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Semiotics of Law*

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Summary. In this contribution we aim at discussing the relevance of an ethnosemiotic approach to law, namely for the specific issues of the block of flats as an object. The chapter is hence structured in four sections. In the first one the theoretical disciplinary context of semiotic studies on law is introduced, encompassing various approaches across Europe and the United States, in the fields of pragmatics, sociolinguistics, legal anthropology and legal geography. The second section links some of these approaches to Greimasian semiotics, going back to the crucial outcomes of Algirdas Greimas, Bernard Jackson and Eric Landowski's investigation in the field of law. The third section presents the main aspects of an ethnosemiotic approach, and focuses on the matter of considering law and social norms as inextricably interlaced. The fourth and last section therefore comes to analyse the case study of block of flats in an ethnosemiotic perspective. Despite the existence of many issues involved, such as space, anthropological habits, architectural styles, and the law, the approach of ethnosemiotics makes it possible to display a structural coherence of block of flats in terms of a semiotic form of life.

Keywords. Semiotics of law, ethnosemiotics, block of flats, social norms, semiotics of space

Zusammenfassung. In diesem Beitrag soll die Relevanz eines ethnosemiotischen Ansatzes für das Recht erörtert werden, insbesondere im Hinblick auf die spezifische Problematik des Wohnungseigentums. Der Beitrag gliedert sich daher in vier Abschnitte. Der erste Teil führt in den theoretisch-disziplinären Kontext der semiotischen Studien bezogen auf das Recht ein, der verschiedene Ansätze in Europa und den Vereinigten Staaten in den Bereichen Pragmatik, Soziolinguistik, Rechtsanthropologie und Rechtsgeographie umfasst. Im zweiten Abschnitt werden einige dieser Ansätze mit der Greimas'schen Semiotik verknüpft, indem auf die Knotenpunkte der Untersuchungen von Algirdas Greimas, Bernard Jackson und Eric Landowski im Bereich des Rechts zurückgegriffen wird. Der dritte Abschnitt stellt die wichtigsten Aspekte eines ethnosemiotischen Ansatzes vor und konzentriert sich auf die Frage, ob Recht und soziale Normen als untrennbar miteinander verwoben betrachtet werden können. Der vierte und letzte Abschnitt schließlich basiert auf einer Analyse der Fallstudie der Eigentumswohnung aus einer ethnosemiotischen Perspektive. Trotz der zahlreichen Fragen, die sich

in Bezug auf den Raum, die anthropologischen Gewohnheiten, die architektonischen Stile und das Recht stellen, ermöglicht es der ethnosemiotische Ansatz, eine strukturelle Kohärenz des Wohnhauses im Sinne einer semiotischen Lebensform aufzuzeigen.

Schlüsselwörter. Semiotik des Rechts, Ethnosemiotik, Wohnblock, soziale Normen, Semiotik des Raums

1. The studies on law with a semiotic orientation

Adopting the perspective of Greimasian semiotics, in the following paragraphs we propose to illustrate its Italian developments with respect to law, and in relation to ethnosemiotics. The general assumptions of this point of view may be considered the following three: that the law is not a monolithic unit, that it does not result from some metaphysical table of law, finally, that the judicial, as a bundle of phenomena, is nevertheless based on systems and processes of specific signification. With a penetrating philosophical approach, the British scholar Andreas Philippopoulos-Mihalopoulos has proposed to think that:

> in practice, law has never been more than an interdisciplinary or even postdisciplinary snapshot of a heady mix including geography, history, psychology, chemistry, physics, economics, the media, religion, and so on (Philippopoulos-Mihalopoulos 2015: 21).

Philippopoulos-Mihalopoulos is among the most interesting law scholars in the contemporary scene, and he draws his observations starting from a dialogue with Luhmann (see also Teubner 1988) and from an even more crucial strict observance of Deleuze's thought. On the semiotic side, we certainly may federate with this approach on some aspects of a general study on normativity as stratified and multiple, but then the problem will become to distinguish between something that is law and something that is not law (which does not worry Philippopoulos-Mihalopoulos), and understand how the differences and relationships between, for example, good manners and the penal code are given. Even if we come to a consideration of very different problems, and even if the positivism that sees in the legal system a metaphysical foundation is undoubtedly the main obstacle to a semiotics of law (Jackson 2017: 6), nonetheless, the semiotics of law was born as an effort to retrieve articulations in discourse, and thus it remains separate from a conception of law as a totality of ontological nature, and of conative character (Philippopoulos-Mihalopoulos 2015: 74–76). It is therefore good to distinguish, first, the point of view that we will adopt from a similar philosophical perspective[1], and to make some other clarifications. Elsewhere (Bassano 2018d, 2019) we outlined the historical-philosophical foundations of a constructivist consideration on legal language: it arises in the

context of the Oxonian debate where Gilbert Ryle, Peter F. Strawson, Herbert L. A. Hart and John L. Austin dialogued, and it was precisely the latter, with his famous theory of speech acts (1961, 1962) that gave the law the possibility of existing as a performative discourse *tout court*. In the judicial enunciation there are no assertions, only acts. From Austin's observations descend two great disciplinary fields that are in some ways independent and parallel to our perspective: pragmatics and pragmatism. The first one concerns rather heterogeneous studies in the European context, where, under the same name, distant considerations lie, such as those of Grice and those of Searle. Bernard Jackson, for example, identifies a pragmatics of the Italian school and one of the German school (Jackson 2012: 12), for which the works of Carcaterra (1974), Posner and Krampen (1981) among others can be considered. If we want to define pragmatics in the most general way possible, we could say that it deals with law by studying the rules of negotiation connected to judicial rhetoric in interactional contexts (Bertuccelli Papi 1993; Sobota 1990). The second major disciplinary field, that of pragmatism, has a predominantly American based ground, and it was born along with the study of common law from a Peircean perspective (Kevelson 1982). Hence a vast programme of studies, which aims at thinking of a

> law semiotics capable of tracing the connections between semiotic systems of law distant from a historical, cultural, and ideological point of view, on a global scale of human cultures (Kevelson 1982: 22).

Nowadays, pragmatism has *The International Journal for the Semiotic of Law* as a reference, which promotes an interdisciplinary perspective, also embracing contributions from different fields, such as deconstruction and sociolinguistics, the story of law discourse, hermeneutics, psychoanalysis, the study of law in literature, and visual semiotics. However, the panorama of contemporary studies on law, with a semiotic vocation, is even more multifaceted. Combining the "critical legal studies movement", born in the 1970s, with Kevelson's pragmatist tradition, a semiotics of law of mainly Anglo-Saxon origin (Wagner and Broekman 2012) considers law as a "discourse of power", without neglecting typical problems such as the question of what the essence of the law is (*ivi*: 5) and paying particular attention to *jurisprudence* as a communicative context – that is, capable of shaping the social world and understandable only because it is continuously interpreted in a Peircean sense. Still in the Anglo-Saxon context, there exists a widespread and varied anthropology of law. Even if it is difficult to summarise its interests – because it is a young and developing discipline – we can nevertheless recognise that, on the one hand, it is connected to branches of the American philosophy of law, such as the new legal realism (Nourse and Shaffer 2009), and on the other hand, it is constituted as a specific vocation to the study of the

> law from a cross-cultural, comparative perspective, in order to identify general principles that characterize this slice of sociocultural life (Donovan 2008: VII; see also Chase 2005).

Also, the sociological and sociolinguistic approaches deserve mention, among which the contributions of André Jean Arnaud (1981, 1985) and Peter Manning (1977, 1980, 1988) are notable. The former for example stressed the plurality of "legal systems", from the official to those of the *droit vecu* (1981: 180), integrating semiotics as a perspective on the problem of juridicity itself. Manning's work, which refers to the sociology of organisations, analyses communication and production of meaning in the structuring of law enforcement activity, integrating semiotic concepts with the work of Erving Goffman.

2. The most recent frameworks and their tangency to the prospective of an ethnosemiotics of juridical phenomena

Among the most innovative and fertile approaches, in view of an exchange with the Greimasian semiotics, and in the idea of a possible connection with the ethnosemiotic study of law, we identify five directions, intentionally keeping a general framework. The choices made can only be partial, but they depend on the willingness to give precedence to approaches in which there is a strong theoretical apparatus put in the service of the analysis of concrete objects, which in many cases turn to the civil law, or to cases not solely Western, and no longer to the common law.

