

BUSSANA VECCHIA: The fate of a village that would not die.

By Pierre Laconte, President International Society of City and Regional Planners, and Colin Sidney-Wilmot, painter, sculptor, writer and one of the founders of the present Villaggio internazionale di artisti.

Paper presented at the CIVVIH – ICOMOS annual meeting,

NARNI 21-24 June 2009

Published on CD-Rom by CIVVIH – ICOMOS April 2010

ABSTRACT.

Bussana Vecchia, an ancient hill village in the province of Imperia, Liguria, 6 km east of San Remo, was abandoned after the earthquake of 1887. A new village, Bussana Nuova, was built nearer the sea.

In 1959, with the tacit consent of the San Remo local administration, the Villaggio Internazionale di Artisti (International Village of Artists) came into being to repopulate the village with artists and craft people, and create a rural environment for them to live and work. As there were no property titles, possession was defined by occupation and restoration work.

At least a quarter of the present inhabitants are children conceived in the village, some of whom are now adults with children of their own. Bussana Vecchia has been successful in spite of not being part of an institution and for much of the time its inhabitants living in amiable anarchy. It has demonstrated that abandoned and unwanted ruins can be transformed into liveable homes and a community adapted to the needs of those who live there and providing them with the means of generating income.

In spite of every effort by the villagers to regularise their legal situation, the Italian authorities (Municipality and Finanza) claimed ownership since 1968 and, after a long legal battle, obtained an eviction court order in 1998. A group of villagers appealed, up to the Court of Cassazione. The case is still pending.

There has been talk of knocking down the existing houses to build a modern new suburb of San Remo and a large area of the village being taken by one or two individuals, with the help of the Municipality, to turn it into second homes that would be sold on the market, thwarting the natural expansion of the existing artists and crafts people community. The Bussana case raises interesting questions about the revitalisation of abandoned villages.

1. FROM THE ORIGINS TO THE 1887 EARTHQUAKE AND ITS AFTERMATH.

Bussana Vecchia is a hill village in Regione Liguria, Provincia Imperia, about 6 kilometers Northeast of San Remo.

There is evidence of coastal habitations in Roman times. A Roman house has been unearthed near the sea, by the Via Aurelia that went from Rome to what is now Spain. It is thought that the hill top, where Bussana Vecchia is now, was settled. There is a story that the present village derives its name from a Roman villa, built on the hillside, where the small seaside town of Arma di Taggia is today. When the Longobards were ravaging the area in 641 local people hid themselves in the Armea valley and lived there until the late 900's, using the local clay for pottery and to manufacture bricks. Repeatedly attacked by Saracens they moved to and fortified the hilltop where the village is today. Their houses formed the defensive structure. Some moved away and settled Biot, in southern France, and created the pottery industry there, made famous by Picasso.

From 1162 to 1177 Bussana belonged to Ventimiglia. It was Ottone, Count of Ventimiglia, who built the Castle on the highest part of the village to the north. A century later the village was sold to the Genoese. Although Bussana was a small community of probably no more than 250 souls, it acquired self-government in 1429 and retained it until 1928, when the commune of San Remo annexed it.

There was a major expansion of the village in the 16th century, when undressed stone from riverbeds or the beach, was used in place of the dressed or squared stone, used in this area from Roman times and to build the first settlement and the Castle. Most of the houses south of the larger of the two churches are from this period and later. They are of two or three, sometime four floors. The ground floors were used to house animals and as storage, while the first floor and above were used as living space.

On Ash Wednesday the 23rd of February 1887 at 6.21AM, there was a devastating earthquake that caused widespread damage from Nice to Genoa. The second tremor collapsed the roof of the church, killing some of those attending the Mass, and destroyed houses on either side of the Via Rocca and Via della Volta in the northern and oldest part of the village. Over 100 people were trapped when the vaults over the streets gave way. The survivors camped, and later built wooden huts in the meadow just outside the village. They lived there until Palm Sunday 1894, when they left Bussana to go and live in a new village, to be called Bussana Nuova, to be built closer to the sea at Capo Marine. They were granted fixed interest loans by the Bank of Naples, to build their new homes. Although money was sent from all over the world to help them start again, most of it was used to build the new church in Bussana Nuova, not houses. The village they abandoned became known as Bussana Vecchia. In the 1929 depression, many people were unable to keep up the payments to the Bank of Naples and were evicted.

