

Property rights and their violations. Expropriation, seizure, and confiscation in Europe and its settlements, 16th - 20th Centuries

International Conference

Università della Svizzera italiana, Laboratorio di Storia delle Alpi, Mendrisio (Switzerland)
September 24th-25th 2010

Call for Papers

It is generally believed that the private property enforcement by 19th century codifications increased European economic performances by reducing uncertainties, transaction costs and abuses of previous legal systems. According to this perspective, the main early modern Europe property institution, based on shared and stratified property rights, is considered as one of the biggest impediments to capitalism's emergence and economic growth.

In the last years this evolutionary interpretation has been put into question. One of the main criticism raised points to this theoretical approach not paying enough attention to the wide range of property violations allowed by the private property system and other institutions usually seen as efficient.

While many scholars have analyzed common rights limitations in the name of individual property, the opposite phenomenon is still in need to be explored. The conference aims at filling this gap through a deep analyze of expropriations, seizures and confiscations enacted by public authorities in different times and places, across 16-20th centuries Europe and its settlements. In order to explore the nexus between property violations, economic efficiency and political domination, we encourage papers centred on the following three main questions:

1. The expropriation for public use has an ancient and durable history. Although ratifying the natural character of individual property, 19th century codifications nonetheless maintained the state expropriation's mechanisms (and its damages). By attributing exclusively to central governments the statement of what the "general interest" is, the risk is to ignore the role of other (public or private) actors involved in this definition. What are the relations linking these actors, and the justice principles invoked to legitimate their operations?

2. Another main topic concerns the connections existing between property violations and real estate dynamics. In *Les expropriations et les prix des terrains à Paris (1860-1900)*, Maurice Halbwachs showed that expropriations in 19th century Paris strongly increased real estate prices by anticipations of future profits. Giving to dispossessed people very high indemnities, public authorities indirectly increased land prices. But what kind of social, economic and political logics lead dynamics of compensations in other contexts? And how expropriations, seizures and confiscations can affect real estate markets in the long run?

3. A recent French investigation has shown that in the 1980s expropriations without owners' consent has been less frequent than consensual ones. Is this result confirmed in other times and places? Do connections exist between the degree of property protection and the intensity of contentious actions? What kind of goods (buildings, lands, roads, natural resources...) and actors (private/public/local individuals or companies) are more exposed to expropriation and/or legal contentious?

Convenors

- Michela Barbot, Università Luigi Bocconi, Milano
- Luigi Lorenzetti, Laboratorio di Storia delle Alpi, Università della Svizzera italiana, Mendrisio
- Luca Mocarrelli Università degli Studi di Milano Bicocca

Scientific Committee

- Marco Cattini, Bocconi University, Milan (Italy)
- Jean-François Chauvard, Ecole française de Rome (France)
- Rosa Congost, University of Girona (Spain)
- Jon Mathieu, University of Luzern (Switzerland)

Proposals

Abstracts should not exceed 2.000 characters and should be sent by July 30th 2009 to: luigi.lorenzetti@arch.unisi.ch