

PEASANT CONFLICTS IN THE ITALIAN COUNTRYSIDE  
AT THE BEGINNING OF THE TWENTIETH CENTURY \*)

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Foreword

This article focuses on some aspects of the conflicts that took place at the beginning of this century[1] in the district of Mondovì, a mountainous area of Cuneo Province in Northwestern Italy. The criminal records of two local courts[2] provide a picture of the events. I will begin with the peasants' socio-economic conditions and their world view, as it is expressed in their sayings. Next I look at the conflicts registered in the records of the Pretura and Tribunale, emphasizing the centrality of land as a conflict-generating factor. Finally, I conduct a more detailed analysis of those conflicts that are related to capitalist development and to the growth of the national state.[3] I also consider disputes over honor, advancing the hypothesis that they may have their roots in deprivation rather than in competition for prestige. In the last section I discuss the issue of class justice, relating judicial reactions to the class background of the defendants. I will suggest that the emphasis on honor - or its counterpart, ill fame - represents a significant means through which bourgeois justice is enforced and bourgeois values reaffirmed.

I. The Peasantry in the province of Cuneo

A. Occupations and landholding

The overrepresentation of landholders was characteristic of Cuneo Province. As shown in table 1, not only was their proportion twice as high as the national figure, but they constituted the majority of the population occupied in agriculture, the remainder being made up of tenant-farmers[4], coloni[5] and wage-earners.

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Table 1  
Distribution of workforce in agriculture (1901)

Occupation	Italy	Cuneo
Landholders	24.8%	57.0%
Tenant farmers	8.5%	10.1%
Sharecroppers ( <u>coloni</u> )	20.2%	8.1%
Wage earners (day laborers, farm employees)	46.24%	24.8%

Source: P. Camilla, F. Raimondi, 1962: 149-150.

There were very few big landowners. The overwhelming majority of the peasants cultivated very small plots that they owned.

The conservatizing effect of land ownership, the related absence of class consciousness (or anything resembling it),[6] and the consequent reluctance to participate in collective actions were recognized by the Italian state. As early as 1883 the Commission appointed by the Government "to study the conditions of the rural class" reported: "Even from a social viewpoint, small landholding has the advantage of constituting a solid pillar of the public order ... (the very small peasant) strengthens, so to speak, the framework of the state" (Meardi, 1883: 442).

The division of land into a myriad of tiny, sometimes microscopic, parcels was directly or indirectly related to the various legal reforms carried through since the Napoleonic period: the breaking up of feudal and communal lands, the abolition of the estates held by the Church and by charitable trusts, and the testamentary laws introduced by the 1865 Civil Code that abolished the principle of primogeniture and gave each son the right to an equal share. Land was scarce and precious. The heirs, rather than asking for the money equivalent of their inherited shares, usually preferred to keep the land undivided, no matter how small the parcel might be. There were instances where heirs shared successive crops planted in the same soil. As a result of this process of subdivision,[7] the mountain holdings seldom were more than 2 hectares (1 hectare = 2.471 acres), below the minimal requirement for subsistence.[8] In particular, in the district of Mondovì, which is largely mountainous, practically all parcels were less than two hectares (Camera di Commercio, 1963: 153).

The difficulties that peasants confronted in making a decent living from their small plots[9] were aggravated by the fiscal policy of the Italian state. As two local bourgeois intellectuals put it:

Rural property is oppressed by direct and indirect taxation and the burden becomes heavier the smaller the property. Small owners earn less than a worker. They pay an exorbitant land tax, they pay taxes on the cattle. (...) No wonder families abandon the countryside...; the peasant leaving the freedom and peace of the field becomes a labourer; the number of misfits and dissatisfied people in the towns increases (and the more ignorant they are the more fanatically devoted they become to dangerous theories).

(Lissone and Casalis, 1880: 158). Migration from the countryside (Castronovo, 1977: 107), which these two authors erroneously describe as a movement from the agrarian districts to urban settings,[10] was accelerated when technologically backward Italian agriculture had to cope with the competition of North American and Russian products. A deep economic crisis--reinforced by the commercial rupture with France (1889)--struck the Italian peasantry very severely. In the province of Cuneo the number of land wage-laborers fell to a third of what it had been. Massive migration involved not only young people but entire peasant families.

**B. The Folklore of the Proverbs:[11] Life, Land, and Social Relations**

There are three components of a good peasant life: house, fields, and forest. As the saying goes, "as much house as you can live in, as many fields as you can plow, as much pasture as you can manure and as much woods as you can get." Most often these goals are unattainable. Not even hard work can ensure that life ever will change for the better: "work hard, poor man: you were born on the hay and there you will die." A few may be successful, but at the price of perennial conflicts: "he who owns land gets war". In the peasants' view, to be at peace is to be dead: "dead man makes soil; living man makes war." This war means homo homini lupus, and compassion has no place: "pity is to take money from those who have it and give it to nobody." One may forgive one's enemies because "to forgive is Christian", but one should not forget because "to forget is beastly".

