

Reti e infrastrutture dei territori contemporanei

Networks and infrastructures of contemporary territories

a cura di Francesco Domenico Moccia, Marichela Sepe



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Landing through Informal Blue Infrastructures: the State of Exception in Planning

Francesco Lo Piccolo

Introduction - As highlighted by Yiftachel (1998), "planning as oppression" exists in a variety of settings and affects a range of social relations in space. Alternative interpretations of power in planning beyond the Marxist analytical framework have been undertaken more recently. The most comprehensive analysis has been done by Flyvbjerg (1998), who analyses the dualistic (and asymmetrical) opposition of rationality and power. This turn towards the dark side of planning theory - the domain of power - which has been largely explored by Yiftachel (1994), Flyvbjerg (1998), Gunder and Mouat (2002). However, a further example of a model for "utilization" of planning in the exercise of power and as an instrument of oppression of the weaker party, is the one, paradoxically, linked to its "suspension".

In geographically marginal, and, from the institutional standpoint, often precarious territorial contexts, such as certain areas in southern Italy, one occasionally comes across the phenomenon of so-called "suspension" of norms (often regarding planning), this often being the result of a perverse alliance between economic and political power.

In these cases a determined economic power, firmly rooted in the local area, manages to control the political sphere by "freezing" the system of rules that might otherwise damage it. Furthermore, with regard to southern Italian rural contexts, the presence of a great immigrant flux generally adds an extra dimension to this state of affairs, revitalizing conditions of exploitation and underground economy, in addition to rule evasion and elusion" (Mignella Calvo-sa, 2013, p. 10). In these contexts transformation of the landscape, in which these phenomena happen, becomes an explicit form of the exercise of power.

This is particularly evident in some rural areas of great economic success where landscape is transformed into playing the role of exercising power rather than the role of achieving fair and equal development, and where the economic power produces subjugation, domination, exclusion, and surveillance through landscape transformation. This paper argues that in this context landscape turns into a "landscape of exception" (Lo Piccolo and Halawani, 2014). A particular example of the relationship between power and landscape – the case of the South-Eastern Sicily – is discussed in this paper. In order to explain by which mechanisms oppression actually occurs, I will use Agamben's concepts.

Power relations in the domain of (planning) laws using Agambenian approach - The exercise of power (and oppression) occur in the domain of "the law", although law is suspended, manipulated and unequally applied; this is what exception means according to Agamben (2005), who conceptualizes the concept of exception by connecting it with: suspension of laws, circumvention of constitutional principles, and misuse of norms.

According to Agamben (2005), any "state of exception" originates as a "state of necessity". In this context of reflection, necessity is not the law, nor does it correspond to a suspension of the law; on the contrary it functions as an ethical condition that releases a determined situation from application of the law. In its turn, necessity can be related to various conditions; in literature, those linked to the state of emergency have been the subject of particular, in-depth examination.

These conditions are generally explained in terms of suspension of laws and planning for reasons of security or economic interest. Although in both cases this suspension is activated in the prevailing public interest, in reality it often conceals personal, private interests. These theoretical references provide a lens through which we can view the manipulation of landscape in the South-Eastern Sicily, where landscape has been employed to serve the economic power to control/dominate immigrant workers.

The Agambenian approach is helpful in understanding the way in which hegemonic power manipulates laws to exercise power over certain social groups. Agamben (2005) addresses the power relation between government and society: if the mandate of necessity becomes a source of law, the state can be such a superior power, circumventing and suspending laws and norms. Despite the fact that the law is obliterated in the state of exception, the state still claims to be applying the law. In this sense the power (state) becomes the law and the exception becomes the rule.

What, consequently, happens to the space and to landscape, when the hegemonic power insists upon controlling them, or when it dominates the landscape while at the same time silencing or obliterating those who are powerless? The next sections examine this issue and illustrate the consequences of "hegemony" on landscape.

