

Where We Come From:
Common Problems and Local Solutions
to the Land Tenure Issue in Rural Sardinia, Italy

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Abstract

Angela Cacciarru: Where We Come From:
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(Under the direction of Dr. Wendy Wolford)

Rural communities and their land are the protagonists of my dissertation. Specifically I look at how access to land is negotiated at the local level, and at how the local models and global policies intersect. I also look at how rural women's role and identity have changed at the household and broader level, and at how all these changes are reflected at the community and societal levels. The geographical focus of my dissertation is the Italian region of Sardinia and, specifically, the two provinces of Gallura and Ogliastra, where I examine the role of access to land in shaping rural development patterns. In my field research I observed how local communities and local level government worked together towards the creation of viable land management policies that preserved the right of public access to land, within an intergenerational perspective. I also analyzed how the economic and political changes that have occurred at the regional and international levels have impacted the choice made at the local level. The practices that are currently implemented highlight the intrinsic dynamism and diversity of land tenure models, which are expressions of the power relations through which communities organize access to resources and ensure livelihoods. These models change in time and space, and they are the result of the transformations that occur in society, in people's needs and in people's movements – or migrations - among geographical spaces.

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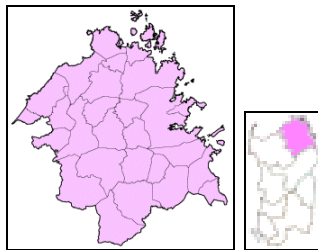
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THE LAND TENURE ISSUE IN RURAL SARDINIA



Map 1: Sardinia Provinces

Walking in Gallura



Map 2: Province of Gallura

Whenever I walk in Gallura's countryside, I am welcomed by the scent of the Mediterranean maquis and by the view of thick bushes of myrtle and of genista, of little bushes of lavender, thyme, and rosemary and plants of sage. Scattered around I can see the twisted silhouettes of juniper and mastic trees. During springtime, the periwinkle makes its appearance, in the shadow of the bushes or at the edge of one of the many stones that are ever present in Gallura's rural landscape.

These stones have many sizes and colors, with a preponderance of white and gray granite, and many different shapes built by the strong winds that sweep across the landscape. Especially on Gallura's coastline, which runs along the northwestern seacoast of Sardinia, Gallura's local people name these irregular shaped stones after the animals that they resemble. Their names can even be found on maps and became local milestones.

The extraction and transformation of granite is also important in Gallura's economy. This stone is often used for building houses and churches in Gallura's towns, for paving their squares and for carving the benches and sculptures that adorn them.

These are also the same stones that make up the long, winding stone walls, dry set, which still mark the landscape, criss-crossing the fields in rural Gallura. These walls demarcate old property lines, many of them still in force. Most of these walls date from shortly after Sardinia's 1836 enclosures decree issued by King Alberto, when Sardinia was part of the kingdom of Piemonte and Sardegna. I will talk later on about this decree, which changed Sardinia's rural landscape, challenged communities' traditional practices of land use, and was at the center of harsh struggles over access to land.

While driving in the countryside I could have a panoramic view, from the road, of these extensive walls in the landscape. Only one or two feet tall, they look steady, even if they are built simply with local stones, carefully stacked and layered onto one another without benefit of mortar. Gallura's mountains are made up of granite, as well, jagged silhouettes that they are, standing like fiords against the sky.

Nurtured by the Mediterranean maquis is the most defining tree of Gallura, the cork oak, which also represents one of the main sources of Gallura's economic wealth. The land where these trees grow is generally privately owned, and the private plots are very seldom

superior to ten hectares. The thick cork bark is stripped every nine years from each tree's trunk, and from the lower reaches of all the main branches. After going through different transformation processes cork can be used in many different ways: wine bottle corks and insulating material are among the most common uses. The processing of raw cork has historically been the main economic activity of many towns of Gallura, a source of employment for their inhabitants, and of value added for the towns' economies.

Normally, the transformation of cork is done by small scale family businesses, even if there are some medium size factories, run by families that have been traditionally associated with the transformation of cork's activities. In Calangianus, that is the town that gathers the higher number of the family run business in Gallura, while I walked in the streets, and observed at the solid granite stones' houses, I could see women and men, dressed in comfortable working clothes, and seated in a chair in front of the machines that cut the piece of cork into the shape of a cork bottle. Or, seated in front of different tall baskets, where they put, with extraordinary speed, the cork bottle already prepared, choosing with inquiring look the ones that are of first, second and third quality.

In Gallura, the cork trees are scattered through the landscape, not gathered into organized orchard plots. They are naturally seeded, and are surrounded by Mediterranean maquis. Sardinian rural communities have long understood that cork oaks thrive in soil whose chemical balance is sustained through the particular mix of vegetation visible here, which is therefore protected. This cork oak management system adopted in Sardinia is also the object of many books written by Sardinian and Italian foresters and rural development scholars (Aronson et al 2009; Azzena et al. 1997; Dettori et al. 1995; Giglioli 1902; Gutierrez 2008; Lissia 1903; Nuvoli 1998). Gallura's practices of cork oak preservation, and of cork

extractions, have also attracted the attention of the other countries, where, in the Mediterranean Basin, cork oak grows.

I remembered walking in 1987, during my first research assignment, through the Gallurese hills covered by oak groves, right after the cork had been extracted: it was like walking in a surreal landscape. Trees that have been recently stripped of their bark look naked, and have a bright orange hue that stands out to the eye. They stand there deprived of their skin and waiting for the long healing process that slowly changes their color from rich orange to a darker orange, then to dark tan, and finally once again to dark brown, the whole process typically taking nine years.

A few years ago, during my first pre-dissertation field research trip I visited Gallura during the period in which the cork was ready to be extracted from the trees, accompanied by a cork oak grove forest's owner. Around twenty men, divided in groups of two for each tree, were working in the forest. Each group was working in perfect synchrony: they made precise vertical cuts along the trunk and, with the help of a tool, detached the cork from the tree and put it in a pile in a nearby truck, ready to transport those piles to local factories where the transformation process would get underway.

As the owner of the forest told me, half of the people working there were paid workers, specialized in the delicate art of cork's extraction. The rest of the people were friends and relatives who owned other forests, who were used to exchanging labor during the extraction of the cork. The men were dressed in comfortable, well-worn work clothes, usually of brown or green corduroy, with short-brimmed hats of the same material, traditional working clothes for country people in rural Sardinia, especially shepherds and farmers. Their brown leather work boots were also well worn.

While working, the men were talking among themselves, mostly about their families or local affairs, such as the election of the new mayor, or the improvement of the town's squares. Nobody asked me why I was there: they just wanted to know where I came from, and once they learned that I was from Sardinia (and especially that some of my ancestors had come from Gallura) they treated me with the apparent indifference that, as a Sardinian, I very well recognize as a sign of acceptance within the community.

In the early afternoon, between 1 and 2 pm, the men clustered, sitting in the shade and eating lunch. They brought coolers with them: they took out dried gourds and containers fashioned of cork material, full of wine and water, still refreshingly cool. They ate traditional Sardinian crispy flatbread, *pane carasau*, with cheese home made from cows or goat's milk, and ham or salami. If the food did not come from their own domestic production, they had bought it in small local stores. Occasionally their food supplies come from supermarkets, where packaged meat and cheese are likely to be imported not only from the Italian peninsula, but also from throughout Europe, including Eastern European countries.

During the lunch meal they reviewed the work done so far, tried to assess how much was left to do, and sometimes calculated how they would repay one another across their land holdings with future labor exchanges tied to this one. The conversation extended to private matters too, however. They talked about their families, what was happening with their children young and old, what plans they were making for their children's education, and how family members were handling illness and life changes. A great deal of attention was given to wider national and European issues: laws from the European Union, especially those that impact rural economies, were among the favorite topics of discussion. One of the main elements that I noticed was that, whether the focus of the conversation was on the family,

local or national issues, the overriding concern was how everything would affect the quality of their daily life, their capacity to make a living to sustain their families, and the prospects for the future, especially in the area of employment, that their children would face.

Often, the owners of these medium size plots of cork oak forests are also *stazzi*'s owners. *Stazzi* are, together with the cork oak forests, the most defining characteristic presence of Gallura. They are rural homesteads, but represent much more than that. They represent a system of rural land management that I am going to describe much more in detail shortly.

During my last field trip in summer 2009, I found myself again in Gallura's countryside, in a car driven by a lady who worked in the office that, in Telti, is responsible for the management of that town's rural land and all the administrative and bureaucratic procedures required in order to access European Union (EU) funding for rural development projects. From time to time other cars passed ours, in both directions. When I stopped to look closely at one of the cork oak trees on the side of the road, a woman in her sixties who was driving in the opposite direction as mine stopped her car, and approached us, asking if everything was all right. We chatted for a little while, and she explained she was a schoolteacher in the nearby town of Tempio Pausania, and lived in Aggius, which is also the town where a branch of my ancestors come from.

We were standing at the edge of a broad valley, from where we could see many little white houses, surrounded by land cultivated with vegetables, wheat or vineyards. In some properties the cultivated areas were separated by stonewalls from plots where people kept domestic animals, often chickens or pigs and, in separate plots, sheep or cows. From our

vantage point, we could also see that most of the houses were also surrounded by forests, sometimes of less than a hectare, with others being larger, a few hectares in extent.

These small houses and the surrounding land represent the self sufficient system of the *stazzo*, which consists of the rural homestead, where the whole family traditionally lives, and of the surrounding areas, including fields, gardens, and forest. The owners are farmers and shepherds at the same time, as the division of the plots surrounding the houses can easily suggest.



Photo 1: Going to a stazzo in Gallura

During weekend it is common to see whole families working in the vegetable gardens, or harvesting the produce to be used for family consumption and for offering for sale in town, or feeding the animals. Elderly relatives normally join their family at the *stazzo*, during the weekend, and assist as best as they can in the work of the household. When I entered any *stazzo* during weekend, I always was welcomed by the family members of all ages and genders, sitting around a table, and invited to join the meal. A member of the family offered always a glass of locally produced wine and a plate with different kinds of salami, hams and local cheese, normally pecorino, which is made from sheep's milk, and is the most characteristic and exported Sardinian cheese. In Gallura, one the most typical meals, which I often saw spread across the family table, is the *zuppa gallurese*, made with stale bread, pecorino cheese, and another two or three kinds of cheese, normally *parmigiano* and *fontina*.

The bread is roasted, and prepared in layers, and sprinkled with beef broth, cheese, crashed parsley and black pepper. Layered, the dense casserole is baked in the oven before being served, and is a delicious and invigorating comfort food.

During the weekdays there is more movement back and forth between *stazzo* and town, and it is possible to observe men and women arriving in the area by car, obviously coming from town in their town work clothes, which they change into more comfortable working clothes, mainly in cotton or wool, depending on the season. Both men and women have jobs in town, working in teaching, clerical jobs, or running small shops. They travel to their *stazzi* during the week about every other day, and it is generally only on Fridays or Saturdays that they take their whole families with them to spend the weekend there, taking care of their country houses, preparing large family meals, joined by other relatives in the many kinds of work on the property.

The woman that stopped to offer help on the road said that she and her brothers inherited one of those *stazzi*. She explained that she did not live there during the week, but that the whole family still met there during weekends, in order to take care of the land and of the cows.

I asked her who took care of the land and the animals during the week, and she said that they hired a caretaker, an immigrant from Romania, who lived in the *stazzo* and took care of the house when no one else was there.

During the time I spent in Gallura, I realized that this situation is pretty common in some areas: the “new immigrants,” especially from Eastern Europe, are providing the workforce that the younger generations of Sardinians do not provide anymore. These younger generations that inherited the *stazzi* do not normally live there on a permanent basis.

They work in the towns, where they raise their families and where the schools and educational facilities for their children are located, and often stay at the *stazzi* during weekends.



Photo 2: The new immigrants in Gallura

In cases where they do not hire an immigrant worker, the male of the family, normally the father, visits the *stazzo* a few times per week, often accompanied by relatives or acquaintances, who are other owners of neighboring *stazzi* located nearby.

On the road, the woman pointed out to me a group of men working together in a field adjacent to a *stazzo*, and explained that those people were friends who all helped each other to take care of their properties on a regular basis. Sometimes the *stazzo* owners were accompanied by the immigrant workers, hired by them. Though *stazzi* and the surrounding land are privately owned, exchanges of labor like this has always been crucial in order to provide to each family unit the extra help necessary during harvesting or other labor intensive activities. Today these exchanges are less frequent, but are still present.

I asked the woman how the division of labor in her household had changed from when she was a child, and she told me that, like most *stazzo* owners that she knew, women were happy to leave the *stazzi* and go to live in the surrounding towns. In the *stazzi* they were forced into a lonely, isolated life, with little interaction with people outside of their nuclear family. The *stazzi* are scattered in the rural territory, and each of them can be surrounded by one to a dozen hectares of land. Such dispersal can be enough to keep each family from

seeing each other often, when there are children to raise, and so many daily chores to be carried out in the house and surrounding fields.

My driving companion that day also pointed at a group of men and women who were walking in a nearby field. They were foresters who are employed by the Forestry Institute (*Ente Foreste*). A branch of Sardinian Government, the Forestry Institute implements forestry policies approved by the Sardinian regional government, and works directly with the municipal administrators, and other institutions at provincial level. Once every week or so, foresters can be seen passing through the wooded areas that surround the *stazzi*, that fall into the category of public land, and doing maintenance with an eye toward enhancing fire protection, and the health of the forests. Usually public land is owned by the municipality, but has been leased to the Forestry Institute for long-term management. The foresters hired by the Institute, it is understood, are usually local people who know this particular land very well, and who have strong local ties with farmers and townspeople. These foresters are therefore, island-level public officials but, at the same time, bring the knowledge and voices of the local population into all their work. Most municipalities are thus more than happy to shift the supervision of their forested land to another, higher level of governance, and to have them pay the salaries of the personnel involved.

The foresters' work involves a lot of interaction with local users of the land, and they move back and forth between country and town, and do a lot of visiting in local *stazzi*, to talk with residents about land management and land conservation issues. When doing my participant observation, I met on regular basis foresters who, as I was, were invited to share family meals, or a coffee, in the kitchens or patios of the *stazzi* or of owners' houses in town, and engage in conversation with residents about the latest condition of the forests, whether

fire were a danger, and where recent fires had occurred. When I first came onto these conversations, it was hard to tell who was forester and who was a resident or neighbor, since they were all local people who were friends, relatives, or acquaintances.

Today, foresters, as well as stazzo owners, are considered middle class, whose status drifts between the peasant and the small town inhabitant. They all live in town and countryside. The system of the *stazzi*, whose owners are both shepherds and farmers, created a peculiar sort of peasantry that circumvented that conflicts often obtaining between these two groups of peasants, due to their different and not often compatible uses of the land.

In the next section I will talk more extensively about the historical roots of the *stazzi*, and of their farmers-shepherds owners.

Another important middle class subdivision is the one made up of Gallura's people who work in the services sector, including educational fields. More than fifty percent of the *stazzo* owners can actually be included in this percentage, with a great preponderance of women, who managed to build their own economic and professional independence through improving their education and becoming teachers or, as an alternative, getting clerical jobs in the public or private services sector.

The local bourgeoisie does not have a strong presence in today's rural areas, except for the owners of the land located on Gallura's coastline, and of the large tracts of fertile land dedicated to viniculture, where *Vermentino di Gallura* wine is produced. With reference to Gallura's coastline, large part of formerly rural zones has been completely transformed into a touristic zone, in which Italian and international developers built touristic resorts. Gallura's coastline is characterized by long white beaches, surrounded by white and pink granite's rocks that degrade under the sea. The transparency of the water, allows to see those rocks

from the surface, in between the different shades of green that are characteristic of these tract of Sardinia's coastline. Today's world-famous *Costa Smeralda* (Emerald Coast) was first bought up from coastal peasants in the 1960s by a consortium of national and international companies under the control of Prince Karim Aga Khan. At the time, the former Sardinian owners sold their land rights for sums of money that seemed reasonable, but since then this coastline has become a lucrative, exclusive touristic area beyond anyone's wildest dreams in the 1960s. With its marinas filled with dozens of world-class, gigantic yachts, exclusive hotels and condominiums, and the presence of international VIPs and celebrities, this part of Gallura has been dispossessed from locals, and is mostly forbidden to access by most Sardinians, unless they enter as menial service workers.

The new immigrants, who sometimes live as caretakers in the most isolated *stazzi*, as I previously described, or who are employed to do seasonal work in the rural land, or work as care givers for the local elderly, constitute a very new, but important class of workers within Gallura. New immigrants share the status of proletarians with the Sardinians that do most poorly paid jobs, such as occasional labor in the agricultural or construction sector, or services in the local supermarkets, and are impacted by the difficulty of finding stable employment. These new immigrants live with limited incomes, and send large portions of their earnings home as remittances to their families, mostly located in Eastern Europe.

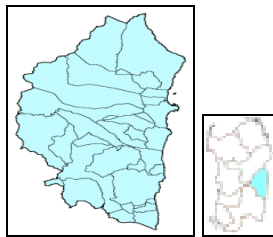
The flow of Eastern European immigrants to Gallura is so strong that there is even a weblink established by the provincial government giving instructions for would-be immigrant workers about how to acquire proper documents for living and working in the province (<http://www.immigrazioneot.it/allnews.asp>). The detailed regulation of immigrants'

presence in Gallura shows how important their presence is, and how much it contributes to the province's economy.

The new immigrants, with the collaboration of local people, mostly youth and educators, have created centers where immigrants can learn the Italian language and culture, and local people can learn immigrants' languages, as well as the dances, cuisines and other cultural practices that they have imported to Sardinia.

Do these groups ever come together, and interact in visible ways, I might ask? The way in which Italian towns are built, with the *piazza* as meeting point for all townspeople, and the strong sense of community that informs peoples' daily lives, encourages a continuing interaction among the different classes that share daily's encounters in the *piazza*, and whose families patronize the same schools and health services. These classes, however, do not share the same opportunities for travelling, getting an overseas education, or the same choices of leisure. Especially in private, people tend to spend their time with peers from the same class, with whom they can share experiences, common goals and concerns, and feel a stronger sense of belonging.

Walking in Ogliastra



Map 3: Province of Ogliastra

I first entered in Ogliastra by car, accompanied by a young documentary filmmaker from Jerzu, a town built in the east side of a coastal stretch of mountains that locals call

Lumbarau, Spanalai and Porcu 'e Ludu. Jerzu is also surrounded, almost embraced, by a mountain landform characteristic of Ogliastro, called *tacchi*, which can be translated in English as "heels." These are mountains made of limestone rocks, covered by Mediterranean maquis, with a preponderance of juniper and mastic trees, and are mostly flat on the top. The highest *tacco* is one thousand and three hundred meters high, and is called *Perda Liana*.

Ogliastro is the most mountainous province of Sardinia, and the mountains often go from the heart of Ogliastro to the edge of the sea. While travelling through the province, the complex topography is striking, and the place that local people have found within it is very interesting. I noticed its mountains and steep hills are frequently cultivated in terraces. The people of Ogliastro managed to take advantage of the fertile soil in this way, building sinuous roads, mostly not paved, to reach the cultivated highland fields from their towns, which are located below in the valleys or built in the hills, with the road almost revolving around the hills, from the bottom to the hills' top.

During my last field research trip to Ogliastro, I had the chance to visit the extremely diverse coastline, which runs along the central eastern border of Sardinia, and is characterized by a landscape that goes from the high cliffs of limestone in Baunei, to the red rocks of porphyritic granite in the harbor of Arbatax, to the pebble beaches surrounded by Mediterranean maquis of Coccozocci. Driving back towards the interior, I did not need much time to find myself once again deep into the mountains, blanketed with oak forests and Mediterranean maquis, limestone rocks of different forms and dimension, and secular forests of holms.

I was commenting on this stunning landscape with my filmmaker companion, Antonio, as he showed me the town of Jerzu, on the nearby hill, and I observed that Jerzu

seemed so emblematic of Ogliastro, a typical mountain town for that province. Antonio confirmed it, but at the same time pointed that it was actually very close to seashore. It takes less than twenty minutes by car to go from the town to the closest beaches, and from some of the town's houses built on the highest part of the hill, it is even possible to catch sight of the coastline during a clear day.

Another element that is characteristic of Jerzu and, at the same time, can be found in several of Ogliastro's towns, is the existence of their so-called "administrative islands." These are territories that belong to the town, and therefore are under the town's laws and regulations, but are discontinuous, located in areas sometimes far away from the towns' main borders. In the case of Jerzu, the town's administrative island is called Quirra, which is a plateau of 500 - 600 hundred meters above the sea level located on the border of the Cagliari province and several kilometers south from Jerzu. Quirra had been used in the past century by Jerzu's shepherds, during their transhumant summer wanderings with their flocks, but since the mid 1950s more than a half of the land has been leased to the Italian military, through an agreement with the town. Two third of the other half has been given in use to a touristic developer, not without much controversy and disagreement in Jerzu's, especially among the younger population that started proposing cooperative ways to implement touristic activities in the administrative island not occupied by the military. In the rest of Quirra's land, Jerzu's shepherds bring their flocks.



Photo 3: The “administrative islands” in Ogliastro

Originally, Quirra belonged to the *Marchese* of Quirra, a feudal lord who in response to a specific request from his vassals, granted the use of this territory to the shepherds from Jerzu, and sanctioned such an agreement with a formal document dated October 1455. The farmers, who were excluded from the use of the Quirra land and who had, until then, organized there agricultural production through the rules fixed by the system of common property, did not appreciate this agreement, and remonstrated against it on several occasions. The implementation of this agreement was followed by feuding, including several homicides, between shepherds and farmers. The abolition of feudalism almost four hundred years later did not solve the problems created by ignoring preexisting common property rules that had been observed by the peasants. Finally, at the beginning of the eighteenth century, the area of Quirra was officially included as part of Jerzu’s municipal territory, in force of the historical rights acquired by local shepherds that had used this area during the previous centuries.

The other administrative islands that can be found in Ogliastro were born out of efforts by the Sardinian legislature to solve conflicts between shepherds and farmers, which often arose from the movements of shepherds with their flocks through agricultural land, especially during transhumant seasonal migrations. The creation of these islands addressed the need to balance the need of agricultural and pastoral land that, in each town, responds to the relative number of local shepherds and farmers, and that sometimes cannot be resolved within the original borders of the town. Therefore, the main goal of administrative islands, as several mayors from Ogliastro and Sardinian scholars (Aru 2002; Meloni 2006; Nuvoli 1998) explained to me, was and still is to guarantee the self sufficiency of each town, specifically

with regard to the availability of agricultural lands, forests and pastures that can meet all the diverse local needs for rural land.

Another town particularly emblematic at this regard in Ogliastro is Villagrande Strisaili, whose territory of about twenty five thousand hectares is sharply divided into two main bodies: the town, where people built their homes and have always organized their social life, and the administrative island, distant almost sixty five kilometers from the town, and located nearby the coastline of the Tyrrhenian sea.

Ogliastro is among the least populated provinces of Sardinia, and therefore I wasn't surprised to see very few people while driving through the mountains and hills. I soon realized that in order to see where the people are in the rural areas, I had to leave the main roads and take the many unpaved roads that Ogliastro's people have built in order to reach cultivated areas, scattered in the valleys near the towns. Since the earliest phases of my field research, I frequently found myself visiting these valleys, where I met most of the shepherds that I have interviewed. In these valleys are built the little homesteads where shepherds collect the milk and make the cheese from their livestock's milk, and from where they accompany the flocks of sheep or goats, or in some cases cows, to mostly highland pastures.

During my participant observation in Ogliastro I accompanied different families of shepherds in their daily chores that started in the town, where everybody in the family got up very early to handle the days' tasks. I noticed that the entire family, including wife and children, form a family work team: each member of the family contributes in many different ways to the family economy, and collaborates with other families in need of help, especially during labor intensive activities. To be shepherd does not only mean herding flocks, but also engaging in household production of goods for sale: milk, cheese of various sorts, wool, and

meat. In the families that I observed, for example, while the children prepared themselves for school, the father readied his tools to be taken to the fields, and the mother took care of the breakfast, so that they could have the first meal of the day all together.

The teenaged children dressed in the same way as all the young people their age do in the rest of Italy, as well as in the United States: in casual clothes, in sporty combinations that follow the fashion of the period among people their age, and running shoes or boots. While eating their breakfast with the family, the teens received sometimes the visit of some of their peers from the neighborhood, with whom they walked to school. In one of the families that I lived with, two of the boys talked about their desire to pierce their ears, and this short conversation was interrupted by the annoyed reaction of the father, who expressed his disapproval in a very clear way.

The shepherd and his wife were dressed in comfortable working clothes, the wife with a dress in cotton, covered by an apron, and comfortable boots, the husband with pants and a jacket in corduroy, a cotton shirt, and boots, all well worn.

The breakfast consisted of sheep and cow milk and strong coffee, accompanied by different kinds of bread still warm from the nearby bakery, and homemade jam. Cookies are also often part of the meal, made by the women of the family or bought in local stores.

After breakfast we prepared a large food container to be taken with us in the field. We put together bread, homemade salami and ham, different kinds of cheese, with a preponderance of the traditional *pecorino sardo* sheep cheese, olives and, the leftovers of meat cooked the night before. As always, lots of water and some wine also went into the food basket. Greens collected in the family's vegetable garden would also add to the meal.

Days in the countryside during my visits were always very busy: both husband and wife fed the domestic animals, and immediately went to take care of the vineyard, the vegetable garden and the fruit trees. While the wife continued her chores in the garden, the husband took their goats to the pastures, moving them from their own property to the land under *usi civici*.



Photo 4: Land under “usi civici” in Ogliastro

Usi civici is a legal model common to many regions of Italy and many areas all around Europe, even if it falls under different names. This legal model regulates the use of the land, and defines it as belonging to the collection of individuals who, in a specific historic period and geographic location, live together as a community, and organize the use of their territory in order to ensure the access to their natural resources (Nervi 2000, 2001, 2004).

In Ogliastro more than sixty per cent of the territory is under *usi civici*, and is managed by the municipalities. The land use regulations are fixed at the local level by a council of town’s representatives, who normally include the elected officials and a number of citizens who are respected in town because of their experience in the management of the *usi civici*. This council represents the community, which collectively own the land under *usi civici*, and make sure that the written rules that regulate the activities in the land under *usi civici* are respected. Ultimately, the mayor has the power of enforcing the law when the local regulations are not respected.

The rest of Ogliastro's territory is either private or public. If public, it belongs to the municipalities or to Sardinia's Forestry Department, which apply regional laws and regulations fixed for the management of the forested land. However, the foresters always consult with local administrators, before making any final decision regarding the management of the town's forested areas under their care.

The land encompassed within the towns' borders can, therefore, belong to the municipality in two ways: as land under *usi civici* or as *demanio comunale*, which can be translated as municipal public land.

In the case of the *usi civici*, the land belongs to the community of citizens of that town, and its management is regulated by rules approved by the community's representatives, as I previously explained. The mayor's office can also decide, with the approval of the town's other elected officials, to give portions of the land under *usi civici* to a single citizen or a group of citizens who need it to pursue a rural development project, which has to be previously approved by the proper town's offices. Under any circumstances the land under *usi civici* can't be sold or its use can't be changed (Boscolo et al. 1995; Brandanu 2007; Le Lannou 1979; Masia 1992; Meloni 2006; Nervi 2004).

In the case of the municipal domain, the land belongs to the municipality as an administrative and political entity. The mayor, with the approval of the towns elected officials, has the power to sign any regulation in order to preserve or sell the land, or to change its use, of course respecting general rules and regulations fixed at regional level.

The land managed by the Forestry Department in Ogliastro can be either a public domain, and in that case belongs to municipality or to the Sardinian region, or under *usi civici*, and in that case belongs to the community that lives in the municipality under which

borders the land falls. The written contracts with which the municipalities formalize the Forestry Department's use of municipal land, are signed by the mayor and by the director of the local branch of the Forestry Department, and specify always the number of years for which the use is granted, and the conservation practices allowed. In exchange for the use of the municipal land, the Forestry Department is often asked to hire people from the towns.

In Ogliastro, mayors are typically engaged with regular public dialogue in community forums over land use issues and policies, and in the last ten years these meetings became a routine, and are currently held in a town that was chosen by the mayors as a regular meeting place. I participated to many of these meetings, where the topics of discussion were wide-ranging, and the debates went from the current borders of the land under *usi civici* in one of the towns, to the laws not being adequately enforced in another town where shepherds would not allow other townspeople to cross the land under *usi civici*, inappropriately treating this land as a private plot for grazing their sheep. These local meetings were always very lively, and people ended them always with a list of actions to be taken in response to the problems discussed, with the town officials taking careful notes.

In these meetings, participants were almost always about seventy percent men and thirty percent women. These uneven percentages reflect the current institutional disparity between the two genders' representation in the public government, at the local and at the regional level, as well. However, women's actual contribution in maintaining and even leading Ogliastro's communities is not accurately reflected by these percentages. While men still dominate in governmental affairs, women in fact constitute the majority of the population with post-secondary education, and operate many of the agriturismo facilities that can be found in Ogliastro.

Shepherds' wives have typically experienced more social independence than women from other social strata. Up until the beginning of the nineteenth century shepherds used to stay away from the town for a few months, during transhumant movements of flocks (when they were not joined by their families), and for other long periods during sheep shearing or other labor intensive activities in pasturelands, often distant from home. During those periods of male absence women have always run the households, including managing the finances, taking care of the education of the children, and maintaining the houses and the vegetable gardens. Women also normally have organized all the different aspects of the family's social life, such as participation to weddings, baptisms, and involvement in the organization of the local festivities. Once their children have grown to adulthood, in addition, wives typically have joined their husbands for working together in the fields, such as one of the families that I visited did.

Currently, shepherds and farmers, in Ogliastra as well as in the rest of Sardinia, live between the countryside and the towns, or more accurately, moving every day between the two places. In Ogliastra, however, they still consider themselves peasants, especially when they live in the small towns so close to the fields, and where the rhythm of their lives is still set by the work that needs to be done on rural lands. People who principally identify as urban are the ones who live in the larger towns of Ogliastra, and who run small businesses, such as shops, cafes, or bed and breakfast establishments. This group of people includes both locals and immigrants, especially from China, who began arriving in Sardinia around ten years ago and established a myriad of shops, where they sell clothes, suitcases, or kitchenware, mostly produced in China and sold at very competitive prices.

These small business owners constitute a lower bourgeoisie, while teachers, scholars, and public officials constitute an intellectual bourgeoisie, not necessarily wealthier than shopkeepers, but enjoying a higher social status. Local entrepreneurs and politicians, especially those elected as representatives in the regional government, are considered part of the so-called “high bourgeoisie,” and are the wealthiest strata of the local population. They are the ones who travel the most, and who can enjoy a high standard of living. On the opposite pole are the proletarians, comprising Ogliastro’s people who have low paid jobs or are unemployed, and the new immigrants, especially those from Eastern Europe, that are employed as caregivers for elderly people or, less often, as housekeepers.

In Ogliastro, interaction among representatives of these classes is frequent, and the locations for these interactions are mainly the cafes and, especially, the *piazza*. In all these settings in this heavily rural, small-town area of Sardinia, people from different social strata have many occasions to meet, exchange conversation, debate ideas and, especially, forge a remarkable sense of community unity and identity, something that natives of Ogliastro are especially proud of.

1.1. My main argument

Property as a system of social relationships: historical foundations

While talking with a family of a *stazzo* owner in Gallura about the management of the *stazzo*’s land, the family’s movements between the nearby town and the countryside, and the exchange of work with other owners, the property relationships through which land access and land tenure was organized emerged from the observation of the local practices. In

Ogliastra, during my participation at the meetings in which land users and the mayors and other public officers discussed the issues at stake in the management of the land under *usi civici*, I could observe not only the different levels of governmentality involved in the management of the *usi civici*, but also how the collective work of this informal group of citizens influenced access to resources and, even more so, property.

I therefore argue that when I talk about property I am referring to a system of social relationships, in which the norms that govern use and access to resources are partially derived from rights, they are more importantly embedded in moral economies. Today's land use practices are drawn from historical notions of property use and social access, production, and reproduction. These observations constitute the main argument that I am making in this work, and that I will elaborate in this section.

Examining the historical origins of the current land tenure system is especially important in order to understand the role played by central and local level governance and by local populations' moral economies. In Sardinia, one of the main historical events that impacted the present land tenure system is the 1821 Enclosures Law, or *Regio Decreto* of King Vittorio Emanuele, who in that period governed the Kingdom of Piemonte and Sardegna and first mandated rural land privatization.

The Enclosures Law was fully implemented in 1836 and ensured the legal recognition of private property titles for local land users who could manage to enclose and claim land that had historically collectively belonged to each town's population and had been managed through traditional common property rules and regulations. The rush of individuals to enclose as much land as possible at that time in Sardinia displayed the unleashed greed that usually accompanies the privatization of common goods, and led to the formation of large

estates, enclosed by the people that worked for the land owners, and by a myriad of small land plots, enclosed by peasants' families. The ubiquitous stone walls that divide the different plots of land across the Sardinian landscape, which visibly cross the rural land in Gallura and Ogliastra, still give silent testimony to the divisions that the Enclosures Law created in Sardinian rural society, and to the official ignorance and neglect of long-standing local regulation of resource access and use, something that characterized not only King Vittorio Emanuele government, but also many other island governments since.

The other historical event that profoundly impacted the current landscape, with particular reference to the sizes of land plots, was the abolition of feudalism¹ that, unlike in the rest of Italy, did not result in the emergence of an aristocratic landlord class. In Sardinia, feudal lands were bought by local municipalities at a price many times superior to their original value. In this way King Vittorio Emanuele sought to pacify feudal nobility for the loss of their lands, and to maintain their precious political support. The substantial amounts of money paid to the feudal lords from municipal institutions drained the financial resources of Sardinia's already poor municipalities. Among the general population, harassed by decades of exploitation by feudal landowners, and under economic pressures from colonial occupiers, there were not many families or individuals with resources to buy large plots of land and implement rentable economic activities there (Boscolo et al. 1995; Del Piano 1959; Iacini 1885).

The result of these historical events was a rural landscape characterized by a few medium to large land estates in the hands of private owners, a myriad of small plots of land owned by peasants, with very few parcels of more than two hectares, by extended tracts of public land and, in most of Sardinia's provinces, by medium to large extensions of land

¹ The end of Feudalism in Sardinia was ratified by the *Carta Reale* of 12 May 1838.

managed and used under common property rules. These historical patterns of land occupation had a strong impact in Sardinia's land management, with different outcomes in the different provinces.

With reference to the *stazzi* of Gallura, their roots can be found in the transformation of shepherds from a transhumant into a sedentary population. In the late 1550s, the shepherds of Gallura were solitary men and, very seldom, women who used to tend the sheep belonging to the rich feudal lords, owners of extended rural land, who were resident in Tempio Pausania, Gallura's capital, and enjoyed a very wealthy style of life. Shepherds then worked under very constraining contracts, such as the *soccida*, an agreement that obliged them to give half of the produce of their work to the feudal lord. In the early 1600s, these shepherds first began to take their families with them into the pasturelands, building very simple houses, made of stones and wood. By the 1700s Gallura's rural land was populated by these rural homesteads. It is interesting to note that the shepherds-farmers from Gallura were joined by families that came, in different waves during that century and the previous one, from Corsica. They established themselves in Gallura, and became part of the province's rural communities.

During the long winters, these shepherds and their families would plow and cultivate the land around those houses. Husbands and wives, working in their own plots, worked together to sustain their families at a simple level of existence.

In 1737 the government of Piemonte, seat of the King Vittorio Emanuele of Piemonte and Sardinia on the Italian mainland, following some landlords' complains, intervened and tried to regulate the management of those rural areas and especially the presence of the shepherds' families, but it was too late. By this time the feudal lords did not even know

exactly the land that they owned, while the shepherd-farmers who knew the land very well had been able to build their houses in the best locations, and connect them through a web of rural paths (Boscolo et al. 1995; Fara 1978). The shepherds' struggles for the possession of the land and houses begun. The strategy used for these struggles was different from place to place, according to each shepherd's capacity and willingness to negotiate with the feudal lord.

Whether the shepherds bought the land where they built their houses, or simply occupied the land, the common outcome was the definitive transformation of shepherding from a transhumant into a sedentary enterprise. The resulting self sufficient economy of the *stazzi*, as the rural homesteads came to be called, became the most characteristic element of Gallura's countryside and the shepherd-farmers, owners of the *stazzi*, acquired a strong sense of identity. The moral economies through which they supported each other allowed the households to overcome the need for help during the most demanding periods of the year, such as harvesting, and served as the foundation for their continuing collective resistance to royal and later market controls.

The same moral economies, based in the support among community's members, with frequent inter-household exchanges, can be found in Ogliastro's rural communities and, specifically, in the social relationships in which land use regulations are embedded. Ogliastro's most defining land use arrangement incorporates customary laws and local practices, and is created and regulated, at local level, by communities made up mainly of shepherds. This land use type is known as *usi civici*, which is a term that, in Italy, used to refer to local land use practices that can have slightly different connotations in the different Italian regions, but they all refer to land that belongs to the communities that live in the

municipalities under which jurisdiction the land is located (La Lannou 1979; Masia 1992; Nervi 2004 and 2008; Pinna 1974).

Ogliastra's shepherds and farmers did not always have a peaceful relationship, and the tensions among these two categories of land users have been, and sometimes still are, very strong. The institution of *usi civici* represented, therefore, communities' local response to the conflicts caused by competing land use among shepherds and farmers. As I previously mentioned, more than sixty percent of Ogliastra rural land is under *usi civici*, which are regulated at the municipal level by shepherds and farmers' representatives, together with the town's mayor. These representatives are chosen, by the towns' government officials, among the shepherds and farmers with long experience in the management of rural land, and in the resolution of local issues over land use.

The towns' rural community's representative and the mayor are directly involved in managing the land, meeting the local needs, and in solving problems and conflicts.

The institution of *usi civici* survived, as the Sardinian scholar Masia (1992) has stressed, despite all the assaults and attempts to undermine it from legislators, who had started in 1821 with the previously mentioned Enclosures Law. This land tenure system was therefore born out of the conflicts between Sardinian and Italian legislators, and the local communities. I am going to address these conflicts in Chapter Five.

Since they are locally managed at the municipal level, the rules through which land access is regulated among the different users can vary from town to town, even within the same province. This diversity is considered by Sardinian and Italian scholars (Masia 1992; Nervi 2004; Nuvoli 1998) one of the most remarkable characteristics of the *usi civici* and the main cause for their successful implementation and their resilience. *Usi civici*'s intrinsic

flexibility allows the communities to preserve their land and to adapt its use to their needs, which can change according to the community's composition and to the local and external circumstances. In the case of Ogliastra the extended pastureland under *usi civici*, addresses the needs of a prevalent number of shepherds, without neglecting the farmers' need for agricultural plots, and the need of the whole communities for basic services that can improve the rural communities' quality of life, such as roads, electricity and irrigation systems.

Governmentality and local control of land resources

Talking with the people of both provinces about the different levels of governmentality involved, I got a better understanding of how the local municipal governments implement ongoing day-to-day management of the land. These conversations disclosed, also, new ways to link these daily practices to the information that I had acquired from Sardinian and Italian scholars.

Municipalities deal directly with rural people, and they are the ones who have to interpret and implement at the local level policies that emanate from higher provincial, regional, and national sources. The actors most responsible for overseeing and coordinating the land management issues are thus local municipal officials, especially mayors, assessors and, as I just described with reference to the management of land under *usi civici*, advisory councils of citizens usually chosen by town officials, who represent the town's shepherds and farmers.

The management of the public land, and of the land under *usi civici* as well, thus always involves a system of negotiation and coordination between elected town officials and citizens.