The contradiction between the unavoidability of struggle--which is implied in the possession of land--and the requirement of peace in order to enjoy it cannot be overcome. It belongs to the nature of things. Only death is a solution: "death puts an end to all worries." Folklore warns of the fatal outcome of conflict,

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particularly for actors at the bottom of the social structure: "the big thieves hang the small ones." [12]

To own things is important and poverty is looked upon with contempt: "he who owns things is respected, the poor are despised." But "you don't get anything unless you steal it", says the proverb, because "you don't become a gentleman if you are honest". To steal is justified by the fact that it is poverty which produces wealth: "everybody knows that the poor support the rich." Stealing is seen as a last resort: "when the need knocks at the door, honesty throws itself out of the window". But the world is unjust and only petty thefts born of necessity are punished: "to steal a million, baron; to steal a crumb, prison." That is why "it is not a sin to steal from the thieves".

Peasants are continually faced with hostile environment. Some seasons are especially hard: "if you have something in April, keep it", suggests one proverb, while another says: "from October to January, the poor are in trouble." This is a tragic landscape largely dominated by suspicion, envy, and mistrust, which can rule even among the closest kin: "brotherly love, knife's love". [13] Many proverbs warn against excessive familiarity with other people: "friendly with everybody, intimate with few". [14] The institutions of the church and the state are also hostile. Thus several sayings suggest that "a bad agreement has to be preferred to a good verdict" and also that "the priests don't celebrate the Mass if they are not paid".

Is there any action, besides theft, which one can take to overcome or, at least, to live with this "negative universe"? [15] The peasants have a clear and realistic insight into their situation. They understand that it is wise to keep their level of aspiration low. They know that "the rich eat when they are hungry, while the poor when they have something to eat". They also understand that for a peasant to be rich "is to have no debts" and that "the difference between nothing and a gold coin is much greater than the difference between a gold coin and a million". The residual choice--if one can speak of choice in this connection--is represented by independence. This is a highly prized virtue, and many proverbs warmly sympathize with those who are dependent upon others: "it is better to be a meager employer than a fat employee". Above all, one should not depend on other people: "it is unfortunate to work under somebody, but is even more unfortunate to have somebody working for you".

In conclusion, it is material scarcity that constitutes the main feature of this world view. Material scarcity is related to conflicts, to their permanence, to their normality; it defines

the boundaries of the realm of morality.[16] Thus success and prestige are attributes of the "big thieves", and, more generally, need and honesty cannot coexist. Material scarcity decides what types of social relationships are admissable and how stable they can be. Everybody, including your closest kin, can become your enemy. Peasants have a clear vision of the causes of this state of affairs. They know that misery is not a natural condition but the consequence of social differentiation.

Peasant societies have been described as passive and resistant to change. These proverbs seem to challenge this image. Obviously, the options they offer are extremely limited and may not coincide with the standards by which social scientists define the potential for change. This may be why individual and collective conflicts have been considered pathological rather than normal and why the traditional view of peasant societies has survived.

### C. The Criminal Records

Although criminal records cannot provide a reliable picture of the amount of conflict that actually took place in the period under study, they can furnish valuable information in other respects.

First of all, they bear witness to the types of conflict that have been generated by capitalist development and the growth of the national state. Second, they may provide a crude measure of how often formal litigation has replaced or been combined with traditional procedures. For most offences at the level of Pre-tura, the Penal Code does not require state action unless they are observed by a state agent at the very moment in which they are carried out (stato di flagranza). Those cases should represent a minor share of all prosecutions. Therefore, we can assume that a considerable number of peasant disputes do indicate the plaintiff's real intention to resort to formal litigation. Third, the qualitative aspects of the data may give some hints as to how penal justice is administered.

The following documents are included in the official dossier: (1) the report of the carabinieri or of other state agents; (2) the description of the defendant's socio-economic and material condition, reputation, and proneness to crime and the like, delivered by the mayor of the village where the defendant resides, at the request of the Attorney (there is no such information for the disputes at the Tribunale); (3) the description of the case and the verdict.

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**1. Actors and Conflicts**

Tables 2 and 3 show the distribution of the defendants among the various social classes. Not unexpectedly, if one recalls that the majority of the population in the district of Mondovì was occupied in agriculture, most people prosecuted at both the Pretura and Tribunale were peasants. Also, the most frequent disputes were those typical in an agrarian context:[17] they are related to honor and land (as shown in the records of the Pretura), or concerned with private property and resort to physical violence (as one can see in the records of Tribunale). Some actions, such as cattle trespass, are unique to peasants while others, such as speculation, involve only bourgeois actors. For many types of disputes it is impossible to say how representative they are of the various social classes: under- and over-representation of a certain class in a given category may reflect variations in social control rather than in behavior.

