

Territory, territorialisation, territoriality: Problems of definition and historical interpretation

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Abstract

Territory, territorialisation and territoriality are polysemic concepts. Efforts to come up with a shared notion have been numerous, and also quite effective. But the etymology of the Latin word *territorium* had actually a plurality of meanings.

In the Middle Ages the concept was mainly associated to the notion of Jurisdiction, and this link implied that for medieval jurists it became quite normal to imagine that a single area could be interested not only by many jurisdictions, but also by many territories and therefore different forms of territoriality.

In more recent times, this idea have been lost in favor of a state-centric notion, according to which the concept of territory would be considered primarily as the spatial projection of modern states and the salient features of territoriality should therefore be continuity, homogeneity, and isotropism.

This 'traditional notion of territory' seems to still enjoy some luck with many disciplines, and also with the historians. But actually the notion poses several problems, and so it had better to be abandoned to return to imagine - as suggested also by the ethological, biological, and ethno-anthropological studies - different possible forms of territoriality and many possible forms of territorialisation.

Keywords

Territory, territorialisation, territoriality, territorial states.

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A polysemic concept

The aim of this paper is to raise some points for reflection about the concepts of territory, territorialisation and territoriality, in order to see whether the various disciplines that deal with the territory are able to speak the same language and to reach agreement, despite their different approaches, on shared and possibly univocal ideas.

In actual fact, in this paper I will not try to propose a new sense for the three concepts, or suggest possible definitions that seek to be acceptable for all. Although I will make some comments on these points, I will actually just put forward a critical evaluation of some ideas concerning the concept of territory (and therefore also of the other two related concepts) which I feel need to be abandoned. This will naturally be done from my particular point of view, as a medieval historian, or rather as a historian of the period between the Middle Ages and the Modern age. My hope, anyway, is to present arguments that can go beyond the confines of the discipline (in accordance also with the intentions of CRIAT).

The departure point which will necessarily guide us in thinking about territory, territoriality and territorialisation does not in fact appear to be the most encouraging. The three concepts do not always seem to be understood in the same way, and seem, especially in the last few decades, to have become decidedly polysemic. Their meaning tends increasingly to change and split, not only among the different disciplinary contexts, but also sometimes within the same field of study, and also in the use of current language.

This involves two possible risks: on the one hand, a progressive drift towards hyper-specialised self-referential sectoral languages, which in fact determine a situation of incommunicability amongst the various sectors, leading to forms of authentic intellectual autism. On the other hand, the risk that the concepts are diluted into such vague and questionable species of nebulous protean forms that any possible cognitive value is lost.

As we shall see, the issue of a certain semantic ambiguity of the notion of territory is nothing new. But in the last ten years, it

seems to have been further accentuated. If for instance we take the authoritative *Dictionnaire de la géographie et de l'espace des sociétés*, published in France in 2003 edited by Jacques Lévy and Michel Lussault, we will find, under the entries of *Territoire*, *Territory*, *Territorium*, no less than 9 different definitions, ranging from those that see the concept of territory as a synonym of 'place' (in the sense of a specific or specified space of variable size and area), to those that see it as the equivalent of 'landscape', and lastly to those that try instead to associate the idea of territory with the different notions of 'space' ('social space', 'delimited space', 'perceived space', and so forth) (Lévy, 2003, esp. pp. 907-908).

And that is not all: some have given the concept of territory a strong material sense, while others have attached to it mainly perceptible/representational connotations, which would essentially limit the idea to a strictly cultural domain (and in fact on this point the idea is said to have a 'two-sided' aspect) (Debarbieux, 2003).

There are ongoing attempts to multiply the senses and settle on some possible definitions that are especially meaningful and incisive, and at the same time are able to gather enough support also beyond niche contexts. At least in their intentions, I feel positive attempts in this direction are being made by the geographers. For instance, Paolo Turco, in a recent article on the issue of territoriality, suggested that a territory should be understood essentially as the outcome of three fundamental actions: 'naming' (which identifies, circumscribes, specifies and qualifies a certain space); 'reification' (in the sense of all the possible material interventions that can be carried out in the space itself); and 'structuring' (which would in turn consist of the establishment of an organizational control over the spatial aspect, and therefore in the setting of rules, competences, duties, rights and the constraints related to them) (Turco, 2010, pp. 51-72).