As a matter of interest many in the new village made their living as producers and or ambient sellers of ice cream, and are responsible for the invention and introduction of the ice cream cone.

During the 7 years the surviving Bussanelli (villagers of Bussana Vecchia) camped and lived in huts just outside the damaged village. The authorities commissioned a survey, which concluded that the houses and the church tower were in danger of imminent collapse, and in spite of the survivors' wish to repair their homes, it was inappropriate to rebuild the village. There had been earthquakes damaging Bussana, as well as other places in 1831, 1851, and 1854, before the major earthquake of 1887. There was, it was believed, a greater risk from earthquakes in Bussana

because it was built on a hill with a large amount of clay. Looking back from today, one can see that this was a willful distortion of the truth and the erstwhile inhabitants of Bussana, were the victims of those in power and speculation. In spite of the damage caused by the earthquake, much of the village was left standing, and continued to do so, for more than 60 years, after all the iron tie bars, windows, doors, tiles had been salvaged and the houses systematically quarried for building materials. Poggio on the other side of the valley, had more people killed in the earthquake of 1887, but was rebuilt. Local fortunes were made out of the re-location and the construction of the new village.

Around the turn of the century Bussana Vecchia became a brigand's stronghold. A full-scale military operation was mounted to dislodge them. During the Second World War it gave shelter to anti Fascist and Nazi resistance fighters. Some of whom engraved their names on the walls of the big church and in various houses.

In 1947 during the first wave of internal immigration from the south of Italy, workers who had come north in search of work tried to settle the village. They were evicted in the late fifties and, in an act of institutional vandalism, staircases and vaults were destroyed by the Commune of San Remo, with the intention of making the still standing houses in Bussana Vecchia uninhabitable. There was also an attempt to blow up the church tower, which failed, leaving the staircase destroyed.

2. FROM SURVIVING TO THRIVING

The Villaggio Internazionale di Artisti (International Village of Artists) of Bussana Vecchia, made use of these unwanted ruins in 1959, with the tacit consent of the local authorities. Whilst putting nothing in writing, they carried out work in the ruined village and financed performances of opera and chamber music.

It was not part of any protest movement, but a peaceful attempt to reclaim and restore an unwanted abandoned ruin, of historic and architectural interest, and demonstrate that it was possible to transform the damaged houses, into comfortable and pleasant homes and construct an ideal environment for creative people, such as

artists, musicians and craftspeople, to live and work. Possession was defined by occupation and restoration work.

Under the impression they had been invited by the local authorities to participate in making the ruined village into a viable international artists community, people from various parts of Europe, America and Canada, occupied abandoned and ruined houses, on the understanding that the houses they restored would be theirs.

These were not squatters with nowhere else to go but people of the caliber of Oliver Gollanz, Painter and Professor of History of Art at the Open University, Stan Smith, Painter and Deputy Head of Ruskin School of Drawing, Oxford, Visiting Tutor at the Royal College of Art, London, Francis Shaw, Composer, Tutor at the Royal College of Music, Elizabeth Wilmot, writer and Journalist, wife of Air Vice Marshal A. Sidney-Wilmot O.B.E. CB, Deputy Director of Legal Services R.A.F, Joan Armitage, Sculptress, wife of Kenneth Armitage, one of the leading English contemporary sculptors, Lady Rosemary Brabant, Painter, Dora Prower, Painter, Michael Green, painter from Greenwich Village, New York, Denise Harvey, Sculptor, Roy Dale, Potter, Leonard Webb, script writer. Clizia, painter, potter and instigator of the Community, Vanni Giuffre, painter from Sicily, Giovanni Fronte, poet from Sicily, Arrigo Episcopo, painter, were among the early Italians.