**Table 2**  
Occupation of defendant and type of conflict, Garessio Pretura, 1901-1902

type of conflict	occupation of defendant						total	
	peasant man	crafts- man	worker	trader	bour- geois	mar- ginal*)		
theft	9	1	1	-	-	1	12	6.1%
cattle trespass	34	-	-	1	-	-	35	17.9%
insult & defamation	30	2	1	3	3	8	47	24.1%
assault	16	2	2	1	-	1	22	11.3%
self-help	15	1	-	2	-	-	18	9.2%
violation of public order	8	4	3	-	-	-	15	7.7%
special legislation	17	1	-	6	2	5	31	15.9%
other offences	11	-	1	1	-	2	15	7.7%
total	140	11	8	14	5	17	195	99.9%
	71.7%	5.6%	4.1%	7.1%	2.3%	8.7%		

\*) This category includes housewives, youth, vagrants, prostitutes, and people with no known profession.

**Table 3**  
Occupation of defendant and type of conflict, Mondovì Tribunale, 1901

type of conflict	occupation of defendant						total	
	peasant man	crafts- man	worker	trader	bour- geois	mar- ginal*)		
theft	51	5	9	4	1	4	74	17.6%
bankruptcy/ embezzlement	6	8	1	14	4	3	36	8.5%
insult/defamation	15	5	2	5	3	7	37	8.7%
assault	86	14	16	4	-	1	121	28.7%
contempt/insult to authority	15	7	4	8	4	1	39	9.3%
threat	18	-	-	2	-	-	20	4.7%
self-help	18	6	7	1	-	1	33	7.8%
peculation	-	-	-	-	11	1	12	2.8%
rape	7	1	-	1	-	1	10	2.3%
other offences	19	5	1	-	14	1	40	9.4%
total	235	51	40	39	37	20	422	99.8%
	55.8%	12.1%	9.5%	9.2%	8.7%	4.5%		

\*) this category includes housewives, youth, vagrants, prostitutes, and people with no known profession.

As to the fact that the number of peasant disputes at the Tribunale is considerably lower than the corresponding figure at the  Pretura--peasants are involved in 56 percent of the former but 73 percent of the latter--a reasonable explanation is that peasant conflicts usually touch upon interests of modest value. To argue that this is an example of under-representation seems contrary to the commonsense idea that where resources are scarce the disputed values are petty, and also to the available knowledge of peasant societies.[18] This interpretation is further strengthened by the fact that even in the years 1902 and 1903 the proportion of peasant disputes at the Tribunale is never higher than 50% of the total (table 4).

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Table 4  
Occupation of defendant, Modovi Tribunale, 1902-1903

year	occupation of defendant						
	peasant men	crafts- men	worker	trader	bour- geois	mar- ginal	unclassi- fied
1902	178	72	50	20	32	16	41
	43.5%	17.6%	12.2%	4.9%	7.8%	3.9%	10.0%
1903	191	50	50	12	34	15	33
	49.6%	13.0%	13.0%	3.1%	8.8%	3.9%	8.6%

2. "He who owns land gets war"

Approximately half the disputes dealt with by Garessio Pretura are concerned with land, its products, and the tools and resources for its exploitation. "Phthysic,[19] full of lice! All your family is phthysic. Ass", says Carlo Pernione to Giò Carlo Borgna, who sits outside of his house with some friends. "The plaintiff believes that Pernione has insulted him because of a dispute between the plaintiff himself and the defendant's brother over a question of irrigation.[20] On the 10th of July 1901 Antonio Alberto says publicly in the presence of several persons that "Domenico Bologna (the plaintiff's husband) is not that honest". He had seen him encroaching upon other people's property. The following day, Antonio Alberto says in the presence of the plaintiff, who is in the company of many other persons, the following words: "I don't act like your husband who trespasses on my land and takes chestnuts from my trees to put in his own wood" (PP 1901, no. 38).

Often the conviction that one's rights are well founded leads to immediate action. Giovanni Vinais is sentenced to a fine of 10 lire for having cut grass on a spot he claims to be his property (PP 1901, no. 18). In a number of cases it is difficult to know what the real conflict is about. In several instances insult, scandal,[21] and physical threats and violence are probably only pretexts. The act of which the defendant is accused also can be either the triggering factor or retaliation for a previous offence.