This last aspect, of 'structuring', has been seen by some as the true key factor. As the anthropologist André Bourgeot observed twenty years ago, essentially it should be possible to describe a territory as a 'geographical space delimited' by an authority

(whoever that may be) (Bourgeot, 2009, p. 775). Seventy years earlier, the great liberal jurist Hans Kelsen, obviously starting from a totally different standpoint, had been on the very same wavelength in defining the territory as the spatial boundary of the forced validity of a juridical system, and therefore again as a delimited space (in turn constituting the outer boundary of a system) (Kelsen, 1967, pp. 141 and 146). This form of the concept has therefore led to emphasis on the fact that the territory should be seen, first of all as ‘the domain identified by the exercise of power’ (Farinelli, 2003, p. 37). And if for ‘power’ we accept Max Weber’s well-known definition, which described it as the ‘possibility of enforcing one’s own will’, it can be concluded, as Otto Brunner pointed out, that it would actually be manifested in the dual categories of ‘command and forbid’ (*Gebot und Verbot*) and of ‘coercion and ban’ (*Zwing und Bann*)¹. A territory should therefore be seen as a spatial domain in which these categories are operative, which basically, to use one of the evocative images to which we have become accustomed thanks to Franco Farinelli, equates to arguing that a territory is nothing but a space characterized ‘by the production of fear’ (Farinelli, 2009, p. 14).

Furthermore, these ideas focusing on the concept of power (seen specifically in the ways we have mentioned), are contrasted to others which have seen fit to insist on the cultural and social side of the idea of territory. This applies to the concept of territory elaborated in the field of French *géographie culturelle*, and which in turn has been taken up by other disciplines². In 1981, for instance, the medievalist Rinaldo Comba – giving an original re-elaboration of ideas found in cultural geographers, and interweaving them with the experiences resulting from historical research – proposed an association of the notion of territory above all with the idea of ‘lived-in space’ (Comba, 1981, esp. pp. 4-5). Referring especially to the famous study by Emmanuel Le Roy Ladurie on the Occitan community of Montailhou in the 14th century, Comba pointed out for example that in Sabarthès, the region of the Pyrenees where the village was situated, the inhabitants’ perception of a space based on the people’s feeling of belonging to the same cultural and material community was

actually much more important for purposes of establishing a sense of territorial identity (as well as some collective behaviours throughout the region), than the hierarchical framework (administrative or feudal) defining that same area from a political viewpoint (Comba, 1981, pp. 20-21)³. The territory as 'lived-in space' was therefore a far more meaningful entity than the territory in the sense of spatial domain over which one felt the exercise of certain powers⁴.

Another idea of territory, particularly valued today, is the one elaborated and proposed in the 1980s by the French geographer (but Swiss from the academic point of view), Claude Raffestin, who insisted above all on the concept of 'appropriation'. A territory would therefore be a space in which a 'syntagmatic actor' (or an actor intending to pursue any kind of plan) has performed (in relation to this plan) an appropriative action, or a territorialisation. This action can take on, without distinction, concrete forms (that is as a concrete objective intervention affecting the space itself) or abstract forms (for instance through the representation or attribution of a special meaning to that space) (Raffestin, 1981, p. 149). The advantage of this conceptualization is that a great range of possible special forms can be included. Raffestin's idea of appropriation seems to me to be undeniably productive. We will come back to it. I must say however that personally I also find that Raffestin actually interprets this concept in a way that seems to be related more than anything to the idea of a sort of 'acted out space', which I feel means the scope of the concept has been extended too far. For Raffestin, in fact, the nature of the actor, the content of his plan and the type of action he performs (such as of symbolic investment, or of organization, transformation or use of a given space), are ultimately not significant variables for the purposes of creating a territory. In fact, as long as there is an agent as subject (whoever it may be) and a plan (no matter what, nor how consciously adopted), and provided there is an action (or a task) related to that actor and to that plan, and naturally a space where the syntagmatic actor can operate, then that space will acquire by this very fact the features of a territory. But in this way any action performed in a given space becomes territorial (even, say,

my leaving the house to buy the paper), and every space involved in our actions (such as the domain delimited by my house, by the newsagent's kiosk and by the distance separating these two places) becomes by this very fact a territory. This equates to seeing as territory any space in which actions are performed, which in my view risks being such a broad concept that ultimately it is of little use⁵. The fact remains in any case that there can be and there have been many definitions of territory and that the meanings, as we said, apparently tend to multiply⁶.

Plural etymologies

The problem, as we mentioned, cannot be regarded merely as the effect of the contemporary age and of its propensity to sectorialize knowledge. In actual fact it can be said that after all the non univocal meanings about the idea of territory have always existed.

The Italian term *Territorio*, like the French *Territoire* (of which however we must also consider the variant *Terroir*), the English *Territory*, the German *Territorium*, the Castillian (and Portuguese) *Territorio*, the Catalanian *Territori*, the Polish *Terytorium*, and so forth are naturally all derived from the Latin *Territorium*. But the Latin word, though not very evident in classical authors – the term is for example totally absent from the vocabulary of Caesar, Livy, Tacitus and Virgil –, was supposedly marked right from the start by the coexistence of various meanings (Meusel, 1893; Ernesti and Schaefer, 1966; Gerber, Greef, 1903; Merguet, 1960). In Cicero there seems to be only one recurrence of the word, and it was used to indicate specifically the geographical space depending on a *colonia* (Cicéron/M. T. Cicero, 1959, p. 144-145 [*Philippica II*, 102]). Pliny the Elder and Seneca instead used the word *territorium* to indicate the space belonging to a city (Olympia for Pliny and Syracuse for Seneca), but both conveyed that the expression was intended to indicate a not particularly large area, coinciding strictly speaking with the urban space (Pline l'Ancien/Plinius Senior, 1962, pp. 56-57 [book 29, § 106]; and Sénèque/Seneca, 1923, p. 34 [§ 17-4]). These diversities (not only

