

## Enclosure within a Closed Sea?

### *The Fisheries against the Commons in the Republic of Venice in the Eighteenth Century*

▼ **ABSTRACT** This article will analyse the role of the authorities in the progressive restriction on the use of aquatic spaces and maritime resources in the seventeenth and eighteenth centuries in the *laguna* of Venice. The tensions between private and common uses of the territory was an age-old problem that had not begun towards the end of the early modern period. However, during this period, the growth in fishing activities augmented the role of the fish farms called *valli da pesca*, which was vehemently opposed by the Venetian fishermen whose different communities used the *laguna* for their own activities. This restructuring of the space could be termed an enclosure, which meant that access to spaces and resources was restricted. In return, this movement modified the organisation of these activities profoundly, not only socially and politically, but also economically and ecologically. Thus, by creating a more productive system, the Venetian authorities played a key role in the metamorphosis and development of this area, on one hand protecting the fishing communities and their activities in the *laguna* while on the other, supporting the fishing sector to become more efficient and productive.

▼ **KEYWORDS** Fisheries, Venice, eighteenth century, *Laguna*, enclosure, commons, Republic of Venice

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The aim of this article is to analyse the progressive restriction on the use of aquatic spaces and maritime resources in the seventeenth and eighteenth centuries in the *laguna* of Venice and the role the authorities played in this process. The tension between the private and public domain in the *laguna* was a long-standing problem that had not begun in the end of the early modern period. In fact, from at least the twelfth century, the *laguna* was composed of different territories whose legal nature was divided between public and private areas (Minotto, 2014: 6; Barbacetto, 2008: 7). As recently as 2011, the Italian constitutional judges had to pass sentence on the juridical nature of certain ponds in the *laguna* due to conflicts arising between public and private property showing that the conflicts are still numerous in this closed sea (Crismani, 2011 and 2015; Laffaille, 2016: 682). However, in the early modern period, this legal complexity did not prevent fishermen from benefiting from legally codified access to resources – swamps and fish. In this sense, a large part of the lagoon, whether it was private or public, can be defined as *commons* with regard to fishing activities, following Ostrom's definition: these areas were used by different fishing communities whose uses were defined and negotiated between the authorities and the inhabitants (Ostrom, 1992; Dardot-Laval, 2008; Cornu-Orsi-Rochefled, 2017: 107).

During the seventeenth and eighteenth century, a shift in the modes of exploitation can be observed: the records show a growth in *valli da pesca* (fish farms) activities, which was detrimental to the fishing communities as it limited their use of the lagoon. The movement can be compared to enclosures, which are well-known for agricultural land and well studied in England in the eighteenth century. By enclosure, I mean not only an extension of private properties and therefore fish farm activities, but also a restriction of individual and collective uses of the resources of this lagoon, since depriving fishing communities of lagoon spaces meant depriving them of fish and therefore damaging their activities (Cornu-Orsi-Rochefled, 2017: 511). Conflicts of use between these two activities were certainly numerous in the *laguna* from the Middle Ages onwards (Minotto, 2014; Caniato, 2009), yet at the end of early modern period, the Venetian authorities clearly chose to trust the fish farms and the individuals interests in order to protect the renewal of fish resources against the common uses and the fishermen communities. Therefore the changes that occurred in this period are notable for three reasons that will be discussed in this article. Firstly, during the seventeenth and eighteenth centuries, the *laguna* was mostly used for fishing, as salt and wood activities had gradually disappeared from the area during the Middle Ages (Braunstein, 1966; Appuhn, 2002; Hoquet, 2014). Thus, this change concerned the main productive apparatus of this closed sea. Secondly, until that moment, fishing regulation in Venice showed that the fishing communities had been able to negotiate access to these resources despite conflicts from the Middle

Ages onward (Faugeron, 2014). However it seems that at the end of early modern period, the reinforcement of and the growth in the number of *valli da pesca* had caused a shift in fishing activities. The exclusive use of the ponds and the extension of these areas were denounced by fishing communities. Moreover *valli da pesca* also confiscated fish that were caught in the whole *laguna* and then bred in private ponds. Thus, this transformation could provide an example of aquatic enclosures, i.e. the restricted use of territories and resources for communities in favour of a handful of operators who exclusively monopolised them (Bonan, 2017). This phenomenon has been well studied with regard to land (Thompson, 1991; De Moor-Shaw-Taylor-Warde, 2002; Locher-Graber, 2018). However, little is still known regarding the reorganisation of aquatic spaces, especially closed seas, even though they have aroused strong interest among researchers in recent years, especially for fishing regulation and the rise of commercial fisheries (Kowaleski, 2000; Starkey-Reid-Ashcroft, 2000). Thirdly and finally, the Venetian authorities played a central role in this process of restricting access to the *commons*, a phenomenon that some historians have noted for other spaces (Serrano-Alvarez, 2014). In fact, the authorities favoured extending the fishing territory to the detriment of the fishing areas accessible to the communities, as well as allowing for the traffic of young fish from the *laguna* to the *valli da pesca*. In the documents, the members of the Venetian magistracies justified their decision by managing more efficiently the fish supplies. Thus, this article challenges the actions of the Republic of Venice, often seen as a precursor in environmental policies (Bevilacqua, 1996). With regard to fishing activities it seemed to be more preoccupied in supplying the city in the eighteenth century than protecting the *commons* or the renewal of the marine resources in this closed sea. Subsequently, the ecological Republic appears more as an 'ecomyth' (Zannini, 2012).