The complexity of these interaction patterns is well exemplified by the case of Angela Averana and her husband Stefano (PP 1902, no. 48), charged with defamation and threat (minaccia a mano

armata). This dispute (whose conclusion is unknown) is a story of small landowners who live, as the proverb goes, in a situation of war. In March 1902 the couple publicly "defame Teresa Gallo by saying in the presence of several other persons that Teresa got rid of a four-month fetus by crushing it". Angela's husband, Stefano, had added: "and remember that it was a boy". The same accusation was repeated in July. On June 19, Angela Averana, armed with a stone, met the plaintiff in the street and threatened her in the following words: "If you don't go into the coffin by yourself, I will help you to do it--even if I have to die in prison". The defendant denies she has ever said that the plaintiff got rid of a four-month-old fetus: "I heard it said by somebody publicly and I told myself not to say it to anybody".

"From the 19th of June until today", says the plaintiff in her second claim, "the above mentioned Angela Averana has gone around in the village of Ceresole saying that Teresa Gallo stole potatoes and squash from her garden. She keeps saying these things anywhere and anytime, even in front of Teresa Gallo." Angela Averana declares: "I do not exclude the possibility that, when I was complaining about the theft perpetrated in my garden by unknown persons, I said that my suspicion fell on Teresa Gallo. She has been angry at me because of a certain thing she believes I have done to her; but the truth is that the evening before the vegetables were stolen, I met her on the way back from my garden where I had picked a basket of potatoes, and she said, in the presence of Virginia Gallo: 'Nice potatoes you have there: but I am going to let you have more and bigger'. The following morning I discovered that my potatoes in the garden were gone, and I immediately thought of Teresa Gallo. We are neighbors, you see, and I heard her husband saying to her: 'You really did a good job; pray God that they don't find you. You behave as the people from Erbi' [according to the saying, these people take revenge at night]. I have also found female footprints and stickholes. Teresa Gallo walks with a stick." [22]

Thus land represents a pivotal point around which conflicts explode. To begin with, land is a scarce and highly prized good. Thus encroachment, abusive banks and ditches, and illegal cutting of grass represent attempts to gain land or its products. But land is also a field where hostilities can start and develop. There is something of a ritual in taking fruits or vegetables from somebody else's field. Take something away from a neighbor does not have to be the enforcement of a customary right or the answer to the unbearable living conditions (vide infra the section on theft). It simply can be a declaration of hostility.

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The proverb quoted above, chi ha terra ha guerra, should be interpreted in this way as well. Land is the war itself.

### 3. Peasants and the State

As we have seen (tables 2 and 3 above) peasants often are prosecuted for acts that ignore or contravene the legal order established by the state. Evasion of conscription, hiding of animals requisitioned by the military, and self-help all represent situations where the authority of the state is rejected. The law is perceived as a distant, alien entity that the hostile authority of the state tries to enforce.

Something of this mood seems to permeate an episode involving villagers and soldiers of the Italian royal army.[23] This case, the only instance I have discovered of collective offensive action, involves a group of young people who, leaving the osteria Christmas Eve, met some soldiers and insulted them. They were arrested, prosecuted, and sentenced to two months in prison and to heavy fines--between 100 and 250 lire.[24] They were found guilty of having called the soldiers: "Papini, scarponi, fantocci, fuori la fanteria" (which literally means: Pope's soldiers, big boots, puppets, out with the infantry!). Despite the apparent innocence of these epithets, the words were clearly meant both to offend and to challenge the army. The soldiers were called stupid (big boots) because, as puppets, they gave obedience to the authority (the Church) which, half a century earlier, had been one of the biggest landowners in Cuneo province. The peasants disliked the fact that soldiers tended to impose their will not through physical force, as was customary in the rural districts,[25] but by means of their uniform, as was common among state officials. Therefore, to insult them was also to show contempt for the foreign authority they represented.

### 4. Peasants and Capitalist Development

A conspicuous share of peasant conflicts were related to capitalist development. If we look at those cases in the Pretura where peasants are the protagonists, we see that almost one third of the disputes were concerned with poaching game and fish and with illegal pasture (table 5).

**Table 5**  
Peasant offences, Garessio Pretura, 1901-1902

total disputes	peasant disputes	poaching	illegal pasture/-cutting wood
195	140	17	37

The behavior involved presupposes open fields and communal land and water, in short, a pre-capitalist social organization. In many of these disputes we find explicit reference to custom and the good faith of the defendant seems to be unquestionable. This seems to be the case, for example, for the six brothers who are caught in full daylight, with horse and cart, while cutting heath on someone else's land. When the Pretore asks them why they did it, they answer: "Because in this area it is considered free, according to old habits, to cut such grass" (PP 1902, no.10). This also is the case when two peasants, an uncle and his nephew, are accused of taking shrubs from a wood owned by the County. They maintain their innocence, explaining that "it is the custom here to cut shrubs periodically in this spot in order to make baskets" (PP 1902, no.21).