in nuances) between the different meanings of the word would find among the ancient authors different hypotheses about etymological origins of it. In the 1st century B.C., Varro, in *De Lingua latina* for instance had *territorium* (like *terra*) derive from the verb *terere* (*tero, -is, trivi, tritum, terere*), or ‘grind’, obviously with reference to the act of breaking the clods of earth with a plough. *Territorium* therefore was to be understood mainly as an area of overworked farming land, therefore as a set of farming areas situated near a city (*prope oppidum*): areas that were often shared and that in fact could be called *territorium* due to the fact that they were intensely cultivated (*quod maxime teritur*) (Varro/M. T. Varro, 1958, pp. 18-21 [book V, § 21]). The 2nd century jurist Sextus Pomponius hypothesized instead that the origin of *territorium* should more correctly be found in the verb *terrere*, or intimidate, of which we know there was also a frequentative form *territare*/terrorize (and also the noun *territor*, at times used to refer for instance to *Jupiter*). In this case *territorium* was to be understood with reference to the size of the space in which a magistrate was able to exercise his jurisdiction (and thus intimidate/*terrere* his underlings)⁷.

As we can see, the two ideas are very different from each other: one is linked to the material aspect of the community’s farming practices, the other to the more strictly jurisdictional component⁸.

In actual fact, if the problem is to determine the exact etymological origin of the Latin word (and of its derivatives in other languages), Varro’s hypothesis seems to be more correct: *territorium* would be rightly connected to *terere* and to *terra*, and the origin of the word would therefore be essentially linked to the idea of possessing and using a farming area (*ager circa oppidum*)⁹. It is also interesting to notice that the above-mentioned Pomponius, as well as proposing (though in a doubtful form) his etymological hypothesis, was actually proposing two distinct meanings of *territorium* which did not coincide. The first, in line with Varro, was in fact a meaning related mainly to land-use, so *territorium* was identified with the ‘*universitas agrorum intra fines cuiusque civitatis*’. The second, on the other hand, was more connected to the spatial domain subject to the jurisdiction of one

or more judges (that is, the area over which the ‘*magistratus eius loci, intra eius fines, terrendi, id est submovendi, ius habent*’) (*Corpus Iuris Civilis*, 1966, vol. III, p. 1864 [*Digestorum, Liber I, tit. XVI, De verborum significatione, § 239, 8*]). The first of these meanings (with the accent on the external aspect of *territorium* compared to the urban space) was later found, in the 4th century, also in Ammianus Marcellinus, who in at least two passages of his *Historia* talked about *territorium* in the sense of farmed spaces attached to a city (Ammien Marcellin/Ammianus Marcellinus, 1968, p. 150 [Book XVI, § 2, 12]; and Id., 1999, p. 6 [Book XXIX, § 1, 14]). The second meaning (which actually defined *territorium* as a clearly delimited jurisdictional space), thanks to Pomponius, would be taken up by the *Corpus Iuris Civilis*, compiled by jurists in the Justinianian age¹⁰.

In medieval Latin, judging by the old repertoire of Du Cange, the word *territorium* began to appear with far greater frequency compared to the classical age, without however losing its variable meanings: now it took on a mainly landowning and predia sense (as a synonym of *ager, fundus, praedium* or *possessio*); now it referred mainly to the old geographical meaning of *modicus locus*; and now it reflected more clearly the strictly political-juridical sense of a space depending on an authority (or as *districtus alicuius*) (Du Cange, 1981, vol. VIII, pp. 76-77)¹¹. The differentiation already mentioned in the case of French between *terroir* and *territoire* would seem to be related to the versatility of the Latin word. *Terroir* (an older word, already found in the 1200s, and apparently deriving from the Roman-Gallic *terratorium*, which was in turn borrowed from Latin) sums up the predia significance of the original term, but also the components of a rural space seen from a more broadly cultural standpoint of identity (for instance concerning an area’s agricultural specializations). In contrast *territoire* (a more erudite and technical term) was actually the result of a later word formation: though there is some evidence of its use in the medieval period, it did not become fully part of the French vocabulary until the 17th century, and then spread especially in the 1700s. The meaning it expresses is more political-juridical than geographical, in the real scientific sense (Rey, 2006, vol. III, p. 3804; Robert, 1981, pp. 526 and 527;

Godefroy, 1982, p. 697; and Quemada, 1994, pp. 139-141 and 142). In the Italic area, however, above all after the rebirth of Roman Law, the word *territorium* was used almost exclusively in the sense indicated by the *Corpus Iuris*. Based on various pieces of documentary evidence from Northern and Central Italy, Cinzio Violante some years ago was able to establish that the word *territorium* in the middle centuries of the Medieval period (11th-13th) by then almost always indicated ‘the jurisdictional domain in which a place was found [...]: “*in territorio de loco illo*”, “*locus ille cum territorio*”’ (Violante, 1997, vol. I, p. 5).