The first direction of an anthropological nature is the legal pluralism field. It has originated thanks to the seminal proposals of Leopold Postpisil, with a theory of legal levels (Postpisil 1971). Here Postpisil observed that the laws can be of diverse nature, according to whether they possess one or more, or all of following characteristics: authority, intention of universal application, obligations (*obligatio*), sanction (psychological sanctions can equally satisfy the criterion); that the laws exist at different degrees of generality, and actually, for example, also "criminal gangs ethics" are full-fledged laws; that laws are always also a political device for setting values, it suffices to think that, in the Western culture, the concept of law has acquired a strong moralistic connotation. On these bases, the legal pluralism (Griffiths 1986; Fuller 1994) meets the general idea that a society can contain multiple legal systems in addition to any official legal rules at the level of the state. Contentious arguments surround the nature of these alternative legal systems, their hierarchical arrangement within the society as a whole, the way they articulate with each other, and finally how the person navigates through and between the often conflicting normative demands that she/he is obliged to observe. This is probably the prospective that most closely touches the interests of an ethnosemiotic framework of law.

The second direction is that of legal geography, a happy example of a research conducted on a complex object (law) from a subtle and articulated theoretical perspective (that of human geography) through the mediation of the concept of space. With special attention to the theme of globalisation, legal geography (Blomley 2004; Delaney 2010) uses conceptual frames to structure a discussion – boundaries, land, property, nature, identity (of people and places), culture, time, and knowledge. These frames cut across various taken-for-granted distinctions, such as the social and the material, the human and non-human, and what constitutes people and things. It is curious that these studies find a principle of articulation precisely in geography, a discipline that, in many cases, already communicates with semiotics (Farinelli 2003). This shows well how the circle between a legal geography and a semiotics and ethnosemiotics of law could soon close to the benefit of all.

The third direction is that of a philosophical-material analysis that regards legal phenomena without an *a priori* distinction between theories and concrete objects: the main example is the material anthropology proposed by Bruno Latour, which has taken from semiotics many of its operational concepts, and which has also put them in field in the well-known ethnography of the French *Conseil d'État*, the leading jurisprudential authority of administrative law (Latour 2002). The sociologist becomes familiar with a legal institution: she/he gets used to exploring its spaces, strives to understand its interactional logics, studies its actors – human and not, as in the case of dossiers. After almost two years the sociologist can reveal some dynamics of the "life inside the legal machine of the Council of State" (Latour 2002: 27), and she/he does so by combining the tools of the constructivism of the sociology of science with specific notions of semiotics. She/he collects revelations of great interest, for instance, on the relation between secret and *moyen* in the discussions of the court or the material treatment and the crucial role of dossiers. In a rather similar direction goes the work of Marie-Angèle Hermitte (1996), a study on the story of the relation between blood and French law, told by the complex international regulation of donations, and the topic of the HIV epidemic in 1982.

The fourth direction is the philosophical-political framework of Western law accomplished in the remarkable work of François Ost, *À quoi sert le droit* (2016). A long-time thoughtful scholar of the articulation of the European civil law in French, in this effort of systematisation, Ost specifically talks about a function of "replication" (*redoublement*) that the law would engage with cultural forms to which it binds (2016: 127–129). We will see how the interests of an ethnosemiotics of law are really close to this conception of social-regulatory and social-legal phenomena, seen as interconnected.

Finally, as a fifth direction, the work of Garapon (2001) should be mentioned, which, for instance, provides a deep insight into the concept of legal ritual of civil law in relation to that of common law. By gathering Girard, but also Garfinkel, Foucault and Cassirer, Garapon mainly deals with the symbolic value of the criminal trial scene.

3. Greimasian semiotics and the law: French and Italian contributions

In this paragraph we propose to briefly outline the Greimasian semiotic reflection about law which has since been carried on by various Italian scholars, and we seek to decline it in an ethosemiotic perspective. In 1971[2] Greimas published his well known analysis about the French law 66-537, issued in 1966, about corporate establishment and regulation. Given that the text of the law was articulated, based on 509 sections, Greimas led a group of researchers composed of Eric Landowski, Gérard Bucher, Claude Chabrol and Paolo Fabbri. The outcomes had been essentially two:

a. the establishment of a specific narrative model, in order to explain how, within the law 66-537, a corporation build a new network of relations between actors (stakeholders; the state; the law; the corporate general meetings, and the corporate board) somehow independent from former social relations;
b. an extensive theory about law as a language, at the same time comparable to other languages. We will focus only on the second, for space reasons, and trying to avoid technicalities.

In 1971 Greimas claims that the condition of the juridical b e i n g can be identified in the opposition existent / non existent. What is unsaid by the law, simply d o e s n o t e x i s t. This is the way by which Austin's performatives are the only one utterance provided by law. Any of the legislator's utterences can be questioned as true or false. They all have the value of

> absolute performative words, establishing an ordered, conventional and exlicit word of meanings; within this world the legislator's utteracences enuciate the things and the beings and make them exist, and also provide them with clear functions, laid dawn in terms of rules of obligation and ban (Greimas 1976: 80, my translation).

The following is a reflection on the system creating and validating such rules. Quite clearly, for what concerns the production of rules, Greimas explains how the law incorporates elements from its referential level, namely natural language,

> elements which in the beginning are part of a general discourse expressed in French, as natural language, where heterogeneous elements stands, pell-mell, the ones and the others belonging to different semantic universes" (*ivi*: 81, my translation).

What law does is to "name properly things and being and to attribute expected events to a modal panel based on obligation and ban" (*ivi*: 79, my translation). On the other hand, for what concerns their validation – that would be maybe better defined as a r e c o g n i t i o n[3] – Greimas takes into account the level of jurisprudential judgements. Here, he argues, various facts, not yet legally correct in itself, are processed in order to obtain

> an adequate utterance, compliant to the rules of construction of legal utterances, and the purpose of this processing is to show that, of all the juridical utterances of the legal grammar, there is at least one ready to embed the original not-legal fact (*ivi*: 83, my translation).

With such a first analytical outcome, Greimas has radically changed the notion of legal formalism.[4] A notion enhanced with a new complexity, or better acknowledged for its complexity, since jurists know how the legal practice operates, in fact, such transformations of meanings. But the rhetorics of Western law, as Greimas argues, consider law and legal processes by the "end point", in a perspective where the structures of such processes are seen as already done, and for this reason static and self-evident. A decade later, Eric Landowski provided a strong drive for the development of a semiotic comprehension of legal phenomena. In 1989 Landowski writes a long paper on law and its hierarchy, *Pour une approche sémiotique et narrative du droit*, where he deals with a theory of dynamic legal layers (Landowski 1989a). Law could be seen as a normative frame among others – such as those of religion, politics, morality, etiquette – but it distinguishes itself because of two strong features: order and dynamism. A first fundamental dimension is horizontal: various relations take place on this level, between objects and subjects, they concern values and are structured in modal terms. Landowski leads back for instance legal acts such as requisitions and expropriations to the narrative status of "appropriations" (see Greimas 1983, chapt. 1); while the act of abdicate is based on a "reflexive privation" and various conventional terms of legal agreements can be read as "mutual gifts" (Greimas 1976: 86, my translation). On this level, legal dynamism is guaranteed by a commutation principle between two roles, the one of contract and the one of sanction, that somehow circumscribe any legal act.

The second dimension is that of a vertical level, because law comes with an inner recursive property. Hierarchical relationships can indeed always be replied at a higher level, and it an "ultimate sender" does not exist (both in the sense of "mandatory sender" and of "sender-adjudicator", see Bronwen and Ringham 2000: 121–122). There is just a sort of axiological instance, embodied from time to time in various kinds of legislating and sanctioning actors. This empty position – the absence of a substantial sender – is seen by Landowski as the core-element of the structure of law as dynamic and regulated at the same time. Two years later, in 1988, Landowski writes a second important contribution. The matter here is not the hierarchy of juridical structures anymore, but rather he focusses on something complementary: the framework of the trial. Landowski seeks to detect the existence of several specific actants, starting from the specific actors of the trial – witnesses, defendants, victims, defence attorneys, prosecutors, experts, courts. The approach he takes focuses on different kinds of knowledge held by the actors (1988: 62): what enables the judge to recognise proof as valid? More precisely, what is the complex architec-

ture of the juridical forms of truth made of? Landowski's answer is the co-operation of four truth-regimes. The first regime involves the "empirical evidence", so that here "facts are simply facts" and "speak for themselves" (1989b: 48). An example is the quintessential proof, confession. It would be the case, for example, of a defendant, guilty of a financial crime, who would eventually provide the court with documents which certify the way he embezzled and spent the money of the corporation he defrauded. A second regime, opposite to the former, is the one of the conventional legality.