## Archives

Two Venetian magistracies were mostly involved in the fishing activities.<sup>1</sup> The first was the *Savi ed Esecutori alle Acque* (Wise Men and Executors of Water). These patricians, initially called *Magistrato alle Acque*, had to manage the production from and exploitation of this fragile ecosystem from the beginning of the sixteenth century (Da Mosto, 1937: 155). Two

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<sup>1</sup> This analysis could thus be extended and complemented by other approaches. The notarial records would perhaps permit us to discover other forms of appropriation of the swamps in the lagoon. Studies on large monasteries located in the islands of the lagoon and their influence on the adjacent wetlands would be particularly welcome. See Alessandra Minotto's work for the medieval period for instance (Minotto, 2014).

functions were principally assigned to these magistrates. Firstly, they had to ensure the sustainability of this area. For example, they had to make decisions regarding the transformation of the lagoon, protecting human activities harmed by siltation (especially until the sixteenth century), submersion (from the seventeenth century) and insalubrity. Secondly, they had to organise all lagoon activities in a way that minimised conflicts of use. It is common to think that these magistrates were in charge of the fishing regulations, but in fact, in the eighteenth century, their records show regulations relating to fishing, only when there was direct conflict between the harbour activities and Venetian trade. It was the *Giustizia Vecchia* (the Old Justice) that was central to organising fishing. In general, these magistrates had to manage the markets and trade in the city (Da Mosto, 1937: 191). Subsequently its prerogatives focused mainly on urban daily crafts and the food trade, with the seafood trade being one of their main concerns. At the outset, it was recognised that distribution and production were linked, since this institution was central in controlling fishing activities initially in the *laguna* and from the seventeenth century in the Adriatic, when commercial fishing developed outside the *laguna* (Rivoal, 2019). Therefore, the *Giustizia Vecchia*, considered an urban minor magistracy, exercised a *de facto* jurisdiction over both land and sea with regard to fish supplies. Other magistracies, nevertheless, occasionally legislated in the *laguna*. Accordingly, it could be expected that some Venetian institutions, such as the *Provveditori di Comun* or the *Provveditori dei Beni Inculti*, both of which managed the resources, could also regulate fishing activities in the lagoon. However, both were surprisingly indiscernible in these activities. During the eighteenth century, the former institution was much less active than during the medieval period, while the latter institution focused on managing the *terraferma* rather than the lagoon. In this article, fisheries regulations (laws passed by the Venetian Senate, ordinances written by Venetian institutions or fishing communities' statutes) as well as petitions and trials will be discussed in order to understand the progressive restriction on the use of the *laguna* in the seventeenth and eighteenth centuries and the role the authorities in this process.

### **The Venetian *laguna*: a mosaic of territories**

The *laguna*, an area of about 550 km<sup>2</sup> between lands and sea, was heterogeneous in terms of geography, ownership and jurisdiction, as well as in terms of use (Morandini, 1950). Firstly, it was composed of different physical elements most of which were used by fishermen. Around the sixty or so islands, there were basins of varying depths that formed swamps and lakes (Bevilacqua, 1996: 48-49; Minotto, 2014: 99). While the deepest ones required the use of a boat, the *palude* could sometimes be very shallow and

could therefore be reached on foot by fishermen using hand-forks. These workers also used the *barene*, banks of sand and vegetation that were not submerged, to set traps or catch species such as mud fish and crustaceans, or to collect shellfish. Several types of nets or traps could be used in deeper swamps or large canals, a space also used by boats to capture migratory species. Five fishing communities, the *Chioggiotti*, the *Muranesi*, the *Buranelli*, the *Povegiotti* and the *Nicolotti*, divided up their activities within this closed sea. Being a member of these communities meant living on a common territory. For instance, the *Nicolotti* lived in the parish of San Nicolo dei Mendicoli and the *Buranelli* lived on the island of Burano and the surrounding small islands. In the seventeenth and eighteenth centuries, the fishermen were numerous: in 1796 there were around 4,000 *Buranelli* and around 10,000 *Chioggiotti* (Marangoni, 1974: 130). Although a lot of them were already fishing in the Adriatic sea, especially the *Buranelli* and the *Chioggiotti*, a part of these workers still caught fish in the *laguna* (Perini, 1996, 2000 and 2004; De Nicolò, 2004). Moreover, belonging to a community also meant working on a common territory. The different conflicts that arose between the communities revealed that part of this *laguna*, this closed sea, was divided into different zones for each community (Caniato, 2009). For instance in 1650, the *Chioggiotti* sent a petition to the Venetian authorities to denounce the presence of some *Nicolotti* in their preserved area.<sup>2</sup> In this sense, the spatial and social organisation of these communities could be perceived as intrinsically linked: the *laguna* was far from being a static landscape or a space just used by inhabitants; rather it shaped the social and professional organisations. Thus, the communities were bodies that could use territory that we can define as *commons*, zones which were accessible but strictly regulated (Ostrom, 1992).

Nevertheless, the *laguna* and these different fishing areas did not form a uniform legal entity. All the elements – canals, swamps, *barene*, *palude* – were subject to different ownerships and different ways of exploitation. Some ponds for example, could be part of private properties as well as agricultural land. These private properties coexisted with the rest of the *laguna* that Venetian magistrates had named ‘public waters’ (*acque pubbliche*) or ‘public domain’ (*pubblico dominio*). The existence of private ponds could be surprising, more so because during the medieval period the Venetian authorities had decreed that the whole *laguna* and the Venetian urban area should remain in the public domain, and had created a magistracy, the *Giudici del Piovego*, to manage it (Crouzet-Pavan, 2017: 244). Originally, this public domain was defined by the salty water, and theoretically, as the sea, it belonged to no-one as was articulated by the Venetian authorities (Minotto, 2014: 90 – 91). This decision had been made to protect the

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2 *Mariiegola della Scuola de' Pescadori, 1569-1791* (Scarpa, 1996: 78-79).

city, which depended directly on safeguarding the lagoon. However, as early as the eleventh century, historians noted that members of the elite, communities or monasteries were *de facto* owners of a large part of the lagoon (Crouzet-Pavan, 2017: 245), especially the area between the land and the *laguna*, where the maritime influence was less present.