Neighbors, household members, different types of land users, officials and functionaries from all levels of government are in constant conversation, at formal and informal level, with one another in monitoring and deciding about the daily issues involved in land use and management. The ways in which laws and regulations are implemented constitute, therefore, the outcome of the social relations and ongoing negotiation among all involved parties. Property and its management are at the center of local social life. Especially for municipal government, its most important concern is arguably control of local resources in a way that balances claims and needs of different segments of the population.

This is why the preservation of the *stazzi* is so closely monitored in Gallura, and why so many incentives are offered for keeping them in the countryside. First of all, the presence of the *stazzi* ensures the survival of a rural economy based on the management of medium to small private plots of land, and therefore of family-run businesses. The *stazzi* thus guard against the need for selling the local territory to land developers and the threat of losing control over local resources to outsiders who do not have the local community's well being at the heart of their interest. A widespread human presence in rural territory is also important for promoting the prevention of fires, which are one of the main problems that, especially in the dry season, keep the Sardinian Forestry Department very busy and everybody always on alert.

Maximizing control over local resources is also one of the main goals of the institution of *usi civici* in Ogliastro. With rules and regulations fixed at the municipal level by the elected officials and by a council of representatives, each town keeps control over who can access the land and the natural resources that are located in its boundaries, including rivers, lakes or quarries.

As with public land owned by the municipality or managed by the island's Forestry Department, land under *usi civici* that is overseen locally can also be the object of illegal use. The most common case is the refusal, by shepherds or farmers, to give back to the community land temporarily leased from the municipality for a certain number of years, for carrying on pastoral or agricultural activities. Even more common is the case of shepherds or farmers who build, on the land under *usi civici*, private homesteads or barns, without the proper permissions from the municipal planning offices. The mayors have normally the power of enforcing the law and can order the demolition of any construction built without permission on soil that belongs to the whole community.

One of the most important characteristic of the *usi civici* (or similar) models is their dynamism: they evolve in time and space (Nervi 2004). As I previously stressed, they adapt to the different communities' needs, to diverse geographic conditions, and to varying socio-economic situations. Therefore, to understand the *usi civici* helps us to understand not only a land use pattern: it also gives specific information about the genealogy of land as property and, even more, of the society that created and maintained the current land tenure and land management practices (Meloni 2006; Nuvoli 1998).

The diversity of the *usi civici*'s application and interpretation at municipal level presents, however, some common elements, which are also their defining characteristics. Specifically, the individual has very limited powers over the kind of land uses that are allowed. In fact, the rights of each member of the community are regulated in order to meet the rights of the collectivity as a whole. While in private property the legal models are focused on the subject who owns the land, and on his or her rights, the specifics of *usi civici* is centered on the land and on the potential uses of it, which have to be preserved in order to

ensure their existence and perpetuation, so that it can guarantee the community's survival (Cerosimo and Donzelli 2000; Masia 1992; Nervi 2004).

Therefore, land under *usi civici* is considered an asset that belongs to the community, and entails a set of rights that are both individual and collective. The individual rights, or operational rights, are the rights of the set of local individuals to access and use the land, but not to change its purpose. The collective rights, or administrative rights, refer to the rights of the collectivity or of its representatives to make decisions over land management issues. These rights can be looked at as subjective and objective. The subjective rights refer to the institutions that are responsible for the regulation of land use, and the objective ones refer to the concrete regulations aimed at protecting the territory and promoting environmentally sustainable activities (Nervi 2001).

Moral economies as an organizing principle

“We want to control our land.” This was the frequent statement that accompanied people's explanation of how rural communities in Gallura and Ogliastra managed the rural areas where they worked and sometimes lived. It is true that land control means different things in different places but, with reference to Gallura and Ogliastra, it does have one common element in: it is local. And, it is exerted by the members of the local community, and aimed at protecting families' livelihood.

The Pindaru family with whom I spent several days during my participant observation in Gallura hoped to keep the private ownership of the land that surrounded the *stazzo* within the family's hands. The majority of the *stazzi* owners live in the nearby town and commute back and forth to the *stazzo* several times per week. Sometimes with the involvement of the

whole family, and on a regular basis with the help of neighbors, *stazzo* owners take care of the land, and of the much work involved. *Stazzi* are not any more the sole homes where their owners live and organize their lives, and no one seemed to miss the harsh conditions of life that accompanied the management of the *stazzo*. However, as Renato Pindaru told me when talking about the changes that the *stazzo* system went through, *stazzi* are still more than a symbolic element in Gallura's countryside: they are at the center of the new families' life style, and they are kept alive by their constant presence, their work, and the social relationships through which the land is managed and kept within the families and community control.

Antioco, a shepherd who I interviewed in rural Ogliastro showed me the extent of the land under *usi civici* where he was grazing his flock of sheep. He told me that before him, his father and his grandfather found themselves walking in Ogliastro hills and mountains with their sheep. "And we all did it in land under *usi civici*: we all paid our annual fees to the municipality for the use of this land. But, of course the amount changed over time, and was always very modest. Much less than the cost of a sheep." I asked Antioco about the other shepherds from his hometown: where did they graze their sheep, and how did they organize, among them, land use in the municipal land under *usi civici*? Antioco explained that there were several other shepherds in his town. They organized the use of land with informal agreements among them, generally putting together the individual plots of land given by the municipality, so that they could have, all together, a reasonable extension of land where to graze their livestock. "Even if the municipality's committee can decided which plots of land give to each shepherd, we always prefer to organize their management among us," he told me.

Through these agreements, shepherds can decide which portions of land to use for each flock, and how to organize the work when the sheep need to be sheared. On such occasions, as I will describe shortly more in detail, shepherds organize their work in a collective way.

My field research stressed how through a constant conversation with each other and with their representatives the communities negotiate the rules through which control and access to land is regulated at local level. Local moral economy therefore, “despite the emphasis on freedom, is based on social control” (Powelson 2000: 3).

As Powelson (2000) stressed, social control is not imposed by governments, but organized by the communities involved in the management and distribution of local resources. The centuries - old struggles that local Gallura and Ogliastra communities undertook, as the historical overview showed, as well as present struggles, have both been aimed at keeping the control over resources in the hands of communities, and at preserving the local moral economies that ensures people’s livelihood and the sustainable use of local resources. The island peasants’ tenacity in maintaining common property regulations, against repeated attempts to extinguish it, reflect a commitment to moral rather than market economy. Rural Sardinians seem never to have abandoned the notion that, whatever the changing market constraints might be, they should be resisted or circumvented if they challenge the rule that all local people are entitled to a decent livelihood.

Labor exchange is also a common form of moral economy that in rural Gallura and Ogliastra has a long tradition. The documents that are currently available show that labor exchanges took place among the transhumant shepherds that worked for the feudal lord in 16th century Gallura, and among shepherds and farmers of 15th century Ogliastra. The

traditional labor exchange between shepherds and farmers occurred during the harvesting and the sheep-shearing, and could be organized as an exchange among households, or as a communitarian activity.

In the first case, during harvesting, family members visited the household in need of help, and collaborated in all the activities that had to be carried out in the fields and in the homesteads. Normally, everybody talked in advance about the best way to organize the work, and who should help in the fields with the threshing, or the collection of sheaves, and in the houses, with the conservation of vegetables and fruits for the winter season. People's age and physical strength were fundamental elements in the choice of the division of labor among the exchange's participants. Normally women and children were normally responsible for all the work carried inside of the houses, even if they also worked with men in the fields. Women were also the ones who prepared the meals to be consumed at the worksites, usually outside of the houses. Food was always prepared and given by the households that received help.

During sheep shearing, one or more shepherds arrived at dawn and had an early meal, with bread, cheese and, often dried sausage, given by the owner of the flock. During this meal they organized the work to be done, and then formed the pairs who worked together in the shearing, one person concentrating on holding the sheep and keeping it still, and the other on actually shearing the sheep.

The best example of agricultural labor organized as a communitarian activity is the *agliola*, common among Gallura's peasants used mainly among different *stazzo* owners. The *agliola*, whose literal translation from Gallurese language into Italian refers to the threshing process through which mature grain is separated from chaff, has acquired a peculiar meaning in Gallura. There the term is used to indicate the gathering of different neighboring *stazzi*

owners who, during the threshing period, joined together on one particular *stazzo* with enough space to accommodate everyone. The way in which the wheat was harvested, and all the different phases of the threshing process, were organized following a ritual that included specific distributions of labor within the *agliola* exchange, and celebratory meals at the end work periods.

The moral economies included the non-written commitment among members of the rural communities to collectively compensate the shepherd or farmers for the livestock that they had lost during the previous year to theft, disease, or for other reasons.

These moral economies changed during the centuries, reflecting the political and social transformation of the two provinces, and the different ways in which access to land has been negotiated at local level. However, the exchange of labor among members of the rural communities, and each other's support in case of financial challenges, such as the loss of livestock, both remain today as common practices in rural Sardinia.

Sardinian local governments have been very important in acknowledging local moral economies, and in crafting understandings that mediate between local needs and wider political and economic contexts. Not only shepherds and farmers, in other words, but also town officials, are fundamental participants in developing local solutions that can ensure communities' livelihoods.

Changing roles of rural women in contemporary Sardinia

A theme that emerged whenever I spoke with women and with men as well was that, in both provinces, the prosperity of the households was made possible by women's social reproduction activities. Aside from handling childcare, the maintenance of the household,

and preparation of meals, women were an essential labor force in agricultural activities, and in animal husbandry. In doing this work they constituted an important unpaid labor force. All women who are now in their 50s or 60s confirmed their role at the household level, in maintaining and supporting the economic health of their families and the broader community. Women also participated actively in the labor exchanges that sustained local moral economies, in both Gallura and Ogliastra.

Women could also inherit as much as men, not an unusual circumstance within Italy. This meant that in Gallura women own almost 50 per cent of the *stazzi*, and in Ogliastra, women own about half of all private property. Property and land management patterns in the two provinces created, however, different social frameworks for socialization among women. In Gallura, the family-centered culture of the *stazzi* isolated women in their individual homesteads. In Ogliastra, the strong presence of *usi civici* that implied common use of the land, encouraged more occasions for socializing and community-building among women, while they cared in common for the land plots assigned to their families by the municipal government.

Today the situation has changed dramatically, especially after the entering of Sardinia into the Euro zone in the year 2000. My interviews and conversations with women in Gallura and Ogliastra confirmed that women are currently taking advantage of the opportunities for educational exchange offered by the European Union Commission. Women also have transformed their engagement in social reproduction activities into remunerated activities, through the creation of a myriad of agriturismo enterprises, largely run and managed by women, where domestic hosting and food preparation and service are commoditized and sold to visitors as part of a touristic experience.

However, as I explain in Chapter Six, household structures did not change much in response to women large access to education and to their entering in the job market. The division of labor, within the households is still much gendered. Also, women presence in local and regional governments is still very weak, in spite of the large number of women involved in community organizations, implementing new businesses, and travelling abroad, taking advantage of the European Union funding available for exchanges among students and specific workers categories, such as the rural ones.

Property systems: versatile, variable, and hybrid

It is common that stazzo owners from Gallura, or shepherds who own private plots of land in Ogliastra, bring their goats or sheep to graze on land under municipal control, which can be municipal domain, or land under *usi civici*, and go to collect firewood or to hunt on land managed, or sometimes owned, by the Forestry Department. As I described in the previous sections in which I walked through the Gallura and Ogliastra landscape, land users do not fall into separate camps of private owners and those who access common and public land. Different types of property rights can therefore regulate the land used by the same individual, in order to carry out a fairly typical round of daily activities.

As a result, property types are multiple and overlapping. Common and public property are not alternatives to private property, but complement it by allowing access to different types of resources. The prevalence of private property in Gallura and of property under *usi civici* in Ogliastra is accompanied by other forms of property in both provinces. The multiple, overlapping types of property form a hybrid property system that occurs in

unique configurations from province to province, and is an expression of how rural communities have organized their social relationships and ensured their livelihoods.

The persistence of common and public property systems and their careful regulation through different levels of governmentality has, however, a broader significance. The hybrid property systems all work to keep significant portions of land out of the private property system, excluded from the market, and thus insulated from the volatility of market forces. Private property rights, instead of being looked at as a fundamental step towards economic development are, in this context, seen as a possible road to the loss of the availability of precious local resources, due to the necessity of selling them during periods of economic recession, or to private investment opportunities. In the face of the volatility of the market, Gallura's and Ogliastra's hybrid property regimes defend the stability that wide access to resources offers, and preserve supple, adaptable local regulations that survive the vicissitudes of the global economy.

1.2. Current relevance of my main argument

Above all, my research aims to contribute to the debate in the literature on property, and to a better understanding of its complexities in peripheral regions, even within the Center, that have a long tradition of resisting globalization and the penetration of the market economy. The Sardinian provinces of Gallura and Ogliastra, where I focused my field research, though they do not represent all the current property regimes in Sardinia, they offer a better understanding of the diversity of property regimes, within the same region. The prevalence of private property in Gallura and of common property in Ogliastra is also

exemplificative of the different patterns through which rural communities organize access to resources, and negotiate them with different level of governmentality.

The meaning and practice of property is, in each province, the outcome of historical notions of land use, of current and past moral economies, and negotiations among different levels of power.

In order to analyze these elements I borrowed from Joseph Singer's property studies, which look at property as a system of power relations. In his book *Entitlement* (2000), Singer highlights the political dimension of property, which main goal is the exercise and distribution of power. "Paradoxically," Singer clarifies, "property is both an individual entitlement and a social system" (2000: 14), and as such is always subject to negotiation. More specifically, property refers to a system of rights that are political and frequently re-negotiated, and the terms of those negotiations are widely diverse across time and space (Von Benda-Beckmann et al. 2006). As a social system, the elements that define property are determined by political, economic and cultural circumstances, at a specific historical time and geographical location. The Sardinian case described here constitutes another vivid example of the manner in which local rural communities, at different junctures of history, negotiate workable solutions to issues of property.

The power exerted by the State over property, Charles Geisler adds (2006), has been used in order to deprive one owner and to benefit another, whose interests fit hegemonic political agendas. The redistribution of property ostensibly in the name of the public interest, Geisler points, is therefore usually nothing more but an alignment of the State with the private interests of the most powerful social group. These issues are the focus of many of the

current studies on property, and on its multiple dimensions and functions (Geisler 2004; Peters 2006; Meijl 2006; Von Benda Beckman 2009; Wiber 2006).

Land property has singular characteristics that shape the laws, regulations, and understandings surrounding it. In all of the literature on property rights, property in land is treated as unique. Land has been considered, since the earliest classical economics scholars (Malthus 1976; Ricardo 1962; Smith 1991), as one of the three fundamental factors of production. Therefore, when property refers to land, at issue is a system of rights and responsibilities that impacts economic production in the broadest sense, the social arrangements within the geographical context where the land is located, as well as the economic exchanges with the global market.

The genealogy of property as a concept reveals that historically property studies were centered on defining the different categories of property with particular focus on private and public property, on the dichotomous relation between those two types, and on stressing the role of private property in the creation of wealth and economic growth. Virtually all the classical formulations about property saw economic and social progress as requiring the inexorable replacement of common forms of property with more private, commodified ones. These early studies, from the era of mercantile and early industrial capitalism, have influenced the debates on the characteristics of property types even until the present, delineating the way in which property would be looked at in the future.

For John Locke (1988), property was both a natural and legal right. Locke talked about the natural right of property in political society. Any violation of this natural right to property contravened the law of nature and was morally illicit. The natural right to property in political society, however, was not an absolute right, he maintained, for it was subject to

the common good, the preservation of society being the first and fundamental law of nature, taking priority over self-preservation. In the Chapter V of his book *Treatises of Government* he stressed that originally the world was given to mankind by God as a common good. However for society to appropriate the fruits of their labor, and in order to ensure people's support, it was required to create the institution of private property, "...without which the Common is of no use" (1988: 289).

Locke's postulate is not far from Hobbes (1904)'s views on the state of nature and the views of classical economists such as Ricardo (1962), Malthus (1976) and Smith (1991), who talked about private property as a natural right and a fundamental institution for ensuring economic development. Malthus (1976), who will always be associated with the idea of the social and economic trap in which population grows faster than food production, argued that basic institutions such as property rights, marriage, and free markets would restrain excessive population and encourage economic growth. Ricardo (1962), addressing the "appropriation of the land, and the consequent creation of rent" (1962: 33) clarifies that "on the first settling of a country in which there is an abundance of rich and fertile land, a very small portion of which is required to be cultivated for the support of the actual population ... there will be no rent ... for the reason stated why nothing is given for the use of air and water, or for any other gifts of nature ..." (1962: 34-35). Land, however, according Ricardo cannot be considered a gift of nature and therefore a commons, since is not unlimited in quantity and uniform in quality. Economic progress and the increasing number of people oblige the cultivation of what Ricardo calls *lands of the second degree of fertility* and "rent immediately commences ... and the amount of that rent will depend on the difference in the quality of these two portions [first and second quality] of land" (1962: 35). Lewis Henry Morgan (1877), as well,

reflects this notion of progress demanding the ascendance of private property in his work *Ancient Society*, where he “divides history into two epochs, one ancient (‘Societas’) and the other modern (‘Civitas’). The latter was founded on property” (Geisler 2006: 41).

A more radical perspective was offered by Pierre Joseph Proudhon (1848), a 19th century philosopher, who was a contemporary of Marx (1906) and whose work was produced in the first decades of 1800. His proposals made clear the idea that property systems represent power struggles among the different classes of society. His challenging question: “What is property?” and his even more challenging answer that “Property is a theft,” became very well known and the object of analysis and critique for many years to come. However, a deep reading of his work reveals that his analysis of property was indeed very close to the works that in recent decades have marked studies of property regimes, with special reference to the multi-functionality and multi-dimensionality of property.

Proudhon, who defined himself an anarchist, entered in correspondence with Marx, who became interested in his radical work. However, the relationship between the two philosophers deteriorated. Marx became very critical of Proudhon’s work, and in response to his work on the system of economic contradictions, or the philosophy of poverty, Marx wrote the *Poverty of Philosophy* (1910), which attacked Proudhon’s political and social ideas. One the main points of discordance between the two philosophers was the opposition of Proudhon to the nationalization of land and of the workers’ means of production and places of work. Proudhon supported, instead, the creation of associations or cooperatives among workers, and believed that a peaceful evolution into an anarchist society was possible.

In October 1847, four months before the publication of the Communist Manifesto, Alexis de Tocqueville (1847), commenting on what the future looked like in that period,

affirmed that political struggles were going soon to be enacted between those who own and those who do not own (Rodotà 2010). He stressed that property was going to be the future ground where the battles for access to resources were going to be played. As oxymoronic as it might sound, the struggles over the property of common good is still today one of the key issues around which ideological and material conflicts are played out.

Many of the earlier notions of private property as a force for democracy and capitalist growth, and the inevitable antagonist to common property, are enshrined as ideology in the “Washington Consensus” regarding economic interventions in developing economies since the late 1980s. One current and well known work celebrating privatization and private property as the keystones of neo-liberal economic policy and democracy is the *Mystery of Capital* (2000), by Hernando de Soto. “Capital,” the author argues “is the force that raises the productivity of labor and creates the wealth of nations” (2000: 18). He asks himself why poor countries do not seem to be able to reach the same level of wealth that the most developed countries in the Western world do? The reason, according to De Soto, has to be found in the lack of formal land ownership rights, and in the undefined liability of unincorporated businesses. Since the rights to these possessions cannot be formally documented, they can’t be traded on the market, used in order to obtain loans, and transformed into capital. When not privatized, assets can be considered “dead capital.” The property documents represent, therefore, the “visible sign of a vast hidden process that connects all these assets to the rest of the economy” (2000: 19).

De Soto’s work has been heavily promoted by the World Bank, and described by Margaret Thatcher as “compulsory reading.” Timothy Mitchell (2007) criticizes De Soto’s argument, however, stressing the limits of property relations, and reminding that “most

people in most of the world live lives in many ways protected against the rules of private property and the market. ... They may live in ... plots they do not formally own, or farm agricultural land that is protected against outside purchase” (2007: 210). Mitchell argues that informal market arrangements are expanding, all around the world, possibly at a faster pace than formal market arrangements, based on private property rights. These arrangements exist outside of the market and of the laws of property, but are not lawless.

Borrowing from Agamben (2005), Mitchell uses the term “inclusive exclusion,” in order to describe the process of dispossession of the poorer people, which starts exactly with the transformation of their land and assets into private goods, soon to be traded in the market, from which they are excluded. His critique, however, does not dismisses de Soto’s discourse: on the contrary, he stresses that de Soto’s proposals “form part of the novel apparatus by which speculators are to be rescued, the poor made to give up their houses, and new forms of wealth created’ (2007: 243). Mitchell’s critique of De Soto’s work has been very important in my analysis of the forms of property, other than private, through which Sardinian communities are keeping their land outside of the market and, in this way, preserving access to this fundamental resource, both within the present and intergenerationally, that is, in the future.

Limitations of common property

Another important stream of research attacked the practicality, even workability, of systems of common land property. William Foster Lloyd (1833), for example, well known for introducing the concept of ‘diminishing marginal utility,’ in his book *Two Lectures on the Checks to Population*, stressed that in a common pastureland, cattle-owners have a short-term

interest in increasing the size of their herds, so that their numbers will soon exceed the commons' carrying capacity. Theoretical debates around common use of the land continued and, another century later in 1968, Garret Hardin, then a professor of biology at the University of California, Santa Barbara, published the article "The Tragedy of the Commons," which was read at the Pacific Division of the American Association for the Advancement of Science at Utah State University. This article was published in *Science* in 1968 and is still today one of the most cited works in discussions over the commons, especially when it refers to land.

More than a century after Lloyd's work, Hardin, referring to the Malthusian theory of the exponential growth of population in a finite world, asked himself what was the maximum good per person, and called for a re-examinations of our individual freedom. He referred to the scenario portrayed by William Foster Lloyd (1968), in which

"the tragedy of the commons develops in this way. Picture a pasture open to all. It is to be expected that each herdsman will try to keep as many cattle as possible on the commons. ... As a rational being, each herdsman seeks to maximize his gain. Explicitly or implicitly ... he asks: 'What is the utility to me to add one more animal to my herd? The utility has one negative and one positive component. 1) The positive component is a function of the increment of one animal ... the positive utility is nearly +1. 2) The negative component is a function of the additional overgrazing created by one more animal. Since the effects of overgrazing are shared by all the herdsmen, the negative utility for

any particular decision making herdsman is only a fraction of -1.” (1968: 1246).

Here, according to Hardin, lies the tragedy of the commons. Thinking that his personal decision would yield relatively small damage, the herdsman convinces himself to add more animals to the grazing field, gradually increasing the herds in an unlimited way, but in a world that is in fact limited.

In order to solve the problems due to the erosion of the common resources, used indiscriminately, Hardin stressed that, whether such resources are sold as private property or kept as public property, the real solution would come from the allocation of the rights to enter them, and their enclosure. With reference to resources such as water or air, which cannot be fenced, in order to exclude their overuse he suggested the application of legal constraints.

In 1991, Hardin clarified his position and wrote that “In the pure case, commonizing leads to ruin” (1991: 177), but he questioned if many actual cases of common property were “pure” and unregulated in this sense. Hardin’s refutation of his late 1960s ideas, however, did not become as popular and as largely cited as the original statement. On October 3, 2003 *Science* informed its readers of Hardin’s death with an editorial written by C. Holden and entitled, “Ecology. Tragedy of the commons' author dies.” In that obituary it was not even mentioned that Hardin’s famous theory had been refuted by the author himself twenty years after its original publication. This oversight reveals how difficult is to extinguish a popular idea that has deeply permeated the theoretical debates, even one that has been refuted by most evidence.

Moreover, my studies of Sardinian practices confirm that the scenario that was predicted by Hardin's earlier formulation never actually occurs in practice in rural land use. This is mainly because common use does not permit individual users to be atomistic in their relations with one another. Common property systems, such as Ogliastro's *usi civici*, entail careful monitoring, supervision, and negotiation at the public, usually municipal level.

The Multidimensionality of Property

My research shows that common and private property types can and do co-exist in hybrid systems, and that these systems are neither temporary, transitional arrangements in an evolution toward private property, nor formulas for economic stagnation or decline. The Sardinian case shows instead that such systems usually result from engaged local involvement in setting the terms for property use, and that they can be efficient and practical, ensuring sustainability of local rural livelihoods.

Von Benda-Beckmann & Wiber (2006), who inspired the approach that I used in looking at property regimes in Sardinia, argue that property regimes cannot be expressed by any one-dimensional political, economic or legal model: they are multi-dimensional and multi-functional. This is why scholars have used the concept of "jurisdictional pluralism" and rejected monistic and state-centered legal models to analyze the complexities of property systems. Geisler goes further, and reminds that while "property is embedded in social, political and economic organizations," these organizations "...may or may not be working states" (2006: 51). He problematizes the idea, rooted in the Western world classical economics (Locke 1988), that states exists in order to protect property, and analyzes critically

recent studies on traditional property systems (Scott 1998) that consider their apparent complexity as anachronistic, because of their illegibility to state administrators.

In my work I borrowed from Geisler's argument that traditional systems (as well as all the property systems other than private or public), are in fact often accepted and protected by the state, which is the case of Ogliastro's *usi civici* in Sardinia. Complexity is inherent to property regimes, and "not only do prior forms of political organization not end ... but 'old' and 'other' property systems, as legal pluralists have long insisted, have a way of confounding, enriching and complicating later property relationships" (Geisler 2006: 46).

Post-Socialist Societies, Multiple Property Systems, and the Limits of Privatization

One domain in which privatization and marketization of land have become newly prominent is among post-socialist societies in Eastern Europe, where some of the most revealing analyses of multiple property systems today take place. These analyses have been very important in my study of the hybrid property systems observed in Sardinia. The complexity of arrangements that mix private and common land property in post-socialist societies. (Sikor 2006: Staniszkis 1991: Verderey 2004 and 1999) is characterized by a "recombination of land property regimes" (Stark 1996), and accompanied by a detachment between legislation and property relations. The lack of "government enforcement capacity" (Sikor 2006: 121) is matched by the assertiveness of popular, grassroots practices through which rural populations reorganize property relations and influence state regulations. Sikor points out that, "What is at stake is the very nature of land as an asset. People seek ways to enhance the material and symbolic values derived from control over land" (2006: 118).

Regarding multiple forms of ownership, Sikor and Nguyen (2007) take a closer look at forestry practice in Asia and Europe and discover that community ownership and state authority are not mutually exclusive. Among the many cases that they highlight, I found it interesting that, in Romania, it was the mid-20th century communism that “wrested control of forests from local communities,” while “...currently, governments are in the process of decentralizing powers and responsibilities to local authorities” (2007:91). In many countries, including Eastern Europe, these decentralization policies translate into the reintroduction and diversification of the forests’ commons. In Romania, the government is returning the forests’ commons to the original communities that managed them. In Albania the government is also transferring forest ownership rights to local authorities, who grant these rights to local communities.

Whenever forms the decentralization process acquires, they all have in common the parallel presence of multiple forms of property, and the tendency to give responsibility back to the communities, accompanied by different forms of state presence and control, though it is never total.

Property Relations in the Global South: African Cases

An excellent example of the dichotomy between property regulation and property relations at local level is evident in Bassett’s (2007) study of land tenure practices in Voi, Kenya. She found that, in spite of the fact that government officially supported privatization policies as the only possible way to reach steady economic development, the population of Voi choose a community land trust (CTL) model over individual ownership titles. The CTL model, as Bassett explains, was considered the best way to preserve individual self interest,

since it allowed each individual to secure his or her own property by unifying it in a much stronger institution, the CTL, and thus be able to avoid the need for selling plots of land in order to respond to financial constraints, or to changing life goals. Bassett concludes that this choice for a collective solution can be defined as a rational economic behavior.

Bassett stresses that this choice was not the one followed by other subregions, with a stronger history and tradition of individual rights. This element highlights that there are many possible land tenure models, and they are the product of a specific society and of their history, geographical conditions, and political and economic conjunctures.

Bassett's work became an important reference when I looked at the different ways in which Gallura and Ogliastra organized their land tenure systems, and at how local decisions and solutions can sometimes resist laws and regulations that are imposed by the state laws or the market rules.

In another interesting African case, Berry (2009) acknowledges today's enormous pressure for privatization, coming from international institutions and major donors. As Berry stresses, " Since the 1980s, international financial institutions and major donor governments have pressed West African states to liberalize their economies, deregulating markets, dismantling controls on foreign trade and investment, downsizing the state, and privatizing ownership of assets and enterprises" (2009: 1379).

Berry discusses the dispossession of land that took place during the implementation of these development policies, accompanied also by the acquisition of state-owned land by government officials. In her analysis Berry stresses that in many cases private owners did not invest in more productive, sustainable forms of land use, but instead opted for short-term profit maximization: sometimes they "leased it out to commercial companies that evicted

local users, cleared forests, mined soil ... and left the land less productive than they found it” (2009: 1370). Neo-liberal solutions, privatization key among them, did not serve as an engine for sustainable economic growth.

Drawing on studies by Sikor & Muller (2009), Berry highlights that scholars are finally beginning to advocate “community-led land reform as a preferable alternative to the kind of state-led privatization carried out in many post-socialist and/or developing economies during the 1980s-90s” (2009: 1370). Such reforms, decided and implemented at the local level are, as Berry says, “likely to be more flexible than reform carried out by the state” (2009: 1370).

The Ghanaian case that Berry presents in her study brings insights to the complex and contested history of land ownership, and of its meaning in terms of current practices. She highlights how, in order to understand ownership, we have to look at it more as a social process than a legal fact. Particularly useful in my analysis of Sardinia’s case studies, was Berry’s reminder that the merits of any particular model can’t be generalized. Success stories, she stresses, come from examples that are born in specific and unique contexts.

Scott and Gramsci Hegemony and Hidden Transcripts

In my analysis of Sardinian communities’ moral economies, I draw in the critical reading of James Scott (1976) works dedicated to the moral economy of peasants. Scott has called peasants’ resistance to authority as taking the form of “weapons of the weak,” and has suggested that all subordinate groups resist authority in ways similar to the peasants that he observed in his research in Southeast Asia. In opposition to Gramsci (1971)’s theory of

cultural hegemony,² Scott argues that the elite's values do not penetrate necessarily into the lower classes. Peasants' value systems, which are directly related to their subsistence requirements, are the ones that move their acts of resistance. Scott calls these struggles "hidden transcripts," because these oppositional practices take place not between dominators and dominated, but among subaltern classes, and are not necessarily conscious, though they have in common the goal of preserving subaltern communities' spaces of freedom.

However, while the "hidden transcripts" that Scott describes can be certainly observed in subaltern communities, these practices do not exclude the presence of hegemonic power. Transporting Scott's argument to the issue of property, the moral economies that I observed in Gallura and Ogliastra aimed at the preservation of a diverse land tenure system can be defined as an expression of these "hidden transcripts." Sardinian "hidden transcripts" represent, using a critical view of Scott's analysis, the resistance to the hegemony of privatization discourses and policies.

Lefebvre (1974), in talking about the struggles of social actors opposed to the dominant class over the organization of space, points out that these struggles produce counter-spaces that can be defined as "non state spaces," since they are produced by local practices and not mediated by state laws and regulations. However, as Geisler points out, counter spaces are not necessarily opposed to the state, and "some may supplant the state and, despite Scott's interpretation, have the state's conditional blessing" (2006: 48).

Geisler's observation draws on the Gramscian theory of cultural hegemony that, Geisler stresses, is a dynamic feature of the social structure, especially of the relation between classes. Each class, the dominating and the dominated, fulfills its specific role, and

² Cultural hegemony indicates the domination of one group, the ruling class, over the other classes of a society. The ideas of the ruling class become accepted as the "norm," and their outlooks are perceived as universal values, even if they benefit only the dominant class.

all together the different classes coexist within a greater society, and contribute to the hegemonic role of the dominating class. Within the dominated classes, the behavior of individuals can differ from the mainstream behavior: this is the case of the “hidden transcripts” described by Scott. These behaviors, while they are an expression of individuals and groups’ resistance to the dominating class’s control, do not scratch the very core of its power, which lies in the maintenance of a greater hegemonic pattern, capable of including counter movements and of creating new layers of consent.

Moral economies

It became clear to me early on in my research in Sardinia that a moral framework governed much of the economic behavior that I observed in rural areas of Ogliastra and Gallura. Scott’s and much other work on the topic, however, has indicated that the concept is relevant primarily to subsistence-based peasant societies, where the margin of economic comfort or survival is relatively thin. Many theorists of the concept, however, such as Brown and Garver (2010) have broadened the reach of the moral economy concept, and have made clear it is not limited to peasant resistance to market-induced inequalities, or only applicable to subsistence economies in the Global South. For these authors a moral economy is the goal towards which many different types of societies today can work.

Brown and Garver, in their book, *Right Relationship: Building a Whole Earth Economy* (2010), use the Quaker principle in the title of their work, and argue that it is necessary to achieve an economy that can sustain the planet Earth within a frame of fairness and justice. They call this new economic order a “whole earth economy.” Seeing the relevance of the concept of moral economy to Sardinia’s land management practices, makes

it clear that moral economies can work in any situation of uneven development, and in peripheral areas, even within the Core.

E. P. Thompson's historical writings have been influential in defining how moral economies are present in the formation of the working class within Europe. His book *The Making of the English Working Class* (1963) and his article "*Moral Economy of the English Crowd in the Eighteen Century*" (1971) are central contributions to the knowledge of the historical development of moral economies in Europe. Particularly important is his redefinition of class as a set of relations that change over time. Thompson's fluid assessment of class has been useful to me in understanding the gradually shifting borders between peasants and the urban population in the rural areas of Gallura and Ogliastra. Both sectors, as my analysis shows, are in a contemporary relationship of interdependence, and they both play a role in the preservation of the hybrid property systems evident in Sardinia's rural zones.

Wendy Wolford's work (2010) focuses on the Brazilian Landless Rural Workers Movement (MST) and introduces the moral economies governing relations among the rural workers who joined that Movement. Based on extensive ethnographic research, her approach gives a vivid description of the diverse people who joined the MST, and of their reasons for joining and for living the movement. Her narration enters in the details of actors' personal lives, their struggles for survival, and their uncertainties, both personal and political. Her approach has been crucial in guiding my study of Sardinian rural communities, and in analyzing the different ways in which these communities organize their moral economies and manage to ensure access to land and redistribution of resources at local level.

My work is also based on an ethnographic research in rural Gallura and Ogliastra, and aims to contribute to the understanding of how moral economies work within the current panorama of Southern European rural regions.

Finally, the diversity of rural Europe has been described by many researchers and policy analysts as one of its main strengths (Bryden 2002; Dormal-Marino 2010; Goodman 2004; Ray 2000). My contribution in the present work is to bring the particulars of the interesting Sardinian case forward for closer examination within the European range, and thereby expanding the understanding of European diversity in the area of local rural economies and land tenure practices.

1.3. A discussion of my methods

Doing Fieldwork in Sardinia

When I started organizing my field work in Sardinia in 2008-2009, I had already made several pre-dissertation trips to rural Gallura and Ogliastra. I had worked in rural Gallura off and on from 1987 to 1997, and over the years I kept in touch with the rural communities that I worked with, while researching the socio-economic aspects of cultivation and harvesting of local cork oak forests. Once I returned for dissertation field work, networking through people I already knew facilitated my entrée to owners of *stazzi*, in Gallura, to Ogliastra's shepherds, and to municipal-level officials involved in rural land management.

My meetings with Gallura's local scholars, whose research I had been familiar with since the beginning of my work in Gallura, were very important in deciding which *stazzi* to

visit, and which municipalities to obtain logistical support for my research. It was during the first pre-dissertation field research in Gallura that I met a scholar from Ogliastro. This scholar, before becoming a high school teacher and involving himself in local social movements for the preservation of *usi civici*, had been a shepherd for the first thirty years of his life. We met at the presentation of a book of photographs of *stazzi*, in Tempio Pausania, the capital of Gallura.

Our long conversation about Ogliastro's *usi civici* sparked my interest and I subsequently asked for a meeting with some scholars at the Department of Law Studies of the University of Cagliari who are specialized in the study of the *usi civici*. My conversations with these scholars made me realizing how complex and relevant the *usi civici* were, and how the analysis of their management in Ogliastro would have been important for a better understanding of hybrid property regimes in Sardinia.

During a long visit to Ogliastro, I also met with a group of intellectuals who were involved in an organization called *Laboratorio Territoriale Ogliastro*, which assembled scholars, policy makers, activists and rural land users interested in preserving *usi civici* in their province. By then I became determined to include Ogliastro in my field research. Through the ex shepherd who first introduced me to *usi civici*, I met several mayors of Ogliastro's towns, and many shepherds with whom he had worked in the past.

When I started my research in Sardinia, I relied on a number of different fieldwork methods. Field methods included formal one-on-one interviews with individuals, informal interviewing of participants at public and private events, and group interviews. I also relied on participant observation, which I will soon describe more in detail.

One-on-one interviews numbered sixty one individuals in total. I also did nine interviews of groups of five to seven people, mostly family groups, and sometimes work groups. These were not formal “focus groups” in the strict sense, but the broader cross-conversations initiated among participants quickly brought out points of divergence and agreement among local people.

The individual interviews were generally between sixty and ninety minutes long, but some lasted for two or three hours. I was almost never able to do the classic pen and paper interview. I knew my interview schedule by heart, posed the appropriate questions, let the respondents talk, and then asked many follow-up questions to deepen understanding. Many of the interviews I recorded, but in most cases, I took hand notes with a pen during the interview, and afterward retired to a cafe or other location and recorded further notes about the interview on my laptop.

The subjects of the interviews included farmers and shepherds, foresters, *stazzo* and other rural proprietors, local government officials, and Sardinian scholars who specialize in the study of rural development and land use. These scholars are deeply embedded in life and policy debates in rural communities, genuine “organic intellectuals” in Gramsci’s term. I met many through my past research in Gallura and my participation in the *Laboratorio Territoriale* in Ogliastro, as I explain below, and I have been in contact with some of them for the last two decades.

The interviews that I conducted over six months during 2008-2009, generally grew out of my broader participant-observation in the rural communities of Gallura and Ogliastro. In each of the provinces, I lived for a period of several days with three families, sleeping at their houses, eating with them, and joining their daily work routine, both men’s and

women's. I was open with everyone about the kind of work that I was doing, and the communities where I worked quickly learned the purpose of my presence.

I attended over fifty public meetings, around twenty in Gallura and thirty in Ogliastro, most having to do with land policy and use issues. For a week I accompanied the municipal officials of the town of Telti, following them on their travels through the countryside and their work in the office, as they assisted people in issues that ranged from the need of help in filling out a form to the solving of a dispute over the trespassing of the property border.

Another pole of my participant observation was attendance at village and town religious festivals, which offered an excellent opportunity to join tables of local people, ranging from the local doctor to shepherds, and talk with them about land, labor exchange, and economic change.

Participating on the community level in these ways allowed me to gain the trust of the local communities and to build strong networking ties, making the challenge of finding interview subjects relatively easy. Local people referred me to others, and it wasn't difficult to discover who I needed to speak to about a particular topic, or who was in charge of some particular undertaking.

In order to build trust, network, and gain entrée with women I followed different paths. Among scholars and public officials, I personally targeted them based on their professional roles, and I relied on the networking that I had built in my past field research in Gallura and my most recent trips to Ogliastro.

Things went differently for my networking with the women I met during my interviews to rural population. During my participant observation in rural families, there were always women with whom I interacted: mothers, sisters, daughters, or family friends. These

women were always happy to tell me about other women with whom I could talk. They became also the thread that brought me to deepen my knowledge of the female universe that, in Gallura and Ogliastra, is linked by a tight networking among them.

When I refer to these community members, in this dissertation, I never quote their real names. I discussed this issue with all the people I interviewed and most part of them express their desire not to be quoted.

In the years prior to my dissertation fieldwork, I made several summer trips to Gallura and Ogliastra as a part of my dissertation planning, when I met and talked with many people. During these pre-dissertation trips, I estimate that I interviewed over two hundred people, and visited most of the provinces' rural towns and villages, so that I was returning to places where people already knew me.