Here the everyday life and the world of legal processes show to be radically different: in the second, for instance, a charge can be enacted only by a strict frame of times and procedures. In case a prosecutor would not lodge an official document at the registry on time, it would cancel the possibility to go ahead with that specific lawsuit forever; it doesn't matter whether the lawsuit was about a serious offence which had really taken place in the everyday world. A third regime is identified in the social plausibility. Elsewhere (Bassano 2018c) we claimed the crucial importance of this aspect among the others. Landowski connects to the social plausibility what in many legal systems is called and established as the judge's independence; the strong assertion, in addition, here, is to argue that from a certain point of view courts think not differently from an average person. This element leads straight to the anthropological reflection on social beliefs and behaviours in different cultures. Finally, the fourth regime is that of scientific truth. Landowski deals with the role of the expert in the trial, asserting that it:

> is a mix truth-regime, in which science is called into play, and heard, but where, however, its data and displays do not have an absolute power, since they are compared with other opinions; the court manages and crosses these opinions in a discursive rather than demonstrative frame (Landowski 1989a: 52).

A third group of theoretical outcomes derives from the work of the British philosopher Bernard Jackson, who has been collaborating with Landowski throughout the 1980s. In 1985 Jackson published a first essay on the topic: *Semiotics and Legal Theory*.[5]

Here we summarise just two of his theoretical cornerstones. The first claim is about the role of a semiotic perspective facing legal phenomena: according to Jackson semiotics has encompassed pragmatics, in a Morris sense (1938), into semantics. Semiotics has had a key-role in a "narrativization of pragmatics" (Jackson 1988b: 33–36), since semiotics does not oppose the law in the world, on one hand, and the written law, on the other, but rather displays the input of the world in the legal discourse both as a figure of the enunciatee and as a trace of the enunciation (Greimas and Courtés 1979: 125). The second assumption is Jackson's denial of the unity of the legal system, a basis of the main philosophical theories of law, from Kelsen's normativism to the Hart and post-Hartian giuspositivism (see Jackson 1985: 147–262). For this purpose, Jackson invokes Greimas's notion of "semiotic groups" (Greimas 1970: 86) as a "group of people using a same

signification system" (Jackson 1985: 286). According to Jackson, the theory of unit threatens the visibility of some core-groups of the legal processes, such as those of local authorities, that of the actors acting aside the trial courtrooms (court clerks and security), the one composed by the lawyer and her/his client. But also, the addressees of many legal rules are often ignored, as in the case of fiscal legislation, mostly directed to a branch of civil service, or as in that of the penal legislation, read and used mostly by police and quaestorship offices.

It is thus surprising to find Jackson and Landowski criticised, in the 1980s, by scholars of the field of critical legal studies. *Semiotics and legal theory* (Jackson 1985) was received as a collaborationist essay to the legal positivism perspective, as if semiotics as a whole would have done nothing else than confirm classic positivism in the field of semiotics of law (Hunt 1986a, 1986b). In 1988 Jackson answered with an article where he placed semiotics much more on the side of deconstructionism. Furthermore, he claimed that semiotic instruments should be taken as crucial at the first stage of any critical reflection on legal phenomena – since semiotics is neither a "pseudo-philosophy nor the study of brute facts", but rather a project of "description" of systems and processes of signification (Jackson 1988a: 68–69). Lastly, both Landowski and Jackson underline the opportunity to distinguish two levels of enunciation of the trial: on one hand the s t o r y i n t h e t r i a l, namely the facts on which the trial is based, and on the other hand the s t o r y o f t h e t r i a l, that is the vicissitudes of the judgement itself, with its stages and events (Landowski 1988; Jackson 1988b). In light of these findings, recently in Italy a revival of a semiotics of law as a challenge seems to be taking place. A new group of scholars, mostly with a solid semiotic background, seek to extend the effort of the 1980s. Among others, remarkable results are those of Mario Ricca (2002, 2008, 2013), where a bridge is built between the philosophy of law and semiotics, to outline certain crucial issues of the intercultural law, and those of Bertolotti (2019, 2017) which merge the perspectives on law of Greimas and that of Landowski (1989a), dealing with the topic of the relations between law, space and visibility.

Dealing both with Greimasian models on law and Latour's work, Carlo Andrea Tassinari (Tassinari 2019; Tassinari and Puca 2019) explores the dimension of international and communitarian laws in terms of their semiotic structures, dealing with both the topics of environmental law and food law. In terms of our contributions, we would like to refer to a research on the topic of the space of the trial courtroom, conducted in an ethnosemiotic perspective (Bassano 2015); several articles about conflicts between fields of law, the way law sets out animal life, the problem of technology and privacy (Bassano 2017b, 2018a, 2018b) and a contribution on the structure of the enunciation in contemporary penal judgements (2017a). Currently in preparation is an Italian reader of semiotics of law, including, among others, contributions courtesy of Eric Landowski, Bernard Jackson, Antoine

Garapon, Oscar Chase, Marie Angèle Hermitte and Bruno Latour, to be published soon.

4. Ethnosemiotics of law

Thus, we reach the matter of an ethnosemiotic perspective on legal phenomena. A first general assumption of an ethnosemiotic perspective on law implies to face law as impure and deeply connected with everyday life. Such a point of view deals with law focusing on two aspects: on the one hand, legal relationships are duplicated starting from some social relationships, but giving shape to autonomous patterns (see above Greimas 1976; Ost 2016); on the other hand, law cannot be separated from social life since they have mutual strong ties – as shown by Landowski with the idea of a regime of social plausibility in a court's decisions (Landowski 1988). Hence, we must note how ethnosemiotics differs even from a general ground shared by many studies in philosophy of law, about which, Blomley argues:

> legal academics prefer to pitch their tents in the shadow of the Supreme Court rather than in Main Street (Blomley 2005: 286).

We refer to Giuseppe Mazzarino's contribution (in this volume) for the historical aspects of the foundation of ethnosemiotics in Italy; nevertheless, as a first step, it is necessary to underline several theoretical viewpoints particularly relevant for the analysis of legal phenomena. Recently, Francesco Marsciani (2020: 1–7) has defined ethnosemiotics referring to a manifesto with a dual form, both negative and positive. The negative characteristics concern the fact that ethnosemiotics cannot be approached either as a sociology, in that it does not present the same a-problematic, naturalising assumption of concepts as 'belongings, roles, institutions, classes', or as a cultural anthropology, to which it would be rather more plausible to link ethnosemiotics, as it does not act to understand "cultural facts".[6] Quite the opposite, an ethnosemiotics point of view:

> allows the forms of its objects to organize themselves without hypothecating their identifiability from pre-established categories, such as for instance the category of culture itself in relation to an opposite nature, or the category of human compared to the non-human one. In this sense, inevitably, ethnosemiotics is not a theory of the human (Marsciani 2020: 2, my translation).

Far from being a provocation; if this curriculum denies such disciplinary relations, it is to claim a strong approach as a method. As a matter of fact, the positive part of the manifesto clarifies what is meant by "method". The ethnosemiotic method is not a guided procedure of some sort, but a radically specific type of observation, because it undertakes the responsibility of making explicit the structures, each time different, at the root of our pro-

cedures and our daily experience of meaning. In other words, it is not just a matter of describing, but of

> creating one's own objects wherever it is possible to project structures of meaning, and that is thanks to a real work of controlled explicitation of the simple and daily textualization within which we are all constantly immersed[7] (*ivi*: 6, my translation).

The analyst proceeds by building one or more relational fields and enables them to manifest as a world, on the scene of a possible discourse (*ivi*: 10). Put differently, the immanence is here assumed with an extreme methodological accuracy and with the widest openness and analytical flexibility in the construction of the object of analysis.

The issue at stake also concerns a re-definition of the concept of "ethno": this word is not conceived as a reference to the 'other', to a subculture or to a human group that lives somewhere in the world, to an ethnicity of a socio-anthropological interest, but it is interpreted as a reference to a community, our community in particular, the one the analyst speaks the same language as. "Ethno" is the combination of the significant conditions for the communal life and the challenge here is to manage to detach ourselves from the behaviours that are more familiar and more obvious to us, so as to find a good distance that makes the categories that hold those behaviours emerge (Fontanille 2017: 8).[8] These categories will always be local, never universal nor *a priori*; however, implementing that curriculum of study means providing the scientific community with reports that are valid for this very reason, for a specificity that has nothing exemplary, and yet shows even more about the objects it analyses than what unitary and/or integrative models could do.

In this respect, ethnosemiotics reveals an empirical vocation which defines the perspective of Italian semiotics as its own peculiar trait, as opposed to the theoretical vocation, we could say, typical of the contemporary French semiotics. We could also claim that the history and the collocation of the ethnosemiotic point of view is totally spontaneous on the one hand, but on the other hand it presents widespread and not homogeneous connections.