In terms of jurisdiction, even though there was an increase in the number of private properties over the centuries, the creation of the *Savi ed Esecutori alle Acque* in 1501 confirmed that the Republic of Venice wanted to maintain its extended jurisdiction over the entire territory of the lagoon. Protecting the city was the authorities' argument to justify global action with regard to private spaces, in the name of the general interest. Yet, although the Republic was seen to issue decrees with regard to private property, in reality it never implemented the measures. For example, in 1725, the Senate published an Expropriation Decree for all owners to relinquish their ownership. It was never applied (Longhin, 2004: 7). In 1791, another decree affirmed that all the lagoon's internal basins had to be returned to the public domain by decision of the Senate, but these measures were also not followed.<sup>3</sup>

In the seventeenth and eighteenth centuries, private properties often appeared in the records, especially when they were related to fishing. This complex relationship – between private domains and public waters – might have constituted the first point of divergence between aquatic and land management. The particularity of the site, as well as the special link to safeguarding the city, on one hand justified the existence of a public domain managed directly by the Republic. On the other hand, it meant that the Venetian institutions tried to maintain their authority over private properties – measures that were progressively reinforced – which was generally not the case for agricultural lands. Thus, in this closed sea, in a coastal area, public and private spaces coexisted. Whether it was private or public, the *laguna* was mostly used for fishing activities in the seventeenth and eighteenth centuries. Their rights of use and methods of exploiting these areas were arbitrated by the Venetian State as special institutions were set up to control these particular territories.

### **The role of the *valli da pesca* in the eighteenth century**

One part of the exploitation of the lagoon areas – canals, *palude* or *barene* – was developed to accommodate fish farms, which were usually developed in swamps of different sizes and depths that allowed the temperature and

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<sup>3</sup> Archivio di Stato di Venezia (ASVe), Giustizia Vecchia (GV), busta (b.) 30, registro (reg.) 29, 64r.

the degree of salinity to be modified to suit the needs of production (Bullo, 1940: 6). Until the eighteenth century, in order to close the basins, the workers used techniques that were directly inherited from practices known and implemented since antiquity. Natural lakes were dug and then supplied via the creation of a canal network (Rallo, 1994: 8). They were then enclosed by palisades – mostly made of reeds – to trap the fish. The palisades formed a virtually hermetic barrier that enabled the ponds to be partially or totally closed (Fabris, 1994). These intensive fish farms were similar to other practices observed in several lagoon areas in the Mediterranean Sea such as those in the south of the Kingdom of France or on the Spanish coast (Faget-Stenberg, 2015: 11).

There are only a few records that reveal the history of these fish farms.<sup>4</sup> This activity seems to have been established in the *laguna* during the Roman period and from time to time the Etruscans are mentioned as the first inhabitants to have set up such structures (Fabris, 1991; Cavazzoni, 2009). During the early modern period, these structures were mainly used to produce sea bream as well as eels and mullets; three species that were very much desired on the Venetian markets, which was the only market authorised for all the production of the lagoon (Rivoal, 2019). Studies of the fish farms are numerous for the medieval and early modern period (Fabris, 1991; Tucci-Zug, 1992; Zambon 1994; Perini, 2000; Longhi, 2004). The vocabulary used in the records to define these fish farms is sometimes confusing. Until the seventeenth century, the whole fisheries territories were defined as *valli da pesca*, and encompassed both fish farms and the ponds where fishermen went fishing (Caniato, 2009). For instance, the *Esecutori e Savi alle Acque* listed 62 *valli da pesca* in the *laguna* in 1535 (Perini, 2000: 37). Five years later, the engineer Cristoforo Sabbadino counted 61 *valli da pesca* in a study for the *Savi ed Esecutori alle Acque*: 27 were ‘closed’ and 34 ‘open’ (Zambon, 1994: 45). However, over time, the vocabulary gradually started becoming more specific and at the end of the seventeenth century, the term *valli da pesca* seemed only to designate the fish farms whereas all other activities fell under the title *pesca vagantiva*, which could be translated as ‘vagrant fishing’. In 1664, the *Savi ed Esecutori alle Acque* counted 33 fish farms, corresponding perhaps to this change in definition (Perini, 2000: 39). A century later, the *Savi ed Esecutori alle Acque* distributed licences to authorise the transportation of fish from the fish farms to the Venetian marketplace in 1771 and again in 1772: only 33 *valli* were mentioned.<sup>5</sup> Thus, we can deduce that during

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4 The first document is dated 1664 (Perini, 2000: 39); for the list in 1771, ASVe, Savi ed Esecutori alle Acque (SEA), b. 458, from n°2369 to n°2402; for the list in 1782, Fondazione Querini Stampalia (FQS), IST 0017, n°029.16; for the list in 1791, ASVe, GV, b. 20, f. 15, 19 September 1791.