Elena Brugo and Danyco were painters from France, Irene Landres, writer, Ally Sommers, theatre producer and director, from Germany. The English in particular would never have considered breaking the law, or spending large sums of money to restore properties which would not eventually belong to them. Other ruined houses were occupied by people from Denmark, Sweden, Austria, Checkoslovakia, Canada, Spain and South America, on the same understanding.

It was the start of a unique experiment, in the arts, an alternative lifestyle, and spontaneous architecture, putting into practice many of the concepts expressed by the founders of the European community, that people of different cultures and languages should work together to achieve a common goal.

In 1959 Liguria was without a motorway and had a single railway line along the coast from France to Genoa. The industry of the province was concentrated in Genoa and

Savona, a large part of Liguria was rural and backward, as was much of Italy. It is in this context, that what happened in Bussana Vecchia must be seen.

The influx of people from such sophisticated cities as Amsterdam, Berlin, Buenos Aires, London, Montreal and Quebec, with its Free French movement, New York, Paris, San Francisco, etc., had a profound effect locally. Leading to many of the events staged in Bussana Vecchia, for the first time, with little outside help, to become a permanent feature, of what is on offer to the summer visitor to Liguria today. Street theatre, mime, open air concerts of chamber music and free jazz, dance, both classical and contemporary, poetry readings, street decoration sculpture, exhibitions of contemporary art, conferences on self sufficiency gardening to spontaneous architecture, body painting for children, and various workshops, from pottery to Yoga, Reiki and Tai Chi. As a village of Artists, Bussana Vecchia has had collective exhibitions in Lyon, Saint Paul de Vence, Torino and San Remo. Various artists from the village have worked with film maker Peter Greenway (Daniel Harvey) and the composer Philip Glass (Pete van Wel) and shown their work in galleries as far apart as London, New York, Paris and Milan. A special grass was devised for Daniel Harvey and Heather Ackroyd's, growing grass on walls and ceilings and large grass portraits. Their work has been shown on the Southbank in London, Paris, and in America and Australia, but was first shown in Bussana Vecchia. The La Valige exhibition which has taken place in Cuba, Greece, Austria and Holland and traveled through Eastern Europe in a special exhibition train, was conceived in Bussana Vecchia and the first exhibition was held there. More recently, the City of The Hague has started a cultural exchange with Bussana Vecchia. The Hague wants to be more than the city of the international court. Art is a good way to show that there is more. The reason for choosing Bussana Vecchia for this cultural exchange is that it is a melting pot of all kinds of nationalities and cultures, like the numerous different cultures found in The Hague. The cultural exchange started in 2008 with an artist coming from The Hague to work for some time in Bussana Vecchia. The project, Arco di Luce, was not only shown in Bussana Vecchia but also at several places in The Hague. In 2009 a second exchange will take place, an artist from Bussana Vecchia will be given the opportunity to work for 6 weeks in The Hague. An exhibition in The Hague will be a part of this exchange. After this exhibition the work

will be shown in Bussana Vecchia. Another cultural exchange has been made possible by the city of Magdeburg. An exhibition of artworks by artists from Bussana Vecchia took place in 2009, in the Buckau cultural centre in Magdeburg. Again the international character of Bussana Vecchia was the reason for this cultural cooperation. In 2008 two outstanding artists from Magdeburg showed their work in Bussana Vecchia. In 2010 the biennale of Creuzburg, Germany will focus on Liguria and especially Bussana Vecchia. About 10 artists will be asked to participate at this biennale. Once again the multi-cultural society of Bussana Vecchia is the main reason for cooperation and exchange. At present there are discussions with Hilversum, in the Netherlands, for an art festival with Bussana Vecchia being a main partner. A focus point could be video-art and music, but also a platform for other visual arts. It is too early to be more precise, but the idea is to have the first art festival in 2011.