In the first case, ethnosemiotics is a coherent development outcome of European semiotics, the structural and Greimasian one, in light of the contemporary epistemology of the text.[9] In the last thirty years, semiotics has understood that its tools did not condemn it to analyse exclusively a "world of paper" (Marsciani 2020: 5), and from there on fields such as the semiotics of objects, of the body, of food, of forms of life, etc. have seen the light. In this first sense, we believe that the suffix "ethno" could even be eliminated, and the ethnosemiotic curriculum would simply and rightfully coincide with the actual and future horizon of a discipline that sees all the experiences as already textualised. The analyst is in charge of translating them into another interpretation, into a new textualisation according to her/his

scientific view.[10] In the second sense, ethnosemiotics is linked with studies carried out at different times and starting from very distant perspectives.[11]

There are convergences with the sociology of Erving Goffman (1959, 1971), the ethnomethodology of Harold Garfinkel (1967) and the proxemics of Edward T. Hall (1959, 1966), whose aim, similarly to ours, was to account for a density under the surface of everyday behaviours, the first in the organisation of interactions, the latter in the management of space and interpersonal distance, denying on the one hand psychological explanations and on the other Durkheim's functionalism. In France, Jean-Didier Urbain's work (1991, 1994) offers a challenging dialogue: with an eclectic insight, his reflection on tourism and the ritualisation of space is one of the most systematic contribution around anthropo-semio-linguistics on the possibility of putting habits and practices at a distance, to project a structural outlook on them. In the field of semiotics, the most explicit link is with the seminal work of Michel de Certeau (1990: 169–192), the semiotics of space of Manar Hammad (2006, 2013) and the analysis on the Paris subway routes of Jean-Marie Floch (1990: 59–88). Such synergies allow us now to explain better what is meant by an ethnosemiotic perspective on practices, or significant behaviours. Ethnosemiotics can involve the study of objects that require explicit observation and have their own consistency during the observation period. For instance, in the works of Floch and Hammad, the research question shapes the problem of understanding a ceremony, a path, or everyday interactions in a particular urban section, assuming these definitions, namely "ceremony", "path", and "urban interactions", do not provide a secure foundation for analysis or any prefiguration of the object on which we could base. The concept of a "ceremony" or "path" should be a result of research, not taken for granted.[12] In some other cases, as in the work of Urbain (1991) and in the majority of Certeau's observations (1990: 169–192), the relevance of direct observation is tautologic because something so well-known is assumed as an object – traveling of an ordinary tourist, staying on a train, or as we will see next, living in a block of flats – so that the problem is rather reversed. That is, it is no longer o b s e r v i n g d i r e c t l y, but f i n d i n g a r i g h t d i s t a n c e so that a hypothesis of deep structuring of the object in analysis comes to light. Thus, perhaps, this second type of situation best shows how we can perform an analysis of the significant conditions of communal life from an ethnosemiotic perspective. It will indeed be a matter of identifying relational fields and then of employing, depending on the analysis needs, "differential schemes, actantial syntax, modal structures, discursive strategies" etc. (Marsciani 2007: 13) as tools by which structuring relations emerge.

5. The block of flats

We focus now on a specific object, to illustrate the theoretical apparatus through an analysis of what could be called in general "a block of flats" as

a way of life. The pandemic has encouraged reflections on the relation between the concepts of 'public' and 'private' and their link with space, but, perhaps, there has been a lack of attention to problems that, for various reasons, concern the most spread Western form of urban life: living in a block of flats. In Italy, for example, the Trieste consumer association spoke about a 30% increase in the consultations for disputes between neighbours that concerned postponed council meetings, lockers and plaques placed in public spaces, reports to the police about gatherings in communal backyards and stairs.

These types of conflict, although exacerbated by the months of medical confinement, are low intensity conflicts after all, known to everyone. In its many forms, life in a block of flats involves most of the European and probably global urban population and its main characteristic is to put us in constant contact – and "forced" contact, using a legal term, with other households and other lives.[13] But how may we treat cohabitation from an analytical point of view?[14] We will begin disclosing a complex and ambiguous relationship between living and space, a relation that involves habits, forms and architectonic philosophies, conceptions of dignity, visual regimes, bodily attitudes. We will thus see the emergence of a problem of rules and customs that regulate communal life, and we will witness how they blend or conflict with explicit laws, which affect the existing relations and, for some aspects, create new ones, equally arbitrary and worthy of analytical interest.

5.1 Rules, laws, and life together

As already noted (note 13) cohabitation has specific forms in French, Italian, German and English, challenging to translate from one the other, but it is still possible to outline in brief a paradigmatic axis that organises the forms of residential private cohabitation and distinguishes them from others. If there are units, such as terraced houses and townhouses, where the neighbourhood is more marked on the value of /private/ than on that of /communal/, this is not the only way of the private: according to Charmes (2005: 113) a residential collective "has several means to make its territory a club enjoyed exclusively by the inhabitants". Referring to the US phenomenon of "gated communities" (Blakely and Snyder 1997), Golovtchenko and Souchet have conducted a study on various types of closed and secure residential buildings in the Toulouse area. They have considered different profiles for each urban situation, such as the type of residents, services, and architectural forms. Based on their research, they have identified three distinct types of gated communities: 'the citadel', 'the oasis', and 'the convent' (Golovtchenko and Souchet 2005: 155–158). So, we can identify as the first criteria, the size of the complex and the degree of freedom of access, but it is also true that there are blocks of flats that are familial, provincial, suburban, in the city centre, metropolitan, with/without janitor, with/without lift, with/without central heating, not to mention the large field

of social housing. Moreover, the difference between these elements of a housing system that aggregates multiple units and other forms of cohabitation appears common to various languages: squat, agricultural community, prison, student residence, barracks, camp sites, residences, hotels, hospitals, protected houses etc. For our purposes, we try to identify an average form that responds to a canonical narrative scheme of socio-normative practices – according to Marrone for whom

> the semantic boundary of not-being-able-to-do (and that of being-able-to-do) retroacts on the expressive one, creating it (Marrone 2013: 247).

We could say that the block of flats, as a durative form of residence, is the site of a series of multiform contracts about the production of rules and the construction of figures of deviants; this is reflected, in terms of competences, in incessant operations of negotiated territorialisation.

Concerning the performances, Lelévrier and Guigou speak about the possibility of the introduction of an "average use" (Lelévrier and Guigou 2005: 49): it is what happens when a dominant group, a small or large group of owner residents with "self-awareness" gives an example of behaviour and ensures social control because it sees the stability of the occupants as a value and has standardised its practices as collective references. Among the less pleasant but fairly common block of flats sanctions, it seems, is the galaxy of insulting and threatening notes, or "only apparently friendly" pieces of writing that residents leave and find posted on the walls, doors, placed between the windshield wipers of cars. In terms of social rules that inevitably form in a block of flats, the studies by Hammad (2006) and Zerubavel (1981) have been of great help. The first recalls that space is always regulated both de jure and de facto, and it shows the fragility of the code of law based on *de jure* regularity.

It is enough, indeed, from a practical point of view, that someone fills, *de facto*, a space that is not marked *de jure* (just think of a bicycle improperly abandoned on a landing "at disposal") for the answer to be a strong gesture, more difficult to realize as a *de jure* act than as a *de facto* reaction. The second study carried out crucial studies on the rhythmic rules of everyday life, for example observing the times in which it is allowed/required/forbidden to stop in a place/space, to perform a certain practice. It is strictly forbidden to constantly monitor individuals in any form of cohabitation. However, it is unclear what duration of monitoring can be considered 'constant'. At what point does a person begin to feel excessively observed by their neighbors? The answer to this question is determined by culture, which establishes varying thresholds for the duration of certain experiences. Therefore, culture plays a crucial role in defining what can be considered constant monitoring. We thus come to the problem of explicit thresholds, established by law. Given that it is impossible to include the dissimilarities among different civil law systems (French, German, Italian) and given the enormous distance from the common law that prevails in the UK and in many

other countries, we limit ourselves to some considerations that start from the Italian law, trying, where possible, to show the appropriateness of their comparison with other circumstances.