5 ASVe, SEA, b. 458, fol. 2369 à 2402.



Source gallica.bnf.fr / Bibliothèque nationale de France

**Figure 1:** Lodovico Furlanetto, *Laguna Veneta, Mappa topografica in cui a venti, e misure dimostrati il Circondario della laguna di Veneta con tutte le addiacenti respettive valli in essa contenute*, Venice, 1780.

Source: <http://gallica.bnf.fr/ark:/12148/btv1b53098613s/f1.item>. See also, ASVe, SEA, b. 458, fol. 2369 à 2402.

the sixteenth century the *valli da pesca* appeared to encompass all fishing territories, while in the seventeenth century, the term *valli da pesca* was only used to designate 33 fish farms. This hypothesis can also be confirmed by cartographic sources. In 1780, Ludovico Furlanetto produced a map entitled ‘Venetian Lagoon. Topographical map (...) showing the limits (*circondario*) of the Venetian lagoon with all the *valli* included’, where all the fish farms listed by the *Savi ed Esecutori alle Acque* in 1771 and 1772 appeared (Figure 1).

These aquatic farms were located in two remote areas of the city: the southern (or so-called lower) *laguna*, in the north of Chioggia where the *valli* Morosina, Ghebbo Storto, Perimpiè, Figheri, Zappa, Cornio and Averno were located (Zambon, 1994: 39), and the northern (or so-called upper) *laguna*, near the eastern end of the island of Lido. Both these areas were located on the edge of the basin where the swamps merged with the first fields of the *terraferma* – which is the area in the north-east of the Italian peninsula that made up the *Dominio da Terra*, administered from the cities of Verona, Vicenza, Padua, Rovigo and Treviso. The particular ecosystems, that some historians have called ‘ecotone’, between land and sea, favoured farming conditions (Gillis, 2014).

Although ownership and exploitation methods could sometimes be dissociated in the Middle Ages, at the end of the seventeenth century, the fishing regulations issued by the *Savi ed Esecutori alle Acque* or the *Giustizia*

*Vecchia* showed a strong correlation between private properties and the fish farms, the *valli da pesca*. For example, in 1684, a *terminazione* signed by the *Savi ed Esecutori alle Acque*, and approved by the Senate asked to 'separate public waters from the supposed legitimate titles of private owners and particularly from the owners of *valli*'.<sup>6</sup> The records also show that patrician families and monasteries owned a large number of the fish farms. For example, the Barbarigo owned the *valle Zappa*, the Morosini the *valle Morosina*, along with the families of Grimani, Gradenigo, Corner, Donà and Contarini, who were among the oldest Venetian patrician families (Zambon, 1994: 18).<sup>7</sup> Religious communities were also mentioned as landowners as were magistracies, and thus it seemed as if the basins could become part of the capital gain associated with an institutional position. For example, the statutes relating to the positions of the Doge and the Patriarch of Venice gave access to temporary ownership of *valli*. Likewise, magistrates such as the *Rason Vecchie* ('the Old Reasons'), who managed and controlled the entrance taxes (*dazi*) or the *procuratori di San Marco* (procurators of Saint Mark) also gained ownership (Perini, 2000: 37). Finally, at least three *valli* were included in the Chioggia community's patrimony in both 1664 and 1777.<sup>8</sup> The hypothesis is that these *valli da pesca* operated according to a system of private ownership, even though they were attached to institutions. For instance, the *podestat* of Chioggia – the patrician delegated to represent the Venetian authorities in this locality – was responsible for managing the three *valli* of Chioggia. To illustrate this, the rents collected from these fisheries went exclusively to the community, thus confirming that these *valli* were not part of the public domain.

These intensive fish farms earned significant income for the owners. For instance, from 1777 to 1779, the rent from the *valle Brenta*, the *valle Pistore*, and the *valle Canal Asedo* (sometimes called *Asseo*), located in the southern lagoon, which belonged to Chioggia, was a great source of revenue for the city.<sup>9</sup> Tenants were found via an auction procedure that was overseen by the *Milizia da Mar*, which controlled the *Dogado* communities' properties (Da Mosto, 1937: 199). The contracts, which were drawn up for five years, included an estimate of all the *valli*'s assets that were then divided into two categories: movable and fixed.<sup>10</sup> The tenant had use of all the movable objects such as the boats or tools for maintaining the

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6 ASVe, compilazione delle leggi (CL), Serie (S.) 2, b. 302, fol. 1050: 'per distinguere, e separare affatto l'Acque Pubbliche da quelle de preteesi Titoli de Privati, e particolarmente de possessori delle Valli'.

7 FQS, IST 0017, n°029.16, *terminazione* 6 March 1782.

8 ASVe, Milizia da Mar (MM), b. 44, fasc. 1, 2, 3

9 *Ibid.*

10 ASVe, MM, b. 44, fasc. 1, art. 1.

place as well as the buildings such as warehouses, sheds, and sometimes even dwellings that belonged to the *valli*, and that were also included in the rent. Their size varied according to the holding. The Brenta *valli* was the richest, with its movables and fixed properties estimated at more than 6,410 lire, i.e. more than 1,030 ducats (Pezzolo, 2006: 11). This sum is significant : at the beginning of the eighteenth century a fisherman from Chioggia, working on a large fishing boat, earned between 8 and 10 lire per month (Perini, 1996: 180). Although the records for the auction for 1777 are missing, the rent for this *valle* was 970 ducats annually (6,014 lire) in 1664 and was one of the highest rents for a *valle da pesca* in the *laguna* (Perini, 1991, 37).