In the instances of rural theft (furto campestre), however, in particular when edible items of clothes are stolen, the behavior cannot always be explained in terms of custom. In some instances theft appears to be an act of hostility, a sign of interpersonal conflict: in the dispute we saw above, involving Angela Averana and her husband, Teresa Gallo's theft of their potatoes represents retaliation for slander. In other instances, the theft of clothing, fruits, and vegetables stems from miserable living conditions. Shoes often are stolen by those who cannot afford even clogs: apples, chestnuts, grapes, eggplants, and potatoes by those who are starving. By and large, rural theft must be very common if thieves are depicted as "vampires of private property" and if, as Lissone and Casalis tell us, "the owners must bargain with them [i.e. the thieves] and pay them a percentage of the fruits" (1880: 176). This situation presumably was caused largely by the ongoing proletarianization of the countryside.

#### D. Disputes over Honor

Disputes over honor account for at least[26] one fourth of the cases dealt with by the Pretura and involve peasants more often than any other class. In the anthropological literature (e.g.

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[[Bailey, 1971; Peristiany, 1966; Starr, 1979; Foster, 1965) it usually has been argued that the intensity and frequency of such conflicts are the result of competition among equals in social contexts characterized by generalized scarcity. It is not only material goods that are scarce; Rothenberger observes that "honor and pride, prestige and power may indeed be considered scarce resources and the motivation of competition" (1968: 166).

This explanation can be challenged on the basis of available empirical data. First of all, it is unclear how a chronic shortage of basic material goods (money and land, above all) is tied up with competition over immaterial goods. Does the former raise the value of immaterial goods? Or does it create a cognitive orientation which, in its turn, makes people look at honor, pride, prestige and the like as though they were scarce? Or is there some other reason?

It has been said that "a gross difference in power and status usually has the effect of putting people so far apart that they cannot compete" (Bailey, 1971: 19). But from this statement it does not automatically follow that in situations where differences of power and status are small or non-existent, competition will occur. When Peristiany (1966: 10) states that honor is "at the apex of the pyramid of temporal values" because "honor and shame are the constant preoccupation of individuals in small-scale, exclusive societies, where face-to-face, personal, as opposed to anonymous, relations, are of paramount importance", he begs the question. The assertion that "in this insecure, individualist world, nothing is accepted on credit (and) the individual is constantly forced to prove and assert himself" (Peristiany, 1966:11) is hardly more illuminating.

In the second place the proposed explanation seems to be dangerously dependent on the very data it intends to clarify. To avoid the risk of circularity, to make the hypotheses falsifiable, another set of data should be available against which to test it.[27] Third, the thesis falls short of explaining those disputes over honor in which the people involved are unequal in terms of resources. The frequent assertion that people at both extremes of the social hierarchy do not engage in this sort of conflict does not seem to fit the data. In his study of a Bavarian village, Harry J. Todd (1978)[28] has found that "in both kinds of insult cases labelled, according to German procedure, Privatklage and Strafantrag, the involvement of the marginals is more than random". But these marginals are "those outside the inner circle", "the characterless individuals", "the people who are either incapable of holding down a regular job or 'trouble-makers'", i.e., individuals at the bottom of the local hierarchy.

In my material too, the category "marginals", which includes most people with little or no resources, is heavily represented among those prosecuted for insult or defamation (table 6).

**Table 6**  
Occupation of defendants in conflicts over honor (insult and defamation) expressed as a percentage of all the disputes involving defendants with that occupation

court and year	occupation of defendant					
	peasant man	crafts- man	worker	trader	bour- geois	mar- ginal*) unclassi- fied
Pretura 1901-02	30 21.4%	2 18.1%	1 12.5%	3 21.4%	3 60.0%	8 47.1%
Tribunale						
1901	15 6.4%	5 9.8%	2 5.0%	5 12.8%	3 8.1%	7 36.8%
1902	14 7.9%	5 6.9%	-	-	4 12.5%	2 12.5%
1903	21 11.0%	6 12.0%	3 6.0%	2 18.2%	10 29.4%	3 20.0%
						4 12.1%

The reason for this over-representation of marginals is probably that, "lacking access to traditional forms of litigation, they are forced to use agencies that are available to them, most of which lie outside the village". [29] But this does not explain the fact that they seem to be more concerned with honor than people higher up in the hierarchy. The over-representation of marginals does not disprove the view that this type of dispute expresses competition among equals, since it is possible that the persons involved in these conflicts do occupy similar social positions. But it challenges the idea that individuals with low rank do not engage in this kind of conflict.