Applying Agamben concepts to our planning examples, we highlight how planning systems and laws allow power to exert domination and control, using mechanisms of exception which are applied to landscape. In the light of Agamben's concepts, we analyse the technical and juridical circumstances in which landscape transformations and planning emerge as an oppressive activity. What is important to note is that also a strong economic power in the state of exception does not only suspend the law and circumvent constitutional principles, but also tries to produce new laws in order to have the right to issue regulations with the purpose of exercising its control over people.

The success of greenhouses in South-Eastern Sicily - In the Italian national scene, South-Eastern Sicily is known as the "other Sicily", a very rich territory from the cultural and economic

standpoint, comparable to wealthy Provinces in northern Italy; an "island within the Island", thanks to its historic "autonomy" (Chiaula, 2011) and a dynamic socio-economic context that differs greatly from the rest of Sicily (Spataro, Gentiloni and Spampinato, 1985).

Furthermore, South-Eastern Sicily features an exceptionally high concentration of natural and cultural heritage. The same thing cannot be said for the coastal landscape, in which the far-reaching spread of greenhouse cultivation, continuously and uninterrupted along the coastal strip, presents one's eyes with an almost surreal landscape, in which the vast plastic expanse, with the reflection of sunlight on the greenhouse roofs, "encroaches" on the surface of the sea. This landscape has strongly been transformed because of the productive system of the greenhouses, losing the natural and cultural features that have characterized it during the centuries.

From the economic point of view, within the framework of nationwide policy with regard to rural development, South-Eastern Sicily has traditionally occupied a primary role, registering a process of transformation in agricultural production, supported by a combination of innovation and entrepreneurial ability, with significant results on the international exportation front (Asmundo, Asso and Pitti, 2011). This productive sector is characterized by a supportive and co-operative social model that has led to the spread of forms of entrepreneurial association. This state of affairs has given rise to a dense mosaic of vegetable, flower and fruit greenhouse-cultivation, which can be added to the renowned quality-wine production.

The success of greenhouse production, often described as the "economic miracle" of Ragusan agriculture has represented, according to Saltini (1982), one of the sprightliest and most dynamic phenomena to hit the entire Italian agricultural scene. Lastly, the success of the greenhouses has enabled an entire class of day labourers to become agricultural entrepreneurs, with significantly high pro capita incomes, generally superior to those in the industrial sector. The value of the land has also risen considerably, approaching that of areas for construction (Spataro, Gentiloni and Spampinato, 1985).

The success of greenhouse production meant that economic pressures led to widespread and profound changes in the traditional local landscape. In order to build greenhouses, flat terrain is necessary and so, the famous "macconi" (sand-dunes) had to be levelled out. In some cases, the greenhouses extended as far as the water's edge. On the other hand, there is in the area the SCI ITA080003 "Vallata del Fiume Ippari (Pineta di Vittoria - Vittoria pine-forest)", which coincides to a great extent with the "Riserva Naturale Orientata Pino d'Aleppo" reserve. The protected area lies on the borders of the towns of Ragusa, Vittoria and Comiso, and extends along the sandy, hilly slopes along the Ippari river; the area was established in order to safeguard the remaining specimens of the indigenous *pinus halepensis* in Sicily. Although there are only 61 hectares of greenhouses within the protected area (about 3,000 hectares), the distribution of these greenhouses is concentrated close to the edges of this protected area, still producing a considerable impact on the landscape. This is the clearest case of the construction of new greenhouses being authorized outside the protected area, without however taking into account the cumulative effect of the installation when placed alongside pre-existing ones, nor the overall transformation of the environmental context.

The new lay-out of the landscape – brought about by the pressure of economic power on the natural morphology of the area – represents a "landscape of exception", which, in the light of the concept of Agamben's "state of exception" (understood as a suspension of the rights/norms, which is paradoxically legalized), constitutes a possible spatial organization of this phenomenon: the "state of exception" becomes a "landscape of exception". In this, furthermore, the condition of "exception" of the Ragusan greenhouse landscape is made explicit in accordance with a dual modality, strictly inter-dependent: one spatial and the other social. The former emerges through the suspension of planning-instrument contents, and the latter via the suspension of greenhouse-worker rights.