In Italy, the law distinguishes between "co-ownership" and "condominium", by far the most common case for the block of flats (article 118, *Italian Civil Code*). In co-ownership, each participant only has a right on the undivided common property and can renounce it at any time, avoiding the obligation to pay the expenses; in the condominium the single resident cannot renounce the property of the communal parts, without also renouncing the exclusive ownership of the real estate unit, because otherwise it would continue to benefit from the service that communal things and systems provide. The condominium has the character of "forced co-ownership", necessary and permanent, which lasts as long as there are common and complementary accessories. In order to manage this scenario, quite similar in all European legal systems of civil law, the law provides for a council of tenants (*Eigentümergemeinschaft*) with a very special identity, both as an actor and as an actant. It is somewhat ambiguous and faded, in a legal sense, but with an incontrovertible existence, is defined as a subject who makes purchases, deliberates on various issues, pays workers, posts threats, warnings and sometimes wishes and greetings. Even considering some differences among France, Germany and Italy:

1. the council of tenants distributes different shares of power on a census basis,
2. through its regulations (*Hausordnung* und *Gemeinschaftsordnung*) the council carries out a series of actions at different levels to regulate both negatively (as duties) and actively (as rights) the avoidance and resolution of conflicts and the management of shared assets (art. 1129-30-1135, Italian Civil Code).

If we could undoubtedly walk the path of a legal semiotics of the condominium, following the same steps of the work of Greimas on "loi 66" (Greimas 1976: 79–128) – in fact the condominium in several ways evokes the configuration of a corporate subject – here we would like to resolve another issue. The problem is that implicit and explicit rules are interlaced[15], so that the complex and regulated everyday life of any shared building is not based on the simple existence in parallel and in autonomy of habits and laws, but precisely on the subtle relationship that exists between the two; and this has an ideological consequence. The problem is not merely the explication of certain norms, but rather the absence of others, and this brings to light some axiologies that characterise the block of flats as a sample of the social order in miniature. We could say, in a more general sense, that there is an arbitrary relation, for which, in certain cases, an element can move, now from rules to law, somehow emerging in the latter, starting from the first; now from law to social rules – as it happens, for instance, in the phenomena of decriminalisation – where an infraction sanctioned by law is re-immersed in the prac-

tice of informal sanctions. If, for instance, we think about the life of car drivers on the road, it is quite obvious that it is governed by an often unclear border between abuses and infractions of an unwritten code of knowing how to drive, and abuses that correspond to offences/crimes punishable according to a coded law. In the case of the block of flats, many aspects of communal life may be completely different due to the specific regulations: residents can be forbidden from possessing animals, vases and plants, from making noise at certain times or at any time, from cooking ethnic foods and walking in heels around the house. The "parliamentary" composition of the council of tenants can be diverted towards a strengthening of the majority system or, on the contrary, the most powerful owners (owners of the largest surfaces) can be weakened by binding many choices to the criterion of unanimity. On a closer inspection – and the Italian case is only one among several – the network of decisions of the council of tenants, the texts of the regulations and the jurisprudence on the disputes between neighbours, all give shape to a real "Chinese encyclopaedia à la Borges" (Foucault 1966: 5): the breaking of a horizontal pipe must be paid for by a single condominium, that of a vertical pipe by the collective (*Hausgemeinschaft*) (art. 1117 c.c.; Cass. Civ. judgement 778 19/01/2021; Cass. Civ. judgement 19045 03/09/2010; Legislation 220 11/12/2012); the partial closure of a balcony with mobile structures is allowed, but prohibited if the structures are immovable, but the regulation (*Gemeinschaftsordnung*) can absolutely ban changes, if voted unanimously; again, in order for an acoustic disturbance to be recognised as such, it should concern an indefinite number of residents, and not just one (this is an Italian peculiarity), but it might still be considered irrelevant if it does not exceed a specific amount of decibels – the "background noise" that is recorded daily in that environment (art. 844 Italian Civil Code; legislation 447, 1995). Installation of the lift and video surveillance cameras are very sensitive issues as well, as together they thematise the problems of disability, a question of privacy which often clashes with the prevaricating force of the council of tenant's decisions and are perceived as an expression of arrogance (Bordolli and Di Rago 2020; Cusano 2020; Zuppardi and Rizzo 2020).

To revisit the previous points, it is important to note that we can only consider an action as an offence or a crime if it violates a particular set of conditions and regulations. If an action does not breach these conditions, then it is simply a disturbance or a need that can be resolved through personal choices and strategies of power, impotence, or resistance. At this point we can try to draw some general considerations concerning an observation of the problems of normativity and everyday life in the block of flats from an ethnosemiotic point of view:

1. The council tenants is an internal form of marked duplication of the collective that cohabits;
2. Its rules do not concern only humans, nor only artefacts, but they arrange new relations, procedures, and segmentations of space and sensory perceptions;

3. The law recognises the council tenants as a judicial being, and therefore places offences, crimes, and infractions of the regulation on the same level, but at the same time allows the council tenants a degree of an almost autarchical autonomy;
4. the council of tenants is formed on a principle of corporate ownership, but leaves a range of needs and rights uncovered, for which a concept of tolerance seems to apply, the idea of a necessary stoic endurance of a series of actions performed by other people;
5. the task of not overflowing seems to be a weak but general principle, which affects both passively and actively, the structuring of the informal and formal rules of the block of flats, and from this instance, a sort of ordering form of contemporary Western coexistence (in open conflict with the rethorics of collaboration and of participation).[16]

5.2 The law and the normative: about thresholds in a block of flats

A further step is to consider some inner articulations of the block of flats as provided by law, and at the same time somehow challenged or integrated by the interlace with social normativity. It must be clear that thresholds of any kind depend on semiotic criteria established in the construction of the object of analysis; it is thus obvious how the block of flats is a case of a complex and flexible syntax between accessible / not accessible, and its thresholds could be stretchable by different points of view. We have followed Italian law as a guide, since it provides (at least) five different spaces, following a spatial idea of gradual progress – from the external and public space to the inner and private one (see Legislation 220, 11/12/2012). Partly following Floch's pioneering work on metropolitan space (1990: 59–88), we will deal with five discontinuities[17], not merely physical but already semiotic, which seems to develop a description about the block of flats inhabited, treaded, explored in crossings and rewritings, the description of that form of life which creates specific conditions and builds relations of similarity and difference with other architectural and semiotic forms of life.

5.2.1 The facade and the common face

The first discontinuity, the first element that marks the existence of a block of flats is the presence of a facade. The facade is the part of the building facing the street, the one that signals the interruption of the public space and at the same time also marks the existence of a unitary complex that differs from a public space. The facade is the first element of a resident occupation, of an ensemble, but for its own features, in a scopic sense, it is also barrier, fortification, wall, architectural body that stands out, from which to look at the swarming street, the open exterior and the transient border between inside and outside.

Edward T. Hall establishes a connection between the facade in architecture and Goffman's studies (1959) on the "self" as a public identity to manage. The word "facade", Hall recalls, denotes that people have different "levels to penetrate" (Hall 1966: 141) and architecture provides shields behind which one can occasionally hide, solving the long-standing problem of maintaining a facade. Lastly, the facade quite often hosts a particular type of space, the balcony.

The concept of the balcony has a complex lineage. According to Le Corbusier (Moley 2005: 45), it represents a private annexation of the garden and adds to the separate spaces of individual occupancy a portion of the green space that the accommodation alone cannot provide. However, a considerably weaker development of this idea has instead emphasised in the garden the simple value of extending the private space toward the outside world. All the identity proclamation forms from the inside to the outside can be ascribed to this concept: for instance, protests and demonstrations displaying flags and signs; and during the 2020 lockdown, the phenomenon of the concerts from the balcony (Taylor 2020). Of course, the reciprocal point of view also applies, for which the facade is the external part of the building visible to all, open to an undifferentiated gaze, and closely related to an architectural scenery that makes the block of flats an urban building among other buildings. In this regard the law is particularly interesting, as it has an ambiguous idea of the balcony – on the one hand it is perceived as an annexation to single accommodations, and therefore subject to a number of managing and furnishing rights, on the other hand it is viewed as a "common part" of the facade, and so bound to aesthetic choices that exclude or limit interventions or extensions (legislation 447, 1995).

5.2.2 The "inner forum"

The second element is equally defined, but perhaps less omnipresent, depending on the types of buildings that populate the landscapes of our urban communities: it is the inner courtyard (Fig. 5).

The courtyard is a second strong point of access to the interior, and it is often the first place where mandatory relations between residents intertwine, as it is impossible not to be seen. One of the major advocates of the inner courtyard's role was the urbanist Camillo Sitte, who proposed the square closed by adjacent buildings, each one equipped with a "central view" (Sitte 1889: 34), as the ideal model of urban plan.

The advantages of this prototype were thought of as both psycho-perceptual and social, among them the "lateral protection". Sitte obtained the ideal image of forum from the closed square. An encounter follows, between French hygienism of the beginning of the 20th Century, where the courtyard plays the role of 'lung', because it aerates and illuminates each individual house, and the group of the Chicago school, directed by Robert Park, that thinks of the courtyard rather as a square, conceiving the neighbourhood as a "halfway group between the family and the city" (Moley 2005: 41–43).

