni, Apparuti, Bevini, Borsari, Bruni, Cerchiari, Corradi, Grenzi, Magnoni, Medici, Melotti, Piccinini, Reggiani, Serafini, Sighinolfi, Simoni, Succi, Tavernari, Tinti, Tori, Vaccari and Zoboli. They are required to reside within the Commune of Nonantola.

The allocation of land by periodic ballot has certainly favoured the maintenance of collective ownership, nipping in the bud any attempt at appropriation.

The “*bocca*” of land constitutes the quota per person, in other words, the unit of measurement of the land to be allocated for usufruct to each descendent of the original ancient families, with the handing on of the right of usufruct to male heirs (in the 2009 share out, those eligible were 2812).

The *Partecipanza* owes its thousand-year existence to its historically proven ability to define its function not only in terms of benefit to the Participants but also to that of the entire territory in which it is located, keeping faith with its founding principles.

Since 1991, for example, around 10% of the land (flatlands) has not been distributed because it has been designated woodland and wetland, visited by many nature lovers and school groups.

Few Participants now directly cultivate the “*bocca*” of land they have a right to; increasingly, however, they can be seen riding their bicycles along the roads and tracks, enjoying a spring day in the country, preferably two by two. As Cesare Zavattini puts it: “... even the largest parties break up and reform in accordance with this need to talk, to communicate; it’s that famous Emilian sociability, something that turns the very air into a confined space and the bicycle saddle into a household chair...”

THE PARTECIPANZE EXIST AND RESIST: IN NONANTOLA FOR NEARLY 1000 YEARS

There are a host of reasons for their long life, but one in particular stands out: it was the less wealthy, with a strong sense of solidarity, who fought hardest to maintain the tradition of the *Partecipanze*. They may have lost one or two battles, but in the long run, they emerged victorious, proving the usefulness of this form of collective ownership for the whole community, and not just for the Participants.

The products of collective ownership also contributed – alas, and for a very long time – to the income of the wealthy, but they have always been a source of sustenance for the poor. They provided timber, wild berries, fishing, meadowland and increasingly larger areas for farming.

The cultivation of the land was not just a prerogative of the participants who had the right to exploit it, but also a chance open to others in various forms: from co-participation, to share-cropping, tenant farming, labouring and the like.

Saving the *Partecipanze* is proving to have been a great asset for the following reasons:

1. Their particular form of ownership, which has for centuries meant that land was periodically available for farming, releases such land from the constraints of the market and favours farmers who want to invest in agriculture.
2. The strong pressures towards urbanisation of the territory which remove land from agriculture are arrested at the borders of the *Partecipanze*.
3. The *Partecipanze* contribute to protecting the environment.
4. They create natural environments and woodlands in the plain (from the early 1990s the *Partecipanze* have set aside 10% of their lands to reforestation).
5. Creating opportunities for civic and environmental education, not in the abstract but through concrete experience. This is made possible by the heritage as a whole (agricultural, environmental,

cultural) that the collective properties offer (experimental land-economy, reclaiming wetlands, restoring historical monuments for developing a productive schools programme).

6. Transmitting those values traditionally expressed by the *Partecipanza*:

The value of solidarity, of “doing things together”. Cooperation was once indispensable (for example the reclamation of wetlands could not have been achieved without an effort on the part of the whole community). It has always been a benchmark for best practice in land-management, and for good relations between the Participants. In particular, during the last century, this value helped to define new forms of self-governance.

The value of respect for the land received for a predetermined period with the commitment to farm it with *best land-management practices*, not only because the subsequent ballot would imply exchanging the land, but above all because the land had to be handed down to future generations. Today, a correct approach to land use also means increasing biodiversity, protecting and cherishing the environment.

The value of identity, which finds its highest expression for the Participants in their feeling part of a history formed of people and places and an awareness of their cultural roots.