Beside the *valli da pesca*, other private properties coexisted within the lagoon. Although monasteries are rarely mentioned in the records, ecclesiastical lordships were often prominent in this area during the medieval period (Crouzet-Pavan, 2014; Minotto, 2014; Carraro, 2015). It is possible that these great monasteries could rent the fishing rights. For instance, in 1777, in addition to the three *valli*, the community of Chioggia rented a *jus di pescare* (fishing rights) relating to an area close to its coastline, with conditions similar to those for the fish farms.<sup>11</sup> It is thus hypothesised that the Chioggia community's management of the *valli* reflected the general functioning of other private lagoon domains. It is also thought that contracts between an operator and a private owner were probably signed without the necessity of being overseen by the Venetian magistrates, which subsequently explains the lack of records on this subject. Finally, although these examples demonstrate the strong link between private properties and structures such as fish farms during the seventeenth and eighteenth centuries, we cannot exclude the possibility that some private lagoon areas were sometimes left at the disposal of small independent fishermen in the lagoon, be that temporarily or permanently.

Bordering these private properties, Venetian magistrates constantly referred to the importance of 'public waters', also called 'public domain', which will be discussed in the next paragraph.

### **The 'Public domain' and the existence of *commons* in the *laguna***

While the fish farms were the most important fishing structures in the lagoon by the end of the early modern period, the *pescata vagantiva*, traditional activities, were carried out everywhere else. The institutional records reveal

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<sup>11</sup> ASVe, MM, b. 44, fasc. 4.

a clear conflict between private fish farms and what the authorities call 'public waters'.

If there were public fish farms in the public domain, the records studied so far do not mention them, nor do the historians who have studied this subject (Zug Tocchi, 1992; Zecchin, 1994; Longhin, 2004). Moreover, the use of the term *valli di Stato* (*valli* of the State) in some records is sometimes confusing.<sup>12</sup> From the seventeenth century onwards, the expression seems to be used more as a geographical reference than a reference to a specific type of property. Thus, in the records, the magistrates placed the *valli da pesca* as diametrically opposed to the 'public domain' (*Pubblico dominio*).<sup>13</sup> This opposition created tensions during the seventeenth and eighteenth centuries, with several fishing communities writing petitions to the *Savi ed Esecutori Alle Acque* against the expansion of the *valli da pesca*. These conflicts may have existed before, but nevertheless, they appeared in the institutional records of this period, thus showing the authorities as an arbiter striving to define this public domain. On several occasions the magistrates published *terminazioni* that underlined the fact that the public domain had to remain 'free', a word that had a specific meaning. For example, in 1658, officers of the *Savi ed Esecutori alle Acque* had to establish the boundaries of a newly acquired private property near Chioggia and inform the *Chioggiotti* of 'what will remain public, that is to say, what will therefore be free for their community to enjoy' (Scarpa, 1996: 98).<sup>14</sup> Fifteen years later, the same magistrates wrote in a similar manner: 'Because in public waters, the public domain must be kept free, no one, under any pretext, may prohibit any subject from using public fishing, under penalty of fifty ducats'.<sup>15</sup> In 1684, the same magistrates wrote a *terminazione* asking the owners to present their property titles to them. They explained this decision in the following terms: 'when the Public will be separated from the Private, the people of San Nicolò and Chioggia and each of the subjects will universally freely enjoy the reserved and permitted fishing grounds'<sup>16</sup>.

12 ASVe, GV, b. 27, reg. 21, 19r: « scrittura segreta » 29 December 1750; ASVe, GV, b. 233, f.n.n., « capitolo generale del dazio del pesce salato e del pesce fresco che viene condotto in terraferma », 12 January 1762 (MV).

13 *Ibid.*

14 '(...) ciò che restarà pubblico et in conseguenza libero alla loro scuola da usarsene (...)'. (p. 98).

15 Biblioteca Museo Correr (BMC), manoscritto (ms.), calsse (cl.) IV, n°98, *mariegola dei compravendi pesce*, 148v: 'Che dovendosi nelle pubbliche Acque mantener libero il Pubblico Dominio, non deverà che si sii niun eccettuato impedire sotto qual si voglia colore, o pretesto, ad'alcuno, sia chi si voglia suddito [...] l'uso della pesca publica, e ciò sotto pena de Ducati cinquanta (...)'.  
 16 ASVe, CL, S.1, b. 302, fol. 1050: « e separato il Pubblico dal Privato possano li popoli di San Nicolo, e Chiozza, e cadauno universalmente de sudditi godere delle pesche riservate, e permesse ».

These three examples demonstrate that the public domain was defined by the practice of fishing, and this practice had to be carried out freely. Thus, the existence of the public domain was identified by its function and use by the inhabitants. Similarly, the adjective ‘free’, which was constantly used, referred to a territory under Venetian jurisdiction and controlled by the authorities, especially the *Savi ed Esecutori alle Acque*. It seems that this magistracy guaranteed the fishermen’s rights with regard to their activities when they faced restricted access. In this sense, the public domain was presented as a space to be used by all those who fished – a territory for common use, one where the Venetian authorities could guarantee access to the resources. These rights of use were thus similar to the right of access to fish, understood here as a common resource. Venetians used the term *pesce* (fish) in the singular, as if it were a resource in the same way as wood, water or air. Subsequently, it seemed that the constitution of a public domain, the *laguna*, guaranteed access to the resources.