Bussana Vecchia has been a success, in spite of not being part of any institution and for much of the time its inhabitants living in amiable anarchy. It has demonstrated that abandoned and unwanted ruins can be transformed into desirable homes and created a community in which the quality of life is exceptionally good, in an environment peculiarly adapted to the needs of those that live there, providing some with the means of generating income. At least quarter of current inhabitants are children conceived in the village, some of whom are now adults with children of their own.

3. EVICTION THREATS AND ORGANISED RESISTANCE.

In 1968, with the election of a new local authority in San Remo, those who had settled Bussana Vecchia were ordered to leave, i.e. after almost a decade of clearing rubble and spending money rebuilding houses they had been lead to believe would be theirs, if they restored them. They refused to go. On the day the local authority's representative came to supervise the eviction of the resident artists, who had barricaded the entrance of the village, there were more journalists than forces of order and the eviction did not take place. But this event heralded the beginning of a legal process, which 41 years later, is still not completed.

The resettlement of the abandoned and ruined village of Bussana Vecchia, which had been initiated with the tacit consent of the local authorities, was treated by the Finanzia (the pecuniary organ of the Italian State) as an illegal squat. That seemed, to them, to justify the use of tactics of dubious legality and the non application of laws applied throughout the rest of Italy.

Their first move was to change the heading at the land registry (catasta), in Imperia, from 'Inhabitants of Bussana Vecchia' to 'Disposable Domain of the State, without houses'. This was on the grounds that the previous heading had been written in mistakenly in the 1920's, and it was thus a correction of an internal error. Uncontested within 60 days, the rectification of this, so called, internal error, would have created a legal situation wherein any proof of occupation and consequently any rights of possession or compensation, were wiped out. If there were no houses, they could not have been occupied and the land would be shown in the land registry, as belonging to the State since the 1920's. An employee of the Land registry office in Imperia, informed those living in Bussana Vecchia of the proposed change of heading, and was paid by some of them, to draw up plans of their houses, and register them, though the Land registry later refused endorsement. Some residents swore affidavits as to their presence in the village and the length of time they had been in possession of the houses they had occupied, as a first step in contesting the Finanzia's change of the heading at the land registry. A group of 20 residents requested their occupation be legalized under the law of usocapione, which legally recognizes the status quo of an occupier of a property of 20 years or more, via the Court of San Remo. The Finanzia responded...in 1981, by writing a letter ordering everyone to leave the village and pay a fine for illegal occupation of State property. This letter had no basis in law, and was harassment and an attempt at intimidation. A sentence from the Tribunale Administrativo Regionale (T.A.R.) confirmed this in 1987. The same court ruled that the question of ownership would have to be decided by the tribunal in Genoa. The Finanzia counter-claimed via the Court of San Remo to have Bussana Vecchia declared public property. 20 or so residents again appealed to the Court of San Remo to legalize their possession of houses in Bussana Vecchia (usocapione).

The case contesting the change of heading at the land registry was heard by a tribunal in Imperia in 1982, which ruled that the Finanzia and Land registry had the right to change the heading from Inhabitants of Bussana to disposable Domain of the State, but the current occupiers should retain any rights or privileges they may have acquired. How they were to retain possession of a house, where there were none, as officially Bussana Vecchia had become open land with ruins on it, owned by the State, was left open.

In 1997 the San Remo Court declared Bussana Vecchia was non negotiable state property. It ruled, that the matter be heard again in the San Remo court to ascertain the damage caused to State property by 'illegal occupants' and assess the amount payable to the State. An architect was appointed to survey 12 properties to ascertain the amount the occupiers pay the State. The "damage" was the reconstruction and restoration of buildings damaged in 1887 and abandoned in 1894.

4. AN EVER WIDENING GAP BETWEEN LEGAL PROCEDURE AND REALITY.

8 of the 20 appealed to the Court in Genoa against this ruling on the grounds that the State had not proved ownership. 12 did not, so lost their right to claim the houses they occupied. A stay of order 'pending appeal' was granted by the San Remo tribunal in 1997.