The alternative hypothesis--that people at the bottom of the social hierarchy are involved in such disputes more often than those occupying higher positions--is based on the idea that dignity has an absolute value and that this value is directly related to the oppressed, exploited, humiliating conditions of the subordinate classes: "To acknowledge its importance is an essential prerequisite for their cultural and psychic survival" (Lombardi Satriani and Meligrana, 1979: 293; 1975: 505).

The following account from Garessio Pretura may illustrate this point. It is the story of the lost struggle of Romano Giobat-

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tista, of unknown parents, who was raised in an orphanage for abandoned children. He is caught by the Carabinieri while his flock of sheep is grazing on communal land. Romano is fined and also, as he tells the Pretore, insulted. In his complaint he says that "one thing he cannot tolerate is that people offend him by recalling his obscure origin" (PP 1902, no. 36). Not unexpectedly, the claim is rejected, despite the fact that there are witnesses who can testify in his favor. Clearly the Carabinieri's word weighs more heavily than contrary evidence.

The account speaks for itself. Perhaps the episode can be dismissed as the exception that proves the rule. But the story also can be taken as an illustration of the hypothesis that where reputation represents all the individual has, actions inconceivable in other connections--such as filing a complaint against the police--actually are carried out. How could Romano Giobattista dare to accuse the Carabinieri? What gave him the courage, or the despair, to take such a step? To answer these questions I believe one has to place actual behavior within the larger struggle for psychic and physical survival which characterizes situations of extreme deprivation.

**E. Peasant "Criminality" and Bourgeois Justice**

Scrutiny of the verdicts issued by Mondovì Tribunale in the years 1901-1903 shows that the subordinate classes[30] where the few workers, tradesmen and marginals share the same destiny with the peasants--generally are convicted, while the hegemonic classes usually are acquitted (table 7).

This is hardly surprising in a social context characterized by deep and insuperable class barriers, where subordination means deprivation of those basic resources, wealth and occupation, that play an important role in assessing the guilt of the accused.

The condition of those who, on the basis of a police order, had to stay within the boundaries of a given geographic area (the soggiorno obbligato) furnishes a good illustration of this. These individuals, often propertyless day laborers, were caught in a situation with no exit. If they travelled to another place to find a job, they violated the police order and could be prosecuted for vagrancy. If they stayed in the area and remained without work, they "became" idle rogues and provide a ready material for the criminal process. The vicious circle in which they were captured teaches the public that no reconciliation is possible between honesty and unemployment. The very fact of frequent prosecution and conviction is taken as evidence of guilt.

Table 7  
Outcome of prosecution by class of accused, Mondovì Tribunale,  
1901-1903

year		subaltern classes	hegemonic classes*)	total
1901	convicted	78.8%	21.6%	
	acquitted	21.1%	78.4%	
	total	269	37	306
1902	convicted	69.1%	41.1%	
	acquitted	30.9%	58.9%	
	total	272	34	306
1903	convicted	71.8%	30.8%	
	acquitted	28.2%	69.2%	
	total	273	26	299

\*) Tradesmen not included. These subtotals are lower than those in the previous tables because of the relatively large number of withdrawn claims (ritiri di querela).

Table 8 strongly supports this statement. The conviction rate of those previously convicted approaches 90 percent for many offences.

Table 8  
Percent of recidivist accused who are convicted

offence	number of recidi- vists prosecuted	percent of prose- cuted recidivists convicted
theft	17	88.2%
embezzlement	6	66.6%
insult	17	88.2%
assault	7	85.7%
offences against family and morality	4	50.0%
other offences	11	54.5%

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A relevant aspect of this self-fulfilling prophecy, which helps to explain and maintain the social class of the inmate population, is that it relies heavily upon arbitrary but authoritative evaluations of the character and behavior of the accused. Lombroso's idea that there are people who are innately criminal--the delinquenti nati--usually is implicit in the judgments that can be found in the report of the mayor, mentioned above. This form, which provides fairly detailed information about the sex, age, family structure, occupation, and income of the accused also contains a statement about his or her proneness to crime, which is based essentially upon rumors.

Here is the case of Rei Agostino, prosecuted for theft: the accusation is that he has stolen 40 kilograms of potatoes from a vineyard, worth 8 lire. He denies the accusation and declares his intention to file a suit for slander against the plaintiff. He is sentenced to three months in prison. On his case file the Pretore writes the following lines: "Wage-laborer, single, propertyless, he is said to be very recidivist [sic!] and extremely prone to crime" (PP 901, no. 43). All the witnesses that are heard spoke in his favor. The same pattern recurs in the verdict of the Tribunale. Guilt is ascertained on the basis that the accused is "capable of such acts, because he earlier has been involved in offenses against property and also because he is a vagrant" (TM 1901, no. 4). "The evidence of the accusation of theft lies above all in his criminal capacity [the capacità a delinquere] that he has shown in numerous previous convictions and also in his being idle, vagrant and without any means of subsistence" (TM 1901, no.38). "He is capable of committing crimes because this is what the local Authority [presumably the Carabinieri] has declared, but also because he is a recidivist" (TM 1901, no. 40). "There are no doubts about her capacity to commit crimes, as her profession and previous convictions indicate" (TM 1901, no. 45). "He is described by the local Authority as inclined to cheat and to insult" (TM 1901, no. 168).