The close link between *territorium* and *iurisdictio* was therefore being consolidated, above all from the moment when the concept of *iurisdictio*, in turn having a great range of meanings, started to be made more precise, especially between 1200 and 1300, in a sense that we could call territorialist (Costa, 1969, pp. 120-125). It was then that there arose the well-known question, studied by both Bartolus de Saxoferrato and Baldus de Ubaldis, about the issue of *utrum iurisdictio cobereat territorio*: namely whether every jurisdiction automatically implied a territory, whether the ownership of a territory automatically meant the possession of a jurisdiction; or, on the other hand, whether there could be cases of territories without jurisdiction and of jurisdiction without territories (Vaccari, 1962, pp. 735-753; Quaglioni, 2006; Canning, 2003, esp. on pp. 131-132). I do not wish to enter an in-depth analysis of this issue here. I will confine myself to pointing out two aspects: the first is that – although medieval legal thought basically sought to reconcile the plurality of different political forms in a unitary ideal of *Res publica Christiana* and in the idea of a global juridical order – the numerous *iurisditiones* (often in battle and closely interwoven with each other) tended to be recognised as situational realities to be endorsed and legitimated, as were also the *territoria* that they came to establish. The second aspect, referring to a recent observation by Luigi Mannori, is that the medieval idea of territory, while admitting this kind of plurality principle in the picture of unity, was however actually characterized by an essentially atomistic view. This means that the concept of territory was not generally seen as a vast homogeneous space, organized and shaped by a strong legislator,

but as a sort of hard-core particularistic nucleus, featuring its own law system, or its own peculiar *ius terrae*. The territory was therefore seen as a sort of miniaturised space (though still conceived in a single authority system of shared symbols and references), in which every community, however small, was able to influence the space where it moved, creating a jurisprudence that was incorporated into that space (Mannori, 2008, esp. p. 26). Therefore, on the one hand there was the recognition of a multiplicity and plurality of territories large and small, created by the multiplicity and plurality of the *iurisdictiones*, and at the same time included in a great unitary vision which, in Paolo Grossi's words, sought to reconcile 'differences in unity' (Grossi, 2001, p. 223). On the other hand, however, there was the tendency to establish an atomistic idea of territoriality, which meant conceiving of territories as micro-entities separate from the outside. Such double-sided conceptions confront us with the need to recognize the existence, in the Middle Ages, of different forms of territoriality and of different modes of territorialisation¹².

In turn, this should make us wary of thinking of an idea of territory that claims to be informed by a single governing principle¹³.

Criticism of the 'state-centric' notion of territory

Diverse forms of territoriality and different ways of being or becoming territorialized, in other words, imply that one must exclude the idea that territoriality itself may be understood in terms of an overly univocal distinctive feature. The many kinds of medieval territoriality (or more in general of the *Ancien Régime*) force us to rethink the concept.

If on the one hand the need to find a notion of territory exists (and therefore also of territoriality and being or becoming territorialized) which may turn out to be generally agreed upon, on the other hand it is also necessary to avoid remaining imprisoned in concepts which are unable to give an account of the complexity of the real.

From this perspective, it is especially important to react to the ‘dictatorship’ of what Jean Gottmann – the well known French-Ukrainian geographer, who published his famous study on the *Megalopolis* in 1961 –, would call from the nineteen seventies the ‘traditional notion of territory’ (Gottmann, 1977, on p. 41; and Gottmann, 1969).

This is the notion we may call ‘State-centric’, and which Gottmann himself tried to sum up in the formula of territory as ‘geographical space reserved to the exclusive sovereignty of a State’¹⁴.

For many jurists (and also philosophers or historians of law) this notion continues in actual fact to enjoy a good deal of credence¹⁵. Territory is considered to be one of the three ‘physical elements’ – or of the three essential conditions – of the definition of State (the other two being the existence of a population and a legal system) (Frosali, 1973; Chiarelli, 1973; Leanza, 1973; Manetti, 1995; Sacchetto, 1992; Biscaretti di Ruffia, 1992). On the basis of this interpretation, it is assumed that one cannot have a State without territory, and in particular one cannot think of a territory outside of a State, or at least a legal system which brings it into existence//puts it in place, defines it and circumscribes it¹⁶. It is a notion of a strictly public law theory character (and one which moreover does not take sufficiently into account the great teaching of medieval jurists, who for their part were well aware of the possibility of overlapping and criss-crossing of *iurisdictiones* and hence also of the eventual *territoria* associated with them). And it is in fact a notion that tends to think of territory only as a predicate (and at the same time a condition) of sovereignty, and more exactly of State sovereignty, or rather of that of the modern State, sovereign, territorial and centralised.