For these reasons, when I arrived for dissertation fieldwork in Sardinia in 2009, at least half the people I encountered in the communities of Gallura and Ogliastra already knew me personally, or had heard of my work from family and community members, or local scholars.

In Sardinia, being Italian does not necessary recommend one as a researcher, more than any other foreigner. What especially counted for me in my work there was that I was Sardinian. It helped ease my way enormously to be *Sarda*, with long family roots in the island, and even some specific presence of ancestors in Gallura itself. Once people discovered I was Sardinian, I could see that they felt much more comfortable.

The people that I encountered were always curious, and sometimes fascinated, by the fact that I am also a U.S. citizen and that I am doing my graduate study at an American University. They did not ask too many questions, which in Sardinia is considered very

impolite to do, but they always made brief commentaries about this topic, and expressed their curiosity about the life that I lived in the US.

In both Gallura and Ogliastra, the curiosity about my status was, at a certain point, followed by a stage at which people stopped being too ceremonial with me, ceased treating me as a guest, and instead started to apparently ignore me, continuing their regular activities without paying me much mind. This behavior in Sardinia is a sign of acceptance and inclusion.

I was also able to use my knowledge of the island's own language, *Sardo*, a century old Creole with root in Latin, Italian, and Catalan, with almost one hundred of variations, that was my own first language as a child, together with Italian, and that I spoke instead of Italian, upon starting school at six years of age. I spoke *Sardo* in virtually every interview, even if only a few phrases sprinkled among the Italian, and in some interviews, especially with elderly people in Ogliastra, I used *Sardo* extensively. *Sardo* was easier for me to use in Ogliastra, whose dialect, *Ogliastrino*, is close to my own dialect, which is called *Iglesiente*. Gallura has a more distinctive dialect called *Gallurese* that is related to *Corse*, the language of Corsica, and my facility in it was more limited. Most of my interviews in Gallura were thus conducted in Italian, but I still attempted to use some expressions that I learned along the years, on occasion. If an interview subject wanted to speak with me in *Gallurese*, someone else present would translate their words for me into Italian, to make sure I understood everything well.

When I came back from my field work, I analyzed each interview through the NVivo program, which has been a valuable tool in enhancing recurrent elements and interesting

patterns, and in deepening the analysis of the issues that the interviews brought to my attention.

In general, the reception to my study by the local communities was positive. I explained that I and other scholars and policy makers were interested in the ways local people practiced land management, observed different property regimes, and struggled to ensure everyone's access to resources. They were intrigued by the idea that their ways of managing local resource were important and might hold lessons that could be applied more widely to other countries and people.

The Italian and especially the Sardinian scholarship on the island's land tenure practices is extensive, and includes excellent work, but virtually all of it is published in Italian, and not well known more widely in the fields of rural development, resource management, and geography. My outside connections clearly linked me to a wider scholarly community, in the United States and in Europe, mostly taking place in today's global lingua franca of English. Local scholars thought that my work could perhaps help them to justify their support of local management practices, and also be politically important in Sardinia in confirming the value of the island's distinctive land property regimes.

A Note on Documents and Sardinian Scholarship

Sardinians' own studies of their land management practices were invaluable sources of information. There was no need for me to redo surveys and assessments that already existed, and the scale of some of this work was beyond the capability of the most dedicated dissertation researcher. These materials also supplemented my interview data in substantial ways, covering particulars that did not generally arise in interviews. The town of Telti in

Gallura, for example, had completed a total, detailed inventory of all the stazzi within its borders. In Ogliastra, the *Laboratorio Territoriale* had done extensive inventories of land under *usi civici* throughout the entire province. The Sardinian Rural Development Plan for 2007-2013 also was a critical document in my research.

The way in which Sardinian practices fit into the European framework is object of much attention, not only for local scholars, but also for policy makers, and it is often discussed by rural communities. The studies published on this issue have been an important source of information, useful also in order to analyze the current debates within Sardinian rural communities, in the light of studies elaborated at the regional and European levels.

Generally, Sardinian scholarship on land issues disseminates not only comprehensive statistical and technical data, but also local perspectives and interpretations of land issues, and often points of view that do not have a voice anywhere else. Sardinian scholars normally take a multidisciplinary, humanistic perspective in approaching land issues. The general perspective is that the historical and cultural dimensions of the land shape its use and its meaning as much as physical and technical factors do (Gutierrez 2008; Nervi 2004; Nuvoli 1998; Meloni 2006; Masia 1992; Aru et al. 2002).

I tried to keep this broad perspective when I collected the quantitative data on the economic development trends of rural Sardinia. I got the statistical information at the Sardinian government's offices for rural development and planning. I also integrated these data with the studies done at provincial level. In these offices, several officials that I had met in my pre-dissertation field research offered a valuable assistance in elaborating the data that I was interested in.

Notes on embeddedness

Finally, a few words are necessary about a fundamental factor that was often present in my field research: the sense of embeddedness in the social relationships that I was observing. I never felt completely an outsider, since I am Sardinian, but neither did I feel totally part of the communities with whom I interacted in my interviews, since I also belong to another social context, located far away from Sardinia in the United States.



Photo 5: Doing field research in Sardinia

Even when I felt completely accepted by the rural communities, I never felt totally sure where to locate myself while carrying on my interviews. The ways in which I interpreted and analyzed the findings of my field research are therefore the results of my own positionality: on a border line, and between different worlds and intersecting imaginaries.

CHAPTER II

LAND OWNERSHIP AND LAND USE

Land, this fundamental factor of production (Lloyd 1833; Marx 1906; Patten 1890; Ricardo 1962; Smith 1937) is also the ideological and material field where people's lives unfold, and where production and social reproduction activities take place (Allen & Massey 1988; Bernstein 1982; Katz 2001 and 2002; Mitchell et al. 2004; Pred 1981; Ryan 2002). Land ownership has been considered a building element for both capitalism and socialism (De Soto 2000; Engels 1884; Lenin 1978; Locke 1988; Marshall 1920; Marx 1859; Parel et al. 1979). However, as scholars have pointed out (Demsetz 1967; Ferrari et al. 2003; Nervi 2009; Singer 2006 and 2010; von Benda Beckman 2006 and 2009), there are different "ways to own," and private, public and common property are examples of this variety of ownership forms.

Singer clarifies that, whether individual or collective, property normally entails a bundle of rights. With this term scholars (Geisler 2006; Griffiths 2002; Merry 1988; Sikor & Muller 2009; Singer 2010; Von Benda Beckman 2006) refer to the property relationships in which ownership titles are embedded. Singer brings the example of landlords who, "grant tenants the right to possess their property in exchange for periodic rental payments while retaining the right to regain possession at the end of the leasehold." He also clarifies that, "... because owners have the power to disaggregate property rights, entitlements in a particular piece of property are more often shared than unitary" (2006: X).

While in the regulation of private property the goal is to preserve the landowner's

rights, in public and common property regulations, the goal is to preserve the land as an asset that belongs to the whole community. Therefore, when property rights refer to land regulated by public and common property rules, the aim is ensuring the land's availability for the uses indicated by the laws and regulations, and its inalienability and preservation within an intergenerational perspective (Cerosimo and Donzelli 2000; Masia 1992; Merry 1988; Nervi 2009; Kingston-Mann 2006; Ostrom 1990; Ostrom and Schlager 1996; Singer 2006; Spiertz and Wiber 1996).

Land ownership can be looked and conceptualized at within different approaches. The positivism and legal realism approach is based on the existence of an authoritative government, and on the inseparability of property and law (Austin 1875; Hart 1961). Property exists because there is an authoritative government that promulgates laws, and enforces their observance (Bentham 1840).

The utilitarian approach focuses on the comparative advantage of alternative rules, and aims at the application of rules that maximize social utility (Ackerman 1975; Posner 2007). According to utilitarians, individual property rights encourage productive activity and efficiency. Some utilitarian scholars, however, have argued that sometimes common ownership represents a more efficient way to manage property (Rose 2002).

Within the social relations approach, property rights are analyzed as relations among people that control the access and use of valuable resources (Baker 1986; Hale 1943; Wheeler Cook 1918). Currently, scholars focus on the analysis of how property shapes social relations and, at the same time, how social relations shape access to property (Alexander 1999). Feminist studies have problematized the analysis of social relations, and stressed the tendency to treat specific population's sub-groups, such as men, as the normative and others

as exceptions (Minow 1990). They also criticized the assumption of individual autonomy within a person's property boundaries, and Nedelsky (1990) specified that "what makes human autonomy possible is not isolation but relationship" (1990: 171).

In order to understand the embeddedness of property relations in the social context (Underkuffler 2003; Hann 1998), Von Benda Beckman defines land use practices as, "concretized social relationships ... that substantiate but are not the same as categorical rights," and that, "... form an important component of multiplex relationships" (2006: 20). In *Spatializing Law*, Von Benda Beckman and Griffiths (2009) address specifically the issue of categorical ownership rights and their spatial distribution. They inquire into how people's ownership rights and obligations are negotiated within social relationships, and mapped onto physical spaces. In their conclusions they assert that economic, political and social interactions with different legal orders are made visible through the analysis of the social construction of space.

Alexander (2004) analyzes how changes in property law may be constrained by the structure of the broader legal order. Such a broader structure, both at the national and local levels is, according to Joseph Singer (2010), an expression of the power relationships in which property systems are embedded.

Focusing on land use practices Sikor and Muller (2009) addresses the detachment between property relations and the legislation supposedly governing them. He stresses that land uses are far more variable and multiple than property's legal definitions would suggest. In their study of the *ejido* common lands in a Mexican village, Nuijten and Lorenzo (2006) analyze how the support of private grazing on common land, the production of illicit drugs, and the rental of common land to neighboring villages all happened without any change in

the legal status of the land. Geisler (2006) goes further in this analysis and, drawing on McChesney (2003), Rotberg (2003), and Robinson (2003), remarks that usually, “states as a system of sovereign governments and territories are in crisis and transformation” (2006: 45). He concludes that states are not a unitary entity, since they are made up of different agencies, organizations and interests, some of which support and accept the existence of use practices that differ from the state’s hegemonic legal frames. In this regard, Geisler states that “...property is embedded in social, political and economic organization, which may or may not be working states” (2006: 51).

The political project (Colatrella 2008) that brought the unification of Italy in 1861, which I address in this chapter, exemplifies the different interests that played a role in the formation of the Italian state, with an emphasis on the pivotal role played by the privatization of rural land. I also look at the genealogy of current Sardinian landownership models, with particular attention to historical roots of the *usi civici* and their importance for the preservation of access to land at municipal level.

In this chapter I also review the different categories of land ownership and use, as they have emerged from my ethnographic research in rural Gallura and Ogliastra, and from the analysis of the current land ownership laws and regulations at the community and broader levels. I conclude the chapter with a close look at Ogliastra and Gallura’s different ways in which communities organize land use, and at the different meanings of ownership and social cohesion.

2.1. What are the different categories of land ownership and use?

I refer here to the categories of land ownership and use that emerged from my field research in rural Sardinia. Specifically, I refer to the practices through which communities gain access to land and regulate its use, and where local regulations and uses are negotiated.

In order to understand how the categories of land ownership and use, considered in a relational way, are created, I am going to contextualize them within the different types of ownership that characterize the use of land in Italy. For this analysis I borrow from the study done by sociologist of law Masia (1992), and I will use the methodological tools elaborated by a range of sociology of law's scholars (Arnaud and Fariñas 1998; Carbonnier 2001; De Sousa Santos 2002; Ferrari 2005; Goodall 1990; Grossi 2001; Gurvitch 2001; Renner 1981). For the analysis of the legal frame that emerges from the observation of current land ownership and land use practices, I use the theoretical tools and the approach developed within the field of legal pluralism (Geisler and Daneker 2000; Griffiths 2002; Merry 1988; Von Benda Beckman 2009).

The main categories under which land is owned in Italy are private and public. In both of them the kind of use allowed by law is contained in the ownership title, which is acquired in different ways, whether I refer to private or public property. I will explain shortly how the acquisition of the titles happens, but before discussing it, I would like to stress that the meaning and practice of ownership varies also whether the private owner is an individual, a group, or an institution. In the case of an individual private owner, property is exclusive, allowing the use of the land only to the legal owner (with the limits imposed by the law). If a group or institution owns the land, under private property rules, the property of the land is inclusive, which means that ownership includes all the individuals that are part of the group.

In the case of private ownership, ownership titles can be inherited or acquired through purchase formally documented.

Both in the cases of individual and group ownership the uses, which are specifically defined by law, can be summarized as follows. The private owner has the right to use the land in any way that is allowed by law, to leave it in inheritance to family and other individuals or groups, or to sell it to another private or public owner. In Italy, private law (*diritto privato*) is centered on the individual or group that possess the land, and aims at protecting the owner (or owners)'s rights to use the land, with the limitations imposed by the law.

When a group is involved, the exertion of the rights to using the land are also regulated by internal agreements, that have also to follow the written laws, at the state or regional level. Such agreements are aimed at protecting each individual's rights within the group and, at the same time, the preservation of the group's rights to own and use the land. In the case, for instance, of an agribusiness company, in which the members of the company own the land sometimes in equal shares or in different percentages, the ownership title is collective and individual at the same time. Each member of the company is depository of ownership rights, and can use the land in any lawful way, compatible with the internal agreements, which are normally written in the company's statute.

When the owner of the land is the state or other public institution, the law refers at it as "state ownership," and the use is regulated by the law. Besides expressing the citizens' rights to use and the limitations to such rights, the goal of the laws that regulate public land, such as a park, or a beach, is to preserve their entirety and its purpose.

In the case of public ownership, the use of the land is regulated by public law (*diritto pubblico*), whose concern is centered on the group of owners and on the material good to be used and preserved. The public ownership of the land can refer to state, regional, provincial, or municipal level land properties. Decisions about the use of public land are very political. At state level are made by the House of Representatives, and ratified by the Senate, following a specific procedure, fixed in the Italian constitution. A similar procedure is followed for the approval of regional laws, that are ratified by the regional governments' bodies. In the case of provincial or municipal regulations, while the approval is ratified by the council of elected officials, it can be preceded by public meetings among the population and the elected political representatives. When the populations do not agree with the decisions made by their representatives, they can formally protest against them, normally through the referendum process. In this case, the citizens involved in the protest collect a specific number of signatures (the number varies from case to case, and is defined by law), asking for the revision of the decision previously approved, and often proposing an alternative decision that reflects the majority's will.

While private and public ownership titles are aimed at protecting the people who possess these land ownership titles, there is another Italian legal frame that aims at protecting the land that is owned by the community as a whole. This legal frame is called *usi civici*. The name was created by the Italian legislator at the end of the 19th century, in order to incorporate what in Italian legalese is called *pluribus unum*. This term refers to different land use systems that substantiate what Italian scholars describe as "different ways to possess." Borrowing from Karl Renner, Masia (2009) defines the different ways to possess that are regulated through the *usi civici*'s legal frame as involving the intertwining of symbolic

culture and material culture. The symbolism of land in a world of scarce resources, Masia argues, is accompanied by the need for controlling the access to land at local level. The overlapping of different levels of control can be also accompanied by a high degree of conflicts.

An emblematic case, at this regard, is represented by the sentence of the Sardinian Regional Administrative Court (*Tribunale Amministrativo Regionale, TAR*³), ratified in 2008, which repealed the Presidential Decree of 1998. This Decree had approved the institution of the National Park of the Gennargentu and of the Orosei Gulf. The park included several municipalities from the neighboring provinces of Barbagia and Ogliastra. These municipalities are Arzana, Baunei, Gairo, Orgosolo, Seulo, Urzulei, and Villagrande.

The sentence of the TAR was the last step of a highly contested decision made at state level, with the support of the regional government, and the involvement of national environmental organizations, such as the Italian branch of the World Wildlife Found (WWF). The municipalities that would have been impacted by the park's implementation weren't involved in the discussion that brought to the signature of the presidential decree allowing the implementation of the park, in 1998.

The interpretation of the Italian law 394 was used in order to justify such exclusion. The law 394 states that the institution of a national park belongs to the state, in agreement with the region involved in the creation of the park. The law does not clarify the role of local entities, such as the municipalities. The blurriness of the law lives room for interpretation,

³ The *Tribunali Amministrativi Regionali* (TAR) are judicial administrative entities before which are presented all the appeals from private citizens against administrative decisions that are considered illegitimate. The sentences of the TAR can be appealed before the State Court (*Consiglio di Stato*). When approved by the Judges of the TAR, the sentences repeal the law or decree that has been contested.

and this room was used by the seven municipalities impacted by the project for starting, all together, a law suit, asking for the repealing of the presidential decree.

In an interview done by the main Sardinian daily newspaper, *L'Unione Sarda*, on 10 of April 2008, representatives of the seven municipalities clarified that “with the law suit we sustained that the implementation of the park implicated the unavailability of our land, which is under *usi civici* and represents the main source of livelihood for the populations of our municipalities. In this land our shepherds pasture their flocks, and our populations collect wood and go there for hunting. The implementation of the park would have swept away the *usi civici*, and jeopardize the economic, social and cultural value of our land” (2008: A2).

This statement summarizes the arguments that the populations from the seven municipalities discussed in the towns’ public meetings and brought into the streets, during the many demonstrations against the implementation of the park.

Following these demonstrations and the law suit presented by the municipalities, the Supreme Court (*Corte Costituzionale*⁴) asked the TAR to reformulate the interpretation of the law 394. In December 2005 the TAR approved a decree which stated that the park could have been implemented only with the approval of the municipalities involved in its realization. After a back and forth between the Constitutional Court and the TAR, in order to clarify the importance of the municipalities involved, on February 13, 2008 the TAR formally repealed the law that instituted the national park.

When analyzing the “different ways to possess,” Italian sociologists of law (e.g., Ferrari 2005; Grossi 2009; Masia 1992) put particular emphasis on the “extraordinary capacity of resistance that the *usi civici* showed against the attacks of a legislation that for

⁴ *Corte Costituzionale* is the judicial entity where is decided the legitimacy, or illegitimacy, of the choices made by the legislators. It is considered the highest judicial entity in Italy, and has the fundamental function of guarantee the agreement of the current laws with the Italian constitution.

about two centuries aimed at their suppression, with intents that - using an oxymoronic expression, since we are talking about laws - ... were defined by the very same legislators ... as subversive” (Ferrari and Masia 2003: 44). These attacks found expression, historically, in the many enclosure laws that, within Europe, aimed at suppressing the local practices of communal land use patterns (e.g., Kingston Mann 2006 for England; Colatrella 2009 for Italy; and Boscolo et al. 1995 for Sardinia). As Masia and Ferrari (2003) stress, these attacks aimed at “... the transformation of the traditional rights of entire populations, or at least of majorities, into illicit acts or even crimes,” and at “the sacralization in the form of laws of particular individual or minority interests” (2003: 44).

In order to overview the local forms common property that can be found in Italy, I will borrow from Masia’s (2003) ethno-juridical survey of the different forms of land use and land ownership, other than private, that are found in Sardinia and in other Italian regions. Her first example comes from the Dolomite mountains, and specifically from South Tyrol, which is the German name (and the one mostly used in Italy) for the Italian province of Alto Adige. This province, together with the province of Trento, that is historically, culturally and administratively separate from Alto Adige, form the region of Trentino Alto Adige. This region is located in Northeast Italy, and borders on the North with Austria, in the Southeast with the region of Veneto, and on the Southwest with the region of Lombardia and with Switzerland. Of the population of almost a million, only forty percent speak Italian as their main language, and the rest are bilingual, speaking Italian and German or, more often, Italian and Ladin⁵.

⁵ Ladin is a Rhaeto-Romance language that spread in the alpine regions and is today spoken by about 30,000 people. In South Tyrol is spoken in two valleys: the Val Badia and the Val Gardena. This language is also spoken in Val di Frassa (in Trentino), Livinallongo and Ampezzo (in the province of Belluno), and in the canton

In South Tyrol it is possible to observe the system of the *maso chiuso* or, *geschlossener hof*. This land use system includes the so called *perfect private property*, in which the owners of the homesteads, called *masi chiusi*, have the exclusive right to their use and possession, protected by private property laws. At the same time, the owners of the *masi chiusi* have the right to use in common the land that surrounds their homesteads.

In order to understand how this category of land ownership and use was established in rural South Tyrol, it is essential to examine the function of the *maso chiuso* system. First of all, the historic socio-economic function is to sustain not the individual but the entire family. This is why the homesteads (the *masi chiusi*) are indivisible: they are the place where the whole family lives and functions in unity, and represents the first material basis of their survival. This is also why the *masi* cannot be sold outside of the family's circle. The preservation of the *masi* within the control of the family is also important for the whole rural community of South Tyrol, because it ensures the reciprocal security of the other families, who know each other and historically use in common the land that surrounds the *masi*. Among the reasons for the resilience of *maso chiuso* system, Italian scholars (Corradini 2001; Ferrari and Masia 2003; Nervi 2009) emphasize the system's high level of cultural symbolism. This system represents the unique culture of the South Tyrol communities, and is therefore considered central to the South Tyrolean sense of identity.

The second system that I want to refer to is the "agrarian participation system" in the region of Emilia. Situated in Northern Italy, together with Romagna, form the province of Emilia Romagna, in which the 4.3 million inhabitants sustain a diverse and dynamic economy, including the automobile industry (Emilia Romagna is home of the famous

Grigioni (in Switzerland). In each area is characterized by local differentiations in the pronunciation and syntax. In South Tyrol Ladin has been approved as third official language, besides Italian and German.

Ferrari), as well as dynamic agricultural production in the region's extremely fertile alluvial plain, called *Piana Padana*, that occupies almost half of Emilia Romagna.

Emilia's rural communities managed to resist the attacks of Italian legislators against the "agrarian participation system," which has survived until today. This system consists in the cyclical distribution of rural land among the rural communities' members. The different periods, in which the distribution is done, as well as the number of representatives of each community who control the correct distribution of the land, varies among the different municipalities. The written rules that explain which criteria to follow in order to distribute the land to each rural family date from the eighteenth century, and are revised each time the community agrees that there is the need to do so. The main rule that underscores the distribution of the land is the respect for the needs of each family, and for the agricultural plan that each household might have for the new agricultural season. Legal pluralism scholars such as Ferrari (2010) and Grossi (2009) observed that the most interesting aspect of the "agrarian participation system" is the fact that the land, once distributed to each family, belongs to them, and therefore acquires, for a limited length of time, the characteristics of private property. It is regulated according to the private property law, and therefore the use of the land is precluded to any other family in the community (with the limits imposed by the law). The very same land is, on a regular basis, transformed cyclically and also for a limited period of time into common land that is then redistributed to the families, members of the community.

The third land use system, representative of Italy's diverse practices of rural land's access and use, is the system of *usi civici* in Sardinia, which I previously analyzed. The extent of the *usi civici* in Sardinia, in spite of the studies in which this practice had been long

before described (Del Piano 1959; Della Marmora 1839; Gemelli 1776; Le Lannou 1979) was not clear until 1980s, when the Sardinian government appointed a commissioner for the study of *usi civici*. Until then, the system of *usi civici* was never formalized, even though municipalities managed it through local regulations, and communities benefited from the use of the land under *usi civici* for agricultural activities and for livestock grazing. This “parallel system” (Brigaglia and Tola 2009) was practiced side by side of the “formal” private and public land use legal system. Corona, the commissioner appointed by the Sardinian government, found out that more than a fifth of Sardinian rural land was under *usi civici*, surviving hundreds of years of legislation aimed at suppressing it. Rural communities, which organized the system of local control over the use of *usi civici*, at municipal level and, created what Corona defined as a local level “jurisdictional culture.”

This jurisdictional culture is embedded in each community’s land use practices, and aims at ensuring community’s need for land. The municipal regulations of the *usi civici* do not replace the other legal systems regulating the use of the land, and specifically the laws that regulate private and public property. *Usi civici* regulations “insinuate” themselves among the laws that regulate other forms of property (Masia 1992). Therefore, at municipal level the regulation of private and public land refers to the Italian *codice civile*, and the common land is regulated by municipal decrees⁶, which are approved by each municipality committee for the management of the *usi civici*. The committee has also the authority to control that municipal regulations are respected and to solve doubts or disputes among land users.

⁶ The authority of the municipal governments in the regulations of the land under *usi civici* is also sanctioned by the Sardinian Law 12/1994 that currently regulates of the *usi civici* at regional level.

Based on my field research and on the data gathered in my participant observation, and drawing on the statistical analysis elaborated from the Agriculture statistical yearbook (2001), by the *Assessorato alla Programmazione Regione Sardegna* (2007), and by the *Laboratorio Ogliastro* (2009), I summarize the main hybrid land tenure models that are used in Gallura and Ogliastro.

Table 1 – Distribution % of the main hybrid land tenure models
in Gallura and Ogliastro

Hybrid Land Tenure Models	Gallura %	Ogliastro %
Private Property & Renting	40%	10%
Private Property & Free Use	2%	5%
Renting & Free Use	3%	4%
Private Property, Renting & Free Use	55%	15%
<i>Usi Civici</i> & Renting		66 %
Total	100%	100%

Note: The distinction between “*Usi Civici*” and “Free Use” (which is used in the official documents elaborated by the planning department of the Sardinian government) is important. Free use refers here to the land classified as public domain, which can be municipal or regional, and in which the use is (except in cases regulated by the law) free. The land under *usi civici* belongs to the communities that live in the municipalities in which borders the land is included. The rules that regulate the land under *usi civici* are determined at municipality level, and can include or not the payment of a monetary fee.

With reference to the category of “Renting,” it refers to the land that can be rented by individuals or groups from other private people, as well as from the municipal domain. Land can also be rented by a public institution, such as the forestry department, or private developers, such as the owners of a paper mill.

As Table 1 shows, private property has a strong role in Gallura, while the *usi civici* remains, even in the hybrid form, the most important land tenure model in Ogliastra. Both the privately owned *stazzi* of Gallura, and Ogliastra’ common land under *usi civici*, are part of a hybrid systems of land management. Table 1 illustrates what Whatmore (2002) define as the dynamics of hybridization. At this regard, Whatmore stresses that “hybridity is a mean through which rigid boundaries and notions of pure identities or entities can be disrupted” (2002: 76). This term describes the inherent diversity of ownership’s regulations, which is embedded in the dynamic nature of social relationships through which, at different levels of governmentality, access and use of resources in organized and re-worked with formal and informal arrangements.

2.2. How have the different categories of land ownership been established over time

The land ownership categories that I examined in the previous section all evolved through a historical process in which social relationships, production and social reproduction played fundamental roles. I organize my historical analysis in two main parts. The first part looks at the historical events that, in Italy, were crucial in shaping current economic and social organization, as well as land ownership categories, including private, public and

common ownership. The second part refers to the genealogy of the land use practices in Sardinia, with particular focus on the practices that gave form to the *usi civici*.

Historical changes in nineteenth century Italy and land tenure as a political project

The historical changes that took place in the nineteenth century were crucial in shaping the economic and social organization of today's Italy. The industrial revolution and the establishment of the world market (Hobsbawm 2000) were accompanied by the "expropriation from working people of their rights of access to the means of production and subsistence" (Colatrella 2009: 1). I look here at how this expropriation happened, with a particular focus on the expropriation of land. Colatrella stresses that the 19th century is more appropriately seen as the era of worldwide enclosures. He highlights that the unification of Italy appears at first sight to be one of the main examples of nationalist nation-state building, as it involved the overthrow of an illiberal state, the Bourbon kingdom of the two Sicilies.

In order to understand the importance of the Bourbon kingdom in the project of land dispossession that accompanied the national unification of Italy, it is necessary to take an historical overview of pre-unified Italy. The Bourbon kingdom was one of the component states into which Italy was divided before their later unification within the borders of what is currently known as the Republic of Italy. In the early 1700s, Italy was divided into different kingdoms, following the War of Spanish succession, between 1701 and 1714, in which the Holy Roman Empire, Great Britain, Portugal, the Dutch Republic, and the Dutch Savoy, fought against the kingdom of France and Spain, and the Electorate of Bavaria, over the possible unification of the kingdom of Spain and France under one Bourbon (Spanish) monarch. At stake was a dramatic change in the European balance of power during that

period. The war, in which more than 400,000 people were killed, was centered mostly in central and southern Europe, and its conclusion was ratified by the signing of two political agreements: the Treaty of Utrecht in 1713, and the Treaty of Rastatt in 1714 (Mack Smith 1997 and 1999).

The Italian peninsula, dominated by foreign kings, with the exception of the state controlled by the catholic church and headed by the Pope, called *Stato Pontificio*, had been divided into different states, with different laws, currencies, and land use rules. The *Stato Pontificio* included the regions of Lazio, Romagna, Marche and Umbria. The kingdom of Naples and Sicily (in 1916 the kingdom of Naples merged with the kingdom of Sicily, and became known as the kingdom of the two Sicilies, or Bourbon kingdom) was governed by the King of Bourbon, and included all the Southern Italian regions, from Abbruzzi down to Sicily. The kingdom of Sardinia was under the control of the King of Savoy, and included Sardinia, as well as the mainland regions of Piemonte, Valle d'Aosta and Liguria. This kingdom also included some French territories, such as Nice and Savoy. The kingdom of Lombardo-Veneto included the two regions of Lombardia and Veneto, and was under the control of the Austro-Hungarian empire and governed by the Austrian Vice-King. The Granducato of Toscana, which included the whole region, was governed by the Lorena Austrian family. The Ducato of Modena and Reggio, which included the towns of Modena and Reggio Emilia, was under the government of the Austrian family of Este (Burckhardt 1990).

This fragmented panorama changed, at the beginning of the 1800s, with the arrival of the Napoleonic troops who defeated the Austrian and Piedmont armies. Napoleon, after installing his government in the Northern city of Milano, and organizing Italian troops under

the three color flag (green, white, and red, still today the colors of the Italian flag), spread his control throughout Italy, except for the *Stato Pontificio*, which returned to the control of the Pope after a brief period.

The Napoleonic conquest of Italy represents also a very important landmark on the road towards Italian unification. In 1815 Murat appealed to Italians in order to save the unity of the Italian kingdom under his sovereignty. It was a self-interested call, but was made at the right moment, when Italian aristocrats and bourgeoisie, together with a group of active intellectuals, signed the treaty of Rimini, in which they committed Italy to struggle for the national unity under one king. This struggle, known as *Risorgimento*, involved historic figures such as Giuseppe Garibaldi, Antonio Mazzini, and the Count of Cavour, whose names are linked to the different phases and the many battles that resulted in the ratification of Italian unity (Acton 1997; Burckhardt 1990).

However, beneath the ideology of unity of the Italian nation, there was an expansionist project of the kingdom of Sardinia, under the Savoy's royal family and the administration of Cavour. The unification project was strictly tied to the privatization of the land that, until then, had been under different levels of control in the different Italian kingdoms. I will explain shortly the details of this expansionist project.

Most remarkable is the absence of peasants from the *Risorgimento*'s struggles for the unity of Italy. Antonio Gramsci (1971), in his *Prison Notebooks*, wrote that during the *Risorgimento* there was a very limited participation and involvement of the peasants and proletarians in general (Di Fiore 2007). He called the *Risorgimento* the "missed revolution." The absence of proletarians from the struggles for the Italian unity, was also the object of many debates among the political and intellectual groups that participated in the

Risorgimento. According to Carlo Pisacane, peasants' detachment from the *Risorgimento* was a grave limitation of this movement. However, historians such as Ferrari (1998) and Cerroni (1996) observed that it would have been difficult to involve in those struggles the impoverished and hungry masses of peasants and proletarians (Burckhardt 1990, Zitara 1971).

According to Mazzini, one of the prominent political figures in the “making of Italian unity,” it was necessary to address the issue of unity before addressing the social issues that created so much discontent in the different states of the Italian peninsula. This position was not supported by all the groups involved in the *Risorgimento*. Carlo Cattaneo accused what he called “friends of liberty” or, in other words, the strategists of the *Risorgimento*, of being responsible for not addressing the absence of the popular masses from the struggles for Italian unification (Bobbio 2006).

Southern peasants, however, did organize a strong resistance, but it was against the unification of Italy, which they felt as an imposition from the rich bourgeoisie and the aristocrats, in order to dispossess peasants from their common land and impose new taxes on their private and rented plots. The “friends of liberty” called peasants *briganti*, which indicates people who act against the law. These *briganti* were killed in mass executions, and arrested by the troops enrolled to struggle for the unification of Italy and the freedom from the Bourbon King. After the proclamation of the Reign of Italy, the repression of peasants' opposition became even more systematic (Antoniello e Vasappollo 2006). Entire populations were sacked in retaliation for their protests, their houses and barns were destroyed, and even suspicion of resistance was punished with the execution of the suspected peasants. The acts of repression were accompanied by a campaign of denigration of the Southern peasants and

of their stubbornness and incapacity to accept any new social and political order. The terror that the systematic repression created among the peasants managed to reduce acts of resistance to a minimal level (Acton 1997; Antonietto e Vasapollo 2006; Servidio 2000). This acts of repression still represent one of the darker moments in the process of Italian unification.

Gramsci (2008) elaborated the analysis of the role of intellectuals in the *Risorgimento*. In that period Italian intellectuals were divided into actionists and reformists, depending on their political orientation. The actionists supported the involvement of the popular masses in the process of unification of Italy and did not necessarily sustain the monarchy, which was supported by the reformists, considered politically moderate and afraid of a radical political change. Particularly, reformists did not support the involvement of peasants, anxious for a land reform that protected rural communities' access to land, using the model established among the Bourbon kingdom peasants, which I will shortly address more in detail. Reformists, supported by the Savoy monarchy and by Cavour, prevailed over the actionists, which were not capable to propose an alternative able to gain enough popular support (Bobbio 2006; De Silvo 2009; Di Fiore 2007; Antonietto e Vasapollo 2006).

For Gramsci, the failure of actionists represented a lost opportunity for involving popular masses in the process of unification of Italy and unifying the North and the South in a common struggle.

As Bates (1975) highlights, borrowing from Gramsci (1966),

“The ‘organic intellectuals’ of Italy's new ruling class were the Moderates, who exercised this ‘spontaneous’ power of attraction over all other intellectual

groups... Paradoxically, the success of the Moderates was also the failure of the Risorgimento. They wanted to ‘dominate,’ not to ‘lead,’ and furthermore they wanted their interests to dominate, not their persons. That is, they wanted a new force to become arbiter of the nation: this force was Piedmont and the Monarchy... The Moderates, representing a monarchical state which entered the peninsula like a foreign power, were uneasy and unfamiliar with their new subjects. They feared nothing so much as the possibility of an intervention of this unknown quantity in the Risorgimento, and did everything to prevent outbursts of excessive popular enthusiasm. The dreaded possibility of a mass movement was represented by the Party of Action and its popular militia under the charismatic leadership of Garibaldi, and by the genuine desire of the peasantry for a great land reform. Here then was the chance to bring the peasant masses into the work of building a unified nation-state” (1975: 353-354).

In order to understand the issue of land reform that peasants were hoping for, borrowing from several historical analyses (e.g., Acton 1997; Catalano 1989; Davis 2006; De Silvo 2009; Di Fiore 2007; Antonietto e Vasappollo 2006; Mac Smith 1997; Servidio 2000) I first analyze how land distribution looked like in pre-unified Italy. According to Colatrella (2009) Italian unification was a colonization process for economic purposes, and Zitara (1971) argued the unification of Italy can be considered the main cause of the problems that are known as the “Southern Question.” In the pre-unification period the private estates in the Italian South were vast, and had grown substantially as a result of the French abolition of

feudalism (except in Sardinia, where feudalism was abolished in 1836 by the King Vittorio Emanuele of Savoy) during their occupation in the 18th century. Large landowners gained most of the public, common and ecclesiastical lands.

Davis (2004 and 2006) stressed that the process of de-feudalization, initiated in the South of Italy by the French, exacerbated the power relations between feudal lord and peasants. He argues that, “The main consequence seems to have been a process of concentration, and even re-concentration, of large property in the hands of a relatively small group, surrounded by a myriad of tiny properties owned by peasants, always at the limits of economic feasibility and chronically vulnerable to any change in the economic climate” (2004: 74). However, Bobbio (1987) explains, that in the Bourbon kingdom local land use regulations fostered a sort of redistribution of resources among peasants and allowed the use of the land in a communal way, substantiating informal land use practices that developed in parallel to the formal land ownership categories established in the 18th century.

Let’s look at how the political and economic project behind Italian unification was realized, and which role the kingdom of Bourbon played, albeit unwillingly, in this project. The recession that afflicted the kingdom of Sardinia, linked to the crisis of production of wheat that spread throughout the Italian peninsula, and to the expansionist wars that had dried up the kingdom’s economic resources are considered the economic reasons that pushed the unification project. The Count of Cavour, who administered in Torino the economy of the kingdom of Sardinia and wanted to find a solution to the kingdom’s recession, asked the support of the British Prime Minister Palmerston for occupying the Bourbon kingdom (Nitti 1903), which had built a strong and stable economy.

In that period the Bourbon kingdom had a financial patrimony in gold, valued in 443 million liras, while the patrimony of the kingdom of Sardinia, under Cavour's administration, was valued in 27 million liras (Acton 1997). In 1856, the Bourbon kingdom had been recognized with an award at the International Fair of Paris as the third most industrialized state of Europe, with a stable economy, efficient state industries, and the building of new infrastructures, such as the first railroad on the Italian peninsula, and the first electric telegraph. In that period the political and economic relations between the Bourbon King Ferdinando II and Great Britain deteriorated, due to the opposition of the Bourbon King to the slave-like working conditions of the miners in the sulphur mines owned by the King but managed by a British company. The transfer of the management to a French company marked the lowest point of the deteriorated relationships (Nitti 1903). These events favored the support of Great Britain for Cavour's expansionist plan. In the same period, instigated by Cavour it was launched a campaign of denigration of the Bourbon King's government, in order to gain the support of the Southern aristocrats and bourgeoisie.

Thus began the process that ended in the overthrow of King Ferdinando II and the collapse of the Bourbon kingdom. As scholars stressed (Clark 2008; Colatrella 2009; Davis 2004), the overthrow of the King of Bourbon involved the betrayal of its people by the military and the aristocracy, who were coopted with British money and in exchange obtained positions in the new Italian military.

By the end of process of unification, the rich financial patrimony of the Bourbon kingdom became the base for the economic investments in the Northern Italian regions that, until then, were suffering the same economic difficulties as the kingdom of Sardinia (Nitti 1903). The unification brought to the peasants of the Southern kingdom, however, the

privatization of the land previously managed according to rules organized at the local level, and the dismantling of their state industries (Clark 2008). The Bourbon kingdom was represented also as an obstacle to free trade, especially in extractive industries. The privatization of the kingdom's land, therefore, opened up new opportunities for a more extensive exploitation of the rich subsoil (Colatrella 2009). Thus were set into place the foundations for the uneven development that characterizes the Italian North and South until today.

The Italian state's formation was institutionally ratified with the Law 17 March 1861. A new constitution, drawn by the strategists of the *Risorgimento*, attributed to Vittorio Emanuele II and his successors the title of King of Italy and instituted a *monarchia costituzionale* that, following the examples of the British monarchy, was transformed into *monarchia parlamentare* in which citizens' powers were exercised through their representatives. Actually, only 2% of the population had the right to vote at this time, and only in 1918 this right was extended to the whole male population, and finally in 1948 to women (Clark 2008).

The new constitution was effective even after the overthrow of the Savoy King by Mussolini, and the beginning of Fascism in Italy. The relative flexibility of the constitution allowed the approval of an authoritarian regime, in which the Parliament was abolished and replaced by a fascist institution, called *Camera dei Fasci e delle Corporazioni*, and in which the right to popular vote was suppressed. The Italian resistance to fascism, organized by the *partigiani*, which was the name given to the members of this popular movement, struggled against it from the beginning of the dictatorship. This political struggle managed to involve,

for the very first time in the country, the extensive participation of two important categories of the Italian population: women and rural communities (Bobbio 1987).