In 1998 there was a serving of notice to quit by the Finanzia Mareschallo in plain clothes, accompanied by an assistant in uniform. This was irregular, as the question of State ownership was under appeal and therefore sub judice. Had these notices been sent through post, it would have been an illegal act. Another attempt at intimidation, by the representatives of the State,

In a separate case for ownership against the State, a tribunal in Genoa, ruled that the State had no legal claim to Bussana Vecchia. A small group, (3 English and a German) were permitted to start usocapione proceedings for ownership of their houses. This case was blocked by the State attorney, who cited the San Remo Court's ruling that Bussana Vecchia was State property, and that the houses had

been damaged by the illegal occupants, who must pay the State, compensation rent in arrears and put the houses back into the same condition as they had been when they entered them. In short make them ruins again. An absurdity given the amount of money and time spent on restoring them. It was decided that this case should be heard by a college of not less than three judges. This could not be arranged until 2001. Between 1997 and 2001 there was a change of law in Italy. Under the new legislation, the College of not less than 3 judges became a part time judge. In September 2000 this judge upheld most of the San Remo ruling, apart from the classification that Bussana Vecchia was non disposable State property. He ruled that it was disposable State property. There was an appeal. It was heard by the same judge, who saw no reason to change his verdict.

In December 2004 the group of 4 initiated proceedings in the Court of Cassazione in Rome.

They won their case in 2009 and have obtained usocapione (legal recognition of the status quo, i.e. that they have been in possession for 20 years or more). But the Court of Cassazione has referred the case back to the Court of Appeal in Genova for verification. Apparently this will not affect the Usocapione ruling, which is binding, but to see if there are other factors that need to be considered. The case of the State claiming reparation or compensation is on-going.

As usocapione has been granted on these 4 houses this case should now be non sequitur. The State lost the case in 2007 and appealed, but since the Cassazione ruling, presumably can no longer claim ownership, and therefore loss of income.

The case for back rent and compensation the State lost in 2007 and is appealing, is going ahead. Bizarrely, in defiance of logic, including legal logic, the Court of Cassazione's ruling appears not to have affected it. The State attorney is arguing the houses were undervalued as ruins, by the court in Genova, in 2007 and should be valued for rental compensation, as they are now, but that as it was an illegal occupation, the work of restoration and monies spent on it, to create their present market value, should not be taken into consideration. The highest court in the land, in Rome, has ruled in favour of the four who went to it. So they have achieved ownership.

Meanwhile another court in Genova, has permitted the state attorney to continue an appeal of the case for compensation, against them, and for their houses to be put back into the ruins they were, when they were occupied, nearly 50 years ago, that the State lost in 2007. These houses do not belong to the State, but to those who occupied them, and obtained the Court of Cassazione ruling, earlier this year.

In spite of these pending proceedings to decide State ownership or otherwise, the court in Genoa ordered a survey of some houses in the village (4) by an architect appointed by them, but to be paid by the defendants, to decide how much the State should be paid in compensation and rent in arrears. There was a hearing on the 7th November 2007, which the State lost: the court ruled that the State could claim neither rent nor damages for these 4 houses in Bussana Vecchia.

The State appealed and the case has still to be heard. The resistance battle is thus far from over.

5. COMMENT.

Throughout the half century of the resettlement of the abandoned village of Bussana Vecchia much has been achieved. The legal harassment and the "blindness" (or hidden agenda) of the authorities, who did not recognize the benefits, both material and cultural that it has conferred on its immediate surroundings and San Remo, and the treatment of members of the international Village of Artists of Bussana Vecchia, as illegal squatters, has prevented the realization of Bussana Vecchia's full potential.

It is an uneasy mix of artists and crafts people, second houses, and people who rent living space in the village, but work outside it and have little interest in its cultural aims, seeing it as no more than source of reasonably priced accomodation. It has its own speculators who take houses to restore and sell on, blocking the natural expansion of the original artists and craftspeople or an influx of new people of the same ilk. Although there is still a nucleus of creative people, of high caliber, in the village, many found their mounting legal costs, State harassment, and ever mounting

taxes, a too distracting and costly reality, to continue trying to realise the ideal that inspired them to live there. So they have gone somewhere else.