And not just this. What in some ways is still more serious (at least from the conceptual perspective) is that this ‘territorialised’ space of the State is understood as a space which is homogeneous, compact, and complete in itself: separate from the external world in precise ways, with linear borders clearly traced, and within which an exclusive authority operates and makes itself heard, not admitting any sharing of its authority. It is

in practice the ‘closed space’ of which Carl Schmitt spoke (Schmitt, 2006, p. 145). And it is in relation to this notion of territory that for example the so-called ‘principle of territoriality’ is postulated: that principle which asserts that everything that happens in a particular territory is subject to, and regulated by, the law in force in that territory (a principle that in the legal system of the present Italian Republic turns out to be formally endorsed, for example by article 6 of the Penal Code, according to which, ‘whomsoever commits a crime in the *territory of the [Italian] State* is punished according to Italian law’)¹⁷. To sum up: if there is a space and if there is a State (or at least an authority) that exercises its own sovereign prerogatives upon it exclusively, then and only then, will there be a territory¹⁸. Otherwise no¹⁹.

In historical disciplines too, and it is this that I wish to emphasise the most, this notion of territory and territoriality has enjoyed, and I feel still enjoys, remarkable good fortune. The historians seem to have accepted quite equably the domination of the ‘traditional notion of territory’; and hence when they too speak of territory, of territorialisation or territoriality, in general they tend more or less to assume as a basic concept the idea that territoriality is to be understood as a form of spatial control of the type that one imagines has been put into place by the States of a modern kind (although in the variety of forms and ways with which these were outlined) (Maravall, 1991, pp. 101-185, and in particular pp. 107-112).

Let us be clear about this: I am not saying here that the historians – by definition sensitive to everything related to the sphere of changing times – are led into making the idea of territoriality directly coincide with the appearance of the modern State. On the contrary! They deserve credit for having stressed how political forms certainly not traceable to that ideal type have in actual fact produced absolutely opposite territorial outcomes. Suffice to think, to restrict ourselves to a few great Italian scholars, to how much Pietro Vaccari or Cinzio Violante had to say about the ‘territorial’ character of the countryside or castrensian *Signorie* (not by chance also called *Signorie territoriali*) (Vaccari, 1920; and Violante, 1980). Or else the lucid reflections may come to mind of Giovanni De Vergottini (and others after

him), on the precise territorial value of the policies of spatial organisation brought into being by the Italian Communes with the so-called processes of *comitalinanza* (in their turn the expression of a typology of City-State not really traceable, or at least not *in toto*, to the model of modern State) (De Vergottini, 1977; Pini, 1981; and Varanini, 1994).

So what I mean is, not that the historiography in general has lacked a specific interpretative refinement on these subjects. On the contrary! All the more so since many historians have written, and with great analytical subtlety, of stronger or weaker forms of territoriality, of greater or lesser precocity in the construction of paths towards territorialisation, of greater or lesser intensity of the processes of *Territorialbildung*, not without illuminating evaluations of a comparative kind²⁰.

The point, however, is that the reasoning on territoriality has tended to accept the concept within the terms defined by the 'traditional notion'. In general, in dealing with the problem of territoriality, the tendency has emerged of considering it in light of that complex of characteristics of closure, cohesion, continuity, absence of internal unrest, homogeneity, arrangement into hierarchy, exclusiveness of power, sovereignty and isotropism which we may recognise as the elements proper to the 'State-centric' idea of territory²¹.

Let us be clear: the question of verifying how far this concept may be applied to the various historical contexts has of course been asked, but models of territoriality radically different from those traceable to that ideal type have not been constructed. Or, if they have been, it happened in my opinion in a too shy way, with the idea that the concept of territoriality could not be defined in other terms than as it has been hypostatized by the 'traditional notion'.

Significant from this perspective is the case of the historiographical formula of the 'territorial State' (*Territorialstaat*), borrowed by German juridical historiography²².

The concept of territorial State would design political entities which, with varied success, attempted – between the end of the Middle Ages and the modern era – to organise their spatial areas in the form of territories increasingly more thoroughly defined,

pacified, disarmed, coordinated and organised²³. In the light of this conception, in Italy too, the more aware historiography has felt it could use this definition, finding it particularly appropriate to define those political realities of dimensions tending towards the regional (but sometimes also supra-regional), which were formed in the Peninsula between the XIII and XV centuries (mostly following on from the crisis of the older City States) to then survive for the entire modern era (Lazzarini, 2003, pp. V and 97-107)²⁴.