The massive adhesion of women became a symbol of their liberation from their confinement to households and against a role in which motherhood was considered the highest expression of women's contribution to society (Cortesi & Gentileschi 2005). Rural communities, which a hundred years earlier had not embraced the unification of Italy and even resisted it, were now deeply involved in the *partigiani* movement. Neither the monarchic state nor the fascist one brought any notable improvements in rural communities' life, and their participation in the *partigiani*'s struggle was the expression of a protest against the poverty in which those communities lived, and against the dispossession of their land. This popular support was fundamental to building the *partigiani*'s struggle, which continued into World War Two until the overthrow of fascism.

Six years after the end of the war, and twenty years after the end of fascism, 89% of the Italian population was registered to vote, and chose in a referendum to define Italy as a republic instead of a monarchy. It was also elected the first *Assemblea Costituente*, which refers to the group of representatives (mostly participants to the *partigiani* movement) that prepared the new Italian constitution, ratified in 1948, and still in force today in Italy (Battaglia 1964).

Peasants that fought with the *partigiani* against fascism continued practicing local level management of the rural land, a situation which was never formally acknowledged by the new republican state, but nevertheless developed protected by the "tacit consent" of the regional governments (Nitti 1903). In this regard Geisler (2006) talks about "non state

spaces,” in which multiple land use practices are regulated by property rules that differ from the legal rights formally acknowledged and protected by the constitution and by the civil law

Article 42 of the Italian constitution drawn in 1948 by the *Assemblea Costituente*, with reference to ownership acknowledges that “ownership can be public or private. The economic goods can belong to the State, entities, or private ...” The *codice civile*, which refers to the laws based on the constitution, indicates the legal rights that ownership entitles to, and the limitations of these rights. In Article 832 of the *codice civile*, ownership is defined as “the right to use the things, within the limits imposed by the respect of the obligations established by the law.” This position departs from the previous constitution which, in its Article 29, affirmed that “all properties, without any exception, are inviolable.”

Rolla (2001) stresses that the Italian constitution, while recognizing the right to private or public ownership, does not specify its content. Ownership is not considered as an “absolute right,” and the relation between the individual (or group, or institution) and the good owned is mediated by the legislature. What is protected by the constitution “is not the ownership in itself, but the rights of the people to be owners and to exert, consequently, autonomous juridical rights, within the limits imposed by the legislature” (2001: 5). The Italian constitution, therefore, underscores the existence of multiple forms of property, as several provisions in this regard confirm (e.g., sentences 379/94, 259/96, 170/97, 262/97) (Rescigno 2005).

Therefore, the formal regulation of ownership, including land ownership, leaves room for the legislature’s interpretation and for the possibility of different practices (Ferrari 2010; Ferrari and Masia 2003). These practices do exist, as the analysis of the *usi civici* in Sardinia, the *masi chiusi* in South Tyrol, and the agrarian exchanges in Emilia, clearly shows. Next I

examine the historical events that impacted land ownership in Sardinia, the roots of the Sardinian *usi civici*, and how this practice became established over time.

From common use to hybrid property: a historical review of land ownership in Sardinia

Sardinian common use of the land had been observed by all the different conquerors that through the centuries had invaded and colonized the Island, from the Phoenicians in the 8th century BC, the Carthaginians around 550 BC, the Romans in 238 BC, the Vandals in 456 and 533, and the Byzantines in 534 (Del Piano 1959; Gemelli 1776; Medici 1932).

The Romans relied on Sardinia for the production of wheat, and for the extraction of silver and other minerals, and enclosed large portions of common land in order to exploit the island's natural resources. In the rural areas, peasants were reduced to servitude under the control of landowners (normally Roman officials or Sardinian supporters of Roman occupation, to whom the land was donated in exchange for their services) that possessed extended land estates. When in 534 AD Sardinia became one of the seven provinces of the Byzantine Empire and was included in the African Prefecture, large extensions of common land had already been privatized and shared among the colonizers (. Antoniello and Vasapollo 2006; Brigaglia and Tola 2009; Del Piano 1959). Common use practices still continued in the heavily reduced public land around the rural towns and villages, however.

After centuries of struggles against the frequent incursions of the Arabs, starting in 705 and continuing until 1016, and following the interventions of the Republics of Genoa and Pisa, enlisted by the Pope in the defense of the Sardinian coasts in exchange for political

control in the island, the Byzantine Empire finally lost control of Sardinia (Acton 1997; Del Piano 1959).

In this period and under unclear historical events, Sardinia was divided into four administrative provinces, called *Giudicati* that, between the 9th and the 15th centuries were each governed by a Judge. The way in which these areas were administered was a legacy of the previous Byzantine government (Della Marmora 1997; Del Piano 1959).

At the beginning of the 9th century the land was divided mainly into large private estates owned by landlords, and in municipal domains, distributed in small plots to the peasants, most of whom worked in a state of servitude for the landlords, and under constraining conditions. Typically, the whole family worked four days per week for the landlord, and had two days for working their own plots given to them by the municipalities (Brigaglia 2004; Davis 2004).

Under the Judges' government, the situation evolved towards the gradual and complete disappearance of the peasants' servitude. While preserving most of the large estates in the hands of landowners, who lived in the towns and formed the local aristocracy, the land that surrounded each town was used according to the common property rules, and managed by a committee made of peasants and farmers representatives. The rural land was divided in municipal meadows (*prati comunali*), *vidazzoni*, and *saltus*.

The municipal meadow was the towns' grazing ground, where the peasants brought their livestock. The *vidazzoni* were the plots of land given by the municipal committee to the peasants families and normally renewed on a yearly basis. The *vidazzone*, which in some parts of Sardinian was called *populare* or *paberile*, was the agricultural land shared among the towns' families, following internal regulations over the rotation of the crops. The *saltus*

included the forested land and the valleys, and were used in common by shepherds, and by the towns' peasants for the collection of wood. The rights exerted by the peasants over the *saltus* were (and still are) called *ademprivi*. I will shortly describe this category of rights in much detail, since they are considered the roots of what today became known as *usi civici* (Boscolo et al 1995; Clark 2008; Del Piano 1959; Masia 1992; Sale 1975).

Some families of peasants also owned small orchards that were enclosed and considered private property. The Judges also had the power to donate part of the *saltus* to the aristocracy's members, in exchange for specific services or in order to acquire strategic alliances. During the period of the *Giudicati* Sardinian land tenure acquired the characteristics that, for the most part, have survived until today, particularly with reference to the use of the common land. In 1392 the Judge Eleonora D'Arborea completed and promulgated the most important legal document for the regulation of the rural land in Sardinia.

Written in Sardinian, and referring to the regulation of the different forms of collective, public and private use of the rural land, this document is called *Carta de Logu* (Della Marmora 1997; Gemelli 1776; Medici 1932; Spano 1958). The *Carta de Logu*, which included also the detailed regulations of the different aspects of the life in the *Giudicato*, was applied even during the Spaniards' domination and after the ratification of the new code by the King Carlo Felice, in 1827, when the Island became part of the kingdom of Piemonte and Sardegna (Del Piano 1959). The *Giudicato* of Arborea, where Eleonora had been a Judge, was the last one that resisted the Spaniards' colonization of Sardinia, which had started 1323, much before Eleonora promulgated the *Carta de Logu*.

After almost one hundred years of struggle between the republics of Genoa and Pisa, whose strategic alliances with the Judges made them the real rulers of the Sardinian economy, on the one hand, and the Catalans on the other, the latter finally defeated the *Giudicato* of Arborea in 1420. This onset of the Catalan, and later of the Aragonese, colonization ended the only contentious period of independence from external conquerors that Sardinia had known since the Roman occupation in 238 BC (Sale 1975; Spano 1958).

Iberian colonizers dramatically changed land tenure in Sardinia, introducing the feudal system. Vast latifundia were donated to noble landlords from Catalonia, Aragon, and Valencia, to whom the population had to pay heavy taxes, both monetary and in agricultural produce. However, the municipal domains still survived, and the land was collectively used by community members, according the internal rules fixed during the period of the *Giudicati*. The common use of the land represented a crucial source of livelihood for rural communities, impoverished by years of exploitation and deprived of most of the produce of their own work (Del Piano 1959; Lilliu 1995; Lissia 1903).

Following the War of Spanish succession between 1701 and 1714, the Iberians lost their Sardinian colony. The Austrian Empire took possession of the Island for three years and, after the brief reconquest by the Iberians once again between 1718 and 1720, Sardinia was then annexed to the principedom of Piemonte, under the Savoy family. In this way, finally, Savoy could claim monarchic status, which would be politically very important in the future (Clark 2008; Davis 2004; Del Piano 1959).

The King of Savoy introduced two laws that once more changed Sardinia's land tenure structure: the enclosure law implemented in 1836, and the abolition of feudalism in 1838. Although I referred more extensively to these laws also in Chapter One, I want to

summarize here their main elements, since they were so important in the way in which Sardinia's rural land looks like today. The first law, which mandated the privatization of common land and its enclosure with stone walls, had different impacts in the different Sardinian provinces. While the declared goal had been promoting rural development through the privatization of the common land, the result was the concentration of most land in the hands of few landowners that had the knowledge and the means for enclosing the land. The rest of the land was fragmented in properties generally too small for allowing a rentable agricultural exploitation (Le Lannou 1979; Lissia 1903; Meloni 2006; Della Marmora 1997; Del Piano 1959).

In Gallura the enclosure law did not impact remarkably the shepherd-farmers that, as I explained in the introductory chapter, in the 17th century had started building the *stazzi* on feudal land, where they were joined by their families, and where they enclosed plots of land around the houses, creating the self-sufficient system of the *stazzo*. However, it did impact the other peasants who did not live in the *stazzi* and relied in the use of the common land for their survival. The fragmentation of private property among the peasants, that managed to enclose plots of less than one hectare for their families' needs, was accompanied by the concentration of large estates in the hands of few landowners (Lissia 1903). In Ogliastra the customary practices of common use of municipal land were maintained and, in this province marked by the strong presence of shepherds, the enclosure walls were often destroyed or, more often, never built (Masia 1992; Sale 1975; Spano 1958).

The abolition of feudalism, accompanied by the reacquisition of the land by the municipalities, under the payment of a price many times superior to the original value, while it pacified the feudal landlords, drained the municipalities' financial resources and created

remarkable financial constraints. The result was that by 1848 the extension of the private land, in Sardinia, reached 1,234,616 hectares, while 510,898 hectares belonged to the state (and were classified as public land), 512,770 hectares were part of the municipal domain, and 151,322 hectares were under contestation, and therefore could not be included in a specific ownership category (Brandanu 2007; Boscolo et al 1995; Fara 1978; Lissia 1903).

As the archival documents that I analyzed in Gallura and Ogliastro churches confirmed, most of the 1,174,990 hectares of land that were not classified as private, and especially the 664,092 hectares of land under municipal domain or in contestation, were used following regulations approved by the local communities' representatives, and according to the common property rules. Much land, therefore, continued to be managed under common property regulations fixed at the local level.

Access to resources: the ademprivi and the usi civici

The term *usi civici* appeared first in the 19th century in the body of laws drawn after the Italian unification. With this term the legislature aimed at collecting under the same umbrella different land use systems in which the land belonged to the community and was managed under rules organized at municipal level. In Sardinia, these local level land management practices were mostly rooted in the *ademprivi* rights (Masia & Ferrari 1990). This term, which is still used in legalese, refers to a good that is used in common by the community that lives in a specific administrative area. Specifically, *ademprivio* used to refer, normally, to a plot of rural land of variable extension, which could be common or private (in that case it normally belonged to the municipality or, more often, to a large landowner), where the local communities could exert the right of wood collection, pastureland and other

agricultural uses compatible with the characteristics of the rural area. Sardinian *ademprivio* practices started appearing before the Roman conquest, and were later maintained by the Catalans and Aragonese, during the Iberian colonization of Sardinia (Angius and Casalis 1851). *Ademprivio* presents several analogies with land use systems that were common all around Europe, including England, before the Enclosure Law (Clark 2008; Sale 1975).

The *ademprivio* continued during the feudal period, in which the lands belonged to the feudal lord, and were managed according to feudal arrangements. During this period, the peasants had the right to use the land, in exchange for the payment of a monetary fee or, more often, a percentage of their produce or a certain number of their livestock. This system was in force from the 12th century, and the use of the land was given by the feudal lord initially on an annual basis and, later on, for periods that varied from place to place and could be as long as the length of the peasant's life. Under the King Vittorio Emanuele of Savoia, after the implementation of the Enclosure Law in 1836, and the abolition of the feudalism in Sardinia in 1839, the rights of *ademprivio* were still applied at the local level (Acton 1997; Antoniello and Vasapollo 2006; Brandanu 2007). In the 19th century, these rights began to be referred to as *usi civici* by the Italian legislature, which tried with several laws and regulations to abolish them (Masia 1992).

The law 23 of April 1865 “released” 200,000 hectares of *usi civici* that the municipalities were encouraged to sell to the companies that were supposed to build the island's railroad system, using wood from the Sardinian forests. The railroad project, as well as the law of 1865, had been heavily supported by Cavour, who also hired “experts” in order to promote agricultural development through the privatization of rural land, the lack of which

was considered to be the main cause of Sardinian rural communities' poverty (Boscolo et al 1995; Brigaglia and Tola 2009; Sale 1975).

The railroad project, however, was not successful, and Italian government officials in 1897 put the management of the land in the hands of the newly formed public institute for the managements of the *ademprivi* (*Cassa ademprivile*), which was supposed to take care of the Sardinian forested land and promote agriculture in rural areas. The *Cassa ademprivile* moved forward with a plan of selling the land to private owners, and the proceeds were used for granting loans aimed at promoting agricultural production (Clark 2008; Davis 2004).

This reduction in the extent of the land where the *ademprivi* could be applied, impacted strongly the peasants who could not count anymore of the free use of that land. At the same time, privatization allowed wealthy speculators to buy considerable amounts of land for a very convenient price, with particular reference to forested land. Those forests were then destroyed in order to produce wood for the mainland railroad system, and charcoal (Brandanu 2007).

More recently in 1927, Law 1766 tried to "reorganize" the system of *usi civici* with the goal of liquidating them. In Article One it was specified that the law aimed at "the certification and liquidation of the all *usi civici*, and of any other rights that sustain the promiscuous use of the land that belongs to each municipality..." Law 1766 was never fully applied, and according sociologists of law (Ferrari and Masia 2003; Treves 1990), the reason is that any certification or inventory of land under *usi civici* was close to impossible, since these uses fell in a blurry zone, in which there were seldom written rules, and where the rights of land use could change from one municipality to another, according to the communities' needs and agreements. However, according to other scholars (Meloni 2006;

Sale 1975; Spano 1958) the non collaboration of local municipalities' administrators and of rural communities was the main cause for the demise of Law 1766.

Another law that impacted the land under *usi civici* was the Law 10 November 1907, known as *Legge Cocco Ortu*. This law aimed at regulating the institution of the *cussorgie*, which was a customary law applied at the municipal level in order to allow a family the right to privately use a plot of land under *usi civici*, and to exclude access to it from the other members of the community for a specific period of time. The *Legge Cocco Ortu* granted the full private ownership to the families that had possessed the *cussorgie* for more than five years on the date of January 1st, 1906 and had paid the required fees to the municipalities. Several of those lands had not been fully used, and their privatization was intended encourage their more productive use (Bradanu 2007; Masia 1992).

The approval of the law was accompanied by a contentious reaction of the rural communities, who argued that the application of the law would have provoked the fragmentation of the rural land and compromised the development plans that were already in place and which counted on the availability of that common land. A commissioner (Rafaele Corona), hired in the early eighties in order to disentangle the apparent complex matter of the *usi civici*, proposed to constitute cooperatives or companies, made of private and public parties, with the goal of finding suitable managements solutions for those lands. However, the Sardinian government did not legislate on this matter and, after many decades of silence over this contentious issue, the users of the *cussorgie* were *de facto* legitimized to become full owners of them (Meloni 2006; Sale 1975).

Commissioner Corona, who tried unsuccessfully to find a solution that respected to common interests in the contentious case of the *cussorgie*, had received much support from

rural communities, who collaborated extensively in the survey he coordinated, some years later, over the current state of *usi civici*. This survey preceded the approval of the current regional Law 12 of 1984 that aims at the preservation and regulation of *usi civici* in Sardinia.

In the next pages I will extensively examine the Laws 1766 and 12, their role in structuring land management, their origins, and the context where they were created and, under contentious circumstances, observed or ignored.

According to Masia (1992), another element that plays an important role in the resilience of *usi civici* is the diminished number of controversies over the ownership of the land under *usi civici*. These controversies are generally linked to the claims of private appropriation of land *under usi civici* for *usucapione*, which is a term that refers to the transformation of the right to use into the right to own a plot of land. The right of *usucapione* can be exerted if the land user can prove that the land has been used by the same individual or family for a specific number of years, and is not claimed by anybody else. The *usucapione* concept does not apply to *usi civici*, since it belongs to the body of laws governing private property, but it has been nonetheless used on occasion to bolster claims of private ownership by peasants who have tried to assert, in this way, private rights over the community land that had been assigned to them.

Scholars also argue that these sorts of controversies diminished with the diversification of rural communities' activities, and with their partial abandonment of the rural areas (Masia 1992; Meloni 2006; Nuvoli 1998). The communities that have persisted in the rural areas have less and less interest in complicated legal claims, and more interest in the opportunities offered by the use of the land under the *usi civici*. The communities that are managing *usi civici* today are more and more made up of younger people who are

implementing organic farms and creating new activities and new meanings for rural development. These new generations are moving between the towns and the countryside and feel much closer to the European Union than their parents have ever been.

2.3. How are the different categories of land ownership embedded in broader moral economies

In my trips to the rural areas of Gallura and Ogliastra I was always accompanied by local people. Sometimes they were municipal officials directly involved in the management of the rural land. Other times they were community members, who felt curious about my research and offered to accompany me. I generally met those people in through *stazzi* owners or shepherds, or during my movements to or between the provinces, using public transportation. Through these encounters I often had the opportunity of learning in a seemingly casual way of property relationships and, more in general, of the local community's moral economies. Exemplificative, at this regard, is one of my visits to Gallura.

On dispossession and repossession: notes from Gallura

I still remember a very hot summer afternoon in which I was waiting for a bus at a crossroad in the middle of a vast area of hills cultivated with wheat, where the previous bus that I had taken in Cagliari (the capital of Sardinia) had left me. I did not know exactly when the next bus would arrive, and the driver of the bus that left me there could not tell me either. I was trying to reach another nearby town where I had appointments with several *stazzi* owners, and while I was waiting under the implacable sun and with no place to find shade, I saw a young man walking by and I started making conversation with him. He told me the

next bus would not pass by for more than two hours! He used to take that bus every day, to visit his girl friend in a nearby town. He was only seventeen, and therefore under Italian rules not old enough to drive a car.

I asked him who was the owner of the cultivated land that surrounded us: did it belong to the same owner? He said that he knew the owner, who lived in the town where his girl friend was from. “But they do have a café nearby here, just around the corner ahead, and his wife and children work there,” the young man told me.

I immediately decided to go to that café, and talk to the owner. After I spent almost thirty minutes in the café, and started some casual conversation with the owner, I finally started to ask specific questions about the cultivated fields that surrounded the crossroad where the bus stop was. The lady, who I will call Gianna, told me that all that land belonged to her family. Specifically it belonged to her husband, who inherited it from his father. The land actually came with the *stazzo*, which went to her husband’s brother, who wanted to start an agritourism activity. The lady’s husband was not interested in the *stazzo*: he had too many memories of the hard work that he and his family had to do while he was growing up in that rural homestead. The main concern of the two brothers was just that the land stayed within the family, Gianna explained to me.

This is a concern not only of the *stazzi* owners, but also of Gallura’s municipal and provincial administrators. Gallura’s local government administrators supported and funded several studies in which were organized systematic surveys of Gallura’s *stazzi*, of their state of conservation, their current use, and ownership situation. These studies follow the Italian law 378 of 24 of December 2003, aimed at preserving the *stazzi*, with specific reference to “...traditional rural architecture ...” and “... implement a plan for the recuperation ... of their

historical, architectural, and environmental characteristics...” (Law 378, 24/12/2003, first paragraph). This Law was followed by the Decree of 6th October 2005, which specifies the typology of “rural architecture” to be protected, and defines the criteria to be followed in the rural homesteads’ recuperation. In the next chapter I will describe in detail the rights and incentives associated with the implementation of this law.

Communities became very involved in the surveys and in the studies promoted in order to build the base of information indispensable for organizing the *stazzi*’s recuperation. Communities’ members saw this broader governmental and institutional interest as offering a way for rural population to protect their properties and the rights attached to the ownership titles, with particular reference to the right to enhance the property value (Brandanu 2007; Lilliu 1995; Lissia 1903). When I inquired with several *stazzi* owners on how they thought the *stazzi* survey would enhance and protect their properties, the general answer was that this survey was going first of all to “certify” the presence of their *stazzo* in the territory, which would defend it against possible claims of the land where the *stazzo* was built. Moreover, the *stazzi* recuperation was going to improve the value of the property, and was accompanied by funding available for such purpose.

During the days that followed my conversation with Gianna in the little café amidst the hills of Gallura, I met several *stazzi* owners, and their stories were similar to the one Gianna told me. Whether the *stazzi* were used or not for traditional purposes, the main concern of their owners was to maintain their ownership within the family. My understanding is that the presence of the *stazzo* represents not only an important symbol of unity for the family but, even more importantly, a symbol of unity and kinship among the members of the rural communities. Today’s local communities live in between the countryside and the

nearby towns, and organize their activities in the land that is annexed to their *stazzi*. Since the owners frequently need to stay in town where they have employment and other residences, relatives and friends in the rural areas can access each others' properties and take care of the fundamental activities that need to be carried on in the fields. Salvatore, for example, who is a *stazzo* owner, told me that "The *stazzo* is what we are, here in Gallura. Is the place where the families' roots come from, and their presence in our rural land is reassuring: our people are here, taking care of the land, and helping each other, when needed."

It was interesting that Salvatore himself did not use his *stazzo* that he and his children had abandoned for almost thirty years, since they lived in Cagliari, a three hours drive away. Salvatore's children, however, were thinking of developing agritourism with the family's *stazzo* and, independently from this vague project, did not want the *stazzo* to be sold to, in Salvatore's words, "a stranger."

The *stazzo* represents, in my interpretation, the symbol of an imagined community (Anderson 2006), in which the affinity among the *stazzi* owners is based on the ownership of their *stazzo* and, even more than that, on the ties among the families that have owned the same *stazzi* for several generations. The material and symbolic presence of the *stazzi*, gives a sense of continuity and reinforces a sense of belonging to a group that is actually very diverse, and in which the majority do not live on the *stazzi* anymore, and sometimes simply maintain it as an inherited property. The *stazzo* symbolizes therefore family and community unity, and belonging.

Stazzi have been built, starting in the XVII century as I recounted in my introductory chapter, in order to create a stable presence of the shepherds-farmers' families in the countryside, and represented also a "silent occupation" of the land owned by the landlords

that lived in town. The self-sufficient system of the *stazzo* embodies the “repossession” by the communities of peasants that had been historically dispossessed from their land (Glassman 2006; Hart 2007; Harvey 2003 and 2005; Katz 2001; Sangtin Writers & Nagar 2006; Sparke 2006 and 2005).

Hart (2007), in her ethnographic analysis of dispossession, talks about “relational comparisons,” and her approach offers a conceptual tool that can be helpful in analyzing the “history of repossession” that the *stazzi* embody. She argues that “accumulation through dispossession may be a useful first step in highlighting the depredations wrought by neoliberal form of capital, but it needs to be infused with concrete understandings of specific histories, memories, meanings of dispossession. To be grasped as an ongoing process, dispossession also needs to be rendered historically and geographically specific, as well as interconnected ...” (2006: 988). Sparke (2006), borrowing on Philo and Berry (2004) invites to move from dispossession to repossession, looking at their internal differentiations, and avoiding the assertion of homogeneity of people’s rational choices. Both Sparke (2006) and Glassman (2006) highlight the importance of examining dispossession through extra-economic forms of oppression.

Harvey (2006), reflecting on the different forms of dominations, within which dispossession happens, stresses that “we need to come back to the geography of it” (Lilley 2006: 1), and to look at how the spaces for expressing discontent are preserved or suppressed. Quoting Marx, Harvey reminds that “the realm of freedom begins where the realm of necessity is left behind” (2006: 2), and pointed that for Marx it was important to address necessity in order to work on freedom.

Gallura's *stazzi* and Ogliastro's *usi civici* represent the "spaces" where communities not only expressed their discontent, but where they "repossessed" their land, as the basis for their material needs to be addressed.

Blurry borders and the certainty of land: the usi civici in Ogliastro

Going to Ogliastro was always a bit of an adventure. After a long bus ride I often had a good story to tell to the people I met in Ogliastro's towns and in the rural areas. On one of my trips, for example, a young girl on the bus was the only one who noticed that the driver had made a mistake, and taken a wrong turn at an intersection, and told him so that he could turn the bus around. At that point the bus driver started executing a difficult u-turn, on a high speed route and with many cars coming and going in both directions. The car drivers, once they realized what the bus driver was doing, stopped and organized as sort of spontaneous blockage of the road and, in this way, allowed the bus driver to complete his turn. After that, we went back to the intersection, made the correct turn, and arrived a bit later at our destination.

This event happened in 2008, when I started to deepening my interest in *usi civici* and their role in management of more than sixty per cent of Ogliastro's rural land. In that period municipal mayors, together with shepherds and farmers, and some local scholars, were already deeply involved in weekly meetings in order to discuss the problems and issues arising from the management of the rural land under *usi civici*. I started participating on a regular basis in these meetings, where I was able to hear many different opinions, sometimes quite divergent from one another, about the practices carried on in each municipality's land under *usi civici*. In the next chapter I will analyze in depth the events that prompted the

organization of these meetings, which I participated to, especially during my field research in 2009.

One of the main issues at stake was the recent EU rural development plan for 2007-2013. The main issue debated at that regard was the opportunity of gaining financial support for rural development projects, which at the same time offered strong incentives for a more thoroughgoing land privatization, and individualization of land ownership. EU policies had set individual ownership of all essential land resources as a fundamental requirement in order to be eligible for its several new lines of rural development funding. This fundamental requirement cut most of rural Ogliastra off from access to EU funding, because of the high quantity of common land in the province. I remember a meeting in which some of the shepherds argued in favor of privatization, and described *usi civici* as a hindrance to the community's economic development.

They were accused by some other shepherds of confusing economic development with their own interest. One shepherd argued, to the nods of agreement of many others present: "What happens after you become the private owner of the land where all of us now bring our sheep? You and your family would not change your situation, but all of us would lose, especially if we do not have the financial means to buy the land that we need for our sheep to graze."

In opposition to the privatization claims, several shepherds and mayors called for the effective application of the Sardinian Regional Law 14 March 1994, N. 12, which aims at "guarantee the existence of *usi civici*, preserving its specific characteristics, and protect their destination in the interest of the collectivity.." and at "... ensuring the direct participation of the municipalities to the ... control of the use of *usi civici*..." (Law 14 March 1994, N. 12,

2nd paragraph). In the next chapter I will analyze this law in detail, with reference to the current regulation of the ownership categories.

This law has not been fully applied, yet. However, municipalities do take full responsibility for the management of the land under *usi civici* that falls within the town's borders. Municipal governments refer to the Law 12 in order to justify their decisions over the issues related to the management of the towns' *usi civici*, which is organized in different ways by each municipality. Each town manages *usi civici* through local committees, composed of the mayor and a group of citizens chosen by the town's government officials, from among the members of the rural communities that have longer experience in the management of *usi civici*. These committees decide the distribution of the land among the rural community's members who present formal requests for use, and the length of time for the concession.

In some municipalities, such as Arzana and Gairo, the committee, headed by the mayor, asks for a modest annual fee for the use of the land under *usi civici*. The money gathered in this way is managed by the committee and normally used for building infrastructures on the land under *usi civici*. Other municipalities, such as Arzana, asks a fee only to users which annual income is superior to a certain amount that is fixed by the municipal government, and is updated every three-four years. The municipalities, in which the extension of the land under *usi civici* is modest, such as Jerzu, do not require the payment of any fee. In some municipalities the *usi civici*'s committee indicates in a precise way the plots of lands where the different livestock, such as sheep or goats, or cows, can be taken.

Shepherds and farmers that I met at the community meetings, and the ones who I interviewed in Ogliastro's rural areas, depended on the municipalities to help resolve land use

issues and problems. They often contacted the municipal committees for the management of the *usi civici*, asking their adjudication in solving doubts or complaints not only over the use of the land under *usi civici*, but also over the use of private and public land as well.

It was interesting to realize that the majority of shepherds and farmers, and some mayors as well, did not know exactly the extension of the land under *usi civici*. In order to solve this issue some municipalities, such as Gairo, organized their own surveys. This means that, except for land privately owned, it is not clear where the borders among publicly owned land and *usi civici* can be drawn. The use and distribution of land among rural communities, therefore, happens at times in a blurry zone, in which borders are not always well defined. Yet efficient land use practices take place, production activities are organized, and the certainty of the land continues to be the element that keeps the communities together and that ensures their livelihoods.

This apparent contradiction that these practices display are actually the very essence of any “lived experiences,” that, borrowing from Woford (2010), are always “... in the Gramscian sense, contradictory, fragmented ...” (2010: 24). It is from these contradictions and fragments that ownership acquires the different meanings that communities give to it. These meanings are the expression of the ongoing life projects (Blaser et al. 2004) of each community, which are embedded in their histories, struggles, contentious relationships, and present practices.

CHAPTER THREE

Introduction: Legal rights and incentives associated today with land use and ownership in the present times

The social, political, economic, and symbolic value of land is expressed in the highly formalized property relationships that, in almost all countries in the world, have been established over time, and through which land use has been controlled and regulated. However, land use practices reveal, in parallel to the formal categorization of land use, a myriad of informal arrangements that reflect the property relationships through which land use is organized at local level (Geisler 2006; Sikor 2006; Singer 2000).

Von Benda Beckman et al (2006) define the formal and informal ownership rights as categorical and concretized property relationships, and stress that they “may change with different speed, and the factors underlying their maintenance and change may also be different” (2006: 28). This element highlights also the different realms where categorical and concretized property relationships are produced. While categorical property relationships are produced at different levels of governmentality, such as state, regional, and provincial level, concretized property relationships are embedded in communities’ social relationships and in the power to negotiate rights and incentives at local level.

Geisler and Daneker (2000) address the question of the constitutionality of property regulations, focusing on the privatization issue in the United States, and the ethics of property. In their study they explore the diversity of property rights, beyond the dichotomy

private-public, and the dynamics among them. Highlighting the relational character of property, they remark that legal rights contain both private and public dimensions and stress that "...to discuss property and values is to discuss the fundamental balance between the rights of individuals and those of society" (2000: xiii).

Within the European context, the dramatic changes that have recently occurred in the Eastern European countries have impacted profoundly the meaning of land ownership, the practices of land use and, therefore, the legal rights attached to them. Eastern European shift from collectivization to privatization schemes, and the re-working of legal property rights are the focus of several scholars' work. Among them are Hann (2003); Kaneff (1995); Ratering and Krumalova (2002); Sikor (2006); Staniszkis (1991); Stark (1996); Sturgeon (2004); Verderey (2004); Wasilewski (2003).

Verderey (1999), looking at the "elastic" quality of land in Transylvania and at the multiple and competing claims of ownership by multiple actors, stresses that these claims contrast with the "idealized image of exclusive private property typical of neoliberal property notions" (1999: 54-55). Sikor (2006), analyzing the variation in the distribution of land titles, comments that this variation is "associated with the existence of multiple justifications for claims on land... These justifications go beyond narrow notions of land ownership" (2006: 108-109). Sikor offers the example of Bulgarian and Russian villagers that reconcile the notion of land as a source of individual wealth, with the collective value of land as a material resource through which they can feed the entire population and ensure their livelihoods.

Peters (2006) argues that there is a parallel between the debates around property in land in post-socialist countries and post-colonial African states, and claims that the post-colonial policies implemented in several African countries, and promoted by Western donor

agencies “... were all based on the premise that customary system did not provide the necessary ‘security’ to ensure agricultural investment and productive use the land. The appropriate policy direction was taken to be the state creation of clearly defined enforceable property rights. Most often, individual private property rights were assumed necessary” (2006: 86).

Several authors address these issues, with reference to the current land use rights and incentives in post-colonial Africa (Anderson 1999; Bassett 1993; Bassett and Crummey 1993; Berry 1993, 2001 and 2009; Chanock 1991; Cousins et al. 1992; Kanyinga 1998; Klopp 2000; Mamdani 1996; Mbagwu 1978; Peters 2010; Tshuma 1997).

Analyzing the dynamics of land rights in Kenya, Bassett (2007), highlights how multiple uses and claims overlap, and involve discourses of legitimacy and authority. At this regard Berry stresses that, “Struggles over land in postcolonial Africa have been as much about power and the legitimacy of competing claims to authority, as about control of property per se” (2007: 3-4).

In this chapter, while addressing the legal rights and incentives associated today with land use and land ownership, I focus my attention to Italy, and look at the formal regulation of the main categories of land property and of *usi civici* in Sardinia. I look at the incentives through which the European Union aims at promoting rural development and, in the same time, encourages the establishment of privatization as the an economic development tool, and a requirement in order to access the available funding. I also address the differentiation between categorical and concretized property relations, and the ways in which the different categories are followed or ignored. Finally, I look at different approaches to resistance, and at

how these approaches can help to understand the way in which people devise their own intimate property relations, which are developed around, under, or through the law.

3.1. What are the legal rights and incentives associated today with land use and ownership?

I want to address the issue of legal rights to land in Italy starting with the analysis of the article 42 of the Italian Constitution. Specifically, the article states:

“Ownership can be public or private. Economic goods can belong to the State, to entities, or to private subjects. Private property is recognized and guaranteed by the law, which determines its modes of acquisition, use and limitations, all in order to ensure its social function and make it accessible to all. Private property can be, in the cases contemplated by the law and, under indemnity, expropriated for reasons of general interest. The law establishes the norms and limitations of legitimate transfer and inheritance, and the rights of the state over the inheritances.”

The discipline of ownership in Italy, whether private or public, emerged from the work of the *Assemblea Costituente*, made up of the *Partigiani*, the groups who organized the resistance against fascism in Italy. Their explicit goal was to create legal tools that would enhance the social function of property. Constitutional rights to ownership thus do not consider property “... without any exception ... inviolable” (quoting a passage from Article 29 of the previous Italian Constitution). Article 42 protects legal rights to use the property

and to make it accessible to all. Therefore the current Italian Constitution limits private ownership and opens up a wide range of interpretations of constitutional law that underscore the possibility of other kind of ownerships (Gazzoni 2004; Rescigno 2006; Rolla 2001).

Such broader interpretations, for example, can be found in Article 832 of the Italian *codice civile* that, together with the constitution, and some special regional and national laws represents the legitimation of civil rights in Italy. The current *codice civile*, which was approved in 1942, contains all the norms for the regulation and protection of civil rights, transactions, and the ruling of litigations.

The article 832 of the *codice civile* says that: “The owner has the right to enjoy and dispose the things he owns, in a full and exclusive way, within the limits and with the observation of the obligations established by the law.” Therefore, the legal right to ownership is considered, within Italian legislation, a “substantial right” (*diritto reale*), which means that it includes the capacity of using the things in an exclusive way, within the limitations and obligations fixed by the law. When the law refers to ownership, it focuses on the subject who can exert the legal right, which can be an individual, or a group of individuals, or a private or public entity, or the state (Gazzoni 2004; Rescigno 2006; Zatti and Colussi 2005). Several scholars (Dekker 1995; Rescigno 2006; Rolla 2001) pointed that when people in the everyday conversation refer to ownership, normally they refer to the thing, that is, the object regulated by the property law. According to Dekker (1995) property can be considered a set of rights and responsibilities concerning a thing and, in the same time, is the term used to refer to the thing itself.

Talking about the relation between property and regulation, Singer (2000) argues that regulations limits property rights; but, property rights are at the same time forms of

regulation directed at owners and at non owners, as well. Singer argues that legal rights are not just the expression of the relation between a person and a thing: the relation is between owners and non owners, and this relation impacts the society at large. Therefore, the reach of legal rights goes much deeper than simply affecting people and the things whose uses they supposedly regulate.

In order to deepen these concepts, and to apply them to land, I want to make two distinctions, and look at the legal rights with reference to ownership and with reference to the use of the thing. The legal right to ownership is considered, as I previously mentioned, a “substantial right” (*diritto reale*), and also an “absolute right” which is protected (see Article 841 of the *codice civile*) by law *erga omnes*, which is the legal term used for stressing that a legal right can be enforced against anybody who attacks the property.

The relation between the owner and the thing does seem central in the analysis of ownership rights. In this regard, however, I support Singer (2000)’s objection that property relationships are never actually just between the owner and the thing, but involve the social relationships in which the legal arrangements are embedded. Borrowing from Von Benda Beckman (2006) I refer to these relationships as “concretized social relationships” and to the legal rights through which the relationships are regulated as “categorical relationships.”

When the legal right to ownership refers to the “modes of use,” the ownership right encounters several limitations. Article 841 of the *codice civile* gives the owner the right to use, transfer and give the land in inheritance, and Article 832 clarifies the limits of the legal right to use the land. The code’s goal is reaching equilibrium between the interest of the owner, and the collectivity’s general interest or, at least, ensuring that legal rights to use do not allow any harm to the collectivity (Fioravanti 2009; Rolla 2001; Gazzoni 2004; Zatti and

Colussi 2005). Article 833 of the *codice civile*, for example, addresses a specific limitation of the legal right to use, and forbids any “acts of emulation.” This term indicates any acts that are specifically aimed at harming or harassing the non owners (Rolla 2001). This article has been largely used to protect against the forms of abuse in the exertion of the legal right to own and to use.

Another limitation, particularly important also for land property, is expressed by the so called “rules of neighbors.” These rules are aimed at protecting both the owner and the non owners from the harm caused by emissions of any kind, such as fumes and noises. Based on different court cases, the tolerability of the emissions is normally used the criterion for determining the border line between legal and illegal behavior.

Returning to the Italian constitutional regulation of property, as I noted in the previous chapter, Rolla (2001) points out that one of the main new elements introduced by the Article 42 is the power given to the legislature, with respect to constitutional law, to conform the content of the ownership right to the specific typology of the good. This power has crucial implications, because allows room for interpretation and, especially, adaptation of the law to different local practices. With reference to land use, local practices can be exemplified by the *usi civici* in Sardinia, the South Tyrol “*masi chiusi*,” and Emilia’s “agrarian participation system” previously described. The “room for interpretation” left by the Article 42 played a crucial role in the failure of the many attempts Italian legislators made to suppress these local land use practices over the years. In Sardinia, Regional Law 1766 of 1927 aimed at suppressing the *usi civici*, is representative of these attempts to “formalize” the informal arrangements through which rural communities regulated the use of the land. In the

next section I will expand on the history of this Sardinian law, and of its enforcement and demise.

As I previously stressed, borrowing from Rolla (2001), in the Italian Constitution the protection of “the rights of the people to be owners and to exert, consequently, autonomous juridical rights, within the limits imposed by the legislature” (2001: 5), moves the attention from ownership as a categorical right, to ownership as a practice, and therefore to the social relationships where these rights are embedded. Rescigno (2006) and Gazzoni (2004) go further and affirm that the Italian Constitution underscores and legitimizes the existence of multiple forms of property, which is particularly important when land use is at stake. Their argument is supported by other scholars (Fioravanti 2009; Ferrari 2010; Grossi 1990 and 2009) that, in this regard, stress the importance of the second paragraph of the Article 42, which I quote again: “Private property is recognized and guaranteed by the law, which determines the modes of acquisition, use and the limitation in order to ensure its social function and make it accessible to all.” The importance of this paragraph goes beyond its obvious impact on the regulation of ownership titles, which is relevant in economic transactions, for example. The decision to define property as a right accessible to all is inspired by one of the fundamental values expressed in the Italian constitution: the principle of equality, which can be found in its Article 3 (Bianca 1990; Pescatore and Ruperto 1995).