Even Le Corbusier focuses on the concept of common space, private yet accessible to all, and the inner courtyard is an essential element of his five *Unités d'habitation*.[18] According to Arnheim, in this respect,

Fig. 5. Giuditta Bassano, Inner courtyard in Rome (via Paolo Emilio), 2022.

> the buildings play a major role in determining how much each one of us is an individual person or a member of a group, and to what extent we are allowed to make decisions freely or we must obey to spatial delimitations (Arnheim 1977: 298).

Not surprisingly, indeed, the common spaces of which the courtyard of these days is the direct heir have been objects of disputes: Architects in the late 19th century created an idealised myth of rural community life, disrupted by the rapid demographic changes of the Industrial Revolution. Paradoxically, the same architects criticised communal spaces such as latrines, wash-houses, laundries, drying rooms, kitchens, cellars, and attics due to concerns over spreading epidemics and sexual promiscuity(-Secci and Thibauld 2005: 24).[19]

5.2.3 Miniature block of flats: the stairs

A third potential discontinuity arises due to the presence of an internal staircase, which may not be present in all buildings, just like the inner courtyard. Furthermore, the importance of a staircase is not always decisive. For instance, when it serves as a means of connecting all the flats in an apartment block, and especially when it is built with two rows of closed walls, its significance diminishes. In such cases, the central void disappears, and a small panopticon, that is more or less total, is missing from a scopic point of view as well.

But there is sometimes a second world around the staircase, nested within the larger community of the block of flats. Both social and stately buildings commonly feature staircases; organising shared buildings around multiple staircases creates significant differences.

A first aspect is the intersubjective contact which intensifies: though it seems unusual that kindness increases thanks to the stairs, it is rather true that the stairs rearranges the relationships between cohabitants in terms of a daily or at least more regular frequentation. First, from an acoustic point of view, there is a phenomenologically dense intimacy with other people, a

special perceptual contact with certain bodies, those of the neighbours of the stairs, which move with their weight within listening reach – Warburg noticed how the stairs are a sort of primigenial form of human experience, since they represent the becoming, ascents and descents (1988: 26). Moreover, the communal stairs are a device widely explored by the history of painting and cinema.[20] The symbolic value of the central, open void around the stairwell may be explained by its contrast to the private, closed, and differentiated void of individual houses. The flats are concealed while the stairwell is always visible, even at low heights. Finally, to come back to the very thin membrane that in some cases connects law, social normativity and anthropological forms, the stairs are undoubtedly an inter-subjective device of control, as well as a physically dangerous place (we shall just mention the tragic suicidal death of Primo Levi).

5.2.4 The closed doors; the space of others

Rather unsettling for its obviousness, a fourth discontinuity coincides with the privacy of others, that is, with that landscape more or less crowded, more or less homogeneous, of the closed doors of the flats. In the spring of 2020, photographer Alice Valente Visco made a reportage in an apartment building in Rome:[21] the pictures that compose the work are accurate pictures of the frame of the life of others captured on the threshold of the flats. In some pictures the doors are open, just a little, and you can catch a glimpse of those interiors that anyone briefly spots in her/his daily life, crossing the building when by chance someone else in turn leaves or enters, or receives visitors. Another series of pictures, maybe the most significant, has as its object closed doors: here we are at the heart of the limit of the idea of cohabitation, here we are at the device that strongly marks the end of the community and inaugurates property, a space of which the closed door delineates, according to Hammad, a series of subtle levels of negation:

> 1. Here is private; 2. Here is someone's; 3. Here is not yours; 4. Here is not for everyone; 5. Entry forbidden; 6. Do not enter; 7. I wish you not to enter; 8. You mustn't enter (Hammad 2006: 244, my translation).

Omar Calabrese underlines that the term "apartment" comes from the Spanish language, and etymologically means the 'act of hiding, withdrawing' – because of the existence of inner places in court palaces where it was possible to perform private functions – sleep, having sex, attending personal toilette, indulging in contemplation. Bourgeois culture picks up the idea but enriches it with a repressive meaning: together with the secret, the apartment becomes the place of who/what is segregated. The idea of not-having-to-be seen, switches to that of not-having-to see. Furthermore, Calabrese stresses that even such an articulation collapses, considering that inside an apartment there are other places of hiding – (the bedroom, the bathroom, the home office/library) (Calabrese 1989: 153).

For Simmel (1909: 410) doors articulate human space with all that is non-human: since they can be opened, when they are closed, they "signify" – in opposition to the silent functional role of a wall. Compared to windows, doors have a deeper and more relevant meaning, as they are involved in two opposite actions: 'get in' and 'get out', while the window is oriented only from the inner space: its function is to look outside, rather than inside. Hence, if transparency allows windows to establish a diachronic link between inside and outside, their clear orientation and their being limited to sight would make of them no more than a part of what doors signify. Anyway, the management of the door-limit is very delicate, and reveals endless gradients between the 'still public' and the 'already private': from the cases in which a bare door, more or less well-finished in its painting, sometimes equipped with a shiny knob or a solid handle, often supplied with a decent doormat, is still part of a shared and anonymous asset, to those in which the exterior of the accommodation shows evident signs of an occupation that overflows, extending towards the outside – with an umbrella or with a garbage bag, in the most common cases; or with abandoned shoes, eccentric decorations, sometimes more simply ritualistic and festive; up to the brutal occupation of the landing with lockers, bikes, planks, boxes and tools of all sorts.

5.2.5 Sound communities

Here, just after the closed doors, a radical perceptual separation intervenes between what should not be seen anymore and what – against our will – remains public, shared, open to confrontation. In fact, a block of flats is inevitably a small or big acoustic community with compulsory participation. It is not difficult to find its most common traces: there are human voices, the barking of dogs, some meowing, laughters and quarrels; there are deep rumbles and high-pitched buzzing noises of the home appliances; the thuds of the slamming doors, the tinkling of keys, the clicking of locks and the echo of footsteps; in the warmer months there are also the sounds emitted from televisions and radios, more or less good music, noises of plates, cutlery and glasses. In the essay that founded the concept of 'soundscape' (1977) Raymond Murray Shafer linked the sounds produced in our daily life with the existing regulations to limit them: he noted that each Western country has laws about noise disturbance, even if its definition is purely random. Shafer quoted a 1969 regulation of the police of Genoa which forbade the slamming of shutters too loudly from nine in the evening to seven in the morning, thus recommending that they were closed as quietly as possible. In South Africa there were several regulations against radios, while in Chicago they were targeting air conditioning noise (Shafer 1977: 274). From the communal life perspective:

Listening in on the lives of others, a kind of involuntary spying, negatively affects neighbourly relations. Due to a lack of acoustic isolation or visual privacy, one may be overheard and surveilled by neighbours. Or, conversely, one may not avoid hearing them, or the neighbours are too visual-

ly exposed. In other words, not only does this acoustic espionage lend itself to gossip, discontent, and soft threats, but it is interesting also to notice that the noises are more connected to the anonymity of the visual disturbances, that is, small rudeness and violence that cannot be seen (and this is for anthropological reasons still unexplored). Thus, the space opens for a multiple identity of the Other: we may be polite and correct neighbours when seen, and then, perhaps, harass our unknown family members with everyday noises. We will return to the issue of a multiple identity, radically connected to the forms of neighbourhood in the conclusion.

As said above, in law, noises are sanctioned on the basis of a complex concept of abnormality. Depending on the duration, repetition, and intensity and according to the circumstances, the judge must consider whether the conditions of a crime are met, once it is of course excluded that there are violations of the regulations (*Gemeinschaftsordnung* and *Hausordnung*) of the block of flats. However, what is "normal noise" is the subject of a cultural anthropology of sound that is blind to the individual lodger's need for quiet. Here, as we have seen, a peculiar relation is achieved between (informal) endurance and the right to act legally in order to defend one's own quality of life.

5.3 Actors

The point of view we have adopted allows us promptly to enumerate the inhabitants of this form of life without considering only a type of human occupants. Of course, the neighbours have their impact, and they are usually classified according to their presence to our senses, the amount of disturbance they cause us, and lastly, for the flats owners, according to their role in the council tenants (*Eigentümergemeinschaft*). While we usually expect confusion and poor care of the rooms they rent from students, lovers, of whom one has purely a hearing acquaintance, are no less typical, so are foreigners – people speaking different languages, cooking different food, behaving unpredictably or lacking in transparency – owners of noisy dogs, lonely elderly people of a thousand eccentricities or needs, professionals/owners of a business located in the apartment building, of whom, for the most part, one knows the coming and going of clients. As far as the building manager (*Hausverwalter/Hausverwalterin*) is concerned, it is not always an identified human actor: it is often an executive instance, normally – or in the best cases at least – characterised by faint and polite neutrality; sender of payment letters, or signatory of messages posted in the hall, communal staircase, on the entrance door.