Planning and its "suspension" - What role do planning-tools play with regard to the profound transformations observed in the landscape? What forms of safeguarding are operational locally and what do they envisage for the area of greenhouses in the Province of Ragusa?

From the planning point of view, the Province of Ragusa has a greater number of plans than the other Provinces in Sicily, dealing with aspects of both territorial planning and environmental and landscape safeguard. On the subject of greenhouses, general awareness has been noticeably heightened with regard to the impact produced on the environment and the landscape; there is a general agreement on the indispensable delocalization of the greenhouses, in order to preserve the entire coastal strip.

Among all the instruments in operation in the area it is specifically the Landscape Plan ("Piano Paesaggistico") (2007), which examines the issue of greenhouses in depth, with a specific instrument, the strategic document "Progetto d'ambito Macconi". The Plan sub-divides the greenhouse-belt into three zones with different characteristics, reiterating a ban on building new greenhouses in order to create a coastal park.

However, several doubts arise regarding the contents and the implementation of these plans. Initial critical considerations concern the process that authorizes the building of greenhouses. In fact, although greenhouses are only authorized in areas not subject to landscape and environmental safeguard restrictions, the cumulative effect of any new greenhouse in relation to the others already present in the area, is not evaluated. Furthermore, with particular reference to the safeguarding action of the Superintendences (i.e. those responsible for preparing the Landscape Plan (Piano Paesaggistico)), significant attention seems to be devoted to single assets or sites of interest, with a lesser interest in safeguarding the landscape in its entirety. Finally, since there are so many plans, with all of them tending to emphasize the need for delocalization of the greenhouses and salvaging of the coastal strip, why are the greenhouses still in place?

We will find our answer in the suspension (and non-application) of the actions of the planning instruments, as provoked by the economic powers that oversee the productive system of the greenhouses. This line of thinking suggests that economic power is able to exert strong pressure on political-administrative power, which actually controls and, in this case, suspends and postpones the application of plans.

Immigrant workers and the "suspension" of their rights - Whereas the "greenhouse landscape", on the spatial front, has replaced the traditional, dune-lined coastal landscape, from the eminently social point of view greenhouses have determined a profound transformation in the "social landscape" in this area. This condition has led to a more complex "differentiated rurality" (Corrado, 2012), which is the result of the process of transformations in social and economic relations between the various ethnic groups; at the same time it has played an instrumental role in the success of the model of economic development of greenhouses. From this point of view the "social weakness" of immigrants is an essential component of this "landscape of exception", as a result of a spatial arrangement of a "state of exception", which is the paradoxically legalized suspension of rights and regulations that take effect erga omnes (Agamben, 2005).

With regard to the "transformed strip" in the Province of Ragusa, unofficial statistics (Medici Senza Frontiere, 2008; Caritas Migrantes, 2011; INEA, 2013) show a significant concentration of foreign workers employed in greenhouses; this consents a doubling of annual production of vegetables, but at the same time necessitates a greater number of workers, often living and working in seriously demeaning conditions.

The Ragusa area, in particular, apart from being a constant point of arrival for flows of illegal migrants from north Africa, already boasts a stable foreign presence; this is partly linked to historical immigration from the Maghreb, and partly by the temporary presence of workers (especially from Romania) on a cyclical basis (INEA, 2013). Most of these unskilled and low-cost manual workers are unregistered, being therefore badly paid and unprotected; compared with these conditions, the various social, economic, sanitary and housing aspects are at some risk (Gertel and Sippel, 2014). On examining living conditions in rural areas, they show a context of extreme difficulty: immigrants often live in small abandoned and unstable rural constructions, not far from the fields or greenhouses, and therefore a long way from inhabited neighbourhoods and services.

There are two further phenomena that reflect the serious conditions of immigrants in the Ragusa greenhouse-belt.