As rhetorical as the term “equality” might sound, it inspired not only the second paragraph of Article 42 of the Constitution, but also Article 832 of the Italian *codice civile*, which is a fundamental legal reference not only in cases of conflict over access to resources and over their use, but also in the making of regional laws through which local acquisitions, uses and transactions are regulated. Exemplary in this regard is Sardinian law 14 March

1994, N. 12 that I will examine in detail in the next section, which not only acknowledges *usi civici*, but also protects “the destination of the land under *usi civici* ... for the benefit of the whole collectivity.” This passage incorporates the element of equality contained in Article 42 of the Italian constitution and the emphasis on the collectivity’s general interest expressed in Article 832 of the *codice civile* (Masia and Ferrari 2003; Rescigno 2006).

In the next section I examine, from an historical perspective, how the regulation of *usi civici* has changed over the years and look at the economic and political issues that accompanied these changes in Sardinia. I also look at role of the European Union incentives in promoting local level rural development projects and denying these incentives to the land used under common property rules.

3.2. How have these legal rights and incentives associated today with land use and ownership changed over the years and how they are followed and ignored?

The examination of Italian laws that regulate property ownership and use, addressed in the previous section, disclosed their acknowledgement of multiple ownership types (Rescigno 2006; Rolla 2001; Fioravanti 2009 ; Ferrari 2010; Gazzoni 2004; Masia 1992; Zatti and Colussi 2005). I examine here how these laws, and the legal rights that they entitle to, associated with land use practices and land ownership regulations, evolved historically, and how these legal rights were followed and ignored over time.

The regulation of the *usi civici* in Sardinia: historical perspective and the approval of the current Law 12/1994

In this section I focus on the historical excursus of the regulation of land ownership rights other than private in Sardinia, and on the different laws aimed at defining, regulating and at times suppressing *usi civici*. The development of these laws in recent decades, while it cannot be generalized to other Italian regions, exemplifies the Sardinian legislature's ongoing search for a balance between practices and regulations, as well as between access to resources at the community level and development policies within a regional and broader perspective.

The Sardinian case is also interesting because of the island's status as an autonomous region, one of five within Italy. This status implies that Sardinia has its own government, budget authority, and a certain amount of freedom in the management of local resources. This status is shared in Italy with other four regions: Friuli Venezia Giulia, Sicily, Trentino Alto Adige, and Valle d'Aosta.

As mentioned in the previous section, regional Law 14 March 1994, N. 12, is the Sardinian law that currently regulates *usi civici*. This law addresses the issues of legal rights applied to the *usi civici* that had become the object of attack under the earlier Law 1766 of 1927.

Law 1766 was designed by the Sardinian legislature in order to suppress *usi civici* through legal means. The uncertainty over the extent of the lands under *usi civici* in Sardinia and their diverse regulation at community level were fundamental elements in the failure of the application of the law. Even though it failed, it is useful to analyze the law's content in order to understand why its application was so controversial and, in the end, impossible to implement. As I previously quoted, in the Article 1 the Law 1766 specified that the law aimed at "the certification and liquidation of all *usi civici*, and of any other rights that sustain

the promiscuous use of the land that belongs to each municipality...” The Article 11 identified two types of land: 1) forests and pastureland, protected by regional decree, whose use, therefore, cannot be changed except by regional government decree; and 2) land that can be used for agricultural purposes. This last type of land, according to Law 1766, had to be distributed among the members of the rural community, including both individual members and entities, such as churches or environmental organizations, and given to each of them in *enfiteusi* (or, in simpler words, in use) for a specified number of years. The families or entities that received the land had the obligation to improve its quality and to pay a fee to the municipal government. The law considered and regulated also the transformation of the *enfiteusi* into property rights, that is, the privatization of the agricultural land.

In this way, the regional law was going to engage the municipalities that were going to be responsible for controlling the payment of fees and the proper use of the land. However, the privatization of the land given in *enfiteusi* was going to be ratified directly by the regional government’s officials, and the municipalities were involved only in the preparation of the formal documents, necessary to conclude the privatization process.

The main goal was to replace the *usi civici*, through a process that would have taken maximum two decades, with the private property of the common land. The other goal was to centralize the privatization process at regional level, without excluding completely the municipalities. The difficulty to control the municipal governments’ regulation of the land under *usi civici* was considered by promoters of the law (which were all regional government’s officials), an obstacle to Sardinia’s efficient management of the agricultural sector and the implementation of an industrial sector, in the future (Masia 1992).

The implementation of the law had to be preceded by a survey aimed at determining the exact extension of the land under *usi civici*. The passive resistance of the rural communities and of their administrators did not allow the collection of this fundamental information, undermining the intent of this law, which in the end never was applied.

However, Sardinian legislatures did not give up the attempt of regulating the diverse panorama of the *usi civici* under a regional law, to which all municipal-level regulations would have to conform. In the mid 1980s, several decades after the demise of the Law 1766, regional government's administrators presented a new proposal for a regional law, also aimed at regulating the *usi civici*, and preceded by a regional survey of the land under *usi civici*. However, this time the reasons for such insistence on the primacy of regional authority were different than the motivations behind the approval of the previous Law 1766 of 1927.

While Law 1766 aimed at suppressing *usi civici*, responding to the political pressure towards privatization of rural land and encouragement of future investments in industry, the new law's proposal addressed the disillusion over the role of such development plans in the aborted launching of Sardinia's economy.

In order to understand where this disillusion came from, I need to digress and recall the post World War II events that resulted in what in Sardinia are known as "cathedrals in the desert." In the early 1960s the Sardinian government supported a large-scale industrialization project promoted by the Italian government, and aimed at industrializing the Southern regions. In this way the government intended to address the disparities between the growing economy of Northern Italy and the economic stagnation and unemployment that characterized the South, including Sardinia. Through a massive transfer of public money and the involvement of national and multinational petrochemical industries, such as GULF and

ENI, the construction of automobile, steel works and petrochemical industries began.

Manufacturing facilities built in Southern Italy were under the control and direction of companies based in the North, which also organized the production to be implemented in the South in order to meet the needs of Northern industry. The choice of location for construction of manufacturing facilities built in the South was made mainly taking into account their proximity to the coast, in order to cut transportation costs, and ensure the presence of ample water supplies, indispensable for most of the associated industrial processes (Brigaglia and Tola 2009).

The transfer of personnel from the North to the South, in order to monitor the production phases and timing them with the needs of the Northern industries, reduced the impact of the new industries on the job market. Moreover, the developments damaged local natural resources, by reducing scarce water supplies, and also compromised pristine locations that had great potential for tourism development, thus actually harming prospects for Southern economic development. Several of these industries closed between the end of the 1970s and the beginning of the 1980s, and remain today surrounded by desolated land, impoverished and polluted by the impacts of their former industrial activities. Today this is land where communities do not want to live anymore. After the factory closings, these lands looked like deserts filled with hulking, abandoned, rusting industrial facilities. The promise of economic development did not become a reality, and instead disillusion took its place (Ventroni 2008).

In this context, the proposal by the Sardinian government in collaboration with the island's elected provincial administrators, to promote a comprehensive survey of the *usi civici* in order to preserve them and maintain their management in the hand of the municipal

governments, was welcomed by the municipalities' administrators and supported by the rural communities, who actively collaborated in the data collection. Communities saw this study as an opportunity for protecting local resources and their access to them (Nuvoli 1998; Masia 1992), especially necessary after the recent fiasco at attempting industrialization. The committee that coordinated the survey was headed by Commissioner Corona, a magistrate and expert in civil laws. Under his direction the survey was completed and revealed that taking the whole of Sardinia into account, more than one fifth of the entire land was under *usi civici*.

This survey was followed in 1994 by the approval of Law 12, aimed at formalizing legal rights for the regulation of the use of the land under *usi civici*. Article 1, Part B, specifies that the law aims at, "guaranteeing the existence of the *usi civici*, preserving and recuperating its specific characteristics, and protecting the destination of the land under *usi civici* for the benefit of the whole collectivity." In Article 2, Law 12 defines *usi civici* as "...the rights of the whole Sardinian collectivity to use the goods ... respecting their environmental value and the natural resources..." and it specifies that these rights, "... belong to the citizens resident in the municipality in which borders are located ..."

The competencies for the administration of *usi civici*, addressed in Article 4, are given to the regional government, while, as Article 8 clarifies, the preparation of the plans for the preservation and development of *usi civici* was defined as the responsibility of municipalities' administrators, in collaboration with the regional government. In Ogliastro most municipalities engaged in the preparation of the plans, and all the municipalities are still involved in updating data on the extension of each town's *usi civici*. Deciding the current extension can be a controversial matter, due to the conflicts among neighboring

municipalities over the borders of the land under *usi civici*. In some cases the documents that would prove where the borders are located are contradictory, and the solution to many of these disputes has yet to come.

These conflicts are among the issues discussed in the weekly meetings held among mayors, shepherds, farmers and local officials, first established in 2005, in order to allow the provincial administration to facilitate the implementation of a regional pilot project, called Territorial Laboratory, aimed at promoting Ogliastro's *usi civici*. This particular project has been important in supporting the application of Law 12, although the dialogue that has resulted has often been contentious among different levels of government: municipal, provincial and regional. Nonetheless, the Territorial Laboratory is a new, innovative departure for public participation in land management problem-solving in Sardinia. Before moving forward in my analysis, I want to explain how the Territorial Laboratory was created, and with which goals.

Ogliastro, the European Union, and the “Territorial Laboratories”

In 2005, the Sardinian government's planning center and the Sardinian council for regional planning, which are the technical and the political agencies that make the Sardinian government's regional planning possible, responding to the pressures from provincial and municipal administrators for a more direct involvement in the management of local resources, decided to implement an ongoing collaboration among different levels of governmentality, and called this new approach “integrated planning” (*progettazione integrata*).

The main goal was to create a tool through which implement European Union and regional rural development policies with a better understanding of the local communities' needs, problems, and issues. The aim of the "integrated planning" was also to address the typical communication barriers that had existed between the central government and local communities.

The first result of the collaboration among representatives of the different levels of governmentality, was the creation of the "Territorial Laboratories" (*laboratori territoriali*), which drew upon three types of participants: provincial, regional, and technical officials. Through establishing its own Territorial Laboratory, each province organized the application of European Union funded programs aimed at supporting rural development initiatives at the local level, which were backed up by EU incentives that I will shortly discuss.

In Ogliastro the Territorial Laboratory was particularly important in addressing the discontent over the ineligibility of most of the province for the European Union funding, due to requirement of private ownership in order to access the funding, and the province's modest extent of privately owned rural land. After a series of meetings among representatives of the different levels of governmentality, and groups of shepherds and farmers, Ogliastro's Territorial Laboratory drew, in 2005, a new plan for the enhancement of Ogliastro's land under *usi civici*, called "Pilot Project: the territories under *usi civici* - opportunity of growth and development for Ogliastro" (*Progetto Pilota: Le terre civiche - opportunità di crescita e di sviluppo per l'Ogliastro*). One of the young scholars involved in the project proposed the organization of weekly meetings among the different communities that live in Ogliastro's municipalities, in order to discuss on a regular basis the issues to be addressed and problems to be solved. Her proposal was accepted, and the meetings continue until today. In Chapter

Two I described some of the issues that were discussed in the meetings where I participated, on a regular basis, during my field research in 2009.

Networking rural development: the LEADER and the LAG programs

With reference to the role of the European Union rural development plan, the two main programs that impacted rural communities are the LEADER or “rural development projects’ networking” (*Liaisons Entre Actions de Développement de l’Economie Rurale*) and the LAG or “local action groups” (*Gruppi di Azione Locale*).

LEADER was launched in 1991 for funding rural development projects at the community level, such as small local businesses for the transformation and marketization of agriculture products, or for the artisanal production of local pottery or textiles. However, the broader goal was promoting networking among the communities where these activities were implemented.

The first step in LEADER’s implementation was the creation, in every province, of three to five committees, one for each of the “homogeneous zones” (Nuvoli 2001: 58) in which the provinces were divided, in order to support the diversity within each province, in terms of rural communities’ economic activities, land’s physical characteristics, and existing cooperatives or other forms of organization among community members. These committees were called “local action groups” (LAG). Each LAG was made up of community members involved in the different activities operating in rural land (such as shepherding, farming, and agritourism), as well as of policy makers and technical consultants. Each LAG, one for each “homogeneous zone,” drew a local development plan (*Piano di Sviluppo Locale*). These local plans were based on a survey of the rural communities’ activities, and accompanied by an

analysis of resources that could be enhanced, and of the communities' needs that could be addressed. The analysis of the different local development plans, done by the LEADER staff (made up of European Union officers, Sardinian consultants, and regional and provincial policy makers), ended up with LEADER's selection and subsequent funding of eight exemplary LAGs.

The approval of eight LAG was followed by an intensification of networking among them, which was one of the main objectives of their creation. Meetings started to be held on a regular basis in each LAG, putting together representative of rural communities from the other LAGs, in order to talk about their activities and challenges, exchange experiences and, at times, create cooperatives among them. The next step was the enlarging of this networking with rural communities from other Italian and European countries. In order to get the funding that would make the national and international networking possible, the LAGs prepared nine projects, that were approved by the LEADER staff. These projects are known as "Inter-territorial and transnational cooperation projects" (*Progetti di cooperazione inter-territoriale e trasnazionale*). The cooperation projects involve agricultural and agro-food production, local artisanal products, tourism, and services, and aim at promoting the exchange of information and the economic collaboration among different land users, with particular emphasis on farmers and shepherds. A technical consultant of one of the Sardinian LAG, who I met in Cagliari during 2009, was just returning from a trip to an Eastern European LAG, together with representatives of the rural community with whom he works. He told me that they had just concluded an agreement for the marketization of cheese and artisanal products in each other's provinces (Ventroni 2008).

Today Sardinian LAG are implemented in an area of 10,736 Kmq., which corresponds to 45% of Sardinia's total territory. According to an official of the Sardinian government's planning center, the LAG are the spine of the LEADER strategy, because they are the expression of the bottom-up approach that LEADER promoted, and of the web of knowledges shared among community members who, at different levels, work in the rural areas. Rural community members that I interviewed in focus groups about the LAG expressed an overwhelmingly positive feedback on their participation in the program. They particularly stressed the importance of exchanging experiences and discussing possible solutions to daily challenges, among different communities within the same provinces and from other European countries.

One of the consultants, who along with a team of consultants, audited all the Sardinian LAGs during the last seven years pointed out, however, some issues that she encountered in her analysis of LAG projects. She said that the main problem she found in the implementation of the LAG was the presence of too many and too complex bureaucratic and administrative requirements, technically often difficult to interpret and even more difficult to implement. She talked specifically of "excess of codification" that is confusing and, therefore, counterproductive. "The implementation policies," she pointed, "represent another problematic issue." She explained that sometimes these policies do not appear completely coherent with the goals and the measures of the development plans. These plans are structured through so called "measures" and "actions" and, as I previously explained, are drawn up by a commission composed of local residents, scholars, technical consultants, and policy makers at the provincial and regional level. This combination of people is definitely one of LAG's strongest elements. "However," the consultant explained to me, "the presence

of politicians (or people linked to and promoted by them), represents the ‘polluting element’ of the group.” She defined these politicians as the “new feudal lords.” These people, according to the consultant, have a strong interest in gaining political seats in the Sardinian government, instead of creating technically solid plans that have concrete results. She added that the creation of consensus at the expenses of concrete results can mislead the management of the money and the organization of the activities. “The money that is poured into the communities is public money,” she stressed, “and it is mandatory that the expenses as well as the results are verifiable and measurable.”

The networking experiences and methodologies developed by the LEADER program are the roots of the new European Union rural development framework, which was launched by the European Union Commission on October 2008, and is called European Network for Rural Development (ENRD). The approach of the ENRD reflects the “Community Strategic Guidelines for Rural Development” approved by the European Union Commission in 2006.

The goal of the ENRD is enhancing the communication network among different LAGs and improving the value added of rural activities. The ENRD emphasizes also the centrality of the examination of “common rural problems in order to identify common development solutions and developing synergies with other European funds available in rural areas” (Dormal Marino 2010: 7). The ENRD is therefore continuing the work done through the LEADER and particularly, by the LAGs.

The need for a critical examination of the LEADER and the ENRD experiences has been pointed out also by several scholars (Bruckmeier 2000; Buller 2003; Evans and Yarwood 2002; Kováček 2000; Osti 2000; Perez 2000; Ray 2000; Shucksmith 2002). Ray (1998 and 2000) stressed the need for developing evaluation methods that focus on the

processes, structures, and the knowledge built through these experiences, instead of the simple measurement of concrete activities. Ray proposes different analytical frameworks for evaluating the LEADER program, with particular emphasis on the tensions between the “quasi-marketization of rural development” (2000: 163), due to the strong presence of the private sector and the promotion of privatization of rural land, and the potential for a truly community based rural development program that LEADER, as well as the ENRD, ostensibly advocates.

3.3. What does the literature on resistance tell us about how we might understand the way in which people devise their own, intimate property relations around (under, through) the law?

The regular circulatory movements that people in Gallura’s communities make between the towns and the stazzi, the arrangements through which they take care of each other’s properties, and Ogliastro communities’ involvement in the preservation of *usi civici* all express different ways in which these communities rework and redefine property relations in their daily practices. Heatherington’s (2006) ethnographic study of community-level struggles for land maintenance in Orgosolo⁷ also argues that local people see the commons as

⁷ In 1969 three thousand women, men and children of Orgosolo occupied the town’s land under *usi civici* in order to protest the acquisition of that land by a NATO base, and their municipal government and the regional government agreements that would have allowed the acquisition of Orgosolo’s commons by the NATO (Haensch n.d.). The knowledge of those mountains and gorges allowed local shepherds to hide from the military, when they tried to use the force for chasing them away from their land. From the commons depends the economic survival of the entire population of Orgosolo, made mainly by shepherds. The occupation continued for more than three months, and finally the NATO withdrew from the acquisition of the commons. More recently Orgosolo’s community harshly opposed the implementation of the “Gennargentu National Park,” promoted by the WWF Sardinia and supported by the provincial and regional governments, which would have incorporated most part of Orgosolo’s commons. The project was presented as a way to re-invigorate the local economy through the earnings coming from the management of the park, and from touristic activities. However, the local community feared that the park would have meant the dispossession of their commons. The opposition to the park put together Orgosolo and all the other communities that would have been impacted by the park that was, finally, never realized. I address more extensively these contentious events in Chapter Five.

not only the material basis of their livelihoods, but also the embodiment of their cultural heritage and community's identity.

Commenting the Sardinian town of Orgosolo's strenuous resistance to the dispossession of their commons, Heatherington argues that 'resistance' in Sardinia is not a descriptive category but an object of ideology and cultural imagination that shapes social practice and political life. Borrowing on Ortner (1995), she observes that the ethnographic study of events of resistance actually, "complicates notions of 'resistance' by recognizing how social agency 'from the bottom up' is inflected with ironies, inconsistencies, and double-binds that are implicated in reinscribing relations of power" (2006: 539). According to Heatherington, the analysis of Orgosolo's events invites to reengaging critically with Scott's (1985) representation of the state in his analysis of "everyday acts of resistance." Resistance in Orgosolo can be read as a series of struggles against a set of master narratives, in which development schemes incorporate, "multiple spatial scales and complex arrays of bureaucratic authorities, including nongovernmental organizations" (from Li 2005: 383).

Referring to the history of resistance and to its analysis, Abu-Lughod (1990) brings her focus not on the "resistors" and on the explanation of resistance, but on the examination of power. She asks herself, "What are the implications of studies of resistance for our theories of power?" Abu-Lughod argues that a focus on the "resistors" encourages a tendency to romanticize resistance and "to read all forms of resistance as signs of the ineffectiveness of systems of power and of the resilience and creativity of the human spirit in its refusal to be dominated" (1990: 42). She argues, instead, for the value of resistance as a "diagnostic of power" (1990: 42).

In order to explicate her argument, Abu-Lughod borrows from Foucault's assertion that "Where there is power, there is resistance, and yet, or rather consequently, this resistance is never in a position of exteriority in relation to power" (Foucault 1978: 95-96); but, she inverts the first part of the preposition by arguing that "where there is resistance there is power." While reminding that Foucault himself advocated this inversion, Abu-Lughod maintains that this perspective brings the focus back to the issue of power, and to its multiple aspects.

In Abu-Lughod, the ethnographic study of a specific community, the women of the Awlad 'Ali Bedouins, is the terrain where different forms of resistance are embedded, revealing the structures of power in that community. Still borrowing from Foucault, she affirms that forms of resistance do not develop isolated from the system of power they are embedded in. On the contrary, "these forms have been produced by power relations and cannot be seen as independent of them" (1990: 47). Therefore Abu-Lughod advocates for a perspective that looks not at resistance itself, but at what resistance tell us about the forms of power against which it struggles. New forms of resistance, or new objects of resistance, thus reveal the historical shifts in the power structure, and how the "resistors" perceive this power. Without lessening the creative act of resistance, her perspective positions resistance within the broad context in which it is created by the very same power that it fights against.

Looking at Sardinian rural community resistance through this perspective, in particular with reference to *usi civici* and the associated communal management rules, suggests a more comprehensive interpretation of rural communities struggles for preserving access to land. As Abu-Lughod's analysis stresses, strong resistance does not simply signify

weaker power. On the contrary, it detects its presence and, “the complex interworkings of historically changing structures of power” (1990: 52-53).

Brown (2007) calls for a more attentive analysis of collective practices and for the problematization of the social relationships in which these practices are embedded. She maintains that common properties are not inherently good or bad. The resistance to the “enclosing propensities of globalization” (2007: 507) that collective practices represent is also accompanied by internal conflicts and by the issue of “just distribution of resources” among community members. Brown argues that resistance is one of the key dynamics in re-working common property. Understanding the role of resistance in the establishment of collective forms of property, however, requires a closer look at the different practices through the control over the spaces of production and reproduction are negotiated and affirmed, and at the different and at times controversial ways in which resistance is exerted.

She addresses these internal conflicts through the analysis of Scotland’s current revival of community ownership, which assumes the form of land trust.⁸ Brown analyzes

⁸ Given the relevance of the Scottish collective practices in my analysis of Sardinian current land use and land tenure arrangements within the European context, it is worth explaining how Scotland’s spread of land trusts was established. The pioneering case is represented by the Assynt Crofters Trust, formed in 1993. In order to understand the importance of this trust, it is important to situate it within the history of crofts in Scotland. A croft signifies a small arable plot of land, fenced or enclosed (Bryden and Geisler 2007; Cameron 2001; Crofters Commission 1999), and crofter refers to the person that rents the croft from the landlord. The poor agricultural potential of the land where the crofts were rented, was not compensated by the activity of fishing and seaweed harvesting, and for the crofters became very challenging to pay the very high rents landlords demanded. In response to this situation, Scottish rural aristocrats supported by the British crown, evicted masses of rural population from their crofts, often violently, and the huge migrations of men, women and children are known as the Highlands Clearances. These migrations brought the crowds of landless peasants into the slums of the cities, or onto ships headed toward the North American coast of what is now known as Nova Scotia. The land, where only few crofters were left, was privatized and occupied by large scale sheep farming. In 1989 one family that owned 21,300 acres of land in the Highlands of Assynt attempted to sell it, including the thirteen townships where Assynt’s population, who were never consulted about the sale, lived. This first attempt failed, and the land was given the same to liquidator three years later in 1992. At that point, in a public meeting organized among Assynt’s crofters, it was decided to raise enough money and to bid for the land. In the end of 1992 a deal was struck between the liquidators and the crofters: the land where their ancestors had lived and from where they had been evicted was once again ceded to them. The 300,000 pound price came from the crofters and local population and, from supporters from around the world who covered almost half the cost. The crofters created the Assynt Crofter Trust that in February 1993 signed the official document that gave them the

Scottish Highlanders' rural communities, and the ways in which material spaces are renegotiated and reorganized, in order to highlight the complexities of the processes of remaking of contested spaces, through overlapping and sometimes contradictory claims (Mitchell 2003). One of the key contested issues concerns how sheep grazing takes place in the plots of common land that is shared, in different proportions, by livestock owners, or "rightsholders." Brown's ethnographic studies shows that rightsholders with larger plots of lands and numbers of sheep tend to graze in other owners' shares without their permission, while retaining for themselves the pecuniary benefits of the common grazing. This practice, Brown argues, can reveal what she defines a detachment between the commonality of means (the land) and the commonality of ends (the benefits from land use practices).

Rightsholders' resistance towards a collaborative way to manage the common land is justified by their claim of a direct link between the individual appropriation of the material benefits, and their individual work. I can observe here some parallels with the conflicts created in Ogliastro's *usi civici* when shepherds show a strenuous resistance to the rights of other land users to pass through their plots, claiming an arguable need to protect their livestock from theft, or from the community's wood collection, diminishing their own families' share of these goods.

These intertwining patterns of resistance are looked at by Mitchell (2003) as different layers of struggle, in which "the spaces of property are made and re-made, and through which moralities such as justice are practiced and negotiated in every day enactments" (2003:

title to the land. The Assynt case became "a catalyst for an increasing number of community ownership ventures. At present there are an estimated 750,000 acres of land where collective ownership is either achieved or imminent" (Brown 2007: 507-508). The Scottish government has endorsed a land reform agenda and "collective purchase mechanisms are legally codified in the Scottish Land Reform Act of 2003, enabling properly constituted communities to take ownership of land whether or not it is for sale" (Brown 2007: 508). Concerns for social justice, population retention, and preservation of public access to a key resource, and particularly to land, were among the issues that prompted the Scottish government's new land reform policy.

124). Brown considers the struggles that Mitchell refers to in terms of legitimacy or, as she puts it, competing claims over who has the legal rights to use the land and in which way, within a contingent situation.

As many scholars stressed (among them, Abu-Lughod 1999; Brown 2007; Mitchell 2003; and Wolford 2010), it is in the “geographical situatedness [of the] messier, everyday underbelly of collective property in which the micro-resolution of rights” (Brown 2007: 521) can be understood, and in which arrangements at different levels of governmentality are resisted, re-enacted, and dropped. Wolford (2010) refers to the “Gramscian attention to specificity and context” (2010: 10), when she critically examines the use of subaltern studies (Beverley 2001; Guha 2001; Gupta 1998) in her ethnographic study of the Brazilian *Movimento dos Sem Terra* (MST).⁹ Albeit her critical analysis refers to a situated context, Wolford’s attention to the apparent contradictions, and to the tensions that always accompany people’s decisions and actions in a “highly contested process of negotiation for political control” (2010: 20), opens up nuanced interpretations of communities’ resistance and of their involvement in creating alternative moral and material spaces.

Borrowing from Gramsci, and referring to the analysis of social movements, Wolford argues that these spaces are “contradictory, fragmented, never autonomous from hegemonic ideologies” (2010: 24). In her analysis of how to incorporate moral economies into mobilization, she stresses the centrality of the Gramscian concept of “common sense,” and she uses this concept to refer to the decisions and actions that people make in their everyday lives. However, supporting Latin American subaltern studies’ scholar Rabasa (2001), she argues that common sense is not a stage that will lead to a higher conceptual and empirical

⁹ The *Movimento dos Sem Terra* (MST) is a grassroots movement created in 1994 by Brazilian’s rural landless workers. Their land occupation and their pressure on the government for renegotiating new property titles for this land, has created a unique example of new land reform in Latin America (Wolford 2003 and 2010).

level of action. It is a creative stage, an expression of the situated knowledge in which each community member develops and matures political action.

It would be hard to understand how these “layers of resistance” work without including the concept of land not only as an asset but also as a site for cultural production and re-production (Brown 2007; Katz 2002; Pred 1981; Wolford 2010). When discussing culture, I refer to the Gramscian (1971) non-referential and non-static concept of culture.

Specifically, I am referring to culture not as a description of the ways people conform to each other in a given society, but of the ways people function and interact in their daily lives (Bassett 2007; Berry 2009; Wolford 2010). This approach offers insight into the inherent dynamism of culture, something continually changing and transforming. Wolford (2010) interprets culture and its dynamic character in a very broad sense, as well, as a continuum that “runs from informal to formalized expressions” (2010: 24). Within this approach, the analysis of the multiple aspects of common land uses can be examined in a dynamic way, embedded in the complex web of everyday experiences, in people’s contentious lives, and in the situated contingencies in which people move and deal with the materiality of their experiences.

The everyday lives and struggles of peasants is also the focus of Scott’s analysis of the ways in which subaltern classes resist discourses of power. In his work, which I also refer to in Chapter One, he addresses the “everyday forms of peasant resistance,” rooted in the subsistence requirements in which peasants’ system of values is embedded. Situatedness is fundamental, in Scott’s analysis, in order to understand how the different classes manage to exercise their power. Specifically, he explains how the hegemonic class justifies the exploitation of its subordinates, and how peasants in their own turn devise an ongoing

resistance to the hegemonic classes' control, through everyday's practices that go from petty thefts, to the killing of animals, to the derision of the hegemonic class' members. For Scott these forms of everyday resistance, which he calls "hidden transcripts," do not meet the characteristics of a "genuine" resistance, collectively organized and ideologically grounded. He argues that peasants' forms of resistance are embedded in their material contingency, rather than in revolutionary consciousness and in more organized struggle against hegemonic forms of power.

Moving to the concept of domination, and to the mechanisms through which the forms of domination are reproduced, Bourdieu (1999) opposes the idea that domination operates through explicit rational criteria. Departing from Marx's emphasis on economic factors, Bourdieu takes a more Gramscian position when he stresses the fundamental role of the dominators' multiple ways to impose their cultural production and to reproduce it socially, transferring it from one generation to another. Bourdieu defines such an imposition with the term "symbolic violence," through which dominators spread categories of thought that are perceived as just and right and that become incorporated into dominated classes' own values.

I want to return to Abu-Lughod's concept of resistance as a diagnostic of power, and to her emphasis on the embeddedness of resistance in the very power relations that it struggles against. The form in which Bourdieu's cultural reproduction is subtly transformed into dominant cultural values is not easily detectable, as the various ways in which privatization schemes are imposed and legitimized exemplify. On the other hand, the critical observation of the different forms of resistance reveals the multiple forms in which hegemonic ideologies

are spread, accepted and struggled against, in the unfolding of the contentious and situated spaces in which people's everyday lives transpire.

CHAPTER IV

RELATIONS BETWEEN SOCIAL CLASSES: HOW THEY SHAPED LAND USE

The issue of the role of social class relations in shaping land use and agrarian transformation has been addressed in different streams of scholarly research. I want to look here at the approaches developed in Peasant Studies and Agrarian Studies.

Bernstein and Byres (2001), in *From Peasant Studies to Agrarian Change* survey the field of peasant studies and its broad concern with analysis of “peasantries and their social structures; the nature and logic of peasant agriculture; peasantries and their ‘moral communities’; and peasants and politics.” Among the works that marked the emergence of agrarian studies, there are Wolf’s works on *Peasants* (1966), and on *Peasant Wars of the Twentieth Century* (1969), in which does a comparative analysis of peasant revolutions in Mexico, Russia, China, Vietnam, Algeria, and Cuba. Chaynov’s *Theory of Peasant Economy* (1966) focuses specifically at the dynamics of peasants’ production and reproduction. The analysis of the interrelation between social classes’ relation, landownership and agrarian changes comes through Moore Jr. study of *The Social Origins of Dictatorship and Democracy. Lord and Peasant in the Making of the Modern World* (1993). Seminal work on Latin America peasants has also been done by scholars such as Bartra and Otero (1987 and 2008); Brass (1991, 1994 and 2003); Gill (1987); Grindle (2004 and 2009); Mallon (1994); and Spoor (1990 and 1999).

Everingham (2001), in his study on *Agricultural Property Rights and Political*

Change in Nicaragua, analyzes how the, "...national agenda on property rights after 1990 was dominated by elaborate arrangements to accommodate kinship-based factions of the agroindustrial elite, core Sandinista constituents, rural labor groups, and demobilized peasant combatants. Bargains, legislative initiatives, and constitutional reforms failed to clarify legal ambiguity over coveted assets" (2001: 61).

Edelman (1999) in his study of the persistence of extensive land use, or latifundia, in Costa Rica points that, "Although Costa Rica has at times been mistakenly considered an "agrarian democracy" (Seligson 1980), the significance of the latifundia in the region of Guanacaste is beyond doubt" (1999: 156). States usually remain on the margins when latifundia management is involved, favoring in this way the current class structure of Costa Rica, in which only thirteen landowners own most part of the rural land, and constitute the hegemonic power that shapes land use and land access in the country.

Kloppenburg's *First the Seed* (2005), *Seeds and Sovereignty* (1988), and *Impeding Dispossession: Enabling Repossession* (2010) are among the works of this scholar that have been influential in agrarian studies, with particular reference to the corporate appropriation of genetic resources. His *The Agricultural Ladder* (1985), written with Geisler, analyzed tenancy and landlordism in late nineteenth century America. Kloppenburg and Geisler look critically at how the metaphor of agricultural ladder portrayed an ideal image of rural mobility from tenancy to full ownership of the land, but that the persistence of tenancy as a feature of US agriculture until 1930 never allowed realization of this ideal. The ladder metaphor was an ideological tool, however, that fostered the shift towards the present most common form of American agricultural land tenure, that is characterized by part-ownership operatorship.

The development of capitalism and the critical analysis of feudalism are addressed in the work of Amilcar Lopes Cabral (1966 and 1979), intellectual and political leader of the African Nationalist Movement in Guinea Bissau and Cape Verde in the 1960s. His involvement in the guerrilla movement in these countries against Portuguese colonizers was accompanied by a deep concern with the agrarian question. His body of thought has been analyzed by scholars such as Sigal (2006); Bienen (1977); Dhada (1993); and McCollester (1973).

The agrarian question under colonial and post-colonial conditions has been analyzed by several scholars. Among them are Agarwal (1994; 2010); Amin (. 1977 and 2003); Arnold (1984); Bagchi (1992); Gupta (1998); and Roy (1922) on India; Bernstein (1979, 1982, and 2003); Kohnert (1986); Konings (1998); Mamdani (1987and 1996); Palme Dutt (1940); and Plaatje (1987) on Africa; Pomeroy (1978) on the Philippines peasantry; and, Burdick (2004); Carter (2005); Pereira (2003); Petras (1997, 1998); and Wolford (2006, 2010) on Brazil. In Italy, the agrarian question is tightly intertwined with the pivotal role of land ownership in pre-unification and in the unification process of the Italian peninsula. According to Gramsci (1971), the reworking of power relations among central government and local land owners was instrumental in creating new “historic blocs.”¹⁰

However, in 1950, an event changed again the class relations in rural Italy: it was the Agrarian Reform. Among the recent studies that analyze the impact and meaning of the Agrarian Reform in current Italy, are the works of Barca (2001); Bonanno (1988); D’Attorre

¹⁰ The historic bloc in Gramsci (1971) is a dialectical concept, which refers to different elements that interact with each other in order to create a larger unity. In his analysis Gramsci stressed the overlapping of different spheres: political, ethical, ideological, and economic. His approach avoids reductionism, and ties together social relations and the physical means of production. For Gramsci an historic bloc does not emerge except in response to hegemonic social class control of the different spheres through which power is maintained and enforced (Cox 1993).

& De Bernardi (1993); Belotti (1960); and Linz (1976). These studies describe the multilayered processes through which rural areas were transformed, especially through the redistribution of rural land, new classes were created and new class relations reworked. Belotti (1960); Bonanno (1988); Perry et al. (1955); Shearer (1968); and Vanzetti and Meissner (1953) analyze different features of the Agrarian Reform, but mostly emphasizing the reform's impact on rationalization of land use, prompted by the redistribution process. They also look at the shift of control from large absentee land owners to active local peasant cooperatives.

Dickinson (1954) wrote an enthusiastic assessment of the Agrarian reform, and stressed that, "...this spectacular and impressive program of land reform ..., in financial terms, little more than one-quarter of the total ten-year program, is an indicator of the magnitude of the task on which the Italian government has embarked. Man-land relationships are being profoundly changed and new patterns of settlement established that are totally different from the traditional ways of living in southern Italy" (1954: 176). In the same year, the analysis done by D'Aragona (1954) looked at some of the perplexities that accompanied the implementation of the reform. With reference to the compensation given to the disposed landowners, for example, he commented that, "The excessively low compensation given to the dispossessed land owners has created strong opposition to the program among large land owners. This has led to costly court actions. More adequate compensation would have reduced delays and costs and would have avoided some of the social conflict now attending the reform." (1954: 18). He accused the Italian government of relying excessively on agriculture, while it "would seem [that] the solution of the Italian economic problem is to be found essentially in non-agricultural sectors" (1954: 19).

To continue the discussion in more concrete terms, I now move to the analysis of how the relations between social classes shaped land use within an historical perspective, starting from the unification of Italy until the 1950s, when the Agrarian Reform changed Italy's rural landscape and the relationships between landowners and peasants.

4.1. How have relations between social classes shaped land use and vice versa?

When in Chapter Two I inquired into how land ownership has been established over time, I looked at the role that land played in pre-unification and in unified Italy. I want to do a similar retrospective analysis in order to inquire about social classes. However, in this section I want to focus on the property relationships and to look at the role of land ownership in the establishment of the new hegemonic classes in Italy, and of a decentralized form of power relations. The political hegemony of the landowners at the state level, and their power at the provincial and municipal levels were made possible by strategic alliances that determined how land would be used, and how power would be exercised in post-unification Italy. As Elazar (1996) explains, “the political hegemony of Italy's landlords was determined by the specific interaction between distinct forms of landlord domination on the provincial level on one hand, and the national alliance of both class segments, agrarian and latifundists, with the central state, on the other” (1996: 234). In order to understand how the alliances among landowners worked at the local and state level, and how this class became the hegemonic one, I need to make a distinction between the Northern landowners of commercial estates, called agrarians, and the Southern latifundists, who owned extended rural properties, called latifundia¹¹.

¹¹ Latifundia (from the Latin *latus*: spacious, and *fundus*: farm estate) refers to extended farm estates. During the Roman Empire the latifundia specialized in agricultural production done mainly by slave labor. Currently this

The composition of this landlord class and its different segmentation within Italy is rooted in Napoleon Bonaparte's legislation that, after occupying most part of the states in which Italy was divided, in 1806 abolished feudalism. The land that had belonged to the feudal lords and to the church, passed under the control of the states (Antoniello and Vasapollo 2006; Mack Smith 1997; Servidio 2000). In order to improve the states' economies, governments sold off large areas of land, especially the lands that had belonged to the church. The former feudal owners and the townsmen were the only classes that had the financial means for buying the land. Large land estates were also allocated to the municipalities, in order to be shared by the communities' peasants; this sort of subdivision was called *quotizzazione*, and took place in the last decades of the 19th century (Ferrari 2010; Masia 1992). However, the portions allotted from these holdings to each peasant household were very small, normally less than two hectares, and it was seldom possible to implement rentable agricultural practices there. Even if such transactions were forbidden, often peasants sold their plots of land to large land owners, in order to provide the cash needed to support their families (Acton 1997; Belotti 1960; Bonanno 1988).

