

## JUDICIAL LAWSUITS LIKE SOURCE FOR AGRARIAN GEOGRAPHY STUDIES

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Property and land tenure are in the center of the evolution and the development of the rural world and constitute the base of the social relations, they're generators of many conflicts for the use of the soil, origin of the economic transformations in the primary sector, they're component emphasized from the culture, identity and image of the rural world and they operate in the organization of the space.

These precedents do the works on property and land tenure that they be a central question in the investigation of the agrarian space, joining early to the territorial studies. Now then, his explanatory relevancy is counteracted by the sources nonexistence for his study. Although the structure of the property can be studied properly with sources of fiscal character (cess and cadaster), the land tenure presents serious problems for his study, being the agrarian censuses the principal used source, though it's subject to important methodological critiques.

Between the principal objections to the censuses, we've: the changes of criteria between records of different years in fundamental definitions, considerable mistakes in the appreciation of the extensions destined for certain cultivation or unreal calculations of written down hectares of rough form for different development systems.

Errors that come from his making methodology. The required information is obtained by means of interviews to farmers, who are fearing an increase of his fiscal contributions, and who usually they conceal or falsify information in his answers. To avoid his shortcomings, the investigators use different sources of a combined way: private contracts, census of inhabitants, interviews, etc. In this work, we add a documentary source sparingly used, the litigations and denunciations in the Courts of Peace.

The interest of this source for the investigation resides in the variety of civil matters that it contains: debts, claims of servitude and especially records on noncompliances of leases, which provide a great information about the social relations and systems of land tenure.

On having gathered information of different type, also the litigations serve for another type of investigations. For example, the relation of the names of the territories and their descriptions is an inestimable information for the linguists who analyze the local ancient names.

The range of the matters that were treated in the litigations suggests also other investigations of geographical character. It is the case of the location of the population, whom indicates a lot of information about the occupation of the territory from the historical point of view.

Furthermore, they show abundant litigations about problems derived from physical occupation of the place and his utilities, as usurpations of lands, claims on areas formerly communal and privatized with posteriority for example. These litigations shapes a great value material to describe types of cultivation, extension of the exploitations, regime of property and exploiting, etc.

From the qualitative point of view, one of the characteristics of the judicial suits is the simplicity with which they present the daily events, showing certain similarity with the interviews in many aspects. But the suits are more trustworthy than the interviews, since the parts are submitted to the justice, being interested both in obtaining a positive result. Moreover, for every case they present different points of view and diverse tests about the same reality, which allow to the investigator to have several versions of the same problem and with it to come closer the matter with more veracity.

Finally, there is that to emphasize the wealth in information of this source. By his private character, in the expedient we will find numerous evidences of difficult acquisition, as contracts, testaments, etc.

In an abridged way, an important part of this work sketches the results obtained from the development of the judicial proceedings of Valverde, in the island of El Hierro (Canary Islands).

The information extracted from the archive allowed us to confirm that the sharecropping (cheptel) was the form most emphasized from social relation for the production established in the Island, at least until the sixties of last century.

An exploitation contract to distribute agricultural products between the owner of the land and the farmer or stockbreeder was realized in a verbal way or by means of private document without some record. The temporality of the same one was variable, emphasizing the survival inside the typology of contracts of the called one «perpetual halves», an imperishable relation between owners and farmers, which is transmitted from generation to generation across the elder son of the rural family, modality which was considered as extinguished, but that in the island of El Hierro persists until middle of last century.

The documentation allowed us to know the conditions of exploitation of the work, the forms of share-out of the harvest, etc.

The type of relation or habitual dealing was consisting of the fact that the owner was yielding in agreed and changeable time lands to a farmer, who had to realize all the works up to the picking, putting this one also the seed and the totality of the necessary means of production. The final product obtained was dividing between both, differing several types and quantities of the parts according to the class and variety of the cultivation.

Up to the date, it has not tradition the use of the judicial funds as a geographical source. The exploitation of the materials proceeding from the Fund of the Court of Valverde has turned out be very effective for penetrating in the social relations displayed in the rural world of this island, and for verifying the interest that it possesses for other fields of the geographical investigation.