Different is the role of the janitor, actually the most important mediator of the group. She/he plays the role of a shaman who keeps in communication intimate business and bureaucratic duties. The janitor knows (and in popcultural portaylas gladly so) everyone's business, delivers messages,

sorts packages, and directs repairmen. During the 18th and 19th centuries in France, the development of the condominium was made possible by the janitor, according to Jean Louis Deaucourt (1992: 40). This marked gradually the end of the aristocratic and monastic system of residence. The French Revolution brought about a new rule that required the doors of palaces to be locked at night, which resulted in the creation of a position dedicated to this task.

As Bonnin states (2005: 236), the janitor is given the dual mission of separating and joining. The separation concerns both humans and space: the janitor is entitled, indeed, to the crucial identification of the residents and their distinction from other external people, who may sometimes frequent the flats too assiduously. Furthermore, there is generally also the aspect of cleaning the communal areas or at least, in many cases, of managing the waste area, which, Bonnin continues, gives the janitor an additional role in terms of separation between dirty and clean, impure and pure. Lastly, the "kingdom" of the janitor is usually wider than the guardian area: he often guards cellars and attics, holds the keys to individual homes and all technical rooms.

Bonnin also marks the alternate fortunes of the function of access to the private life of residents, due to the use that the police of some political regimes, such as Francoism, have made of janitors. The bad reputation is such that especially in council housing, in France, the janitor sometimes refuses to guard, rejecting a function of pseudo-political control over illegal activities. On the contrary, the modern janitor is often proud of his discretion, and in an ethnography made in the 1990s by Bonnin, a janitor stated that if he wanted to, he could have made the whole building get a divorce (Bonnin 2005: 237). If, for reasons of space, we neglect the people who clean the communal areas and the potential repairers and technicians who periodically intervene, there is still a wide range of actors, distributed among animals, artefacts, and less tangible instances. In addition to pet animals (especially dogs, due to their acoustic presence), cars, often the subject of fierce disputes, and bicycles, it is worth dwelling

1. on space, in its versions of fullness and emptiness, as a set of all communal parts such as attics, foundations, pipes, doors, windows, balconies, corridors, hallways, stairways, terraces and gardens, due to the way in which it guides daily practices; and
2. on the regulations: they are actually real tables of the law, they are equivalent to corporate bylaws, and apart from the limit of not being able to override city, national or international laws, they can design, in a completely omnipotent way, the rights and duties of residents.

5.4 Space, thematic roles and modalities between normativity and law

A way in which space heavily affects cohabitation is by providing residents with relations of two types, depending on specific thematic roles given to the spatial and visual proximity. On the one hand, in fact, there are those we could define as public neighbours, that is, all those neighbours we meet in more or less envisaged spaces and occasions, such as the neighbours on the landing to whom we address a greeting on the thresholds of the respective flats in the morning. This type of neighbour in a Goffmanian sense sees only a controlled and cautious face of ourselves, and it is easier for her/him to treat us in a neutral to polite way. On the other hand, the architectural structure of a block of flats, the arrangement of windows, balconies, perhaps a terrace, force many of us to also have another type of neighbour, intimate neighbours, so to speak. This sort of proximity is totally involuntary and gives rise to embarrassing interactions. Intimate neighbours are those who see us eat, who listen to our telephone conversations, who can witness moments of carelessness and have access, even if only acoustically, to very private gestures and actions. In this second type of relationships, spontaneity and dignity are in mutual conflict, and it is not rare to feel slightly guilty and feel a resentful shame for these intrusions (of which, generally, the other person suffers democratically the unavoidability). Besides, space always has the power to build thematic roles based on architectural layouts that mutually designate victims and offenders: in a building several floors high, for instance, the residents of the lower floors will always be condemned to the falling of small objects from above (sometimes denying the restitution for revenge), cigarette butts, water dripping from the balconies etc. Similarly in cases where, for example, a restaurant is incorporated in the structure of an apartment house, its managers will involuntary haunt the neighbours with the kitchen smells, music, or evening bustle.

Finally, it seems useful to introduce a difference among spaces with respect to the modal competence of state and of doing. The block of flats inevitably provides a range of spaces that transform the organisation of the being-able-to-be and being-able-to-do. For instance, in everyday life, the communal spaces are organised into having-to-be-seen spaces (guardian area, internal courtyard); being-able-to-be-seen spaces (stairs, cellars, balconies); being-able-not-to-be-seen spaces (blind corridors, dark/closed corners of communal parts).[22] Usually, in this third type of space, the conduct depends strictly on the awareness of a cancelled intersubjective control, and here a staircase can be of service to a couple similarly to how the pillar of a suburban bridge can be of service to a tagger engaged in a night performance.

This third form of common space recalls the philosophical-ethical ambiguity of the concept of 'common' which, if in a certain rhetoric is understood for its sense of belonging to everyone, often semiotically it reveals itself exactly as the opposite, as nobody's space. As for the competence of doing,

it is interesting to draw attention to the fact that among the communal parts, there are some on which it is possible to act, they are spaces that we should preserve every day, as good residents, and spaces that belong to us and for which we are responsible without being able to act on them (the pipes, the roof, the foundations).

6. Conclusion

As stated above by Calabrese (cf. paragraph 5.2.4) the language of thresholds, in a block of flats as much as in any other building, is the major means of uncountable relations, so that we could face the issue of house and communal life as a language itself. It would be easily confirmed both on the side of social normativity and the law. Following Calabrese, the apartment comes after the block of flats as a new articulatory device of limits, public and private spaces – many may recall personal experiences with other tenants in a shared flat which are hard to forget – others shall agree to the image of an apartment shared with a partner, immediately transformed in a block of flats itself due to a marital crisis.[23] In addition, legal norms often contain concepts that must be interpreted semiotically. For instance, in most civil law systems, trespassing is linked to the notion of domicile (*Wohnsitz*). Domicile refers to the space a subject occupies according to their rights, which no one else can access. A domicile is any private place where a person's life, work, or other activities take place. Consequently, a professional office or a hotel room may also be considered a domicile. Additionally, a domicile could be the garden or garage of a house or any other place where a person's private life takes place, even if only occasionally. It is worth noting that entering someone's car (or a camper van) without permission is also considered trespassing.

However, the outlined approach should have highlighted how, for ethnosemiotics, investigating a complex life form such as the block of flats is not equivalent only to an anthropology of the neighbourhood, a history of architectural forms, a sociology of space or good manners, and certainly not to a study of the texts and acts that regulate it. At the cost, or perhaps, with the advantage, of a certain eclecticism, we have tried to define aspects and problems that can be summarised in four considerations.

The space of cohabitation, like several other forms of space, is carved by intersubjective relationships, but at the same time it can design their procedures and outcomes. The individual nature of the residents of a block of flats is fragmented and resized both by the dual character of the normative practices that established themselves (both informal rules and formal laws) and by a multiple perceptual existence, and the fact of being visible/invisible; audible/inaudible, often with the result of the proliferation of multiple identities and behaviours related to camouflage, duplicity, conspiracy of silence, non-responsibility. We could have dealt with the

issues addressed also from the rather crucial point of view of a semiotics of passions, or we could have paid, from the thematic point of view, more attention to the economic aspects: both possibilities remain to be explored, and therefore our observations cannot claim exhaustiveness. According to an ethnosemiotic perspective, there is no ontological distinction between social and juridical normativity. This determines our choices in investigating problems of social normativity. To mention a statement by Lancioni and Marsciani, at the time of the foundation of ethosemiotics, if the difference "between sociosemiotics and ethnosemiotics is that between studying tv programs and studying telly" (Lancioni and Marsciani 2007: 69), the one between anthropology and ethnosemiotics is that between studying neighbours and studying the block of flats.

Notes

* Translated from the Italian by Valentina Marcaccini and Giuditta Bassano.

1 Philippopoulos-Mihalopoulos expands the perspective of the legal geography field of studies, which we shall describe in the second paragraph.

2 Before it was published in *Sémiotique et Sciences Sociales* (1976), to which we refer for the current quotations, the analysis was printed in the series of *Documents de travail* of the Urbino University, in August 1971. The title was unchanged, *Analyse sémiotique d'un discours juridique*, but not the header, which was: "par un groupe dirigé par A. J. Greimas". The file was composed of 50 pages, although Greimas pointed out how it was a summary of a former draft of 181 pages.