Whether this is the mayor's report or the opinions verbally expressed by the Carabinieri, these accounts openly show that the evaluation of the defendant's life style and character is an important piece of information upon which the court often bases its decision. Above all, reliance on rumours (which cannot, as such, be dismissed), and the related possibility of passing a verdict of guilt, ensure a safe and efficient way of controlling potential troublemakers. This is class justice. But it also is bourgeois class justice. The rumors concern the type of reputation that is bad according to bourgeois standards: that of people who travel around, who do not work, and who often spend their time at the osteria. They behave as if they were guilty or--

stated more accurately--people who behave as they do usually are guilty. In this manner the relation between reputation and verdict is mediated by class membership: illfame and conviction are found mostly on one side of the class barrier, good reputation and innocence on the other.

### Conclusions

"The rise of capitalism and the transformation of disputing: from confrontation over honor to competition for property", the title chosen by Abel (1979) in his review of Starr's book on the Turkish village of Mandalinci, is a most appropriate one. It indicates the author's intention to catch the fluidity of the transition from one mode of production to another; it signals the direction of social change; and it identifies the two types of grievances constituting the poles of the continuum from peasant to capitalist society. The methods chosen by Starr (1979)--a community study in "the best sense of the word"--and by Berthoud (1972)--a longitudinal analysis--fit this framework very well. The holistic picture of Mandalinci allows the author to split the peasant universe into subcategories of behaviors differentiated in terms of meanings, choices, and causes and, by and large, to contrast peasant and capitalist actions. The dyachronic dimension adopted by Berthoud also helps to illuminate the impact of capitalism on the peasant economy and the changing role of landed property in the transition from one mode of production to another.

The advantages of these two perspectives are not yet available in the case of Mondovì district. Therefore the picture is partial and incomplete, and the answers to the basic questions of social change remain tentative and provisional. The clash between two social orders has resulted in reactions, in adjustment and, last but not least, in real losses on the part of the peasants. To begin with, peasants are involved in many disputes related to customary activities. Illegal pasturing and wood cutting and poaching reveal the extent to which the rural world refuses to accept the newly established capitalist order. Very probably, the figures underestimate the actual amount of these defensive actions. Second, the old "rules of the game"--which the Italian penal code (1889) labels self-help and assault--are still widely followed. It is clear, however, that a considerable number of peasants have another opinion and prefer formal litigation to informal disputing.

Even in this case, where the data presumably underestimate the actual amount of conflict, all actions but one are individual and

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defensive. The absence of collective acts may depend on the predominance of very small landholders, and this hypothesis should be tested on the basis of more data over a larger time span. Such a study may provide new insights into emigration and peasant militancy as alternative strategies (Gabaccia, 1984).

The intermingling of the two modes of production can be observed in the disputes over honor more clearly than in any other situation: they have their roots in peasant society but are dealt with by bourgeois rules.

Peasants are the losers. Their defeat has several facets. The majority of peasants prosecuted are convicted, while bourgeois accused usually are acquitted. Weighing heavily against peasants is the widespread tendency to assess the defendants's guilt on the basis of rumors. Conviction also provides the occasion to teach peasants new moral norms, such as that starvation is no excuse for stealing. Ultimately, in this process peasants are losers because their disputes (especially their disputes over honor) result in bourgeois verdicts over their reputation.[31]

Notes

- \* ) Richard Abel not only has been a careful reader of my manuscript but also has provided several insights that I gratefully acknowledge. In particular, I share his idea that assault often can be viewed as a dispute over honor and his suggestion that we look at honor and material values as parts of a system of equivalence.
- 1. This article presents some results of an ongoing research project on the administration of justice in a rural context. See Cottino, 1983.
- 2. The Pretura, the lowest court, deals with misdemeanors and petty felonies carrying a maximum penalty of 6 months imprisonment or a fine of 2,000 lire. The Tribunale deals with more serious offences and hears appeals from the Pretura.
- 3. I am indebted for this analysis to Tilly (1982) especially for his suggested typology of peasant actions.
- 4. In this district, the customary tenant farmer is the mezzadro. According to the contract of mezzadria the tenant is obligated to provide all the labor and half the capital and expenses, in return for which he receives half the production.