This village, a ruin abandoned in 1894, has since 1959, quite apart from the cultural benefits it has brought the region, generated tax revenue and increased local prosperity, provided San Remo, Liguria and Italy as a whole, with what must be the equivalent of hundreds of thousands, if not millions, of euros of publicity, via news papers, magazines, radio and television. Those who achieved this should be applauded and rewarded. It is nonsense on the part of the authorities to treat them as criminals, and pursue them for back rent, at current market value, and compensation for damage done to State property, and insist that the houses they have rebuilt be returned to their ruined state. Remember the State achieved ownership by an untruth, i.e. the change of heading at the land registry, from "Inhabitants of Bussana" to "disposable State land", by stating there were no habitations on the land, only ruins, when there were already artists in possession and inhabiting houses in Bussana Vecchia.

Quite apart from possession and ownership, there are other aspects that should be taken into consideration. The 1947 Italian Constitution did away with the dictatorship that put the citizen at the service of the State, and created a Republic that was to be at the service of its citizens. This Constitution embodies the articles of Incorporation of the Italian State in the European Union. Public employees' actions that deny individual citizens their rights are incompatible with their function.

6. QUESTIONS.

State officials going to the limits of legality to block the use of laws used throughout the rest of Italy to regularize situations like the one of Bussana Vecchia, lead inevitably to the question: "why"? The State could have allowed the due process of its own law of usucapione to regularize the situation in Bussana Vecchia. What advantage does the State derive from trying to make long term inhabitants of Bussana Vecchia destitute, depriving them of both their homes and place of work

and in some cases their sole source of income? Under EU Human Rights Legislation, are they allowed to do so?

What makes the gaining of vacant possession of Bussana Vecchia, so important to the State?

Could it be the vastly increased value of Bussana Vecchia, due to the restoration work carried out over the last 50 years? Is the rumor, that there are plans to expropriate and destroy the village, and build a new, highly priced suburb of San Remo true?

Because of the massive emigration of Italians over nearly two centuries, there are some 1600 abandoned villages throughout Italy. Bussana Vecchia has demonstrated that it is possible to reclaim them, restore them and make them viable, revenue producing, communities.

Those who brought Bussana Vecchia to life again, rather than being treated as "criminals" and thereby forced to spend large sums of money, to defend themselves and their homes, should be rewarded. Their expertise, acquired over 50 years, could be used, by an enlightened administration, to reclaim other abandoned villages of architectural and historic interest, which could provide, homes, income and revenue, where there is now, abandon and decay.

7. CONCLUSION

The Bussana Vecchia attempted eviction case, going on since 1968, illustrates the legal side of revitalization, by new occupants, of abandoned villages, which abound all over Italy and elsewhere in Europe, the chances of alternative community development, the gap between law and occupation reality, the process towards title acquisition by the new "squatter" occupants (usocapione), and the protection of this title from well-connected outside developers, and/or over-zealous courts, once something happened, creating added value. The expertise gained by the Villaggio di artisti is of potential interest to other revitalisation experiences.