The working class, made up of the peasants on rural land, and the proletarians in the towns, was tightly controlled by local governments that, in Italy, had (and still have) a high degree of political autonomy from the central government, whose power is maintained through strategic coalitions with hegemonic classes at provincial level (Bobbio 2006; Mac Smith 1997).

term is used in Europe, as well as in Latin America, to refer to large landed estates in the hand of a single landowner and their family. Peasants that work in the latifundia are hired by the landowner, who can also rent portions of the land to the peasants, under varying contracts (Snowden 1986). This term has come to be associated to the current struggles for access and redistribution of land, and to economic and political colonial domination. In Italy, the land reform was funded by the *Cassa per il Mezzogiorno* that between 1950 and 1962, mandated the transfer of the latifundia with an extension superior to 300 hectares to smaller holders (Belotti 1960 and Masia 1962).

The political alliances through which Italy's unification was formalized in 1861 were coordinated by Cavour, who during the *Risorgimento*¹² administered the kingdom of Piemonte and Sardegna. Under Cavour's leadership, the unification of Italy passed through the coalition of the two class segments: the Northern agrarian landowners, with commercial interests in the kingdom of Piemonte and Sardegna, and the Southern latifundists. In this coalition is rooted the establishment of the Italian bourgeoisie.

The political hegemony of Italy's landowners was established through two mechanisms: the restriction of suffrage to men (and only later, women) who could qualify in terms of literacy and property ownership, and the prevalence of a reformist government (Gramsci 2008; Showstack Sassoon 2000). Reformists, who were supported by the Cavour and the Savoy monarchs, maintained the control of power through a series of coalitions among the parties that represented the two landowning classes in post-unified Italy: the Northern agrarian bourgeoisie and the Southern latifundists. The restriction of suffrage ensured the exclusive access of large landowners to power, and the reformist government was, therefore, made up almost entirely of representatives of landowners who, in order to maintain a majority in parliament, depended on deputies elected by the provinces' landlord coalitions.

The main goal of the reformists was to obstruct the creation of parliamentary opposition, through the incorporation of as many parties as possible within a broad coalition. As Elazar (1996) stresses, "At the heart of this system were the country's 69 provincial governments, dominated by the organizations of the propertied class. The clientele politics of the Liberal state rendered the government dependent on parliamentary majorities produced by local

¹² In Chapter Two I talked extensively about the *Risorgimento*, and about the role of Cavour in the process of unification of Italy.

politics dominated by patrician families and notables” (1996: 237). In exchange for the support to ruling parties, the central government did not implement any form of control of provincial and municipal government, and made a series of deals with local oligarchies. This is why the power of the central government was so strongly intertwined with the local governments’ power and reinforced it, as long as the mutual support would work.

The hegemony of landowners remained uncontested until the electoral reform of 1911 that removed the property restrictions on suffrage, and allowed the formation of new political parties. By then, the power of the bourgeoisie, born from the ashes of the feudalism, strengthened by the ownership of vast land estates and sustained by the government of the newly made Italy, was established.

In 1914 Italy had a population of 35,905,000 and 4,931.000 land owners. Almost 66 percent owned parcels of less than one hectare; twelve percent owned parcels of one to two hectares; nine percent, two to four hectares; seven percent, four to eight hectares; and five percent owned estates of over eight hectares. The control of the power and the ownership of vast areas of land by the same ruling class were deeply intertwined (Neufeld 1961; Paige 1975; Schmidt 1937 and 1939).

With the unification of Italy, and the financial flow of money that came from the former Bourbon State, the Northern bourgeoisie’s industrial plans could take off. Landless waged workers, and immigrants from the South of Italy guaranteed the necessary labor force. The political coalition with the government, where the Northern agrarian bourgeoisie was well represented, ensured the state’s institutional support to the Northern bourgeoisie’s industrial expansion (Clark 2008; Milibandi 1983; Davis 2004). The commercialization of agriculture in the North was accompanied by establishment of an industrial sector for the

transformation of agricultural production. Started in 1896 in the Padana Valley¹³, the industrialization of agricultural production created the basis for the subsequent industrial boom of Northern Italy. It is the case, for instance, of the industries for rice processing, an activity still dominating in Vercelli and Novara, in Northern Italy (D'Atorre and De Bernardi 1993).

Therefore, in the North the value of land became linked not only to primary agricultural production, but also to the activities of transformation of agricultural products, and to the development of the industrial sector. In the extended latifundia, in the South, where products such as wheat, olives, and artichokes were planted, peasants worked under constraining contracts, such as the *soccida*¹⁴ in Sardinia, that required from the peasants the payment of high taxes and their annual contribution with a percentage of their produce (Masia 1992).

The agricultural land that had been divided in small plots among peasant (after Napoleon ended feudalism) did not normally provide, either in the South or the North, the means through which families could ensure their livelihoods, and the fragmentation of the land due to the inheritance process problematized this issue.

Rural communities, both in the South and in the North, relied for their livelihood in the maintenance of the common land that, even if very reduced and surviving repeated legislative attempts at extinction, still existed.

¹³ The Padana Valley refers to the plain and fertile land of the hydrographic basin of the river Po. The Valley extends between the Northern regions of Piemonte, Lombardia, Emilia, part of Liguria and Veneto, the whole Canton Ticino and part of the Italian Switzerland.

¹⁴ *Soccida* was the name given to a contract, sometimes written and sometimes only verbal, between peasants and owners of the land and of the livestock (albeit in some cases peasants might have had some livestock, but not land for grazing it). In exchange for the use of the land and of the livestock, the renter had to give a percentage of the earnings from their activity on the pastureland.

However, while Southern peasants lived in isolation from the political happenings of Rome, lacking avenues of communication as much as political engagement, the Northern waged workers, both industrial and agrarian, started organizing against the landlords and protesting the constraining work conditions. As early as 1880, much before the universal male suffrage was approved, and before the Socialist party was active, the workers of the Po valley¹⁵ formed the first organization of rural proletarians in Italy (Di Fiore 2007, Antoniello e Vasapollo 2006). Meanwhile, the South vast land estates were impacted by Italian Agrarian reform, and by the controversial redistribution of land among peasants that it brought. Through this redistribution, the relations between large and small landowners were reworked, and the human and physical landscape of Italy, particularly in the South, was dramatically transformed.

The impact of the Agrarian reform in the reworking of class relations and of landownership in Italy is going to be the focus of the next section.

4.2. Relations between large versus small landowners and the impact of the Agrarian Reform in Italy

The current Italian rural land tenure system has its roots in the land reform that was implemented in the peninsula in 1950, known as the Agrarian Reform. The funding that made the implementation of this reform possible came from an institution called the Southern Development Fund (*Cassa per il Mezzogiorno*). *Mezzogiorno* is used to define continental Southern Italy from Abruzzo to Sicily, and includes Sardinia. It encompasses almost 40% of Italy's land and around 33% of the Italian population (Clark 2008). The Agrarian Reform

¹⁵ The Valley of the Po, which is the longest Italian river with its 652 kilometer length, runs through Northern Italy, and springs in a deep alpine valley of 32 kilometers, located in the province of Cuneo.

wanted to address the unevenness in economic development between Southern Italy, mainly rural and lacking infrastructures and job opportunities, and the industrialized regions of the North.

I want to look at the genesis of Agrarian Reform from two perspectives: the national and the international one. Within the national perspective I focus on the Italian contentious political agreements through which the Agrarian Reform took off in 1950. Within the international perspective I look at the strong role that the loans given by American banks and financial institutions, as well as by the World Bank, had in the way in which the Agrarian Reform was born and was managed.

The Italian Christian Democrat, Socialist, and Communist parties' deputies in the government promoted, in 1944, the discussion of the issues related to the Southern Question, with particular focus on the conditions of the Southern rural communities (Brigaglia 2008). Following the protests of Southern peasants, asking for a solution to their extremely poor living conditions and, especially, asking for land, the government approved the so called Law Gullo. This law was named after the Communist Minister of Agriculture Fausto Gullo who wrote the law, and first proposed it to the *Assemblea Costituente*¹⁶, composed of participants in the Italian *Resistenza*¹⁷. The law was approved by the central government in July 1944 and stated that the lands left uncultivated by the landowners had to be distributed to peasant's cooperatives, which were supported and encouraged by the Law Gullo.

Specifically, this law put new restrictions on agreements among landowners and peasants, guaranteeing to peasants a minimum of 50% of the agricultural production, and

¹⁶ As I explained more extensively when talking about the unification of Italy, the *Assemblea Costituente* was the first government body, made by people (called *Partigiani*) that participated to the struggle against Fascism (the *Resistenza*). The *Assemblea Costituente* approved the new Italian constitution.

¹⁷ *Resistenza* refers to the struggle organized by Italian urban and rural populations, and intellectuals (called *Partigiani*), against Fascism.

giving permission to peasants' cooperatives to occupy land belonging to latifundia that was uncultivated or poorly cultivated. It also mandated a new, more favorable compensation scheme for peasants who wanted to sell their produce to state owned department stores, which sold agricultural produce to the public at cheaper prices than in privately owned stores. To forestall any retaliation from the landlords for peasants' support of changes, the new law also ordered the automatic extension of all existing contracts between landowners and renters. Between 1944 and 1949, peasants founded 1,187 cooperatives, with around 250,000 members, who obtained the concession of 165,000 hectares, mainly in Calabria, Sicily and Lazio.

The Law Gullo, however, was not applied thoroughly in all Italian provinces, and the lack of full application by the local governments gave rise to massive protests, organized by the Southern peasants' cooperatives.

After a strong political opposition, influenced by landowners' lobby in the central governments, in 1949 a new Agrarian Reform was discussed and approved. The Communist Gullo was replaced as Minister of Agriculture by Christian Democrat Segni, a rich Sardinian landowner. Under Segni, the law that Gullo had designed was modified in a manner that removed elements that would have protected the claims of the peasants. In particular, the right of the peasants to occupy land unused or poorly managed by the landowners was severely limited. According to the new law approved between 1950 and 1951, land owners also had the right to expel peasants from land that had been occupied earlier, if they were judged to have misused the landlords' land. This particular clause was very important, because was used by the landowners in order to fight against the peasants' cooperatives in the years to come (Lilliu 1995; Clark 2008; D'Atorre and De Bernardi 1993). Much of the

land that peasants managed to gain between 1944 and 1947 was lost in 1948, even before the approval of Agrarian Reform, and such loss became irreversible in 1949, with the formal approval of the new Agrarian reform. In this way Christian Democrats gained again the important support of land owners and the majority in parliament, greatly diminishing the influence of the left wing parties and, particularly, of the Communists.

Within this contentious context, the implementation of the Agrarian Reform happened in different phases: the first was the *Legge Sila*, which was approved in May 1950, and the *Legge stralcio*, approved in October 1950. The new Agrarian Reform mandated the expropriation, after the payment of an indemnity to the owners, of unproductive latifundia superior to two hundred hectares. These expropriated lands were to be given to landless peasants who wanted to implement agricultural activities and were resident in the municipalities where the lands were located. The assignments of the land plots were accompanied by full ownership titles. The reform was first applied in the regions that seemed to have the most problematic situations, which were Calabria and Sicily. In the other Southern regions the Agrarian Reform was applied after the approval of regional laws that fixed the procedures for the application of the reform and the creation of regional entities responsible for the coordination of the land distribution and for the building of the infrastructures funded through the Southern Development Fund.

Before explaining in much detail how the land distribution happened, I want to look at the political reasons that prompted the Agrarian Reform, which are rooted in the very strong collaboration between Italy, the USA, and the World Bank. The involvement of American financial institutions in the Italian agricultural reform started at the end of the Marshall Plan, which allocated billions of dollars for the reconstruction of Italy, whose

infrastructure had been heavily destroyed by two consecutive wars. As the Marshall Plan was coming to an end, between 1949 and 1950, the governor of the Bank of Italy, Antonio Menichella, contacted the president of the World Bank, Eugene Black, and managed to obtain a series of special loans, with the direct involvement of American banks and financial institutions, for the implementation of an organic plan for the development of the South of Italy. These loans represented the financial base that allowed the constitution of the Southern Development Fund. Although the more conspicuous part of the financial contributions was directed to the agricultural sector, and particularly to land drainage and to the struggle against malaria, huge amounts of money were used also for the improvement of the electrical industry, chemical industry, iron and steel industries and, particularly, for the strengthening of the automobile industry. These industrial investments became prevalent especially after the first decade of the program (Di Fiore 2007; Lilliu 1995; Clark 2008).

The success of the agreement between the Bank of Italy and the World Bank had a broad economic and financial impact. Money started pouring into the Italian Southern Development Fund, ensuring the financial resources needed for the development projects in the South and the Islands, in the agricultural and industrial sectors. However, the World Bank loans represented far more than that: they prolonged the resources available through the Marshall Plan and the availability of the strong dollar currency in the Italian economy. In the meantime, the “modernization” of the Italian economy was made possible only thanks to an infusion of increasing raw material and technology imports, mainly from the United States. These imports were paid with the loans from the World Bank, of course, obtained through American support. In this way was possible to afford the “modernization” of Italy without impacting negatively the Italian government balance of payments, and without creating

internal monetary instability. Meanwhile, Italy and the United States reinforced a mutual chain of economic and political agreements, from which both benefited. Almost all the private and public Italian industries and the main Italian banks were involved in the implementation of the Southern Development Plan.

In spite of these contentious political reasons that prompted the approval of the Southern Development Fund, several scholars have pointed out (e.g., Belotti 1960; Dickinson 1954; Sereni 1968; Bonanno 1988), that the Agrarian Reform can still be considered the most systematic way to address the unevenness between the North and South of Italy.

The Agrarian Reform was implemented in two phases, the first in the early 1950 and the second in the late 1950s, when the improved conditions of rural communities, due to the expansion of the agricultural sector, created the basis for a stronger investments from the industries located in the North of Italy, and for massive imports of raw material into the North. According to the economic theories dominating in those years, the modernizing of the infrastructures was the indispensable premise for the implementation of industrial development, which was considered the final goal to be reached through the funding given by the Southern Development Fund (Belotti 1960; Clark 2008; Davis 2006).

The second phase of the Southern Development Fund was, therefore, less linked to the Agrarian Reform, and more linked to the creation of infrastructures and of an industrial sector in the South, following the development plans of the main Northern industries. The result of these investments has been highly controversial and gave birth to the so called “cathedrals in the desert” (Clark 2008; Elazar 1996), which I addressed in Chapter Three. The failure of the industrialization process had a remarkable impact on the agricultural sector, from which peasants had started moving towards the apparently more stable and

better paid jobs in industry, and the promise of a better life in the cities (Acton 1997; Antonello and Vasapollo 2006). Agricultural production slowed, while rural land started becoming depopulated and the agricultural sector marginalized. This situation, together with the corruption at different level of governance, created social conflicts between the classes of rural workers and of the urban bourgeoisie, among whom were the officials that managed the distribution of the funding coming from the Southern Development Fund. The general discontent prompted several riots. The most famous is the one known in Italy as the “*moti* of Reggio Calabria,” which included a series of riots between 1970 and 1971 (Bobbio 1987).

I want now to return to the analysis of how the first phase of the Agrarian Reform was implemented and at how it impacted land ownership and social class composition, especially in Southern Italy. With some differences among the Southern regions, the general rule was that unproductive latifundia with an extension superior to two hundred hectares were expropriated from the latifundists. If a latifundist had a property of three hundred hectares, for instance, two hundred were expropriated, and one hundred was left to the latifundist, who received financial incentives, mainly lower interest rates, from the Southern Development Fund if they used the indemnities received for implementing agricultural activities and for improving their properties with, for example, irrigation systems. More than 700,000 hectares were expropriated from Southern latifundists (Dickinson 1954; Paige 1975).

The distribution of the land to the peasants aimed at guaranteeing subsistence farming. The land was received in two forms: as a holding (*podere*) large enough to allow the implementation of a small scale farm that could guarantee enough income to support a family; or as a quota that referred to smaller holdings whose agricultural exploitation ensured

some income needed to supplement earnings from other labor activities (Barca 2001). The land distributed was divided into two categories, of first and second class, depending on its quality. The average plots had an extension of four or five hectares. Families with more than five children received six hectares, and couples with no children received plots of less than four hectares.

Peasants who received the plots of land could also access cheap loans from the Southern Development Fund for the implementation of farming or other agricultural activity. Hundreds of agricultural projects were funded during the 42 years of the Agricultural Development Plan. These projects were also called “extraordinary projects of public interest in the South of Italy,” and in the first ten years (from 1950 to 1960) the investment program amounted to 1,200 billion of liras (Barca 2001; Bonanno 1988; Perry and Carey 1955), which corresponded to about 1,923 billion of dollars.¹⁸

The officials who were hired in order to confirm that expropriated properties met the criteria fixed by the law also encouraged the consolidation of the plots among the peasants that received the land. The technical reasons were that the consolidated plots were easier to irrigate and to manage, and the owners could make a better use of the money if they put the funding all together, and improve their earning thanks to a series of economies of scale. Many cooperatives that managed different plots of land belonging to their members were born under the influence of this policy.

Part of the expropriated land, with particular reference to the forested land, was retained by the municipalities, and used for the implementation of forestry projects, in collaboration with the provincial and regional forestry departments.

¹⁸ The exchange rate between USA dollars and Italian lira in 1960 was 624.02.

The reaction of the Southern latifundists to the expropriation was very violent. Through their powerful connections with the provincial and central government and, especially, through their involvement with the *mafia* in Sicily, the *'ndrangeta* in Calabria, and the *camorra* in Campania¹⁹, latifundists managed to have some of the expropriated land “re-assigned to them,” through the coercive actions of the members of these criminal organizations (Arlacchi 1980). Through their connections, latifundists also managed to control large portions of the land where the municipalities implemented forestry projects. The provincial forestry departments, controlled in this way by latifundists, promoted the planting of fast growing trees, such as eucalyptus, and associated supply agreements with Italian and foreign paper mill industries. Through these criminal organizations, latifundists also managed to control the majority of the projects for the constructions of the infrastructure, such as irrigation, drainage, aqueducts, roads, and railroads.

In spite of these problematic issues, between 1970 and 1980 money continued pouring into the South, while corruption and organized crime increased. Public funds were used for political purposes, in connivance with political representatives elected from among the key coordinators of Southern Italy’s organized crime (Antoniello and Vasappollo 2006; Brigaglia and Tola 2009; De Silvo 2009; Di Fiore 2007; Mac Smith 1997). The extent of these webs of corruption, and the considerable amount of misuse of public money was revealed by an investigation that in Italy is known as *Tangentopoli*. The investigation disclosed the interconnectedness between the political leadership of that period (with particular reference to the Christian Democrats and the Socialist parties) and the leaders of

¹⁹ *Mafia*, *'ndrangeta* and *camorra* are criminal organizations, also defined as “brotherhoods,” through which landlords controlled local populations and the social and economic structure of entire towns. The economic extortions were (and still are) a regular part of the methods of control. These organizations have each an internal structure, which is very hierarchical and in which the boss has undisputed power. Working class members are used for collecting extortion and for punishing any “acts of disobedience” to the organizations’ rules.

organized crime, who also owned the most important companies responsible for the construction of the infrastructures paid for by the Southern Development Fund. The center of the financial interests involved in the corruption and especially in its coverup were located in the Italian financial capital of Milan in the North. The worst local manifestations of the corruption, however, including the tight political and economic control of organized crime impacted only the Southern regions, and corruption came to be associated with conditions in the South, while the North came out of *Tangentopoli* with its image hardly tarnished (Ginsborg 2003; Servidio 2000).

Amidst these controversial issues, the re-working of rural land tenure and the creation of a new class of small landowners out of landless peasants, are among the most remarkable inheritances that the Agrarian Reform produced in Italy. With this contentious inheritance, Italy entered into the Euro zone, and began dealing with another round of new development schemes, this time emanating from the European Union Commission and applied through the Rural Development Plans.

In the next section I look at how the Agrarian Reform impacted Sardinia in particular, at how was implemented, and at the implications for two important categories of land users in Sardinia: shepherds and farmers. I focus particularly on how class structures changed, and how these changes were embedded within the broader remaking of Sardinia's rural landscape and rural development patterns.

4.3. The impact of the Agrarian Reform in Sardinia, and the role of shepherds and farmers

“Land in the name of the law” was the motto that accompanied the implementation of the Agrarian Reform in Italy (Brigaglia 2008), in 1950. One of the main problems that afflicted the rural population was the fragmentation of peasants’ small holdings, accompanied by the concentration of the majority of the land by a few big landowners.

When Agrarian Reform was implemented, in 1950, Sardinia was a rural region characterized by a preponderance of shepherds and a less strong presence of farmers. Sardinia’s two million and four hundred thousand hectares of rural land were, in 1950, classified as 24.6 percent agricultural land, 11.6 per cent as pastureland, and 16.8 per cent as unproductive land (D’Attorre and De Bernardi 1993; Barca 2001).

In that period 3,157 owners, which represented just 1.7 percent of the total numbers of landowners in Sardinia, had property ownership of 57% of the entire base of agricultural and pasture lands. Normally these land owners did not implement any agricultural activities, limiting their involvement to receiving compensation from the shepherds to whom they rented those lands. The rest of the land was fractionated into holdings often smaller than one hectare, and owned by peasants, both farmers and shepherds. These peasants normally could not meet their families’ needs through the insufficient agricultural production of these small plots.

When the Sardinian regional government was organizing the institutional structure through which implement the Agrarian Reform, just a year after the Island was declared an autonomous region²⁰ within the Italian nation, the rural lands were still reverberating from the massive wave of peasants’ riots of the previous year, during 1949. Men and women had gone to the streets of the rural towns to protest the deficiency of a regional government that

²⁰ Sardinia is one of the five Italian autonomous regions. This status has been granted to regions that have had a peculiar historical development and socio-economic conditions. The participation of the autonomous regions to the Italian political life passes through their own regional governments.

was not addressing the poverty of the rural population. Forced to live from the meager produce of fragmented land properties, to pay high rents that large and absentee landowners took from shepherds, and with a common land heavily reduced, Sardinian peasants mounted a dramatic protest for the first time in Sardinian history that swept the Island from North to South.

Sardinian protests were linked to the broader wave of peasants' uprisings in central (especially the Lazio region) and Southern Italy that had started already in 1944, and which I addressed in the previous section.

In Sardinia, the collectivization encouraged by the *Legge Gullo* had resulted in the organization of Sardinian farmers as a class, detached from the shepherds, with whom they shared the status of peasants, but not the same conditions under which they used the rural land. While shepherds besides the very modest produce of their plots of agricultural land, earned a revenue from the livestock's breeding, farmers did not have any other source of income and, in several occasions, were also in conflict with the shepherds that allowed their flocks in the agricultural areas. More important than that, farmers resented the shepherds, to whom large landowners preferred to rent their large estates, made also of fertile land, ensuring in this way an easy income. Nevertheless peasants' protest included farmers and shepherds, since both had good reason for being discontent of their present situation (Lilliu 1995; Ventroni 2008).

Peasants' riots counted on a very high participation of men and, for the first time, of women as well, in Sardinia as well as in the rest of Italy. The very first riot in Sardinia was organized in Gonnessa (which is also my hometown), by farmers, shepherds, and miners, protesting the lack of enforcement of *Legge Gullo* and the exploitation of the land by foreign

mining companies that, with the connivance of local politicians, imposed very harsh work conditions on the local population, and were making considerable profits from the destruction of Gonnese's land, and removal of its rich deposits of minerals and coal. This protest, which is very important in Sardinian history, was led by a woman, who was killed by police called by the mine owners in order to disperse the protesters. Many other people, both women and men, were arrested (Brigaglia and Tola 2009).

These organized protests were different from the resistance to the 1836 Enclosures Law that had instituted private property in Sardinia. That law had deprived both shepherds and farmers of access to land, and gave the opportunity to large landowners to enclose their properties and exclude peasants from its use. Peasants' resistance to that law found expression in the maintenance of the land use rules through which they had ensured their livelihood before the Enclosures Law. The protests organized in 1948 were aimed at the implementation of a law that would have allowed the redistribution of the land to the population from whom had been taken by the landowners in the early 19th century. In 1948, however, farmers were among the main organizers of these protests, and they were supported by shepherds, who would have benefited as well from the distribution of quotas of land to their families (Brigaglia 2008; Di Fiore 2007; Sale 1975; Sereni 1975; Spano 1958). Large absentee land owners, usually living far away in the cities, and oblivious of their own land, now represented the embodiment of the power that both shepherds and farmers struggled against, a common enemy for both types of peasants.

The struggle for land, and the cooperation of farmers and shepherds in it, however, has always shown strong local differentiations from province to province within Sardinia, and these are important to acknowledge. With reference to Gallura, the *stazzi* owners, who

were both shepherds and farmers, participated in these struggles at much lesser degree than Gallura's farmers that did not own a *stazzo* and were therefore directly impacted by the inequities in the management of the rural land. In the highly pastoral Ogliastra, shepherds led the protests in the province.

The implementation of the Agrarian Reform in Sardinia did not specifically address the local differences in land use patterns, which the regional laws were supposed to address. In Sardinia the distribution of the land was done through different phases. In May 1951 the public Entity for the Transformation of Agriculture and Land Tenure in Sardinia (*Ente per la trasformazione agraria e fondiaria in Sardegna*), or ETFAS, was created. This entity was charged with implementing the expropriation of the uncultivated lands and the creation of the infrastructures that, in Sardinia, were built before the land distribution took place. In this way, the plots distributed would already be prepared for the implementation of agricultural activities (Boscolo et al. 1995; Del Piano 1959; Cerosimo and Donzelli 2000).

The goal was to distribute the land among the peasants and, at the same time, to create the conditions for agricultural development to take off. Between 1952 and 1954, were built 21 rural villages, as well as 68 schools and 9 agrarian vocational schools. A full 811 kilometers of roads were constructed among the agricultural land, 452 kilometers of aqueducts, and 594 electricity gridlines. In two years 62,271 hectares were transformed and prepared for the implementation of the agricultural activities by the farmers to whom the land was then distributed. Soon after, 27,721 hectares were planted in vineyards, with olive trees or fruit trees, including citrus plantations, and in wheat, artichokes, and other cereal grains. The ETFAS did also a survey of the Sardinian forests both spontaneous and planted, which covered 617 hectares. This land was left under the care of the forestry department,

who also supervised another 1,683 hectares newly planted with trees lines marking boundaries around the cultivated plots and in the borders of roads, all in order to offer wind protection (Belotti 1960; Bonanno 1988; Brigaglia 2008; Dickinson 1954).

The strong presence of shepherds was acknowledged, and their need for improved grazing land for their flocks was addressed. 21,982 hectares of pastures were improved with massive irrigation projects, and with the building of barns and communication roads through pastures, linking them to nearby towns. The goal was to create the conditions that would preclude the need for shepherds to engage in transhumant migration, which was considered among the main causes of conflict between shepherds and farmers. Besides the issue of conflicts between shepherds and farmers, there were, however, also other layers of conflicts, particularly between different levels governmentality, especially municipal and regional. In the next chapter I address these multiples level of conflicts with particular attention to the present time, and to the implications of these conflicts in the current land use practices.

CHAPTER V

THE ROLE OF CONFLICTS IN SHAPING LAND USE PRACTICES

Access to and use of natural resources is a highly contentious issue. With reference to land, its centrality as a factor of production (Braden 1982; Brandt et al. 2002; Ellickson 1993; Katz 2000; Tom and Bowers 1997) and as a material base of multiple resources, places it at the hub of arrangements, negotiations (Gouldner 1970; Singer 2006; Stinson 1996; von Benda Beckmann and Wiber 2006) and conflicts that, at the community level (Bassett 2007; Berry 2009; Kiteme and Gikonyo 2002; von Benda Beckman 2006) as well as broader level (Berry 2001; Kingston-Mann 2006; Ross 2004; Sikor 2006), determine the way in which land is used, understood and struggled over. Conflicts about resource exploitation, determine how such exploitation will be carried out, and the impact of these uses on the ecological features of land. These highly political issues are embedded in the ongoing re-working of power relations at different levels of use, control and governmentality (Appadurai 1996; Harvey 1989; Geisler 2006; Kibreab 1999).

The political ecology of land use is analyzed by Blaikie and Brookfield (1985) who, in their inquiry into the issue of access, control and management of resources, look at the multilayered dialectic over land-based resources. Paulson and Gezon (2005) stress that, “the political ecologists must investigate a variety of arenas to understand the ecology of politics around natural resources use” (2005: 53). Bassett (2007) reminds that conflicts are largely conjunctural and therefore difficult to theorize, and a multidisciplinary approach opens up, according to Vayda (1997), a better understanding of complexity through the

contextualization of the interactions between people and their environment within a progressively complicated context.

Ecosystems are complex, and their multiple uses, which are not always compatible with one other, are at the center of struggles and ongoing negotiations, at the local and broader level. Forest use, for instance, is at center of ongoing negotiations that involve communities (Evan and Yarwood 2002; Gibson et al. 2000; Yeh 2000), whose life is impacted by the availability of the forests' resources (Aiken and Leigh 1992; Alston et al. 1999; Evans et al. 2008; Buckles 1999; Le Billon 2000).

In her work on conflicts and commodification, Yeh (2000) analyzes the conflicts in North East Yunnan, China, addressing the meaning that access acquires through the struggles of rural communities over access to forests and, especially, to valuable forest resources. Forests are also the focus of LeBillon's *The political ecology of transition in Cambodia* (2000). LeBillon's study refers, however, to the role of forest exploitation in financing the continuation of war. He examines how forests in Cambodia are "becoming the most politicized resource of a reconstruction process" (2000: 785), and explores the social networks and the power politics that are shaping forest exploitation, and emerging exclusionary uses. Forests are also the most contentious natural resource in Nepal, given their multiple uses, such as collection of medicinal herbs, non timber forests products, and wood (Upreti 2004).

Disputes over land access in post-colonial and neo-colonial contexts are the focus of several studies (Among them: Anderson 2006; Gandhi 1998; Memmi 1991; Mignolo 1999; Mohanty 1988; Mudimbe 1988; Said 1978 and 1993; Spivak 1988; Young 2001). Kalande's (2008) work about the disputes over land ownership and land use rights in Kenya is a good

case in point, reflecting on one of the most common legacies of colonialism. The present landownership structure, he argues, is the result of colonialists' dispossession of the land and acquisition of property rights, which were retained by the Kenyan elite classes, even after the country declared independence.

Pronk and Evers (2007) argue that lack of access to land in Southeast Madagascar is exacerbating problems "such as insecurity of tenure and poverty, but is also likely to complicate existing social tensions in the research setting" (2007: 41). In their work Pronk and Evers highlight the lack of agreement among researchers, scholars and policy makers, not only about the elements to be analyzed but also about the approaches with which to look at them. The involvement of political and economic institutions in these analyses, and their own self-interest in data and research, complicate that panorama, but indirectly give important information about the different interests that are at stake.

Kanyinga (1998) highlights the weak presence of systematic studies on post-colonial struggles for land rights in Kenya and sub-Saharan Africa. He maintains that current studies have often "ignored the fact that the 'land question' is not about production alone, and have, thus, failed to assess its wider consequences for society" (1998: 50). Kanyinga handles in this study the current socio-political dimensions of the land question within those countries, and the consequences of the embeddedness of the land question in the broader socio-political context.

Access to land and, more broadly, to natural resources, plays a strong role also in the creation and maintenance of violent conflicts, and scholars have looked at this controversial issue under different perspectives, and in many different locations (Boyle 1999; Collier 1999; Holsti 1996; Keen 1998; Naylor 1999). Suliman (1998) analyzes the role of natural resource

access and control in the creation and maintenance of Sudan's history of violent conflicts. He argues that the "traditional assumption that violent conflicts in Africa emanate from ethnic, religious, or cultural differences is seriously limited" (1998: 5). Suliman inquires about the interrelation between the Sudanese social classes' stratification, the elite classes' control of economically crucial sectors, such as extraction of primary resources, and the World Bank and IMF policies that, through the concession of strategic loans, prompted the integration of Sudan into the market economy. With reference to land, the expansion of large scale mechanized farming has been among the causes of land degradation and of the pushing of farming from North towards the South. In this regard he specifies that "land is now mostly in the hands and control of a limited number of private landlords that are part of the Mechanized Farming Corporation (MFC), established with a credit from World Bank in 1968" (1998: 18).

The violent conflicts that in Tanzania followed the nation's political and economic reforms are addressed by Hirschler (2004). Tanzania's reforms started in the mid 1980s, and brought what Hirschler defines as a "double transition," from socialism to free market system, and from a one-party system to a multi-party system. In the 1990s, economic reform introduced private ownership, and exclusionary rules over access to land and natural resources in general. These reforms facilitated foreign investors' entering into Tanzania's market, accessing mining of gold and gemstones, and implementing other economic activities based on the exploitation of natural resources, such as fishing at Lake Victoria, and sisal plantations in the Tanga and Kilimanjaro regions. Buckles (1999) affirms that competition for control of resources has been decisive in several of the current conflicts. He

argues that, if this trend continues, the 21st century is going to be marked by increasing conflicts prompted by access to resources or control over their exploitation.

Moving the focus to Latin America, where conflicts over access to natural resources have deeply marked past and current land use practices (Brass 2003; Cooper 1994; De Janvri 1981; De Janvri et al. 2001; Denevan 1992; Eckstein and Wickham-Crowley 2003; Enriquez 1997; Petras 1998; Thiesenhusen 1995; Zamosc 1989), I want to focus on two social movements that have deeply impacted the present history of land use in that region. These social movements are the Landless Workers Movement in Brazil (*Movimento dos Trabalhadores Rurais Sem Terra*, or MST) (Andrade 2002, Andrade et al; 2001; Brandford and Rocha 2002; Da Veiga 1990; Fanelli 2002; Neto 1999; Wolford 2004, 2005, 2006, 2007 and 2010; Wright and Wolford 2003), and the *Zapatista* movement in Chiapas, Mexico (Blake 2000; Bobrow-Strain 2007; Chomsky 1999; Collier 2005; Harvey 1998; Holloway and Pelàez 1998; Faleschini 2008; Legorreta Díaz 1998; Mentinis 2006; Thomas 1989; Washbrook 2006; Womack 1999).

As Wolford (2010) explains, the MST was founded in the Southern states of Brazil in the mid 1980s, and became “the most dynamic and well organized social movement in Brazilian history” (2010: 1). Wolford’s analysis of the MST struggles and occupations in two different parts of Brazil (Agua Preta in the state of Pernambuco and Campos Novos in Santa Catarina), clarifies the twisted and contentious issues that were addressed by the original organizers of these movements, and the impact of the MST on land use practices. She also addresses the issue of the MST structure, which is “... not necessary or naturally cohesive. It is a deliberate attempt to create unity as it is an expression of such” (2010: 5). With her analysis of the internal differentiations that characterized the MST and shaped the way in

which it developed and the land use practices that were implemented, Wolford problematizes the conventional vision of organized struggles as a compact movement of people that always carries a unified and unifying ideology.

The year 1994 is generally indicated as the period in which Zapatista Army of National Liberation (EZLN) movement in Chiapas, Mexico, was created. In that period the vegetation had mostly been destroyed in the movement's home region of Chiapas in order to give space to agriculture and ranching, and most of the area's small farmers struggled amidst poverty and marginalization. Land occupation is a crucial aspect of the Zapatista struggle, and of their political agenda. Since their formation, the Zapatistas have been inspirations for many other grassroots movements, and scholarly studies.

Harvey (1998) analyzes the Zapatista movement within the theoretical framework of state formation and social movements. He inquires into the broad significance of Zapatistas for Mexican politics. Legorreta Díaz (1998) examines the Zapatistas within the historical events that marked the region of Las Cañadas, where the Zapatista movement was born. She strongly criticize the movement, which she considers "disruptive to the processes of social change in Chiapas," with a "high social expense for the indigenous population of the Las Cañadas region" (2000: 84). Holloway and Pelàez (1998) analyze the Zapatista movement as an inspiration for a wide range of oppositional struggles against neo-liberalism. Nuijiten and van der Haar (2000) remind the Zapatistas argument that the land belongs to those who work it, and stress that Zapastista approach to land use and ownership did not only pose a challenge to "the Mexican political system ...[but] inspired new ways of doing politics" (2000: 83). The contentious issues within and around the Zapatista movement as well as the MST movement and their internal tensions cannot be overlooked. However, as Wolford

reminds, “nothing could be more ordinary than tension” (2010: 13). Conflicts also are not homogenous: they are embedded in the everyday lives of the people that enact them and in their controversial relationships and shifting personal conditions.

In the next sections I look at conflicts that have marked the sometimes controversial relationship between shepherds and farmers in rural Sardinia. I also examine the conflicts involving two different levels of governmentality: the municipal and regional one, and look at the impact of these conflicts in common land use practices. In the last section I will draw from my conversations with Giovanni, a shepherd from Ogliastro, and I address the contentious meanings of land that can emerge from the daily lives of community members.

5.1. Legal agreements and illegal behavior. Conflicts between shepherds and farmers

In 1866 archeologists doing an excavation in a small Sardinian town, Esterzili, found a piece of bronze with an inscription in Latin. After examining this inscription, they realized that it contained the text of a sentence from March 13, of the year 69AD. This sentence was signed by the Roman pro-consul Elvio Agrippa, who had tried to solve a controversy between shepherds from Gallura and farmers from Campania²¹ brought by the colonizers Romans to Sardinia. Romans brought also farmers from other Italian and North African colonies, in order to work with Sardinians in the implementation of extensive agricultural plantations, mainly for the production of wheat, to be exported to Rome. In order to better protect the agricultural fields in Sardinia, Romans imposed a drastic transformation of the shepherd from transhumant into sedentary. Their policy was successful in some provinces,

²¹ Campania is a Southern Italian region, which was also colonized by the Romans.

such as the current province of Gallura, Oristano, and Iglesias. It did not succeed in Barbagia, which corresponds to the center of Sardinia and to the province of Nuoro, and in Ogliastra.

More recently, the issue of conflicts between shepherds and farmers in Sardinia, has been addressed by scholarly work (Le Lannou 1979; Angioni and Manconi 1992; Meloni 2006; Pungetti 1995), and has been a key focus of rural development planning (Sardinian Rural Development Plan 2007-13). During my field research in Gallura and Ogliastra I addressed the issue of conflicts between shepherds and farmers, which has some relevance in Gallura, among the shepherds that are not *stazzo* owners, and is a very important issue in Ogliastra, given the strong presence of pastoralism in the province rural economy. With reference to the conflicts between shepherds and farmers during the shepherds' transhumance to the warmer South of Sardinia, the shepherds with whom I talked explained to me that, before moving to the South of the island, they made agreements with the officials of the municipalities onto whose land they were moving. They had to obtain permission for temporary use of their land, which was sometimes under *usi civici*, and other times part of the municipal domain. They also obtained permission for occupying rural homesteads abandoned in the countryside.

However, farmers of the towns where the shepherds moved during their transhumance cycles often protested that shepherds trespassed in their properties. The protests were always brought to the municipalities, and often farmers demanded punishment of the shepherds for their trespassing. Normally these protests were followed up by an investigative visit by municipal officials and, if the illegal behavior was confirmed, by a fine. The officials also always warned the shepherds that their use of the municipality's land was

allowed only under specific conditions, and the respect of farmers' property was high on the list.

I still remember vividly when I was growing up in my hometown of Gonnese, where every winter several shepherds from the mainly pastoral province of Barbagia (that in that period included Ogliastra) arrived on the rural outskirts of the town. My father was Gonnese's public officer responsible for the supervision of the municipal domain, and I remember several farmers stopping him in the street to inform that they were going to his office, at the Town Hall, to complain about the shepherds trespassing on their properties. Several times these farmers knocked at the door of our home in the middle of the night, often accompanied by a guard, asking my father to go and check their properties that had been occupied by shepherds under cover of darkness. I also remember, however, that shepherds came as well, also at night and accompanied by guards, to protest that during the night farmers had stolen or killed their sheep or goats. My father always had to get up and go, check the situation, fill out forms on which farmers or shepherds would record their complaints, and then prepare a report with his suggestions about follow-ups. A full report had to be given to the local authorities the morning after. I was always afraid for my father's safety on these occasions, since even as a child I knew that there had occasionally been some murders among shepherds and farmers whose conflicts became very harsh after they failed to reach an agreement.