Actually, in describing the type of spatial organisation put into place by these new realities their original character has often been emphasised: among which, in the first place, that of having often given rise to organisms disposed to recognise, within their own borders, the presence of semi-autonomous territorial nuclei (thus reconciling the impulse of centralization with the maintenance of even higher rates of particularism) (cfr. Chittolini, 1979, in particular pp. 36-37). It seems to me, however, that in defining the type of territoriality with which one has tried to provide a content to the formula of 'territorial State', the reference point used as inspiration has been and still is, at the very least as an essential term of comparison, that of state territoriality of the modern type, and 'closed territories' like those of Schmitt. It seems to be, in fact, the only conceptual model which everyone is supposed to consider²⁵.

In addition, the feature which appears to me to be most ambiguous is that if we call 'territorial' only those political formations emerging at the end of the Middle Ages or in the early modern era, we actually come to postulate through that that all the formations existing before them were themselves 'non-territorial' or 'a-territorial'. This seems to me, however, clearly contradictory. In fact, if on the one hand it is certainly undeniable that those political formations which we call 'territorial States' deployed policies (albeit in different ways) aiming at a robust control of their space, on the other it is also undeniable that no less significant demonstrations of territoriality (and sometimes just second the idea of a strong and homogenous territoriality) were put into place by political forms of a different type (as is shown – with reference to Italy – by the

examples mentioned above of the ‘territorial *Signorie*’, or the Italian City States of the XII and XIII centuries, with their processes of *comitatinanza*)²⁶.

Perhaps it will be best to introduce, therefore, some different, and more subtle conceptualisation, for example substituting the equivocal notion of ‘territorial States’ with that of ‘States with a territorialist vocation or disposition’²⁷.

But above all, what has to be insisted upon is the fact that that particular model of territoriality – which we have traced back to the ‘traditional notion of territory’, and which we could call a territoriality of the type dear to Schmitt (a territoriality including continuous, isotropic, homogeneous, enclosed territories etc.) – does not define the only possible kind of territoriality.

I believe we have to free ourselves from an over rigid reliance on the conceptual model, and take up as a starting point the fact that beside the territoriality of the ‘enclosed space’, entirely different forms of territoriality may be disclosed.

Other forms of territoriality

Ethological and biological behaviour studies, like the ethnological and anthropological, offer certain conceptualisations which other disciplines – and particularly historical disciplines – would do well, I believe, to take into account²⁸.

By studying animal territoriality, the chance to think of diverse forms of territoriality, various types of territory, and various ways to territorialise and control space, has been opened up. Network structure territories, satellite territories, overlapping territorial systems, high porosity territories and those with frontiers of a zonal type etc., have all been spoken of (Soja, 1971).

Forms of territoriality have also been spoken of whose main objective is to signal the presence of their originator in a given space (we may think of birds, for example, indicating their territory with song and other calls); the subject of forms aiming to mark off an area has also been brought up (markings which may be visible, or of smell or sound) to prevent other individuals of their own species or others from entering, to guarantee

sometimes exclusive access to specific resources (the wolf is an excellent example here). Forms of territoriality have been seen representing self defence strategies founded on isolation, and which as such turn out to be alternatives to other strategies founded instead on numbers (and gregarious behaviour). Other forms function mostly to contain aggression through the spatial separation of individuals (or small groups), and as such are to be considered alternative to the setting up of internal hierarchies based on relationships of domination and subjection. But there are also forms of territoriality which coexist with extensive hierarchical organisations. And likewise there are forms in which all these features and functions are present (if at various times) (Roncayolo, 1981, in particular on pp. 218-222).

What Edward Soja in 1971 called forms of territoriality founded on the principle of spatial exclusiveness and the definition of areas well marked off and defended (*Defended area system*), and which were therefore 'enclosed' territories, are only one out of many possible forms of territoriality (Soja, 1971, pp. 23-24).

The admirable work of geographers like Soja and Sack puts forward an understanding of territoriality not as a set of conditions (homogeneity, continuity, isotropy etc.), but more precisely as the fruits of a strategy, of a behaviour aiming to condition, influence or control individuals or groups, phenomena or relationships, via spatial references and contexts (Soja, 1971, p. 19; and Sack, 1986, pp. 1-2). Robert David Sack, especially, on the basis of these considerations, has suggested definitions of territoriality of great interest. His territoriality is 'the attempt by an individual or group to affect, influence and assert control over a geographic area' (Sack, 1986, pp. 1 and 19). It isn't a definition as large as that of Raffestin (which we remembered above and which actually seemed too wide and extended), but it is a formula that clearly preserves to the concept of territoriality that character of spatial appropriation which Raffestin had correctly underlined.

Territory is thus what from time to time is brought into being by behaviour or a great variety of strategies of a territorial type, i.e. behaviour involving appropriation, carried out on any scale by individuals or groups in a given space.

