

## Index

### **Delitto d'onore, ordine tribale e Stato**

Ariane Baghaï

p. 7

#### **Honour crimes, tribal order and the State**

##### **Abstract**

Globalization does not only mean that the Western world is pervading the non-Western world but also that the non-Western world, through migration processes, moves and settles in the Western world.

The impressive number of honour crimes committed every year in the Western world suggests that a different social political order is acting on the Western stage. Honour crimes are committed in Muslim communities that have their roots in those parts of the Muslim world which have tribal societies on their territories, i.e. tribal institutions and laws which interact with or ignore State law. This is a political order which is stateless and based on blood ties – the author calls it an “ematocracy” – and it is perfectly able to survive within the different shapes taken by the State – when there is the State – but also without the State when it is considered as unreliable or when, for some reasons, it collapses.

The author argues that political order based on blood ties is considered as reliable by the social actors since it is permanent and in expansion: blood ties reproduce themselves as long as there is life. And women – as protagonists of reproduction processes – are unfortunately at the heart of the conflict between State laws and customary law both in their home countries and in their new homes.

Through an analysis of the intertwinement between State law and customary law, in some of the home countries of the migrants, and between *shariya* and customary law in the classical doctrine, the author shows how this process of ordering the world carries on its political projects in the post-global context.

### **Political anthropology and social order**

Antonio L. Palmisano

p. 47

##### **Abstract**

In this article the author discusses the role of democracy in the post-global context. By “post-global” he intends that the *grands récits* (systems of thought and ideologies) which according to Lyotard were doomed to disappear in the post-modern era are still present and active but that they are not obvious anymore: they work underground within the processes of economic, social, political production. The author proceeds by examining the three principles on which societies order themselves: the sharing and establishment of blood ties – or time ties –, the sharing and establishment of space ties – or territorial ties – and, finally, the sharing of common action such as planning actions for the future. The author argues that democracy is the only form of political organization which is able to guarantee the possibility to these three principles of ordering the world to co-exist in such a way that none of the three principles can survive or prosper at the expense of the other two.

But today this balance is threatened by a new element which sprouts from the third principle – the sharing of common action – in this case, the order of the market: a new transnational order which is also juridical, the order produced by the relations between economic actors becomes juridical.

The State, intended here as expression of the territorial principle of organization of a society, is contractually weak in this new context which the author calls the post-global context, and transnational holdings easily colonize the *Lebenswelt*.

According to the author, it is not possible to practice democracy, to have strength as territorial unit, without the public and visible discussion of other ties, which are not territorial. The practice of assembly dialogue is therefore essential. He further states that democracy is a tension and not a guaranteed condition or state that one can keep to oneself.

## **Communitarian water management in Bolivia: The case of Cochabamba's *Comités de Agua***

Francesca Minelli

p. 61

### **Abstract**

Water issues in the post-global world are becoming a priority for the survival of local communities. In order to understand the processes, impact and viable alternatives to water privatization, case-studies such as the model of water governance given by the *Comités de Agua* of Cochabamba can be of support to the researchers. *Comités de Agua* is the name attributed to groups providing water and sanitation services in which every service user is also a member and co-owner of the organization. The paper analyzes the structure of this organization taking into consideration the Bolivian policy on water and the peculiar social and political contest of peri-urban areas.

## **The “transforming power” of EU Enlargement policy in Serbia. An anthropological reflection**

Francesco Florindi

p. 73

### **Abstract**

The enlargement process of the European Union contributed substantially to the harmonisation of legal systems over the continent. The article provides an anthropological critique to the way harmonisation to EU law is implemented in the Balkans, underlining the general lack of awareness by both Serbian government and the EU of Serbian social and legal systems. While applying the anthropological method to EU law's effects in Serbia, the author investigates also the inner value of the EU project itself. For instance the State's failure to regulate anti-corruption matters has been experienced even when the State's provision in question were in full compliance with several other international obligations and with a positively hierarchically superior legal system: the Constitution.

## **Giochi linguistici e ordine giuridico**

Fabio Ciaramelli

p. 85

### **Linguistic games and juridical order**

#### **Abstract**

In Western societies the relation between institutions and norms presents itself like an explicitly instituted relation which is ruled by verifiable public procedures. The anthropological analysis allows a full consideration of this juridical experience. It focuses on some of its specific characteristics which identify it and contextualize it, removing thus any pretension of absoluteness to the Western experience. In such a way, the specific Greek-Western contribution to the constitution of “juridical civilization” comes out clearly. It has been identified in the active and therefore basically autonomous relation between collectivity and the social structure. The “game” in question is therefore extremely serious and complex and, in it, the symbolic dimension and the normative instance intertwine to give rise to the actual identity of the social subjects.

## **Alcune note a proposito di “basi morali di società arretrate”: tra inferenze causali e descrittive**

Sergio Lo Iacono

p. 91

### **Some remarks concerning “the moral basis of backward societies”: causality and descriptive inferences**

#### **Abstract**

In this paper, the author analyses the methodological problems of Banfield's book *The Moral Basis of a Backward Society*, providing a brief overview of principal criticisms made in the last 50 years. In particular, he takes into account contributions made on the topic by Bagnasco, Cancian, Davis and Silverman, emphasizing strength and weaknesses of their perspectives, and pointing out some additional problems. The

author argues that Banfield's conjectures should be considered as descriptive inferences rather than causal ones, and this although his work has played a particularly incisive political and social role in the construction of stereotypes concerning Southern Italy.