5. According to the contract of colonia parziaria it is the owner who provides both capital and tools; the colono receives in return one third of the production.
6. Cirese (1976) argues that the subaltern classes possess a "class instinct", a primitive and elementary form of historical awareness he labels a "class pre-consciousness" or the "consciousness of a pre-class".
7. The emphasis here is on the process of subdividing the land rather than on its dispersal. For a useful terminological discussion see Van der Meer, 1976.
8. According to Labrousse (1966) the minimum land requirements of French peasants in the 1880s were 1.37 hectares for a five-person family. But this refers to holdings planted in wheat and barley, which seldom was feasible in Mondovì district, where four-fifths of the surface is mountainous.
9. There are various indirect indicators of the poverty of Mondovì peasants. The district has the lowest ratio of cows per hectare; chestnuts present the main crop; colonie are the most common form of tenancy. The pervasiveness of poverty is impressionistically caught by the following account: "some primitive furniture and a hay bed for the head of the family; the rest sleep on bare leaves, all mixed up, men, women, and adolescents ..." (Lissone and Casalis, 1880: 206).
10. Actually, industrial wages were too low to attract man power from the countryside; migration abroad was the usual answer to unemployment and misery (Revelli and Berra, 1978). The stream of migrants from the valleys of Cuneo--which reached its peak at the turn of the century with a ratio of ten migrants per hundred adults--was directed mainly toward France. In Cuneo province, as elsewhere in Italy, migration often was temporary. Peasants frequently left their homes in the winter and came back late in the spring when they could find some work again (Schmitter, 1984; Bailey, 1971; 31-33).
11. The material comes from my own interviews with peasants living in the district, a collection of local proverbs, and Revelli, 1976.
12. Compare the English variant: "Little thieves are hanged but great ones escape".
13. Compare the Oriya proverb cited by Bailey, 1971: "Your brother is your enemy".
14. Probably because "familiarity breeds contempt".
15. This is a free and perhaps inadequate translation of universo del negativo, see De Martino, 1959.
16. This is different from, and in some respects opposed to, the position taken by Banfield (1958). In his study of the southern Italian village of Montegrano the author tries to show that the ethos of amoral familism--concern with the mate-

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- rial, short-run advantage of the nuclear family--"is a fundamental impediment to economic and other processes" (id. 193). Although not denying that the "dreadful poverty of those who do manual labor ... is surely of great importance in forming" this ethos (id. 147), Banfield argues that "for purposes of analysis and policy the moral basis of society may be usefully regarded as the strategic limiting factor" (id. 163).
17. There is a striking similarity between the picture presented here and the one we find in other agricultural and pastoral societies. In Kenya the typical disputes are concerned with honor (defamation), land (cattle trespass), and physical integrity (assault). See Abel, 1969/1970.
  18. On the petty nature of agrarian disputes, see Yang, 1979; Starr, 1979.
  19. Until very recently insanity and tuberculosis were regarded as stains on the family honor and carefully hidden.
  20. Procedimenti Penali della Pretura 1901, no. 32 (hereafter cited as PP) (underlining added).
  21. I use the term scandal rather than gossip to refer to private conversation "primarily designed as a covert attack on one's rival" (Layton, 1971: 104).
  22. If Anton Blok (1981:433) is correct in pointing out that honor can be threatened by a variety of actions (ranging from the violation of a women's chastity to cattle trespass to theft "carried out not to ruin the owner but to ... damage his reputation"), then Teresa Gallo might well have intended to insult Angela Averana. Blok's convincing argument that honor has a material, physical counterpart suggests the existence of a fundamental equivalence and possibility of exchange between immaterial and material values, between, say, reputation and courage on the one hand and fruits or vegetables on the other.
  23. Mondovì Tribunale 1901, nos. 1, 2 (hereafter cited as TM).
  24. The severity of the fines can be measured against the daily wage of a laborer which, at that time, varied between 1.30 lire during the winter and 2.30 in the summer.
  25. Castan (1971) observes that it is common for young people in the French countryside to fight.
  26. An unknown percentage of assault cases acutally are disputes over honor. Recourse to physical violence presumably represents a not uncommon way to defend one's honor (or to attack someone else's reputation). Thus disputes over honor may account for almost a third of the cases.
  27. This also is the criticism by Kaplan and Saler, 1966, of Foster's theory.
  28. Todd, 1978: 118; see also Greenhouse, 1982.
  29. Todd, id.

30. The inclusion of both very small landowners and tradesmen is open to criticism. Although I am convinced that relation to means of production defines class boundaries I also find it necessary to pay attention to cultural differences. I cannot neglect the fact that there is an important borderline between "public servants, free professions, intellectuals--a group of experts in writing, in knowledge, in health care ... and the mass of poor peasants, of tradesmen who serve the agricultural world..." (Angioni, 1980).
31. This also is what Nils Christie (1977) is worried about when he speaks of "conflicts as property".

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