Yet, the use of the word ‘free’ did not mean that there were no fishing regulations. Access to the resources was organised solely by the public authorities, and it appears that public areas and common resources were bound by the fishing regulations on people, spaces and resources, as was the case elsewhere in Europe (Dowling and Keyser, 2020). As mentioned above, the first limits on fishing activities relating to ‘free’ use could apply to fishermen just as it could a fishing community. For example, the petitions the magistrates received showed that the *Nicolotti* and *Chioggiotti* enjoyed some lagoon areas that were exclusively preserved for them. In 1650, the Chioggia fishermen complained that the San Nicolò fishermen came to fish in the areas between the port of Chioggia and the area where the Adige river joined the lagoon, which, they claimed, were reserved for them (Scarpa, 1996: 78-79). The authorities confirmed this and forbade access to the *Nicolotti*. Similarly, the *Savi ed Esecutori alle Acque* established the boundaries between a new property and the public domain in the *terminazione* of 1658, thus avoiding any misconception on the *Chioggiotti*’s part with regard to the new territory. These affairs therefore, were not so much a question about ownership status, i.e. between public and private spaces, but rather a debate about exclusive uses for a particular collective entity. This somewhat reinforces the idea that the definition of a fishing community was inseparable from specific and territorialised rights of access to common areas.

The second limit to fishing activities concerned the practices. The adjective ‘free’ applied to areas that were not rented, and where the activities in these areas were strictly controlled by the Venetian authorities and the leaders of the fishing communities, and had been since the medieval period (Faugeron, 2014: 312-314; Zago, 1982: 74). These laws were constantly republished and sometimes slightly modified (see

**Table 1:** Fishing regulations in the *laguna* in the eighteenth century

Source: ASVe, CL, b. 302, fol. 1085; 7 May 1726; fol. 537-543; 4 September 1760; fol. 567-574; 30 July 1780; fol. 1152; 30 January 1791.

DATE	FISHING REGULATIONS (GIUSTIZIA VECCHIA – OLD JUSTICE)	COMPOSITION
7 <sup>th</sup> May 1726	First fishing regulation since 1679. Regularly published, i.e. in 1740, 1750 and 1759.	4 chapters
15 <sup>th</sup> May 1728	Fishing regulations increased penalties for fraudsters	Supplement of the 1726 <i>terminazioni</i>
4 <sup>th</sup> September 1760	Second fishing regulation focused on protecting species. Regularly published, i.e. in 1774 and 1776.	23 chapters, severe penalties
30 <sup>th</sup> July 1781	Third fishing regulation.	16 chapters, penalties less severe than in 1760
30 <sup>th</sup> July 1791	Fishing regulations increased penalties for fraudsters.	Supplement of the 1781 <i>terminazioni</i> .

Table 1).<sup>17</sup> Throughout the period, the legislation underlined three fundamental points. Firstly, the magistrates would control the tools and nets used for fishing. Thus, meshes that were too tight or nets that were too widely deployed were deemed a danger to the renewal of the resources. The second principle concerned the regulation of fishing times: fishermen had to respect a seasonal calendar that specified when various nets were authorised or banned.<sup>18</sup> Finally, the last element concerned a chart of prohibited fishing grounds, such as *barene*, whose objective was to preserve young fish that were identified by the magistrates as the crucial element for renewing fish stocks.

Therefore, during the eighteenth century, as fish were also deemed part of the common resources, it was essential that use of the *laguna* remain under direct Venetian jurisdiction, for it was this authority that guaranteed

<sup>17</sup> ASVe, CL, S. 1, b. 302, fol. 1085; 7 May 1726: 'Proclama relativo anche al precedente pubblicato li 23 maggio 1679'.

<sup>18</sup> ASVe, GV, b. 40 and 41; ASVe, GV, b. 85, fasc. 9.

access to and allocated areas to the different communities. So, although the latter did not own these territories, the rights of use were reserved for them. Moreover, this defined in part the communities themselves. Social organisation joined spatial organisation, demonstrating that there was a connection between man, territories and fish. These *commons* were ultimately defined as territories and resources that only existed in relation to collective entities.

### An enclosure within the *laguna*?

Historians can study the uses of the public lagoon thanks to records produced in situations of conflict. From the seventeenth century onwards, the repeated need by magistrates to redefine what public waters were, was a response to a climate of tension in which the fishermen of the lagoon wrote petitions to institutions denouncing the monopolisation of the lagoon areas by private owners and a restriction of their fishing zones. The decision made in 1658 by the *Savi ed Esecutori alle Acque* to redefine the public domain came about due to the magistrates receiving a petition from the *Chioggotti*, who were in conflict with an owner who had bought swamps in the *laguna* (Scarpa, 1996: 98). From the 1640s onwards, these magistrates, and sometimes the *Giustizia Vecchia*, became the arbitrators of these conflicts in which the communities' territories appeared to be reducing in size.<sup>19</sup> In 1684, the *Savi ed Esecutori alle Acque* published a *terminazione* stipulating that all persons in possession of valid titles of ownership of the lagoon's waters had to report to them in order to create a cadaster to delimit public waters.<sup>20</sup> It is clear from the text that this initiative was not new, and that operations of this kind had already been decided upon in 1641, 1655 and 1662.<sup>21</sup> In 1704, the *terminazione* of 16 June 1674, produced by the same magistrates, was republished, which emphasised the fact that the public domain and those who carried out fishing activities in it had to be defended.<sup>22</sup> Similarly, a few years later, in a petition written by the fishermen of San Nicolò to the *Giustizia Vecchia* in 1706, the authors drew attention to their extreme poverty and asked to be exempt from paying certain taxes that weighed on their community: among the reasons for finding themselves in this situation, the fishermen explained their poverty by the decrease of their activities which was caused by the monopolisation

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19 BQS, IST 12, *Compendio dei decreti e Terminazioni piu essenziali del magistrato delle acque*, 1705, 219.