It follows, therefore, not only that territoriality may be described in different ways (not necessarily as a claim for exclusive control on spaces continuous or homogeneous); but also that a space may take the form of territory in certain specific circumstances and not in others; that individuals and groups may be part, at the same time, of more than one territorial context, or of several territories (as medieval jurists clearly understood); and that a territory may be fixed or mobile; porous or completed; homogeneous or jagged; continuous or discontinuous; with or without *squeezing* phenomena (i.e. the formation of internal spatial bubbles, which can be spontaneous or proceeding from the whole) or phenomena of *emboîtement* (i.e. the encapsulation of minor spaces within spaces more extended); and with linear external borders or with boundary areas, which can be rigid or fluctuating (Sack, 1986, pp. 19-21).

In other words, we can find many sorts of territorialisation and many kinds of territories for many different types of spatial behaviours.

With regard to the traditional notion of territory – the notion of Carl Schmitt or, if you like, the western and statual one – complications now arise. But the notion may be extended and enriched, at the same time, by acquiring a wider range of possibilities. So that to recognise these many different forms of territoriality, and the plural geographies deriving from them (managing also to map them, i.e. to visualise them on a map or a GIS), may make a significant contribution to the understanding of many features, phenomena and problems, which, otherwise, one could grasp incorrectly or only incompletely²⁹.

Notes

¹ For Weber's definition of power, cf. naturally Weber, 1961, vol. II, p. 244. On Otto Brunner's remarks cf. Brunner, 1983, p. 160. To see Weber's concept of power in relation to its spatial effects, see also Claval, 1978, esp. pp. 11-12.

² On cultural geography cf. Bonnemaïson, 2000; Claval, 2001; Rosemberg, 2003.

³ Concerning the work of Emmanuel Le Roy Ladurie cf. obviously Le Roy Ladurie, 1977.

⁴ The idea of territory as 'lived-in space' is naturally also found in other authors: cf. for instance Bevilacqua, 1997, esp. pp. 106-121.

⁵ Raffestin himself confirms that 'in different degrees, in different moments and in different places, we are all syntagmatic actors that produce "territory"' (Raffestin, 1981, p. 155).

⁶ According to Jean Lévy, the author of the encyclopedia entry mentioned at the outset, this tendency to the multiplication of meanings has been particularly accentuated in the last twenty or thirty years (Lévy, 2003, p. 909).

⁷ The passage from Sextus Pomponius, taken from *Liber singularis Enchiridii*, is cited in *Corpus Iuris Civilis*, 1966, tome III, p. 1864 (*Digestorum, Liber I*, tit. XVI, *De verborum significatione*, § 239, 8).

⁸ It should also be noticed that the word *iurisdictio* underwent an evolution in Roman times, and from a noun referring to the simple act of *ius dicere*, in the sense of solving controversies, saw a gradual broadening of its meaning, until it took on a territorial sense, meaning the administrative power of a magistrate/officer over a certain public district (cf. Costa, 1969, p. 98; and De Martino, 1937, pp. 140 ff.).

⁹ Cf. for example Forcellini, 1965, vol. VI, p. 70. The same origin is also favoured in Pianigiani 1907, vol. II, p. 1426.

¹⁰ Title XVI of Book I of the Digest, devoted to the subject *De significatione verborum*, cited the passage of *Liber singularis Enchiridii* by Sextus Pomponius. And so the strictly 'jurisdictional' idea of territory entered the *Corpus Iuris Civilis* and then the corpus of the later Romanist juridical tradition (for the textual reference cf. above footnote n° 20).

¹¹ See also (with reference for instance to the sources from a specific geographical area such as the Netherlands) Fuchs, Weijers, Gumbert-Hepp, 2005, vol. VIII (*S-Zua*), pp. 5045-5046.

¹² Andrea Gamberini has intervened lucidly on the existence of different forms of territoriality at the end of the Middle Ages, on the realities of the *Reggiano* area (in Emilia) in the XIV century (cf. Gamberini, 2005).

¹³ On the co-presence of different forms of territoriality, or if you like of coexistence at the same time of various social perceptions of the space, that do not coincide or are in conflict (*'coexistencia en un mismo momento de varias percepciones sociales del espacio, no coincidentes o incluso conflictivas entre sí'*) cf. Hespanha, 1993, pp. 85-121 (the quote is on pp. 89-90).

¹⁴ Other equivalent definitions suggested by Gottmann – still in the area of 'traditional notion', are those which define territory as 'a portion of

geographical space which coincides with the borders of state jurisdiction', or as the 'spatial definition of government jurisdiction and of its military and political organisation' (Gottmann, 1977, pp. 41 and 61).

¹⁵ Paul Alliès felt obliged to write: 'Law has always thought of territory only in relation to the State' (Alliès, 1980, p. 19).

¹⁶ For Georg Jellinek, for example, the State requires a territory of necessity (*Gebiet*) on which to exercise its exclusive authority (*Imperium*). And territory implies in its turn that no other power, not of the State, can be exercised there (unless with the authorisation of the State itself) (cf. Jellinek, 1949; see also Alliès, 1980, pp. 9-13).