The value of democracy can be gauged by the continued search for best rules, for the best possible form of community living. This must always pivot on the essence of the original rights of the Participants, while at the same time affirm the principle of equality of treatment between Participants, administrative transparency, democracy and participation.

The value of “another way of owning” which has always driven and sustained the struggles against exploitation and arrogance on the part of the powerful.

These values underline the importance of collective ownership, above all in the form adopted by the *Partecipanze*; however, another exciting development has emerged in recent years.

EXPORTING THE IDEA TO BRAZIL

In 2005, the *Partecipanza di Nonantola* and others of the Region’s schemes (Sant’Agata Bolognese, S. Giovanni in Persiceto, Pieve di Cento and Villa Fontana - Medicina) donated the sum necessary to purchase a farm called “Fazenda Boa Esperança II”, in Candido Mendes, in northern Brazil. The aim is to develop a project based on the principles of the collective farming schemes of Emilia.

On this estate, plots of land reclaimed by deforestation have so far been allocated for a fixed term to 30 families. Land-management practices have been agreed so as to ensure the rotation of the land between families and to encourage them to live on the estate. The objective is to create conditions in which very poor families can improve their quality of life by farming the land allocated to them.

Setting up a land-management scheme based on the Emilian model aims at supporting the families directly involved in farming their assigned plot; it also aims at helping the entire community by improving and increasing the land available to those not yet in the scheme.

This project is significant both on the cultural level and also in its ability to promote values of solidarity. No less significant is the way the land-management model has been adopted in a context quite unlike that of the *Partecipanze*, affirming the principles on which a thousand-year-old tradition is based. The positive results so far achieved demonstrate that, when it comes to feeding hungry mouths, the *Partecipanze* provide a model well worth imitating.

“SEEDS OF SOLIDARITY”

The *Partecipanza di Nonantola* seized the opportunity, created by the joint project with Brazil, to involve the primary schoolchildren of Nonantola. Children, teachers and parents were invited to engage in a concrete experience of solidarity by farming a plot of land that had been allocated to them by the *Partecipanza*. The proceeds from the sales of farm produce were sent to Brazil and have been used to build

houses for the families of new Participants in Candido Mendes. This project, which has happily already completed its third year of life, is also continuing during the current school year.

Third-year boys and girls are growing pumpkins in class, and in the springtime they will plant them out in the fields, tending their growth in the months following. The product was chosen on the basis of the time needed for it to grow, which neatly matches the structure of the school year. Thus, in September, the same boys and girls, who have moved up a year, will harvest the pumpkins and sell them at a traditional fair. The funds raised are almost enough to build a house in Candido Mendes for a family of 7 to 8 people.

The aim is to encourage the children, aided by their teachers, to “get their hands dirty” while reflecting on a series of key issues: solidarity, voluntary work, the earth as source of food, their own land, and that of Brazil, a country quite unlike their own.

WHAT IT MEANS TO BE A PARTICIPANT TODAY

Being a Participant today transcends the material value of ownership; it implies an ethical and social vision which is part of belonging to a community. To understand this bond we need to consider the history of the *Partecipanza*.

With the Charter of 1058, Abbot Gotescalco and the people of Nonantola identified, within the forms of cooperation available at the time, the most suitable solution for safeguarding individual interests in the interests of the community. In fact, the collective project of reclaiming the land gave each person a further chance of survival. Having a collective identity meant (and still means) sharing in a group where ME becomes WE. It is a double sense of belonging since being an active part of a heritage, which in turn belongs to the community, creates the awareness that the same care and attention should be given to collective property as would be given to personal property. The system of allocating single plots of land by means of rotation was an inspired piece of thinking which has historically strengthened the bond between those who have the right to the land.

It is not by chance that from this community, with its tradition of collective sharing, other forms of true human solidarity have emerged based on the principle of integration and participation. This then is the deep meaning of being a Participant: it gives a sense of belonging to a culture formed of concrete values where personal interest comes second. These values cement the community together and pass on to future generations a renewed verve for keeping their heritage alive.

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