20 ASVe, CL, S.1, b. 302, fol. 1050.

21 *Ibid.*

22 BMC, ms., cl. IV, n°98, *mariegola dei compravendi pesce*, 148v.

of the lagoon by the *valli da pesca* according to them.<sup>23</sup> Subsequently, although the documentation is incomplete, the illustrations of previous laws testify to a situation of permanent conflict during the seventeenth century and the eighteenth century, in which fishermen denounced to the authorities what they perceived as a monopoly of the spaces they used for their activities.

These denunciations bring to mind the phenomenon of enclosure that historians have studied extensively with regard to land spaces: not only did fishermen point out that their fishing areas were shrinking, but they also directly linked this phenomenon to the establishment or expansion of *valli da pesca*. The similarity to the land enclosure movement is striking: private properties were denounced for operating under a regime of exclusive exploitation. Beyond the spaces themselves, this movement was about privatising another type of resources, the fish. The *valli's* practices were to capture young fish. In winter, the tenants opened the fish farms' basins to let young fish enter their territory. In doing so, they took advantage of the *montada* movement, a natural phenomenon that pushed the young fish from the Adriatic into the more suitable environment of the lagoon, where the water was warmer and food was to be found, and which supported their growth (Zug Tucci, 1991: 494; Morandini, 1950: 17; Zecchin, 1994: 17; Bullo, 1940: 72). The fish farm workers recreated the environmental conditions the fish needed, transforming ponds to the appropriate sizes and depths for different species. Thus, the expansion of the fish farms also meant less fish for the other fishermen who were operating elsewhere in the *laguna*. In this sense, the extension of the *valli da pesca* can be considered a form of enclosure since they deprived some of the most vulnerable inhabitants of necessary resources in order to establish intensive and exclusive fish farms (Thompson, 1991; Warde, 2006; Neeson, 2010).

There were therefore two opposing fishing systems, which were not seen as complementary, but rather as competition. So far, the process described was fairly typical of the time, even though this movement seemed to have started as early as in the seventeenth century. In the case of the Venice lagoon, the role played by the Venetian authorities in this process is important.

## The Venetian authorities' role in the Enclosure Movement

By accepting delivery of the fishermen's petitions, the *Savi ed Esecutori alle Acque* demonstrated that this magistracy was seen by the communities

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<sup>23</sup> BMC, ms., cl. IV, n° 112, *mariegola della comunità di San Nicolò all'Angelo Raffael de mendicoli*, 163r.

as the defender of their *commons*. In the *terminazione* of 1684, which controlled the titles of private property, they stipulated in the introduction that their action was a response to a petition from the *Nicolotti* fishermen,<sup>24</sup> thus appearing as advocating for the *commons* and communities. Nevertheless, a more careful analysis of the documents reveals that although initially the authorities seemed to adopt the role of arbitrator, their role was ultimately more complex and ambivalent.

For instance, when the *Chioggiotti* launched a petition against a private owner in 1658, the *Savi ed Esecutori alle Acque* responded to the fishermen's request in a *terminazioni* stating that they would demarcate the new limits of the fishing areas following the development of a private domain in the southern part of the lagoon. However, the authorities never questioned the fact that the fishermen had lost a part of their territory; on the contrary, they seemed to admit it by drawing new limits. Similarly, in a *terminazione* of 1684, the same rhetoric was used: the *Savi ed Esecutori alle Acque* responded to the San Nicolò fishermen's request,<sup>25</sup> but in the following terms:

The owners have one month to come and present [their title] to the notary of this magistracy for examination; they will be promptly handed over once justice is administered in the same way for all; and those who do not do so will be deprived of the possession, title or *jus* they held until then.<sup>26</sup>

Consequently, this text highlights that dispossession would only occur should there be no presentation of title. The magistrates ratified the fact that they were private owners without examining the titles and their validity, and although the Venetian authorities were well known to sending officers to investigate in order to arbitrate the conflicts, it was not mentioned here. On the contrary, by creating a cadaster, the private domain was thus confirmed, becoming more official than before.

Judicial records reflect the same process from the 1760s onwards, where in some trials it appeared that the magistrates' increasing knowledge of the lagoon also served to benefit private property. Nevertheless, their knowledge of aquatic spaces was still vague, spaces that were not well-known and only to some degree controlled, undoubtedly marked a major difference between land and sea, even though these were coastal spaces in

<sup>24</sup> ASVe, CL, S.2, b. 302, fol. 1050.

<sup>25</sup> BMC, ms., cl. IV, n° 112, *mariegola della comunità di San Nicolò all'Angelo Raffael de mendicoli*, 163r.

<sup>26</sup> *Ibid*: '(...) debba presentar nel termine di mese uno nelle mani del Nodaro di questo magistrato perché questi esaminati che siano, saranno poi prontamente restituiti, et amministrata quella giustizia, che a cadauno indifferentemente si deve, non lo facendo s'intenderanno decaduti d'ogni possesso, Titolo, o Godimento ch'havessero fin'hora tenuto'.

which major developments were being carried out. During these legal proceedings, it is clear that between brackish waters, swamps, or strips of land, the Venetian authorities seemed to be somewhat lacking in knowledge, at times discovering the local population's informal uses of lagoon areas.