¹⁷ Cf. *Codice Penale Italiano*, art. 6 – *Reati commessi nel territorio dello Stato* (<http://www.altalex.com/index.php?idnot=1994>). The new French Penal Code, in force since 1992, to give another example, expresses the same concept in a very similar way: 'La loi pénale française est applicable aux infractions commises sur le territoire de la République': cf. *Code Pénal Français*, art. 113-2 (cf. <http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006070719>).

¹⁸ Hans Kelsen postulated actually that a State could be given even without a land (for example in the case of a nomadic people) (cf. Kelsen, 1960, on p. 70-76). But this position does not seem to be the most shared one in the debate of contemporary jurists. Paul Biscaretti di Ruffia, for example, had no hesitation in saying, in accordance with the main opinion, that without a territory, 'you do not have a State' (see Biscaretti di Ruffia, 1992, p. 334).

¹⁹ The connection between State (or rather modern State) and territory is on the contrary postulated in such a narrow way that there are those who have argued that the present crisis of national States should be read as the symptom of the imminent agony also of the territories (cf. Badie, 1996). Badie's arguments are undoubtedly interesting and in many ways convincing (cf. also Salvemini, 2006).

²⁰ Among the most profoundly insightful analytical inquiries into this is that of Giorgio Chittolini: cf. for example Chittolini, 1994; or also Chittolini, 2012.

²¹ By 'closure' is meant the idea of a clear separation from the outside; by 'cohesion' a relation of close correlation between the individual inner parts; by 'continuity' the tendency to overcome eventual separations into spatial blocks distinct from each other, and the elimination of interruptions; by 'absence of internal unrest' the tendency to pacification of the territory; by 'arrangement into hierarchy' the definition of an easily recognisable vertical structure of command; by 'exclusiveness of power' the functions of command and the authorities are concentrated exclusively in one agency; by 'sovereignty' the non-dependence on outside powers; by 'homogeneity' the elimination of the differences between the various constitutive components of the territory; and by 'isotropism' the fact that all the parts are oriented uniformly, and are therefore all equally subject to the central power.

²² On the subject of the German territorial States see Patze, 1986. In the texts of Giorgio Chittolini indicated above in note n° 48 much more extensive historiographic suggestions may be found.

²³ It is anyway worth pointing out that in the German area – i.e. in the cultural context where the concept of ‘territorial state’ was actually defined – there is now a tendency to recognize that states that one would define as ‘territorial’ had a kind of territoriality not very satisfying to the conceptual model on which it was made that notion (cf. Chittolini, 2012, p. 6). Not surprisingly, ‘the old idea that in Germany [...] the territorial principalities were the most direct prototypes, in the fourteenth and fifteenth centuries, of the “modern state” or “modern statehood” [...], tends now to be resized, in the light of more complex categories of interpretation’ (see *ivi*, p. 8).

²⁴ In effect the notion of ‘territorial State’ in Italian historiographical usage has become a sort of equivalent of the formula ‘regional State’ (cf. for example Fasano Guarini, 1994, at p. 147).

²⁵ It is significant from this point of view, to note what underlines Andrea Gamberini in his already quoted work about territoriality in the Italian Middle Ages, where he concludes that a political reality such as that of the Visconti State of the late fourteenth century should be regarded as a State ‘regional but not territorial’, precisely because of its lack of interest over the problem of eliminating the autonomy of those various political and territorial bodies that were in various ways subjected to the lord (and later Duke) of Milan (cf. Gamberini, 2005, p. 206 note). I would tend, instead, to say that the Visconti State, even if in his own way, was definitely territorial (since, by the way, it had absolutely made an appropriative intervention over its space). I mean that it was a territorial state, even if, in the words of Gian Maria Varanini, it appeared as ‘an agglomeration, a constellation of different territorial realities’ (Varanini, 1986, on p. 705).

²⁶ See for example the different forms of territorial organization during Italian Middle Ages considered by Gian Maria Varanini (Varanini, 1999).

²⁷ The notion of ‘territorialism’ was formulated in the nineteen-nineties by Giovanni Arrighi and taken up recently by Franco Farinelli (cf. Arrighi, 1996; and Farinelli, 2009, pp. 49-50). ‘Territorialism’ should be understood as the tendency to the incorporation of territories and populations under just one territorial control, and as the enacting of a most rigorous disciplining of the spaces acquired.

²⁸ This intuition had already been developed, insistently, in the nineteen-sixties by Robert Ardrey: Ardrey, 1984). The subject was taken up by Dyson-Hudson and Alden Smith, 1978.

²⁹ On the subject of the plurality of geographies and the possibility of their representation in maps, cf. Cengarle and Somaini, 2008; and Cengarle and Somaini, 2009, pp. 3-19.

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