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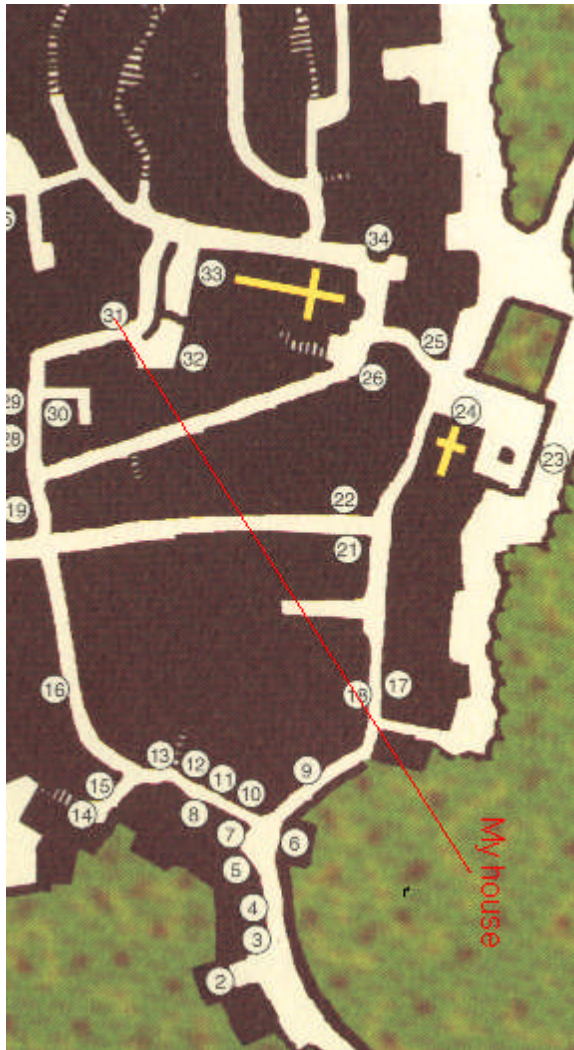
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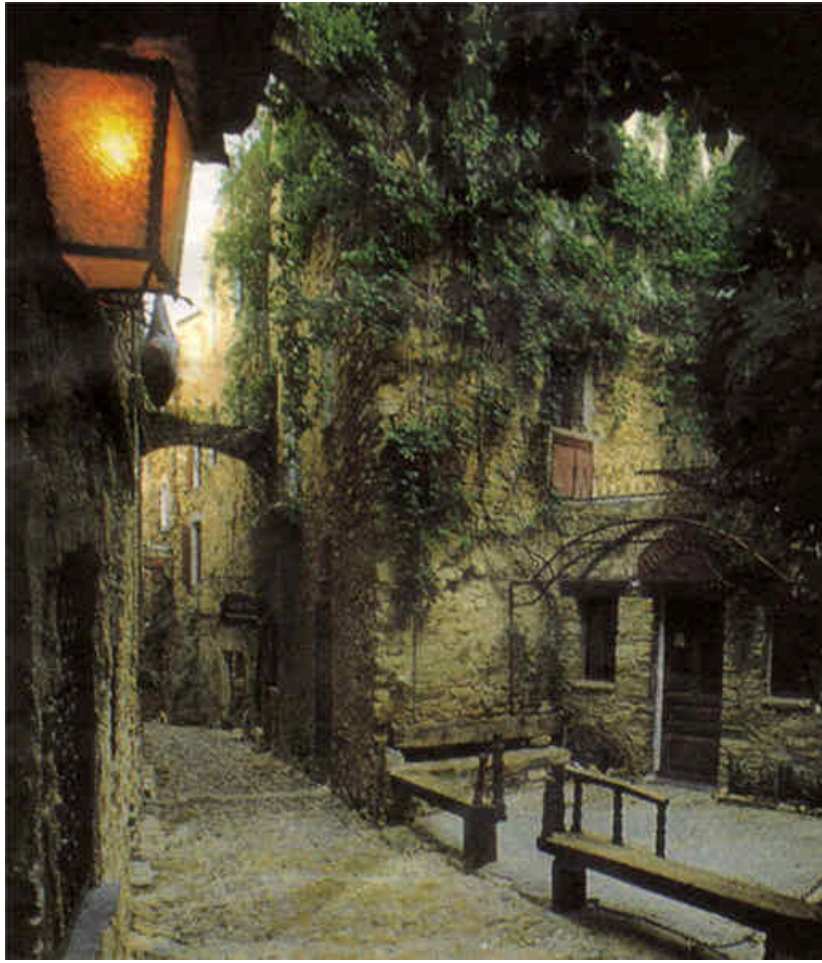
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Lasernet Card

Bussana Vecchia

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