Another common problem that provoked conflicts between shepherds and townspeople was the accusation that shepherds caused wild fires that afflicted the rural land, and especially the forests. Shepherds were accused of responsibility for the fires, set in order to clear the land of dry grass, which would be replaced by tender, fresh grass after a

relatively short time. As studies done on this issue have stressed (Angioni and Manconi 1992; Le Lannou 1979; Sale 1975; Ventroni 2008), however, and as my father used to explain to me, this accusation was unjust most of the time. Sardinia's shepherds normally did not use fire as a way to get fresh grass for their livestock, and they especially would not have needed to refresh the land where they moved during winter, in any case, since it was already humid and rich with fresh grass in this season. They would have applied this technique in their own municipal land, so that they could have fresh grass when they returned in the spring, after their temporary transhumant winter stay in the South. Unless they decided to stay in Southern Sardinia during summer, which did happen in some cases when shepherds moved their entire families with them, the practice of burning dry grass was, therefore, not even in their own interest.

Sardinian shepherds have actually developed a technique that includes letting the sheep and other livestock to use for grazing any plant present in the soil covered by the Mediterranean maquis, and also to let the sheep eat the vegetation that grows in the humid and shady soil of the forests. This attention to the kind of vegetation that the livestock, and especially sheep, can eat is a fundamental element in Sardinian shepherds' milk production. The kind of vegetation that sheep eat is considered crucial to the taste of the milk and, therefore, of the cheese made from it, especially the *pecorino sardo*, which is one of the most important agricultural products exported from Sardinia.

Normally the fires that did occur in the forested and rural lands, when they were not naturally occurring, were set by private developers who had been refused permission for building touristic resorts, or by the inattentive behavior of local people or tourists who did not make sure that any fires they had set were well contained or extinguished. I remember

several large fires that were fought for days by the firefighters, with the help of local people from Gonnese. I especially remember the smell of burned wood that hung over the air in town for days, and the little particles of ashes that filled the air during those fires, especially if the mistral (cold winds from over the Alps to the North) had unfortunately started, helping the fire to grow.

On one of these occasions our whole town was shocked by the death of a young shepherd of seventeen years old, who was the cousin of one my schoolmates and lived in their household. I remembered him very well, from my visits to my schoolmate's family²². His body was found by the firefighters nearby his sheep where he had run after the fire started, trying desperately to save them. According to the firefighter's description, they must have been soon surrounded by the fire, and died from smoke inhalation before they even got burned. His family was accused of putting the fire, and causing the death of their own offspring. They fought back against the accusations, and only after more than a year of investigation was it found that the fire was not caused by them.

With the mid 20th century Agrarian Reform, the slow disappearance of shepherds' transhumant migrations was also accompanied by the fading of these conflicts among shepherds and farmers. According to scholars (Cerosimo and Donzelli 2000; Corradini 2001; Meloni 2006), the vanishing of conflicts today is mostly due to the diversification of activities on the rural land. The competition between shepherds and farmers is weaker than in the past, not because the livestock diminished, or the farmers moved away; instead, they changed the way in which they perform their work. All agricultural actors have diversified their practices; and, especially, shepherds do not focus their work only on livestock breeding,

²² In the next chapter I describe in depth how in the shepherds' household, the family members organized the daily activities in the house and in the land.

just as farmers do not use their agricultural activities as their only source of livelihood. Both shepherds and farmers move much more often than in the past between the towns and the countryside, and often carry on jobs in town, while they maintain their plots of agricultural land, or their livestock, on a part time basis.

This situation emerges from the analysis of the data elaborated in 2007 by Eurostat²³. In spite of the 55.7% of Sardinia's land classified as pastureland, and the 37.6% classified as arable land, only 6.2% of the active population was primarily employed in the agricultural sector, with far more, 24.5 %, working in the secondary sector of industry and trade, and 69.3% in the tertiary services sector.

A high number of the population that works in the secondary and tertiary sectors, however, as an official from the Sardinia government planning development explained to me, while maintain their professional jobs, they also take care of their rural land, and move often between the towns and their rural homesteads, as I observed in the previous chapters. He stressed that is not always easy to “catch” these element in the statistical data.

With specific reference to the land under *usi civici*, the main conflicts currently registered are due to the tendency of shepherds and farmers, as well, to treat the land given for temporary use, according to the rules fixed at municipal level, as private land. This means that shepherds and farmers at times build on the land under *usi civici* barns or other infrastructures without asking the proper permission from the municipal officials, and pretend to keep them, and the land surrounding these constructions, as private property. I observed during my field research that this problem is one of the main worries of Ogliastro's mayors, who do not want to lose the political support of those shepherds and farmers of their

²³ EUROSTAT is the Directorate General of the European Commission, and provides the statistical information about the States that are members of the European Union.

towns and, at the same time, cannot afford to lose the support of the rest of the population who complain about the reduction of their access to common land due to these illegal appropriations.

A conversation that I had during my last field research trip to Sardinia with the young mayor of Gairo is a case in point. Gairo is a small Ogliastra town with a large number of shepherds, and with some cases of illegal buildings on the land under *usi civici*. As the mayor explained to me, there had been cases in which some of those buildings had been lent or even sold to other shepherds, creating intricate legal issues to be resolved. The mayor explained that these illegal behaviors were more likely to be registered among older shepherds, whose families had had those lands in *enfiteusi* for generations, and who felt that they had become, in this way, legal owners, in spite of the fact that they had never bought the land. In this case, the mayor decided to tear the buildings down, in order to make it clear what the position of the municipality was, and to discourage for the time being any such behaviors in the future. In the last section of this chapter I will specifically address this issue further, through the analysis of my interviews and informal conversation with Giovanni, a shepherd from Gairo.

In the next section I focus my attention on conflicts between different levels of governmentality, municipal and regional, that were involved in managing land use in the municipality of Ulassai, in Ogliastra. In that town, some notable environmental problems emerged that put into question the meaning common property and its private use.

5.2. Because the wind belongs to everybody. The contested building of windmill turbines

On May 1, 2010 in the Italian weekly magazine *L'Espresso* an article appeared with the captivating and worrisome title of Mafia's Winds²⁴. The wind that the article refers to blows in Sardinia, and specifically in the municipality of Ulassai, in the province of Ogliastra. More precisely, this wind blows in the municipality's land under *usi civici*. Eighty seven per cent of the almost 13,000 hectares of Ulassai's municipality are under *usi civici*, amounting to 10,600 square kilometers.

This was the same land where I spent several days during my field research in 2009 walking through snow covered soil and looking at forty eight new windmill towers, with turbines, distributed across 2,900 hectares of land. This area represents the 27% of Ulassai's land under *usi civici*. The "mafia" referred to the Italian corporation that built the turbines and the year before, thanks to a strategic financial operation, had become the only owner of the turbines, and of the considerable profits coming from their activity, estimated at 15 to 20 million Euro annually.

In order to understand how this happened, I want to address the bitter controversy between the municipal government and the Sardinian regional government centered on Ulassai's land under *usi civici*. Both regional and municipal governments had formally agreed that the proposal of building the windmills on land under *usi civici*, presented by the municipality of Ulassai in 2002, was feasible. However the view of these two different levels of governmentality on how to do it was totally different. The municipality of Ulassai approved, also in 2002, a project presented by a corporation located in Milano, who proposed a thirty-year lease, in exchange for 360,000 Euro per year payment to the municipal treasury, and the hiring of twenty five local people from Ulassai. The project was included in Ulassai's

²⁴ The article *Venti di Mafia* (Mafia's Winds) is written by the journalist Fabrizio Gatti, and appeared at pages 23-24 of *l'Espresso*, May 1, 2010.

Plan for the Improvement of the land under *usi civici* (*Piano di valorizzazione delle terre civiche*)²⁵, and was approved, also in 2002, by the Sardinian Government.

The involvement of the Italian company, however, was not approved by the President of the Sardinian government. He insisted that the Ulassai municipality should have involved Sardinian companies, and organized them into a cooperative, with the technical and political support of the Sardinian government. In this way the earnings coming from such an activity would have remained in Sardinia, and especially in the municipalities on whose land the wind turbines were going to be built. “The wind belongs to everybody,” the President of Sardinian Government insisted, “and the money made using the wind has to be shared among everybody, at least here in Sardinia.”

In spite of the disapproval of the Regional Government, in 2003 the municipality of Ulassai signed the contract approving the final project presented by the Italian corporation Sarvent, which leased the land under *usi civici* for twenty years. The Sarvent (which was acquired in that same year by the company Sardeolica), was located in the Sardinian capital of Cagliari, but was owned by two non-Sardinian groups: 70% ownership was controlled by Saras, an Italian group with corporate offices in Milano, and 30% by the Italian company Babcock & Brown. In 2008 the Saras corporation bought out the interest of Babcock & Brown for 30 million Euros and became the sole owners of the Sardeolica corporation, whose name more recently changed to Parchi Eolici Ulassai.

The harsh debate between Ulassai’s municipality, and the Sardinian Regional Government, carried on by the mayor of Ulassai and the President of the Sardinian Regional Government, occupied the daily news in Sardinia and divided the public opinion for quite

²⁵ The Plan for the improvement of the land under *usi civici* is encouraged by the Sardinian Regional Law 12/1994, which currently regulates the land under *usi civici* on the Island.

some time. After a long legal battle between the two entities, the municipality of Ulassai won, and in 2005 obtained the definitive approval of the contract signed with Saras.

The municipality of Ulassai was later on criticized by Sardinian environmental groups²⁶, with whom I talked during my visits to Ogliastro, of supporting the building of the gigantic wind turbines in one of the most pristine, beautiful natural terraces of Ogliastro, a unique location from where it is possible to see three provinces, including the valleys of Oristano province, the Gennargentu²⁷ chain of mountains in Nuoro province, and the seacoast of Ogliastro. The presence of turbines, the environmentalists accused, destroyed the priceless scenic value of that land.

Sardinian environmental groups accused Ulassai's administration of letting a private company to speculate on land under *usi civici*, which should represent the embodiment of the common rather than private good. The Sardinian groups also attacked Italian environmental groups from outside the island, and particularly *Greenpeace Italia*, of supporting the installation of the wind turbines in spite of their negative environmental impacts.

Specifically, *Greenpeace Italia* has been accused of being the protagonist of aggressive campaigns, organized in collaboration with the Italian Association of the Wind Industries (ANEV), aimed at eliminating Sardinian regional regulations. These regulations had been approved by the regional administration headed by the same President who opposed Ulassai's contract with the Italian corporation, and were originally aimed at the protection of the areas considered of environmental value. Sardinian environmental groups thus aligned with the Sardinian regional government against the Ulassai municipal government who had

²⁶ These groups asked not to be named in my work.

²⁷ Gennargentu is the highest chain of mountains in Sardinia. The highest mountain, Punta La Marmora reaches 1,834 meters.

the support of mainland Italian environmental groups, and of the wind industry trade association.

The wind turbines produce every year 190 GWh that, according to the studies done by the company that installed the turbines, is the average energy consumed per year by 50,000 family units. The annual fee paid to Ulassai has been updated to 800,000 per year that environmental organizations maintain is a meager amount, compared to the environmental value of the land occupied by the turbines, and yields almost all the considerable profits to the Italian corporation, estimated at more than 15 million Euro per year.

The members of the Sardinian environmental groups stressed that one way to diminish the harm done from the building of the wind turbines could have been to include a clause that forced the Saras corporation to use of a percentage of the profits (suggesting an amount of four to five million Euro annually) for the reforestation of the area occupied by the turbines with autochthonous vegetation, involving the local Forestry Department in the work. In this way the project could have contributed to the creation of more than the current thirty jobs given to local community members.

The mayor of Ulassai, representing the administration that approved and still supports the project, replied to the accusations published in the Italian national weekly magazine *l'Espresso*, in an open letter published in the website of the Ulassai municipality (www.comune.ulassai.org.it) and dated May 10, 2010. In this letter the mayor criticized the use of a word, *mafia*, that in Italy has a connotation that cannot fairly be applied to the management of Ulassai's wind power project. The mayor asks in the article if the journalist of the *Espresso* has ever been in Ulassai, in order to look at the project that he wrote about, and to realize the real impact of the wind towers on Ulassai's land. Speaking in the name of

Ulassai's community members, the mayor expressed his disappointment at the prejudice that he and the members of Ulassai's community feel they are subjected to as Sardinians. He rejected the image he claimed the Italian magazine gave of Sardinia as backward region that sells its precious resources to the first appealing buyer, in exchange for little more than nothing.

He reminded that Ulassai has had a very high unemployment rate, with all the working population occupied in agriculture, livestock raising, or working for the Forestry Department. The young population leaves the town as soon as gets a college education, because of the lack of employment opportunities. At the same time the town has a considerable patrimony of public land. Some of this land has environmental value, because of particular features such as the *tacchi*²⁸, or the waterfalls. Not all the land under *usi civici* has such environmental value, the mayor argued. In his letters, the mayor also clarified the different steps through which the installation of the wind turbines took place, and highlighted all the payments received by the Saras corporation, including the money received for all the previous work done in the land under *usi civici*, in order to analyze local wind velocity and constancy.

With reference to the use of the word *mafia*, the mayor of Ulassai stressed that such expression might be referred to the engineer that worked for the Saras and coordinated the previous studies in the land where the turbines had to be built. This engineer, Franzinelli, ended up being exposed as involved with the approval of wind power turbines built in Sicily by companies managed by the local mafia. This element is unfortunate, the mayor stressed, but does not diminish the transparency of the process through which Ulassai's own wind

²⁸ As I described in chapter one, in my walk through Ogliastro, the *tacchi* are mountains are made of limestone rocks, covered by Mediterranean maquis, with a preponderance of juniper and mastic trees, and are mostly flat on the top.

towers were built. As soon as the administration of Ulassai learned of the involvement of Franzinelli with the mafia, in fact, they cancelled his contract. Only after that the municipality of Ulassai struck the agreement with the Saras corporation, which has respected so far all the clauses imposed in the contract.

“The wind power project for us represents development, remarks the mayor,” and created so far “forty jobs in a town of 1,500 people, and 800,000 Euro per year for the occupation of the land, which include a percentage of Saras’s profits, while impacting our environment as little as possible.”²⁹ The mayor also stressed that the economic resources that came from the project allowed the municipality to implement several programs, such as the creation of a museum, a center for elderly, the improvement of local schools, and the institution of scholarships in order to allow Ulassai’s college students to study abroad for a year. “In exchange for all that, the Ulassai community did not have to give up its land,” the mayor clarified. The pasturing activities that were carried on before the wind towers were built continued around them, and the landscape around the project was not altered.

The debates around Ulassai’s windmills still have not ended, although during my fieldwork visits I sensed an overall public approval of the Ulassai municipality’s choice, reinforced by the creation of the forty new jobs that the project brought to the town. The Sardinian environmental organizations did not change their critical position against the way in which the project was carried out, however, complaining about what they defined as “the connivance of a capitalistic and colonial view of Sardinia” not only by the municipality of Ulassai, but also by the national Italian environmental organizations that still support the project.

²⁹ Quote from the letter published in the municipality of Ulassai’s weblink: www.comune.ulassai.org.it.

With reference to the rise of conflicts over the use of natural resources, Upreti (2004) argues that conflicts typically emerge due to the “multifunctional nature of resources” (2004: 65). Looking at Ulassai’s multiple layers of conflict, I would add another critical element to the genesis of conflicts, which is the multidimensionality of natural resources (Costanza and Folke 1996; Griffiths 2002; von Benda-Beckman 2009). This mostly involves the multiple uses of resources and the conflicts among the multiple levels of governmentality through which these uses are regulated at local and broader levels.

5.3. The *usi civici* as a cultural, contentious, heritage

The three storey building of the municipality of Gairo was standing in front of me on a sunny and cold January morning. Built from stones and with a heavy and large wooden door, and constructed right at the edge of the street, it looked at the mountains in front of the one where the town is built.

Gairo houses are all built at the edge of the streets that go around the mountain, wrapping it from bottom to top. Each street is a sort of terrace from which it is possible to look at the mountains surrounding Gairo. Here and there, in the façade of the houses and of the buildings are built benches, also in stones, that offer some relief from the steep road, up to the top of the mountain.

The municipality building also had a bench, a long one, built into its façade. When I arrived there a group of five elderly men were sitting, all dressed in corduroy pants and cotton shirts with brownish colors. They wore the bonnet hat typical of that area, and were talking in soft voices amongst themselves in the local dialect. They looked all to be in their

eighties, had deep wrinkles around their eyes, and two of them had walking canes leaning against their legs.

As I walked past them that day, I was accompanied by two foresters of the local forestry department, who were going to show me the surrounding land around Gairo. We all greeted the men, who stopped talking and greeted us back. One of the foresters, who was from the town, told me that one of those men, who was almost ninety years old and a shepherd and farmer, had had an ongoing lawsuit since mid 1970s with the municipal committee that manages the *usi civici*. I asked if I could talk to him, and the forester stopped and approached him, explaining that I was a Sardinian doing a research for a foreign University on *usi civici*. The men were speaking in their dialect, the *Ogliastrino*, but I could understand most of it, since is very similar to the *Sulcitano*, the dialect of the *Sardo* language that we speak in the town where I grew up. The man, who I will call Giovanni, agreed to talk with me, and asked if his friends could also join him. This was the first of my conversations with Giovanni, with whom I spent also some time in the town's tavern, which is an informal but fundamental meeting place for local people.

At this regard, Heatherington (2006), affirms taverns are a crucial element in Sardinian social relationships and the place where political engagement often finds expression as a collective action. Heatherington defines the “informal” political engagement, including the one that is performed in the towns' taverns, as “everyday forms of cultural performance,” which can be “linked to the authentication of local identities...deployed within political arenas” (2006: 548). She stresses that this “... semi-spontaneous strategy represented a critical, if transitory, challenge to the cultural form of party politics in Italy” (2006: 548).

Giovanni seemed uprooted from the contentious discourses on the preservation of the land under *usi civici* that I had been immersed in since my very first meeting with Ogliastro's community members. His detachment from these discourses did not come from his lack of involvement in the use of this land. On the contrary, many times he stressed to me that he had an ongoing lawsuit about land since mid 1970s, which I had already been informed about before meeting him; but, he finally added some details to my first information. He explained that he had obtained in *enfiteusi*³⁰ the *vidazzone*³¹ that was the object of the conflict, when he was in his twenties, and starting a new family on his own. The first *enfiteusi*, of twenty years of length, had been renewed many times, and he himself signed the approval (decided by the town committee that managed the use of the land under *usi civici*) of the one of the last renewals when he was mayor of Gairo. What happened is that when his children, two boys and a girl, grew up and started going to school, they decided to pursue professional careers and to stay in Cagliari, (Sardinia's capital), where they received their college degrees. The *vidazzone* that had been a source of income for his family while the children were growing up became more and more abandoned, especially after Giovanni started developing serious health problems that prevented him from working on his *vidazzone* on a regular basis. This fact did not negatively impact the family from an economic point of view since, as Giovanni explained, fortunately he had a modest but steady income which came from his pension as a rural worker.

³⁰ *Enfiteusi* refers to the right (*diritto reale*) of temporary ownership (generally twenty years) given to a farmer who cultivates a plot of land that belongs to another landowner (or to an entity), under payment of a rent. This legal right started appearing in the 1800s, in order to protect peasants and give them, even for a limited period of time, the right to keep the produce of their work, and their earnings as well. *Enfiteusi* is today disappearing, since it has been very seldom used.

³¹ *Vidazzone* refers to a plot of common land of variable extension that is given in use to an individual or a family for agricultural use. Normally the *vidazzone* has been used for vineyards, olive groves, almond groves, and orchards. They can also be assigned to shepherds, for tillage and pasture.

The fact that his *vidazzone* had not been used, however, was observed by the town committee for the management of the land under *usi civici*, and he was asked to rescind the *enfiteusi*, so that the land could be assigned to other users that needed more land than he now did. He refused to do so and, after a dispute that was carried on at the local level, between him and the municipal government, the case was brought to Court. He asked (and is still asking) to acquire the full ownership of his *vidazzone* because of its prolonged use by the same family, which according to Giovanni (and to the lawyer that he hired) makes him eligible to become full owner, by right of *usucapione*³².

He wishes to leave this *vidazzone* to his children, as the inheritance from their father's hard work, Giovanni told me a day while we were chatting at a table in the local bar, and I was trying to avoid accepting the second glass of beer at ten in the morning. He added that the reason why "they" did not want to give the land to him was because of the lobby of the local shepherds, who wanted to use that land for grazing their sheep. "Shepherds do not want to have any rules," he told me angrily, while I was sipping the peach juice that I managed to order instead of the beer he wanted me to have. "They just want to use the land that they feel they need, without asking permission, even if this land has been given to another user."

Giovanni reminded me a few times that, in his thirties and then in his forties, he had been mayor of Gairo. He explained how the committee that managed the town's land under *usi civici* distributed the land among the communities' members. It was common in Gairo that a family unit would be given *vidazzoni* of two to six hectares, depending on the number of children and on the other complementary activities that were done in the household. Normally the *enfiteusi* had a length of fifteen to twenty years, depending on the family's

³² *Usucapione* refers to the acquisition of ownership of a thing, due to the continued and exclusive use for a determined period of time. In Italy the *usucapione* is regulated by the article 1158 of the Italian *Codice Civile*.

request. Giovanni noted that on the plot given to them he had planted a vineyard and a vegetable garden in a *vidazzone* of three hectares. He also owned a modest flock of sheep and a few cows, for which he had managed to obtain an extra hectare in *enfiteusi*. “For almost twenty years,” he told me, “I organized with other shepherds so that we could put together our plots and have a considerable amount of land for our livestock to graze. We also helped each other during the sheep sharing and, sometimes, when our pregnant livestock had difficult deliveries.”

When I asked him, on different occasions, to tell me what he thought of the fact that his *vidazzone* was in the land under *usi civici*, he commented that *usi civici* did not exist anymore. And he added also that, “Today we do not need *usi civici* anymore: what can bring progress is the privatization and not our old fashioned *usi civici*. I am so glad that they do not exist anymore. I just want to have the private ownership of my land recognized in Court. I do not want to die without my children having that land from me.”

During these conversations Giovanni often talked about the *usi civici* as they were still present and important, using expressions in the present tense, and referring his recounts to the present times. However, at the same time, he denied that today *usi civici* still existed.

I was tempted to interpret Giovanni’s contradictory discourses with confusion, and ignorance of the current struggles over the maintenance of the *usi civici*, and maybe they were also due to that. However, Giovanni’s denial of the present existence and, even more, of the importance of the *usi civici*, while is not always so clearly articulated by all rural community members, was not an isolated opinion in the communities where I did my interviews and participant observation. Giovanni expressed the feelings of many other land users, including foresters and local government officials, and their perplexities about *usi*

civici. Sometimes half uttered and other times fully articulated, these declarations of doubt, even about the very existence of the *usi civici*, came through the narratives that I was immersed in during my field research in Ogliastro.

These voices of conflict and dissent are the contentious element in the local political debates (Heatherington 2006). The dissenting narratives within rural communities over the meaning of the struggles for the preservation of the *usi civici*, problematize a unifying vision of rural communities and of their struggles for the maintenance of their common land, and reveal a micro universe in which individuals' lives are complex and not easy to "read." The individual uncertainties and doubts also reflect the uneasy interrelation with a broader and contentious context, in which unified struggles aren't always synonymous with freedom. Bourdieu (2003) expressed this uneasiness very well when, commenting on the unification of economic fields observed in Algeria, he argued that "... unification benefits the dominant" (2003: 93).

The discourses of embodied authority over the land, based on Giovanni's family's cultural heritage, are substantiated in the family's continued use of their *vidazzone* as a private plot in a common land. Giovanni's resistance to community rules is rooted in a claimed identity of "authentic representative of local values," which he stressed on several occasions during our meetings in town. As Heatherington points out, however, "claims to cultural authenticity follow the outlines of ethno-nationalist narratives" (2006: 540). Giovanni's claims of the superiority of private ownership echoed the discourses of common land privatization that are frequent in the Italian media communication through which the hegemonic alignment with neo-liberal policies is expressed.

Giovanni's defense of his cultural heritage, deeply rooted in the common use of the land, and, at the same time, his resistance to the *usi civici* rules can appear deeply contradictory. It could be interpreted as sign of decadence of the *usi civici*, to which Giovanni is not the only opponent, or it could be seen as a mirror of the complex and contentious social relationships in which Giovanni's life and his contradictory positions are deeply embedded. Both these points of view offer two keys through which Giovanni's contentious narratives can be looked at.

Borrowing from Abu-Lughod (1990), I want to look at Giovanni's resistance as a diagnostic of power. Within this perspective, rather than being a sign of the demise of *usi civici*, Giovanni's resistance reveals more about the structure of local regulations through which *usi civici* are managed. It also informs about the broader context in which *usi civici*'s rules play a role as the embodiment of resistance against hegemonic discourse of privatization, but also as a counter hegemonic practice which invites its own resistance when individual interests clash with community goals and broader policies. Such a reading of Giovanni's resistance shows the dynamic nature of *usi civici*, embedded in the social relationships through which access to resource is regulated, as power relations are re-worked and meanings of land are constructed.

Rather than issues to be solved and disentangled, the contentious elements in which conflicts are embedded offer insights not only into the dynamics of communities' approaches to the use of common land (Bassett 2007; Berry 2001; Cross 1991), and into the different level of governmentality involved (Byers 1991; Ferguson and Gupta 2002; Geisler 2006; Rose 1994), but also into the contentious nature of resistance itself. In this regard, Wolford (2010) demonstrates that a close look at the non "predetermined script" (2010:26) through

which people's lives unfold reveals how consciousness does not always play an essential role in people's acts of resistance.

Through the inclusion of the conflicts and contradictions of people's everyday lives, is possible to build narratives that, in Gramscian terms, contribute to "real theory and ultimately real knowledge ... which is contained dialectically in practical activity" (Salamini 1975: 367).

In the next chapter I still look at the everyday lives of rural communities, using the household perspective for analyzing how land use practices changed over time, how these changes impacted household structures, and the gendered moral economies of rural Gallura and Ogliastro.

CHAPTER VI

LAND USE AND HOUSEHOLD DIVISION OF LABOR

In this chapter I analyze how property relationships and gendered land use practices intertwine, and I inquire how land use shapes the household division of labor and vice versa. I also look at how land use practices and the entering of women in the waged labor market impacted the household structure, within an historical perspective. I finally explore the gendered moral economies of rural Gallura and Ogliastra, from the household perspective.

The ways in which household structure and the division of labor can be shaped by property arrangements is exemplified by Emigh's (1998) analysis of sharecropping and household structure in Tuscany. She remarked that in the 18th century landlords relied on peasants' extended household structures to provide the labor force necessary to increase their income and, in this way, maintain the control of their properties. In earlier centuries, however, agricultural production and household structure were not so tightly intertwined with each other. The less formalized ownership structure of the 15th century, accompanied by a relative depopulation of rural areas and, therefore, lack of competition among tenants, allowed landlords to rearrange land plots according to their tenants' household structures. The 18th century privatization processes, described in my earlier historical analysis of Italian unification, however, formalized land tenure and land concentration in landlords' hands. The increased presence of landless peasants on rural land raised the intensity of competition among tenants. These two elements gave more power to landlords, who preferred to use the

labor of extended households, deeply shaping in this way 18th century peasant household structure.

Cravey (1998) analyzes the impact of the restructuring of the Mexican economy from “... a state led import substitution industry into an export oriented one” (1998: 111) on the household structure. In order to do so, she looks at two *maquiladoras*³³, each of them representative of the two phases of Mexican economic transformation, and at how the different modes of production impacted the household structures and the production and social reproduction arrangements of their workers. Referring to the meaning of household, Cravey (1998) highlights that it is a, “historically, contextually variable category that is distinct from, but often confused with family” (1998: 114). Borrowing on Smith and Wallerstein (1992) Cravey considers the household as an entity in which different kinds of income are assembled in order to meet the reproduction of needs, such as shelter, clothing, and food.

Doreen Massey (1994, 2008) argues that people’s degree of mobility offers a key index through which analyze households’ movements across space, and the dynamics of the spatial division of labor within each household and among them. In Massey’s own words, “space matters” (2004), and it matters also in property relations and their spatial distribution. It matters in the uneven access to resources and to the means of survival possible in a capitalist economy, and in the impact of such unevenness on the household structure. However, the spatial and the social are not just two elements that intertwine with each other: they “construct each other.” As Massey specifies, the spatial includes the different aspects of the social world, as well as the geographical differentiation and the symbolism that is

³³ This term refers to plants, where products are assembled or manufactured. These plants are situated in countries that have particular taxation and export arrangements, and very low labor costs. A large number of *maquiladora* workers are women, who are paid with lower wages than men.

attached to them: neither the social nor the natural can be conceptualized to be in isolation from each other. Therefore the spatial is socially constructed and at the same time, the social is spatially constructed as well. Moreover, Massey (1994) stresses the centrality of social relations in the construction of space, of its meaning, expansion and use. With reference to movements in space, but with a focus on gender inequalities, Townsend (2002) examines women's cyclical and discontinuous lives as contrasted with men's linear and cumulative ones. Women's lack of recognized skills makes them an attractive workforce for underpaid and unsteady jobs.

Focusing on women movements in space linked to their roles in waged labor, Garcia Ramon and Baylina (2002) observe that women's new roles in the labor market often reflect their traditional occupations at home and are, therefore, an extension of the broader power relations that define women's role and self identity. Ana Sabate Martinez (2002), points clearly at how the agrofood industry, while creating many more job opportunities for women in rural settings, do not challenge women's traditional roles in families and communities. Sabate Martinez gives several examples of women's participation in economic activities and of how little these activities are changing gender relations in the rural areas. Prügl (2003 and 2010), in her work on the impact of global governance in the agricultural sector and on the renegotiation of meanings of gender, focuses on the way in which European Union rural development policies "intertwine with national and sub-national policies" (2003: 2). Prügl stresses that, "economic modes of regulation in agriculture are not gender neutral ... commitments to modernization and free trade operate on the basis of gender orders with profoundly unequal effects depending on social location" (2003: 26). The inequalities of access to the job market and women's lower wages are among the elements that maintain

traditional gender roles in societies, even through shifts of women's work from the reproductive to the productive sphere (Leacock et al. 1986).

To ignore such inequalities has the effect of reinforcing them, and the feminist approach problematizes the belief that is possible to obtain women's economic and social improvement through a development strategy that promotes inequality between women and men. Sen and Grown (1987) analyze the different ways in which women approach inequality and struggle against it in different parts of the world.

According to Davis and Fisher' (1993) critical examination of feminist scholars, a focus on women's oppression can victimize women and, in this way, represent them as the passive objects of an oppressive power system. Such an approach, Davis and Fisher stress, leaves very little, "conceptual or political space for uncovering the subtle and ambivalent ways women may be negotiating at the margins of power, sometimes constrained by but also resisting and even undermining asymmetrical power relations" (1993: 550). Coltrane (1989) expresses his criticism of household analysis that always sees gender as universal determinant of structure. He argues that this exclusionary focus leaves out the analysis of, "exceptions to normative patterns" (1989: 489). Treating gender as an, "independent variable," Coltrane stresses, lessens the importance of contingent situations and constraints.

Searching for an alternative way to look at the link between household structure and land use, the Household Life Cycle (HLC), represents an analytical approach to the study of how household structure impacts the dynamics of land use. The HLC theory, elaborated by the economist Chayanov (1966), focuses on documenting changes in land cover and in farming practices due to the evolving composition of the household members throughout the family's developmental cycle.

Analyzing the application of the HLC to the Amazon basin, Walker (2006) stresses that the, "... assumption generally made is that the colonist household is poor, and contains high internal dependency, namely young children not yet ready to add their labor power to the farming venture" (2006: 1). Given these assumptions and the constraints related to them, land use depends on the expectations over an increased productivity of the land. Walker stresses that while HLC has a limited capacity to explain alternative land use choices, it is useful in order to understand the interrelations between household demographic characteristics and agricultural strategies. He refers to several studies that focus on specific aspects of household structure, and namely: on family size Rudel and Horowitz (1993) and Pichón (1997); on the number of male workers Sydenstricker and Vosti (1993) and Walker et al. (2002); on internal household dependency Walker et al. (2002); on the level of household wealth Alston et al. (1993 and 1996); Pichón (1997); and Walker et al. (2002); and on the length of residence on the holding Godoy et al. (1997 and 1998); Pichón (1997); and, Walker et al. (2002).

With reference to the interrelation between property and the division of labor, and looking at the Latin American policy of assigning property titles to "informal" land settlements in both rural and urban areas, Field (2002 and 2003) compares Peruvian households' amount and quality of labor spent on land properties with "informal" ownership, with the same labor spent on titled property. He finds out that households work more aggregate hours, tend to work more outside of the house, and also use much less child labor in the titled properties than in the "informal" ones.

Rose (2006), in her study of tenure security and household labor in Ecuador, finds that there is not a significant difference in the weekly household waged labor hours, between

households working on titled and untitled properties. She also highlights that the factor that reduces significantly the hours of work and pushes the household towards increased wages is education, and not ownership titles. With reference to the impact of “informal” titles and claims in the quality of labor in urban communities, Rose stresses that the, “perception of security is more important than legal rights, and this is confirmed by the effect of indoor plumbing which proxies for both wealth and municipal commitment to the settlement. Invasion communities appear to be more secure in Ecuador than non-invasion communities, a factor which is not intuitive, but which could be explained by greater solidarity among squatters, more confidence in the success of invasions due to the high incidence of squatting, or less threat of eviction by legal owners” (2006: 41-42).

Smith (2002) in his analysis of the relations between culture and economy, also offers a conceptual and analytical frame through which look at the household division of labor and at its impact on property, and vice versa. Smith, drawing on Marxian political economy and cultural studies, and reviewing the current debates about the relation between culture and economy, inquires on whether is possible to look at these two concepts and practices in a separate way (Byrne et al. 1998; Clarke and Doel 2000; Crang 1998; Gibson-Graham 1995 and 1996; Lee 2000; McDowell 2000; Ray and Sayer 1999; Sayer 2000). Smith highlights in particular the work of scholars such as Gibson-Graham (1996), Byrne et al. (1998), and Lee (2000) that seek, “to identify, map, vision and enact spaces of economic practice that are non-reducible to the 'economy' of capitalism and are articulated in variant ways” (2002: 233). Smith’s relevance in relation to the issue of property and household division of labor lies in his attention to inter-household relations and of their embeddedness in, “non-capitalist, non-market, and household-based economic practices” (2002: 234). His analysis of diverse

practices and exchanges among households highlights their historical rootedness and, with reference to current times, the need for a broader conception of economy.

With reference to the spatiality of households and of labor articulations Gilbert's (1998) studies of working poor women in Massachusetts, suggest that, "... the spatial boundedness of women's lives may be enabling as well as constraining, as women actively use rootedness in the construction of their survival strategies" (1998: 599).

Heatherington (2006) situates her analysis of the intertwining dynamics of household and property in the Sardinian rural community of Orgosolo³⁴, and looks at people struggles for defending their commons, which historically ensured the local communities' economic survival and embodies their sense of identity. As Heatherington elaborates, these struggles are highly gendered, reflecting a division of roles that can be observed at the community and household level. At the same time, her ethnographic study of households' everyday lives reveals the apparent contradictions, fragmentation and inconsistencies that are "difficult to read and to map out" (Wolford 2010).

6.1. Is land use shaped by the household division of labor or vice versa?

To put this question in another way would be: how are land use practices and the household division of labor interrelated? To what degree do they shape each other's dynamics? In order to conceptually approach these questions and, indirectly, try to untangle the issue of whether it is land use that shapes the household division of labor or vice versa, I

³⁴ As I already explained in the previous chapter, Orgosolo is a small rural town located in the heart of Sardinia, in the province of Nuoro. It has a large extent of land under *usi civici*, and a mainly pastoral economy. Orgosolo is also well known in Italy because of its street murals, which are highly political and have offered a visual representation of rural community's resistance against the proposed purchase of the land under *usi civici* by NATO. Orgosolo struggles were successful and this land is still managed under common property rules supervised by Orgosolo's municipal government.

draw particularly on Cravey (1998), and I refer to other scholars, particularly Massey (2008) and Emigh and Ahmed (2005), for the analysis of space and its transformation in the era of globalization, and of the changing dynamics between household structure and land use.

Cravey's work (1998) reveals the potential opened up by reworking in a nuanced way the conventional inquiries into household division of labor. Referring to Chant's (1991) study of urban labor markets in Central Mexico, focused on the impact of women's participation in the job market, Cravey poses the opposite question, asking what is the impact of economic change, and of the increased participation of women in the job market on the household structure? In order to answer to this question, Cravey breaks it down into two main inquiries, that aim at understanding how industrial restructuring and relocation impact gendered division of labor and household structure, and at how pre-existing systems of gender hierarchy and household organization influence in return the trajectory of the current industrial transformation.

Deepening her analysis, Cravey divides her first inquiry into different questions. She asks, "What is the gender division of waged work? What type of household do industrial workers in these cities form? How do they organize domestic labor? ..." (Cravey 1998: 115). Although Cravey's work is not specifically focused on the intertwining of property relations and the household division of labor, her inquiries about the impact of economic changes on household structure and dynamics are fundamental in order to understand how the different property relations that I observed in Ogliastro and Gallura impact household structures there, and how the pre-existing structures influence the current development of property relations.

In the next section I address Cravey's questions on the gender division of waged work in current Gallura and Ogliastro, still characterized by profound inequalities between women

and men access to the job market. I also look at how the entering of women in the waged labor impacted the household structure and division of labor.

With reference to the influence of pre-existing systems of gender hierarchy in the trajectory of the current land use practices, my ethnographic research showed a persistence of gendered division of labor in the household and in the agricultural activities as well (Altieri 1993; Bianco 1997; Boeri 2005; Saraceno 1996). The current diversification of the activities implemented in the rural areas, incentivized by the European Union funded programs, aren't accompanied by remarkable changes in the households' division of labor .

The European Union programs, with particular reference to the LEADER³⁵ Program and the current ENRD Program,³⁶ funded a myriad of small scale activities. The most representatives are agriturismo, organic farms, and the artisanal production of traditional pottery and textiles.

I look here at the gendered ownerships of these small scale activities, drawing on the data elaborated by the planning department of the Sardinian Regional Government in the year 2008. I also look at how the management of these activities impacts the household division of labor, with particular focus on agriturismo and organic farms.

Agriturismo activities are owned in almost equal percentage by women and men, but run mainly by women (more than 80% of the almost 800 agriturismo are run by women), while organic farms are generally owned by men (almost 25% of the almost 800 hundred of organic farms are owned by women), but are normally managed by men and women

³⁵ LEADER or “rural development projects’ networking” (*Liaisons Entre Actions de Développement de l’Economie Rurale*) was launched in 1991 by the European Union Commission for funding rural development projects at community level. The broader goal was, however, promoting the networking among the communities where these activities were implemented, at regional, national and international level.

³⁶ ENRD, or European Network for Rural Development, was launched by the European Union Commission in October 2008. The approach of the EN RD reflects the “Community Strategic Guidelines for Rural Development” approved by the European Union Commission in 2006. The ENRD continues the work done by the LEADER and, specifically, aims at enhancing and improving the network among rural communities.

together, generally from the same households. Almost equal percentage of women and men run and own the artisanal production of traditional pottery (53% of the almost 1,400 activities of traditional pottery and textiles' production in Sardinia are owned by women).³⁷

With reference to agriturismo, rural houses are transformed into touristic resorts, which allow tourists to live in the countryside, eat homemade meals prepared with fresh, local products, and in some farmhouses, participate to daily work activities in the fields. The agriturismo daily management involves the same social reproduction activities normally carried on by women in their households, such as harvesting the produce of the orchards that are normally annexed to the houses, preparing food for daily consumption, and cleaning the guest rooms. The reproduction activities that women perform in their households have thus become, through agritourism, a commodity that can be sold and therefore economically remunerated (Gentileschi 2003; Murgia 2008; Pruna 2007).