The first concerns the harmful effects on one's health (in particular, dermatitis, gastroenteritis, breathing difficulties, inflammation of the eyes) caused by continuous exposure, over a long period, to chemical products (phyto-sanitary and pesticides) used in greenhouse cultivation (INEA, 2013). The second serious phenomenon involves cases of sexual exploitation of female immigrants, especially Romanians. NGOs working in this field (such as Caritas) report that this represents a widespread problem for the female component among immigrant workers, who may be blackmailed by the owners of the greenhouses and risk losing their jobs. In fact, the anomalous increase in the rate of voluntarily-interrupted pregnancies (abortions), as registered in the last ten years by health-care structures in the area, is due, to a significant extent, to female immigrant workers from Eastern Europe. Taken together with the distance from towns and the conditions of isolation experienced by immigrants, all this does not appear so far-removed from the forms of slavery carried out in non-democratic countries.

The Landscape of Exception - The use of mechanisms of exception is a clear example of how power produces rationality. In the case of South-Eastern Sicily, this is clearly manifested where planning is suspended to maintain the economic power's superiority and control over the agricultural production and the immigrant workers. Consequently, the landscape has been constantly transformed resulting in a complete change in its role and meaning. Landscape has become saturated with elements of control (enclosures, walls, and hurdles), thus losing its liveability, geographical continuity, and the norms that shape it. Generally, in spatial and social conflict conditions a resolute power uses planning regulations, laws and plans as vehicles for sustaining oppression through landscape. Agamben (2005) specifies that "an emptiness of law" shapes the state of exception which is characterized by: the transformation of legislative power into executive power, and the suspension of norms and juridical forms.

In the South-Eastern Sicily case the political regime is replaced by economic power. Clearly, landscape has been manipulated. After the dunes had been levelled out, a scrupulous east-west orientation was chosen for the lay-out of the greenhouses, which is particularly noticeable along the coastal strip around Vittoria.

This choice follows the trajectory of the sun and responds to the need for maximum solar radiation possible in the greenhouses. However, this very choice has also had profound repercussions on local settlement and infrastructure patterns. In fact, the land that has been built upon and the roads through the greenhouses have necessarily had to follow the actual alignment of the greenhouses, and not the traditional arrangement, perpendicular to the coast-line. This once more goes to show that in "landscape of exception", a suspension of law may lead to rules that can greatly alter the landscape, and have wider repercussions on other fields that are not directly related to the greenhouses, but which can condition the human life.

The "landscape of exception" does not mean that there is no law shaping the landscape, but that the law becomes a spectrum that can be practiced partially and ambiguously. "Landscape of exception", as this study highlights, is produced through three inter-connected processes: firstly, the acknowledgement of the economic power linked to the agricultural production success; secondly, the suspension of norms and planning rules; and thirdly, the manipulation of landscape through the greenhouses, used as elements of control for the purpose of exercising power.

The immediate consequence of this state of affairs usually takes the form of a suspension of the norms in force, thus including planning-instrument contents. Their application is not formally annulled, but is simply not implemented, being put back to a later date. Thus a vacuum of law is generated and – within it – a new system of rules has emerged, acknowledged by all, and which is based around the greenhouses, the instrument of spatial organization of this profitable model of socio-economic development.

The discussion and the case study illustrate that also the economic power can produce a system of rules which are spatially localized, allowing it to reshape landscape by eliminating natural preserve zones and constructing elements of dominance and control. Under the context of the "emptiness of law", the whole landscape is transformed from the purpose of enjoyment or agricultural development into the purpose of surveillance, control and repression.

What seems logical and coherent with the basic principles of planning and landscape enhancement – such as preserving forests and satisfying people's needs – although supported by planning provisions, is not implemented. Planning is denied and ignored, and this condition is used for spatial and social control. Consequently, the "landscape of exception" is separated from norms, as Agamben asserts that "the state of exception separates the norm from its application, in order to make its application possible" (Agamben, 2005, p. 36).

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