3 The term "recognition" (*reconnaissance*) is used as a synonym to that of "validation" (*vérification*), but just from page 98 on.

4 Interview with Paolo Fabbri, "Dal diritto alla semiotica: un percorso intellettuale", *Semiotica Cultura Comunicazione*, http://semioweb.msh-paris.fr/corpus/SCC/IT/Event.asp?id=1089&url=/corpus/SCC/1089_it/Shots.aspparis.fr/corpus/scc/IT/_EncycloPubByKeyword.asp?motCle=Anni+Sessanta+della+semiotica [last accessed on April 21, 2022].

5 The essay was followed by other publications in strong continuity with its issues (see i.e. Jackson 1988a, 2012, 2017).

6 The definition in negative also explains the distance between ethnosemiotics and a "linguistics", a "psychology", a "philosophy of language" and even "a semiotics". About the latter, it is further explained: "in the way that it is not a syntax, a semantics, a pragmatics, a theory of signs, an empirical or formal vocation, a theory of interpretation and therefore it is not a theory of interpretative inferences, a theory of the functioning of the semantic universe interpreted as globally determinable (encyclopaedia), but it is neither a grammar of textual production, nor a theory of content and it is not a theory of expression [...]. In the same way, it is not a theory of the functioning of texts within given *a priori* cultural contexts (semiospheres), and for this reason it is not a semiotics of culture (other than the fact of not knowing what 'a culture' is)" (Marsciani 2020: 2, my translation).

7 Marsciani stresses a fundamental assumption, that is to charge back to Roland Barthes's *Le Systѐme de la mode* (Barthes 1967).
8 According to Fontanille (2017: 8–9) ethnosemiotics is a way of revealing a content level which corresponds to a level of expression we "watch without seeing, listen without hearing, experience without perceiving it".
9 See Marsciani (2012: 83–94) for the relation between phenomenology and semiotics with respect to the foundation of the text; see Marrone (2014), Fabbri (1998, 2017) for a general discussion on the notion of text within contemporary semiotics.
10 See the analysis of everyday practices in a tourist village studied by Marrone as a "spatial text" (Marrone 2013: 231–257).
11 There is also convergence with the well-known ethnographic work carried out by Bruno Latour in a science laboratory and at the French *Conseil d'Etat* (2002; with Steve Wollgar 1979). Anyway, this convergence needs to be questioned and enlarged, since, at least in these cases, Latour's analysis model remains anthropology. The issue, indeed, is always that of studying "savages" (institutions, scientific and professional practices) from the perspective of an unaware-observer, who "stays long, learns the language, keeps himself informed, hangs around" (Latour 2008: 349–350), in short someone who does everything a good ethnographer should do. From the ethnosemiotic perspective, what changes is that (1) there is no epistemological distinction between constructing objects in this way and constructing them from one's most banal daily routine (a bath, a corkscrew, a visit to the dentist) (Marsciani 2007: 63–74, 17–38; Marsciani 1999: 159–176), since in ethnosemiotics we do not think of signification according to strictly independent regimes of enunciation, a key element in Latour's recent work (2012); (2) as already said, in our case there is a strong approach to method, which in Latour's thought is one of the least relevant element.
12 There is no sense that could deplete the incalculable density of a practice, even an apparently simple and clear one like a daily "path" from point A to point B. The object can be constructed by focusing on the problem of its delimitation; we can ask ourselves how space influences the path; the path can be segmented in different units depending on the space, the orientation, the urgent need to end it; only discontinuities can be isolated (and for many different reasons); that path can be considered with respect to its alternatives; we can pay particular attention to the aspect of the visibility that the path ensures (in various senses), or we can concentrate on other perceptual aspects, such as smells and sounds; and all this would still not be anything pertinent, if, for example, in the narrative sense it were an escape, or a chase, or a walk performed by somebody undergoing a rehabilitation process after an accident, or even the search for a lost set of keys.
13 Here we mean the residential private cohabitation in its broader sense, remaining aware that French, Italian, German and English provide for specific differences among types of buildings/forms of cohabitation (i.e. "pavillon" *vs* "immeuble"; "villetta" *vs* "condominio"; "Reihenhaus" *vs* "Wohnung" *vs* "Sozialhäuser"; "terraced house" *vs* "apartment building" *vs* "block of flats"). Therefore, we will not deal with how in these different cultures some forms of cohabitation are more standard than others. Moreover, this choice also prevents us from paying attention to the forms

of social housing, about which a wide bibliography exists (cf. for the case of metropolises in Latin America McGuirck 2014; Caldeira 2001). Finally, a wide field of study we cannot explore is the one which connects contemporary urban life in flats to the social evil of loneliness, c.f. the phenomenon of the *kodoku-shi* in contemporary Japan, the "silent deaths" (Dahl 2019: 83–102).

14 Roland Barthes based his course at Collège de France of the year 1976/1977 on sociability, questioning the idea of a "respectable distance" from others, within social and personal spaces (Barthes 2002). Many pages of the course transcription are about concepts closely related to home and neighbourhood, such as the idea of closure itself, those of protection and ban, border, and limit. About the bourgeois apartment, Barthes writes: "this general territory (the building) defines the essence of the community: the bourgeois worthiness. Inside this territory, other smaller territories (but strictly delimited): the apartments [which] define the canonical attitude to the family. The bourgeois staircase with all the closed doors works then as a delimiting space. Closure=signal" (Barthes 2002: 93–95). Below (178–179) Barthes reflects on space "as the absolute good of the consumer society: what is expensive is space. In the houses, in the apartments, on trains, airplanes, attending classes and seminars, the luxury item is having around some space, namely 'someone' but few: central problem of the i d i o r r y t h m i e – the way Barthes calls the "utopian, middle, edenic form of living-together" (Barthes 2002: 36).

15 In a wider essay that contains some ideas also presented here, about to be published in the journal *Actes Sémiotiques*, which is more focused on some legal matters which are just mentioned in passing here, we trace a correlation with the notion of "interpretation" of social systems proposed by Niklas Luhmann (Luhmann 1977: 62–76).

16 See Bernardi et al. (eds. 2015) for a merciless discussion on the relations between law and the use of law in a perspective of maintaining social order in urban planning and residential matters, based on the work of Henri Lefebvre (1970, 1974).

17 The issue for Floch was to "approach a path as a text" (Floch 1990: 61). Among the operations carried out for this purpose there was a crucial "segmentation", that is "the disassembling of the path in a finite number of units, stages or moments in relation to one another according to specific rules" (*ibidem*). We have adopted this point of view considering spatial thresholds and not stages. Similar is the way in which Kevin Lynch understands urban "margins" in his model of the city (Lynch 1960: 78–82), and Hamon's metaliterary reflection: "each architectural object can be seen by the literary text as a discriminatory, differential object, which analyses space by interfaces and proximity and divisions and contiguity: an object that opens and obstructs, distinguishes something conjoint from something disjoint, embraces, rejects or filters, creates compartments, distributes, rearranges, classifies, separates objects from subjects, and therefore naturally organizes strategies of desire, of wanting to do of the actors" (Hamon 1989: 31). See also Hannerz (1990: 431–441).

18 The first one was built on Boulevard Michelet in Marsiglia in 1952 and it is considered a masterpiece of Modernism, since it follows many of the typical elements of Le Corbusier's intuitions: the services included in the residential complex, the overcoming of the terrace house to free farming land, the garden-roof, etc.

19 Lifts are not mentioned, here, for space reasons; however, Italian law puts lifts at the same level of corridors, hallways, stairways, terraces, and gardens. Legally, lifts are thus communal spaces of the same kind as the courtyard, although one shall hardly ignore its specific dimension in terms of a conflicting set of social-normative rules ruling the human and proxemic interactions inside a lift.

20 Well-known and very eloquent is a low-angle shot of the stairwell in a Parisian building in Roman Polanski's horror-thriller *Le Locataire* from 1976.

21 The reportage can be freely accessed. Alice Valente Visco, *Viaggio all'interno di un condominio al tempo del Coronavirus*, 2020, http://cargocollective.com/ViVa/Viaggio-all-interno-di-un-condominio-al-tempo-del-Coronavirus [last accessed on November 12, 2023].

22 On this theoretical aspect much research has been conducted, but the main reference is still the work of Landowski. See Eric Landowski's research on the *régimes de visibilité* (1989b: 113–136).

23 I am thankful to Gianfranco Marrone for these observations.

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Image sources

Fig. 5. © Giuditta Bassano, photo taken by the author: *Inner courtyard in Rome (via Paolo Emilio)* (2022).

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