Organic farms normally produce fruit and vegetables, extra virgin olive oil, wine, cheeses, wheat, and grains (Dabbert et al. 2004). Funded by the European Union agricultural programs, and flourished all around Italy, organic farms are currently experiencing in Sardinia a growth in number and extension. Women and men work normally together in the cultivation and harvesting of the agricultural products and, in almost 60% of the organic farms where they work, women run most part of the administrative procedures for requiring the European Union funding, and often take care of the contacts with the clients.³⁸ According to the Italian "Biobank"³⁹ one hundred percent of the agricultural land annex to the agriturismo activities run in Sardinia are also organic farms.

³⁷ Data elaborated by the Sardinian planning department of the Sardinian Regional Government, Year 2008.

³⁸ Data elaborated by the Research Institute of Organic Agriculture, Switzerland (www.fibl.org).

³⁹ www.biobank.it, last visited on September 5, 2010.

While the flourishing of agriturismo and organic farms has been accompanied by an increased movement of women and men between the rural land and the towns, these changes did not impact property relationships and the household structures. However, they are reflected in an increased diversification of women labor, which now includes the reproduction activities at household level and the waged labor outside of the household. The women that I interviewed on this issue, with specific reference to agriturismo, stressed very often that their role in their communities was changing, because of their involvement in the production activities and their capacity of managing the agriturismo on their own. In the same time, they never questioned their “traditional” role of mothers and wives in the household. My interviews seem to stress Sardinian women problematic reworking of gender identity, at household and at community level.

At this regards, Heatherington (2006), in her work on the Sardinian community of Orgosolo, highlights that, “The common denominators of embodied cultural authority over the land were extended to women on the basis of their involvement in locally valued domestic processing of ‘authentic’ foods and crafts, their use of the Sardinian language, their practices of ‘traditional’ hospitality in the home, and their roles in the family and the church” (2006: 544). These “authentic” and “traditional” values, Heatherington argues, are used also by women, in their involvement in the community’s struggles for maintenance of the common land, as a tool for articulating, “gendered discourses of embodied authority that linked women directly to the Commons, the experience of marginality and a source of symbolic agency” (2006: 545).

With reference to the link between land ownership and household structure, Emigh’s (2000) comparative historical analysis of the interrelation between household structure and

land ownership arrangements in rural Tuscany during the 15th and the 18th centuries highlights several interesting points. She stresses that, “the emphasis on property rights may be misplaced because the same property rights ... can be associated with different patterns of household extension” (2000: 119). Therefore, “household structure is ... shaped by local social and economic influences in particular historical contexts. ... The way in which property rights are institutionalized and the degree of actors’ power may be more important than the form of property right...” (2000: 130-132). Emigh’s critical historical analysis, while addressing the historical shifts that lessened or reinforced the role of property in shaping household structure, also suggests that more elements play a role in this analysis, such as power. Therefore, whether property shapes household structure, or vice versa, depends also on the structure of power or, as Massey (2008) puts it, on differences in the degree of movements, as well in the degree of control of these movements. The issue of who is in charge of the movements across space is an issue of power.

Deepening her analysis of the meaning of place and, in particular, of “locality,” Massey (1994 and 2008), argues that from a geographical perspective locality is entangled with the contentious issue of boundaries that define the inside and outside: the others and us. Locality has also often been associated with community (Cohen 1982 and 1985; Hogget 1997; Putnam 2000; Warwick and Littlejohn 1992), which is also a controversial term. Massey observes that communities can exist without being necessarily in the same place, and this situation is exemplified by the social networks among friends or among participants in a political or religious group. At the same time, groups of people living in the same place are often very diverse and heterogeneous, and do not always form communities. To complicate the issue, each community has different internal structures, and its members have a different

sense of the place. Acknowledging these complexities discloses a broad interpretation of place, and of what contributes to its specificity, which can be defined as, "...the face that it is constructed out of a particular constellation of social relations, meeting and weaving together at a particular locus" (Massey 1994: 48).

The historical evolution of the *stazzi* in Gallura reflects these complexities and the, "particular constellation of social relations" that Massey (1994) refers to, while reveals the reworking of power relations within the households. Brandanu (2007) argues that dramatic changes in the structure of Gallura's households determined the transformation of the *stazzi* from their position as the center of the rural families' lives and work into a second home for families based in the nearby towns. Brandanu stresses that this change followed the demise of the old patriarchal household, run by elderly men and organized according to their rules. Households have reorganized their structure in a more flexible way, which is still much gendered, but responds to the wider job opportunities that both men and women found in town, and to the changing power dynamics of Gallura's households. Elderly men are still active members of the household, but the decision-making power has mainly shifted to the younger generations. These younger household's members are bringing new ideas and, especially, new meanings to land, including its economic uses, while maintaining the importance of land as a symbol of family unity and continuity (Brandanu 2007).

Drawing on my ethnographic research, in the next section I look at how household division of labor changed over time, in Gallura and Ogliastra, and at how these changes are intertwined with socio-economic changes at community and broader level.

6.2. Past and current household division of labor in Gallura and Ogliastra

When, in the 17th century, Gallura's shepherds broke their isolated life, far from their families who lived in the villages and towns, and were joined by their wives and children in the pasturelands, rural Gallura's landscape started to undergo into a deep change. Simple houses called *stazzi* began to dot the landscape around the towns. Plots of land around the *stazzi* were enclosed. Vegetable gardens, vineyards, poultry and other livestock were part of the self-sufficient system of the *stazzi*, run by each household, and maintained through the organization of production and social reproduction activities. Rural communities' members recalled these past patterns, during my interviews and participant observation in Gallura, and they were also mentioned in the archival and documental material collected in my field research.

The division of labor in the households was much gendered, among adults and among children as well. Women were responsible for raising the children and running the chores in the houses, helped by the daughters. During summer time, women preserved the food for the winter, and this activity took normally many days and involved all the women and children, old enough to help, in the household. Taking care of the vegetable garden and of the poultry were also mainly female activities.

The products from such activities were shared among the members of the household, and the male of the family sold the surplus in town. The money was used to make improvements in the houses or in the land, and for expenses such as schoolbooks for the children or equipment for agricultural activities. Men and male children were responsible for the agricultural activities in the cultivated land, for grazing the livestock outside of the plots surrounding the *stazzi*, for shearing the sheep, milking the livestock and, sometimes together with the women, preparing the cheese. These products were used in the household, and the

rest was sold in town or, in the last decades, to the dairy companies that passed by with a truck through the *stazzi* to collect it every morning.

Normally the households' men took also care of the forests among the *stazzi* (which belonged normally to the municipal domain), cutting the old trees when necessary, while women were responsible for the wood collection, and both women and children collected mushrooms, and other products that grew naturally in the forest and in the fields as well. Mostly men also took also care of the maintenance of the house, prepared and repaired the shoes for the whole family, while female household members weaved and sewed the clothes for everybody (Angioni and Manconi 1992; Angius and Casalis 1851; Brandanu 2007; Fara 1978).

The day in the stazzo started very early, much before the sunrise. Women normally got up first and prepared breakfast. They lit the fire in the fireplace, where they warmed up the milk, and prepared the wooden oven where they cooked the little *focaccine* (a type of bread), which they made fresh every morning. They put the breakfast in containers, mostly made with cork, for the men who went early to start their daily work in the fields. Then they served the breakfast to the children. Besides the preparation of the meals, the care for the younger children, the preparation of the cheese with their husbands and older children, another of their main chores was the laundry.

There was every day much laundry to wash, and normally twice per week women and girls, as young as seven or eight years old, went to the nearest river with the dirty laundry and a copper basin. When there, they filled the copper basin with water from the river, collected some wood, lit the fire and let the water boil, after putting some ashes in the basin. Then they boiled the laundry, after washing it, in order to bleach and disinfect it. During wintertime,

this was a particularly harsh job to do, but nevertheless an essential one (Brandanu 2007; Fara 1978). In some *stazzi* people managed to build a well, and therefore women did not have to go to the river to do the laundry, and collecting and carrying water did not require so much time every day.

The economy of the *stazzi* relied also on children's social reproduction activities, and their ready labor was ensured by a minimal expectation of schooling, especially with reference to girls, and by discouraging early marriages, so that children could stay in the families as long as possible, and contribute to the *stazzi*'s reproduction activities. Children were, however, normally sent to school, both girls and boys, but generally girls were not allowed to continue their studies after the elementary school, while boys who showed particularly good results in school could sometimes pursue more education. Priests of the nearest towns' churches played here an important role, in helping boys, and rarely girls, to get the preparation needed in order to be able to enroll in high school in town, which was the road to a non manual job and to the abandonment of the *stazzo*. These priests knew everybody in the *stazzi* scattered throughout the rural areas surrounding the towns where they ran the parishes: they celebrated the marriages, baptized the children, and officiated at the funerals, and they also kept all the documents recording these life transitions for local people.

Today, the *stazzi* are not anymore the center of rural households' lives. They are still present in the countryside, but families usually live in town, and household members organize their activities between the towns and the *stazzo*, privileging their jobs in the urban areas, and using the *stazzo* for maintaining their agricultural activities or, in some cases, to run agritourism businesses. The isolated life of a few decades ago is now a memory, and there is now a strong presence of inter-household exchanges, in which agricultural tasks such

as crop irrigation, or care for livestock, are performed for each *stazzo* by members of neighboring properties or friends of the household, when the owners of the *stazzi* are kept in town by other commitments. Women are the ones who benefitted the most from leaving the *stazzi* and moving to the towns. Running water and electricity are not a luxury anymore, and the exchanges among households also increased women's space for working and organizing social activities together (Brigaglia 2008; Gentileschi 2003).

The elderly members of the household also moved to town and often live with one the children and, when their health allows so, they contribute to the household work. Elderly women normally contribute to the preparation of the meals, in the town's houses or during the prolonged weekend visits of the family to the *stazzi*, and help caring for the younger children. Elderly men are more likely to help in the agricultural activities in the *stazzi*, and in the maintenance of the households.

The current division of labor in the household also counts on children's collaboration, both female and male, though their help on agricultural activities is generally limited to the families' weekend visits, and can be more intense during school vacation periods. The most common pattern today seen among young people is that when they grow up, even if they continue to collaborate with their natal household from time to time, they tend to become enmeshed in their studies and professional activities. Seeking opportunity to use their education, they sometimes move away from their town or even province of origin. In my field research in Gallura, however, I also found that in some cases children decide to deepen their studies of agricultural sciences, and share the new things that they learn in college with their parents, trying to apply what they have learned in the ways in which the agricultural production is organized in the family' rural land.

In Ogliastro, the organization of labor within households historically revolved around the use of the common land under *usi civici*. The *usi civici* are still not only one of the most characteristic elements of Ogliastro, but also the center of the economic production and reproduction, and of the social life of the communities. Until the 1950s, in Ogliastro mostly pastoral communities, the household division of labor followed the rhythms of the transhumant shepherds' lives. Sometimes wives and children followed the shepherds who, during winter moved to the warmer coast, normally in the South of Sardinia, and spent the cold season there before moving back to Ogliastro and its highlands when summers arrived (Brandanu 2007; Le Lannou 1979; Sale 1975).

I remember that when I was a child, while growing up in Gonnesa,⁴⁰ I befriended some schoolmates who were the children of transhumant shepherds. I used to visit them in their houses in the nearby abandoned miners' villages, which entire extended families temporarily occupied during the winter months, after asking an informal permission to the municipality. The adult men were seldom around: they were grazing their sheep and goats in the nearby hills, accompanied by their male children. My schoolmates' mothers and grandmothers were always dressed in traditional women's dress, with long and colorful skirts, elaborated shirts and vests, and head covered by handkerchief or by bonnets.

Often the houses no longer had running water or electricity, and therefore women and girls had to go to collect water in the nearby rivers or in the abandoned village well, when it was there. Helped by their daughters, the women were often busy doing laundry in the courtyards. The houses that they occupied normally contained some old furniture, and often large terracotta tubs where the women washed the clothes. Women also took care of the vegetable gardens that they always planted outside the houses, and collected wood for the

⁴⁰ Gonnesa is a small town of about five thousand people in the Southwestern coast of Sardinia.

fireplace, where they cooked the family meals. During times of cheese making, the entire family was involved. The elderly normally took care of the younger children, while adults and older children were occupied in the preparation of the cheese, which required many hours of work and careful attention. I still remember the strong smell of cheese in shepherds' houses: normally they used an entire room of the house in order to put shelves where they stacked the different cheeses that they made.

As a child curiosity led me to ask those families if they did not miss their homes in Ogliastra and Barbagia (where they normally came from) and a more comfortable style of life. During my field research many years later, I again asked the same question when I interviewed shepherds' households, and talked with them about the transhumant pattern they followed. Sometimes I received a response similar to the one that I had received as a child, that women preferred to keep the family together, and preferred to live in harsher conditions but with the husbands around, than to stay at home in their towns during the winter, where they would have to spend several months running the households all by themselves, with husbands and flocks off at the coast. More recently, however, another response more often given was that men preferred having their wives and children with them, in order to help them with the many chores that shepherding requires, and to enjoy the comforts that a household could provide. In order to save money, men preferred whenever possible to occupy abandoned houses in the countryside, such as those near my own childhood town, instead of paying to rent houses in the towns.

Whether they stayed in their hometowns while men moved to warmer places during winter, or followed their husbands' transhumant cycle, women spent long periods alone at home, and organized several household activities in collaboration with other family members

and, when they stayed in town, with neighbors. The preservation of food supplies for use in the winter, that took place during summer, was an activity women often did together, gathering in one of the neighborhood's houses. Providing food, exchanging clothes, and caring for the younger children were also included in inter-household exchanges. Social reproduction was not only a fundamental part of each household economy, but can also be "situated within the context of the articulation between deep-seated and long-standing economic practices imbued with cultural significance" (Smith 2002: 232).

Following the infrastructural improvements of the rural land that accompanied the implementation of the Agrarian Reform, and with particular reference to the irrigation system and the building of barns and facilities for the preparation of the milk, shepherds' transhumant life started fading. They began a few decades ago to organize their activity normally within their own province, and started using cars in order to commute between the pastures and their homes in town. Shepherds today have many more occasions for meeting amongst themselves in town, while in the past these occasions were limited mainly to labor intensive, communal work activities such as sheep sharing. Shepherds' more regular presence at home in town, however, did not markedly change their participation to the household division of labor, compared to the past.

Today it is more common that shepherds' families maintain a small house in the countryside, where the sheep and other livestock are kept. In these country houses, not far from the towns where they live, men collect the milk and prepare the cheese. In the surrounding land (which is normally under *usi civici*) they bring their livestock to graze, and take care of the vegetable gardens, vineyards and fruit trees orchards. Sometimes they are joined by women, which collaboration becomes more regular as the couple age, their

children grow up, and women do not need to take care of them anymore. Even when home, children are not expected to participate regularly in agricultural or pastoral activities, unless they decide to take over the family's activity in the rural land. Children normally join the rest of the family, including the elderly, in the countryside only for large weekend meals there, or in order to help in some labor intensive activities, and then only if they do not have school or professional obligations in town.

Two elements, common in both Gallura and Ogliastra, strongly influenced household structures: mobility and education. The last two generations, including today's young people both female and male, have wide access to education and, therefore, a more diverse array of job opportunities than in the past. This element impacts the quality and quantity of couples' involvement in household activities and, in the case of younger households, is accompanied by men's growing involvement in children's care, especially if these young couples live far from their parents or other elderly relatives of their families.

Sardinian women are also taking much more advantage than men of the exchange opportunities offered by European Union funded programs for college students and for professional workers, and they have started to travel outside Sardinia much more than men. They do not always come back and, when they do, they often move apart from their older natal households and start independent lives (Gentileschi 2003).

These changes in the household structure, in women's higher education levels, and in their mobility, however, have not yielded women more equal access to wider and better professional opportunities. Gentileschi (2003), referring to the high number of Sardinian women who achieve higher education and run independent businesses (sixty five percent more than men, according to her research findings), regards women as a new "emergent

class” on the island. She argues that women are creating a new culture of female presence in the job market, and that this will inexorably be reflected in a less gendered division of labor.

Pruna (2007) on the other hand, remarks that the current inequalities in women’s participation in the job market reflect women’s segregation in a male dominated society. She talks about horizontal segregation, referring to the concentration of women’s occupations in few economic sectors, such as education and agritourism, and of vertical segregation, by which she means the ceilings that present obstacles to women’s gaining access to higher-level managerial, administrative, and professional jobs.

The changes that have transformed household structures, both in Gallura and Ogliastra, have impacted men’s share of labor, but apparently have not changed traditional male role definitions, thereby not problematizing men’s identity within the household. The exchanges of labor during sheep sharing, which are still an important element of communities’ social relations and collective economic arrangements, are still mostly organized among men. However, the labor exchanges through which households help each other during harvesting involve both male and female participation, even if within a gendered division of labor.

Extended household are still important. While in the past they allowed a more efficient organization of the many daily activities of rural communities, today they represent a fundamental supportive network for the busy young couples, and especially for women, who find themselves burdened with productive and reproductive work that have increased their overall social responsibilities (Pruna 2007; Ventroni 2008).

6.3. The gendered moral economies of Gallura and Ogliastra

Still drawing on my ethnographic research and borrowing on Smith (2002) approach, I look here at the gendered moral economies in Gallura and Ogliastra from the household perspective, with particular focus on social reproduction activities and exchanges among households.

I am referring here to social reproduction not just as, "...domestic labor or defined narrowly as referring to the renewal of labor power" (Glenn 1992: 3), but in a broader way, involving "mental, emotional, and manual labor" (Brenner and Laslett 1986: 117). I am therefore referring to the myriads of activities, inside and outside of the household, in which production and social reproduction intertwine. I will shortly describe these activities in much detail.

With reference to the historical reworking of the definition of productive activities, Folbre (1991) reminds that, "Gender bias in the definition of economically productive activity has important implications for the analysis of changes in female labor-force participation (1991: 464). She recounts how, in the 18th century England and United States, women that cared for their families were considered productive workers, while this definition changed in the 19th century, when women working in the household were, "...formally relegated to the census category of "dependents," a category that included infants, young children, the sick, and the elderly" (1991: 464). Folbre argues that these changes reflect a sharp distinction between the household and the market, and stresses that by the end of the 19th century most economists "agreed that nonmarket services lay outside the realm of economics and therefore did not contribute to economic growth" (1991: 470).

However the way in which these "non market services" do contribute to economic growth, following gendered patterns, and including economic and cultural factors, are deepen

in Smith's (2002) analysis of household economic practices. Smith focuses on production, reproduction and exchange activities, and conceptually situates this study within the debates on the interrelation of culture and economy, which he defines as mutually embedded (Byrne et al. 1998; Community Economies Collective 2001). He clarifies that , while the exchanges among households can't be reduced to transactions similar to the exchanges regulated by the market and motivated by profit,⁴¹ they develop not necessarily in opposition to the market economy, but are "articulated with the emergent market exchange of goods in the 'formal economy' " (2002: 247).

Within this perspective, the resilience of intra-household exchanges in the current fast paced and far reaching global economy does not represent a survival strategy, Smith argues, but an economic practice, culturally embedded. These exchanges are, therefore, an integral element of communities' economies, and include a diverse range of practices. This approach, Smith adds, allows us to avoid "narrowly economic readings or overly culturalist explanations" (2002: 247).

During my field research, I observed that current food production at household level are embedded in the historical tradition of self sufficiency that characterize the system of the *stazzi* in Gallura, and of self reliance that distinguish the shepherds' families in Ogliastra. Neither in Gallura, nor in Ogliastra, these practice are associated by the community members I talked to with economic austerity. The food produced by each household has a double meaning: it represents an economic extra income, which can be remarkable in the case of *stazzi* that have several hectares of fertile agricultural land attached to them, or just enough to cover household needs, in the case of a small plot of land in rural Ogliastra. Such production

⁴¹ Smith suggests a deeper look at these issues through the works of Thrift and Olds (1996), and Williams and Windebank (2001).

represents also the symbol of these communities' identities and historical continuity, since it is rooted in the traditional activities inherited from their ancestors. The land where the food is produced, is also the place where households meet on a regular basis not only to work, but also to spend time together, and where they feel a sense of belonging.

The mutual support that is given through the labor exchanges among households, both in the privately owned *stazzi* of Gallura and in the communal land of Ogliastro, is often organized in these meetings, generally during the weekends spent in the rural land. These intra-household labor exchanges can be related to pastoral activities, such as sheep sharing, or to agricultural activities, such as wheat harvesting, or to the activities carried on inside of the households such as food preservation. These exchanges are normally much gendered: sheep sharing is done by men, harvesting can involve both men and women, and food preparation is considered a women activity.

I participated to several of these weekends' gatherings, in which households' members prepared and consumed together a meal in the kitchens or in the patios of a rural homestead. Women prepared the food in the kitchens, while men normally cooked the meat outside the houses. While working together in the food preparation women talked also about the preservation of food that they were going to organize all together in one of the rural houses or in town. They also talked about taking care of each other's children, if there was the need to do so. Men, while cooking the meat, organized the exchanges of labor in each other's plot of land. In the meals that followed those conversations, both men and women often referred to the agreements reached over the exchanges organized among them.

I assisted to a few exchange of labor among neighboring *stazzi* owners, during the harvesting, which involved both women and men collaboration. During these occasions, food

preparation followed the same gendered pattern that I had observed during the weekends' meals in the rural homesteads. The work in the fields was, however, done together. Generally the work was done in groups, formed by both women and men, in order to reach the most efficient performance. During those occasions I remembered my participation, as a child and teenager, in the vine harvesting, in my grandmother's vineyard. More than thirty people, including women, men and children, gathered together to work in the vine harvesting. Almost half of them were part of my extended household, and the other half were friends and neighboring vineyards' owners that each year exchanged labor with each other. My nuclear family, as well as everybody else, received by my grandmother a generous quantity of grapes and some bottles of wine, after it was produced. Extra wine was also given during specific festivities, such as Christmas and Easter.

The women and men I met in Gallura and Ogliastro disclosed a complex and, yet, efficient web of mutual exchanges that are not always caught in the analysis of the economic performances of these communities (Smith 2002). Nevertheless, my field research stressed the cultural rootedness of the gendered activities and of the working and reworking of local practices, exchanged labor, and support given to each other by community members.

CHAPTER VII

PRESENT CHALLENGES AND FUTURE DEVELOPMENTS

Late on a spring evening, I was talking with a woman in a Gallurese *stazzo*, as she sat on her patio warmly illuminated by the sunset light, and admired her handsome orchard planted with lemon and almond trees and, at the very edge of her sight at the far border of the property, an ample vegetable garden. It was Sunday, and this woman, whom I will call Marta, had left her house in the nearby town, accompanied by her husband and three children, and gone to the *stazzo* for the weekend to take care of the rural house and land.

After a day spent walking in the *stazzo* and in the surrounding land, accompanying her as she took care of her chores, we were both resting while she was telling me how glad she was to have decided to buy that *stazzo*'s shares from her brothers, who went to live in the capital of Sardinia, and were not interested in any more rural involvement, or in taking care of family's land and house. "But here is where they come when they visit the family in Gallura," she said, "and here is where all of us feel at home. Because this is where we come from."

I had heard this expression often during my time spent in the provinces of Gallura and Ogliastra, with reference to the land where we were standing, but also to the history of peoples' lives in the land, struggles for the land, and conflicts over the use of the land. This dissertation is made up also of those histories, individual and collective, learned during my conversations with community members. Those conversations were at times formal,

conducted through the means of an interview or a focus group, or very informal, carried on in a town café or, like my conversation with Marta, sitting on the patio of a house.

The expression “where we come from,” with all the nuances that it contains, still symbolizes for me the very first step through which to start the analysis of current land use practices, to look at the historical roots of the production and reproduction taking place there, and to understand the moral economies that give shape to the norms that govern land access and land use. As Gramsci (1971) put it, “The starting point of critical elaboration is ... ‘knowing thyself’ as a product of the historical process ... which has deposited in you an infinity of traces...” (Gramsci 1971: 324).

In my “walks through Gallura and Ogliastra,” in the first chapter, I described the “traces” that historical events left in each province, especially in the ways that land is accessed and used today. These “traces” are visible in the daily lives of local people, in their practices and in their social relations that define the meaning that land property has at the community level.

From the observation and analysis of these practices, land property emerges as a system of social relationships, and access to land is regulated by norms that reveal their deep roots in these relationships through which the legal rights are created, accepted or ignored. These norms are embedded in the moral economies where they are negotiated, adapted to situated circumstances, and where new norms are produced. Norms are, therefore, permeated with the “traces” of historical notions of property use and social access, and with the production and reproduction practices that they regulate.

These remarks represent also the main arguments that I make as a result of my research findings in Gallura and Ogliastra. In the different chapters of this work I elaborate

on my analysis and research findings, addressing the various issues, practices, and contentious elements that prompted the conceptualization of this argument.

I center the analysis of the historical foundations of property relationships on the roots of the current system of *stazzi* in Gallura and of the *usi civici* in Ogliastra that are the main focus of my research in the two provinces. The events that I recount reveal the resilience of the different land use practices that are born from peasants' acts of repossession (Hart 2006; Harvey 2003 and 2005; Katz 2001) of dispossessed land. However the outcomes are different in the two provinces. In Gallura the *stazzi* are private properties belonging to the *stazzi* owners, and in Ogliastra the *usi civici* are synonymous with common land, belonging to the entire communities that live in the municipalities within whose boundaries the land is located (Masia 1992; Nervi 2009; Nuvoli 1998).

In Chapter One I analyze how control over land access and use is organized among the different levels of governmentality in Gallura and Ogliastra, and why the preservation of the current land use practices is considered important. I give particular emphasis to the analysis of the moral economies, in which the current land use practices and land regulations are embedded. I also introduce the issue of women's changing roles in contemporary Sardinia, which I elaborate further in Chapter Six.

The hybridity of land property regimes that I observed in rural Sardinia is also addressed in Chapter One. Based on my study of the land property systems in the two provinces, I stress the overlapping of different types of land ownership, and the role of hybrid land tenure systems in peasants' everyday land use practices. I also analyze how these hybrid systems preserve land against the fluctuation and uncertainties of the market.

I continue Chapter One with the analysis of the vast literature produced on different aspects of land ownership and land use, drawing on the scholarly work produced in different disciplines, from economics, to legal studies, to geography, sociology, and international and development studies.

In the discussion of my methods I describe how I did my field research, and how I managed to earn the communities' trust and acceptance. I also elaborate on the elements that were important in my interaction with the communities, and examine the particular role of Sardinian scholarship in my approach. I finally remark on my own embeddedness in the communities that I worked with. I am Sardinian, but I am also an American citizen, currently living very far from Sardinia. As I pointed in the closing lines of Chapter One, my own positionality is reflected in the way I interact with the Sardinian communities, and in my analysis of the research findings.

In Chapter Two I analyze the historical development of land tenure as a political project, and this project's role in the way in which the unification of Italy occurred. The current Italian constitution (Article 42), which protects property calls attention to the existence of multiple forms of property, as Italian scholars have pointed out (Rescigno 2006; Rolla 2001). This characteristic opens up broader interpretations of the law, which are particularly important in the local regulations over the "other forms of ownership," such as public and common.

In the same chapter, the analysis of the set of rules through which common land is managed at the municipal level in Sardinia highlights the extraordinary resilience of local land use practices (Ferrari and Masia 2003), with specific reference to the *usi civici*. I also introduce two other types of land ownership, other than private, that are currently present in

Italy: the South Tyrolese system of the *maso chiuso* in the Dolomite mountains, and the “agrarian participation system” in the region of Emilia.

In this chapter I deepen the analysis of how property relations are continually negotiated and reworked at the local level, and of how land has been “repossessed” by the *stazzi* owners in Gallura, and by the rural communities that manage the land under *usi civici* in Ogliastra. With reference to the latter I also address the contentious impact of the EU Rural Development Plan 2007-2013, which set individual ownership of land as a fundamental requirement in order to be eligible for the several new lines of rural development funding. This issue cut most of rural Ogliastra off from access to EU funding, and is still a matter of debates at the local, but also at regional and broader, levels.

Current land property rights are the focus of Chapter Three, where I analyze in depth the interpretations of the current land ownership legislation within Italy and within Sardinia. I examine the Sardinian Law of 14 March 1994, n. 12, which acknowledges the *usi civici*, and also protects “the destination of the land under *usi civici* ... for the benefit of the whole collectivity” (Law 12/1994).

In Chapter Three I also look at the incentives represented by the European Union LEADER program and by the application of this program at the local level, through the LAGs. In the concluding words below I will address some of my reflections on the contentious issues raised by the way in which the LEADER program works, with specific reference to the exclusion of common land from funding eligibility.

Also in Chapter Three I look at how the literature on resistance offers different understandings of the ways in which people devise their own intimate property relations around, but also under, or through, the law. In this analysis, I highlight the Gramscian

attention to culture, and particularly the multiple ways in which dominators impose their agenda of cultural production and its reproduction. In order to stress this concept I consider Bourdieu's analysis of cultural values' imposition, which he termed "symbolic violence." The violence occurs when the imposed cultural values are perceived as just and right, incorporated into the dominated classes' values, and transferred from one generation to another. In my analysis I also give particular emphasis to Abu-Lughod's concept of resistance as a diagnostic of power, embedded in the very power relations that it struggles against. Within this perspective, resistance reveals the multiple forms in which hegemonic ideologies are spread in the realm of the everyday life.

In Chapter Four I analyze the historical events that brought Italy to its late 19th century national unification and the new class formations that attended it, which are deeply intertwined with private land ownership, and its concentration in the hands of a few powerful landowners who controlled the government of the newly formed Italy. I address the political hegemony of Italy's landlords (Elazar 1996), and the divisions amidst the working class, that included rural peasants and proletarians in the towns. I also emphasize the role of the high degree of political autonomy of local governments from the central government, which is still a characteristic of Italian governmentality. This autonomy, counterbalanced by strategic alliances between central government deputies and local landowners, allowed the latter to maintain the control of local governments, both municipal and provincial, and of their large land estates. I also analyze how the political hegemony of Italian landowners was established, through the initial restriction of suffrage and the application of reformism (Gramsci 2008), which refers to the central government's control of power, through ongoing

coalitions among the various parties that represented the two segments of the landowning class in post-unified Italy: the Northern agrarian bourgeoisie and the Southern latifundists.

Current Italian class formations, as well as land use practices and their spatial differentiations, are tightly linked to the Italian Agrarian Reform of 1950. One of the main programs implemented through the Agrarian Reform was land redistribution. Unproductive latifundia with an extension superior to two hundred hectares were expropriated from the latifundists and distributed to peasants in different forms and with different amounts of land, depending on individual circumstances, and on the size of peasants' families. This highly contentious process, though not applied with the same success in all provinces of Italy, reduced the number of large landowners in Italy and the size of their land estates. The different and controversial phases through which the Agrarian Reform was applied displayed a compromise between the first legislation, proposed by the Communist Minister of Agriculture Gullo, and the much milder application signed by the Christian Democrat Segni. It did, however, prompt the formation of a new class of small landowners and the constitution of cooperatives among peasants in Italy and in Sardinia as well. These changes in class composition and relations were accompanied by a high degree of conflict, and by massive protests of peasants against the thwarting of the full reforms proposed by Gullo.

In Sardinia, the application of Agrarian Reform impacted rural land management and, to a lesser degree, land tenure. Redistribution of land among peasants did take place; however, the lands under *usi civici* in the different provinces of Sardinia were not impacted in a substantial way by the reform. The distribution of the land under *usi civici* among peasants continued to be managed at the municipal level.

In Chapter Five I analyze the role of conflicts in shaping current land use practices in Sardinia. I also address the different levels of conflict that land use entails, which is related to deep changes in the structure of rural communities, the diversification of the activities implemented in the rural areas, and the shifting meanings of land.

While the conflicts between shepherds and farmers still persist, their frequency and their importance have diminished. My research showed that this factor might be due to a weaker competition between shepherds and farmers that is directly related to the changes in the way in which both organize their activities. These changes also reflect the structural changes evident in the shepherds' and farmers' social classes. As I explain in Chapter Six, livestock breeding is seldom the only focus of shepherds' activities, and farmers' household earnings generally come from multiple activities, other than or complementary to the agricultural one, with agritourism being the prime example. Both shepherds and farmers move much more often than in the past between the towns and the countryside, and often carry on jobs in different sectors, such as education or services, while they maintain their plots of agricultural land, or their livestock.

The multilayered conflicts at different levels of governmentality are revealed through the analysis of the contentious implementation of windmills in Ulassai. As I pointed in my analysis of this ongoing conflict, the "multifunctional nature of resources" (Upreti 2004: 65) overlaps with their multidimensionality (Costanza and Folke 1996; Griffiths 2002; von Benda-Beckman 2009). The analysis of Ulassai's conflicts highlights how different uses involve different layers of governmentality, at the local and broader levels, and different interests. The goal of preserving land as a community asset overlaps with its use as a private liability (Sikor 2006), with different meanings that local use arrangements have at the

municipal and regional levels, and with environmental protection issues, in which local groups can clash with national ones, revealing another layer of conflict within the same environmental organizations and movements.

In the last section of Chapter Five I also analyze the less evident and yet persistently contentious behavior of a shepherd and farmer, Giovanni, who represents the voices of those community members who do not normally participate in public meetings, and do not join political actions. Those members express, however, the conflicts that pervade the apparently homogenous group of land users who, far from having a unified positions on the issue of common land, come from very different standpoints, each rooted in their own lives and changing circumstances.

As I remarked in my analysis of Giovanni's ambiguous behavior, his critical attitude towards the *usi civici* does not represent an isolated opinion in the rural communities of Ogliastra. Giovanni did not want to talk in the name of any other community member, and yet he represented the perplexities over the role and importance, or even the existence, of the *usi civici*. These perplexities are not always clearly expressed, but are certainly "detectable" in other land users, such as shepherds and foresters. As I pointed in my commentary on this issue, these "contentious voices," while being an important element of local political debates (Heatherington 2006), at the same time represent the multiple directions towards which these debates are expanding.

In Chapter Six I analyze how the changes in land use practice and, more broadly in the economic and social realms, impacted rural communities from the households' perspective. The close look at households allowed me not only to observe the impact of the economic changes on household structure and dynamics (Cravey 1998), but also the

persistence of non-market practices within and among households that according to Smith (2002) cannot be analyzed as a transitional form of 'informal economy,' but instead represent "processes quite distinct from those capitalist class processes developing in the 'formal economy' of workplace employment under the transition to capitalism" (2002: 246).

Looking at how the current diversity in land use practices impacted household structure, I focus on the growing importance of agritourism, organic farms, and artisanal activities for the production of traditional pottery and textile. These sectors are also representative of the different ways in which the waged labor is gendered in Sardinia.

In the second section of Chapter Six I look at how household structures in Gallura and Ogliastra changed over time, and at the role that the end of shepherds' transhumance in Ogliastra, and the abandonment of the Gallurese *stazzo* as a main residence and the moving to the towns, have had on the ways in households are organized today in the two provinces. The last section of Chapter Six is dedicated to the gendered moral economies of Ogliastra and Gallura, also from the household perspective. I use the approach offered by Smith's (2002) analysis of households' reproduction activities and inter-household exchanges.

The examination of the different land use practices that I encountered during my research highlighted some elements that I did not deepen in this work, but that I want to point to here as issues that I hope to address in future work. Above all, it is important to give more space to a comparative analysis of the embeddedness of land use practices in moral economies. Among the geographical areas that beg comparison with my findings on Sardinia, there is the United States, where I plan to focus on the growing implementation of community land trusts, already present in most states, whose increasing importance is impacting land use regulation policies and both rural and even urban development planning.

Once again, issues of governmentality, especially cooperation and conflict among local and broader levels, both formal and informal, are very germane.

Much work remains to be done also in the analysis of the diversification of rural activities, which is an increasing characteristic not only of Sardinian rural development patterns, but it is also a trend at a wider European level. I plan therefore to expand my present research in this direction, placing Sardinian diverse rural activities within a broader comparative analysis of daily practices and policies implemented, also in the rural land, throughout Southern Europe. Through ethnographic research in Sardinia and in other Southern European regions, I aim to understand how these diversified activities are developing, and how they remain embedded in the moral economies of the communities that live in the rural land, or that simultaneously inhabit both rural and urban settings.

With specific reference to the regular circulation of people between the rural land and the towns, I plan to address it within the broader analysis of the rural-urban demographic shift that seems so ubiquitous today. With this term scholars refer to the ongoing migration of rural population towards urban settings (Gaetano and Jacka 2004; Keeble & Tyler 1995; Misra 1998; Zhang 2003). These migrations, however, display strong regional differences in the way in which they occur and in their economic consequences (Barcusa 2004; Bhattacharya 1993; Cerruti and Bertoncello 2003; Todaro 1969). I want to look at the Sardinian movements of community members between rural and urban settings, within these broader perspectives, and to analyze the relevance of these issues in the structure, composition and dynamics of rural and urban communities. I also wish to study how people's movements between the rural and urban settings, and economic diversification of the

activities carried on in the rural areas, both can impact household structure and composition, with particular attention to the gendered dimensions of these impacts.

My conversations with rural communities opened up, little by little, the details of a multilayered moral economy through which community members organize their work in town and in the rural land. These details, that at times offered new “interpretative windows” and at other times contradicted each other, gave me a deep sense of the daily life arrangements, reproduction activities, and contentious relationships among the individual members of the community, and between them and the old and new levels of governmentality that they were dealing with.

Municipal and regional government are among the traditional institutions with which communities negotiate current property relationships. European Union policies, and the rural development plan in particular, however, have acquired a growing role in the way in which property relationships, production and reproduction are all articulated and negotiated at the municipal and provincial levels.

The broader European Union (EU) context plays a strong role in the organization of the current activities carried on in the rural areas, with particular reference to the LEADER⁴² Program and ENRD⁴³, which I described in Chapter Three. As I pointed out in my analysis of these programs, they aim to encourage the preservation and enhancement of the diversified land use practices that characterize most production and reproduction activities in Europe’s rural land (EU Commission 2006). However, while the European Union rural development

⁴² LEADER stands for “rural development projects’ networking” (*Liaisons Entre Actions de Développement de l’Economie Rurale*). This program was launched in 1991 for funding rural development projects at the community level, such as small local businesses for the transformation and marketization of agriculture products, or for the artisanal production of local pottery or textiles. However, the broader goal was promoting networking among the communities where these activities were implemented.

⁴³ ENRD stands for European Network for Rural Development (ENRD), and it was launched by the European Union Commission on October 2008. The approach of the ENRD reflects the “Community Strategic Guidelines for Rural Development” approved by the European Union Commission in 2006.

policies' declared goal is to help "rural stakeholders harness rural diversity as a driving force for a wide range of sustainable rural development activity" (Fisher Boel 2009: 13), there are inconsistencies in the way in which the programs are designed, especially the LEADER and ENRD programs.

As I highlighted in the analysis of the impact of the LEADER in Sardinia, this program has been critical in fostering new uses of rural land, such as agritourism and organic farms, in Sardinia as well as all around Italy. However, the requirement of private ownership title of the land in order to access to European Union funding, while revealing a commitment to the market economy, also discloses a profound contradiction between the declared intent of the European Union policies and the way in which they can be applied in the ground. This factor represents a serious limitation, particularly in the context of rural Europe, historically characterized by a diverse land tenure system that seems completely ignored by the European Union policies.

The ENRD is still maintaining the privatization of land as a requirement in order to access EU rural development funding. At the same time it is promoting the diversification of rural activities that are considered to be one the main strengths of the EU rural economy. However, such diversification should also be understood to include diversified land use practices that encompass all the land ownership forms that are found locally, including public, private, and common. This contentious issue reflects the internal contradictions in the EU programs, and the problematic attempt to promote the market economy, while enhancing rural development practices and supporting social relationships that are based on both economic and non-economic values.

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