In 1761, the *Giustizia Vecchia* brought to trial a fish farm that had been established in ditches near Santa Cristina de Torcello, and which they considered illegal.<sup>27</sup> Their report included a transcription of the trial of Iseppo Tiraoro, a farmer in this area of the northern lagoon. This document clearly demonstrates the confusion surrounding the use of the area:

Q[uestion]: What is this place?

A[nswer]: It is land as you can see.

Q.: What is the purpose of these ditches we see?

A.: Ditches are for the use of the agriculture.

Q.: [Asked] if these ditches contain little fish.

A.: Yes, grey mullets.

Q.: Who catches these fish?

A.: All of us.<sup>28</sup>

In a territory where land and swamps merged, were these ditches farmland or fish farms? Confusion reigned: what was the nature of these spaces and what was their legal status? During the same trial, a fisherman accompanying the magistrate's officers on their tour of inspection warned them that trying to count all the ditches containing fish around the fields was a tedious task because 'two days would not be enough to go around and discover the exact number of existing ditches'. Finally, at the end of the trial, the officers used the expression 'Valle (fish farm) of Santa Cristina, directed by Antonio Buratina' to characterise this territory, which until then had been unknown to them.<sup>29</sup> The way in which the *Giustizia Vecchia's* officers defined this area seems to be a way of acknowledging the existence of new fish farms and practices that were not sanctioned but recorded as a fact.

## The role of Venetian authorities in resource renewal

Moreover, the authorities reinforced the activity of private fish farms in the lagoon by issuing fishing regulations on access to resources in the public domain. In 1760, the *Giustizia Vecchia's* magistrates produced a

27 ASVe, GV, b. 84, fasc. 120, procès de 1774, 19r.

28 *Ibid*: (Int[errogatorio]: *Che luogo sia questo; R[isposta]: terra come alla vede; Int: a che servono i fossi che si vedono; R: i fossi servono per uso delle campagne; Int: se detti fossi abbiano pesce; R: sig. si cievolami e caostelli; Int: che peschi tal pesce; R: noi altri.*

29 *Ibid*, 32r: '*presenta (...) due barche, nella valle di S. Cristina, di ragione di Antonio Buratina.*'

*terminazione* that overhauled the controls on lagoon fishing in the public domain (See Table 1 above).<sup>30</sup> This law, approved by the Senate, can be considered the moment when the Venetian authorities decided to openly favour the fish farms. Although it established tight restrictions on access to resources in the public domain, for the first time in the name of resource protection, it authorised the *valli da pesca* tenants to catch young fish in this public domain in order to strengthen their fish stocks.

Indeed, the *Giustizia Vecchia* decided to authorise the transfer of new-born varieties such as sea bream, mullet and sardines, and even crabs and shrimps from the *laguna* to the fish farms, in order to complete the *montada*. These complementary catches in the lagoon to feed the *valli* had been known about since antiquity, but until this date they had been illegal: the first known prohibition dates back to 1314 (Zug Tucci, 1991: 495). Illegal trafficking continued during the medieval period through to the early modern period (Bevilacqua, 1996: 46). In the seventeenth century, however, the fishing communities begged the magistrates to punish this practice, which they did, and this led to a new *terminazione* confirming its formal ban in 1636 and 1659.<sup>31</sup> However, the legal authorisation to catch young fish on behalf of the *valli* only appeared in 1760. Tenants petitioned the magistrates of the *Giustizia Vecchia* asking them for authorisation to catch young fish in order to increase and strengthen their stocks and future output. The *terminazione* of 1760 acceded to their request. Article 7 explains the system chosen by the Venetian authorities:

In order not only to prohibit this practice for the rest of the year but also to regulate it as much as possible during the permitted seasons, and to ensure that it is universally beneficial to all the *valli*, all the swamps will be taken note of by His Excellencies from the port of Chioggia [in the south] to the Lido [in the north], and they will be distributed to the *vallesani* [the tenants] so that they cannot fish anywhere but in the space assigned to them. To this end, in February of each year, the tenants will have to give the names of all those who will catch the small fish for their *valli* and the name of the head of these fishermen, and at the beginning of March, His Excellencies will put all these names in an urn and the name of the swamps in the other and they will extract from one a fishermen name and from the other a swamp name, and this method will have to be observed every year.<sup>32</sup>

Thus, from 1760 onwards, the tenants were able to obtain a licence to catch young sea bream (*oradelle*) from 10<sup>th</sup> May to 19<sup>th</sup> June only, and then apply

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<sup>30</sup> ASVe, CL, b. 302, fol. 537-543: 4 September 1760.

<sup>31</sup> BMC, ms., cl. IV, n° 112, *mariegola della comunità di San Nicolò all'Angelo Raffael de mendicoli*, 127r.

<sup>32</sup> ASVe, CL, S.2., b. 302, fol 540.

for another licence to catch young sardines (*sardelline*) from 19<sup>th</sup> June to 29<sup>th</sup> September.<sup>33</sup> This system clearly demonstrated a shift: in 1760, the *commons* such as fish could become a private commodity, grown in private structures such as the *valli da pesca* so as to promote their yield (Béaur, 2013).

The Venetian Republic played a double role in this evolution. Firstly, they supported extending private properties, the likes of which carried out intensive fish farming, and secondly, this intensive farming contributed to weakening the fish stocks, and subsequently only the *valli da pesca* benefitted. This movement was one of the elements that resulted in the poorest fishermen losing their users' rights, but it was also an attack on the *commons*. This policy against the *commons* was widespread in the process of economic thinking during this period. According to Niel Grüne, 'from the 1750s onwards, there was a growing consensus among enlightenment economic thinkers in most of Europe that collective usufruct rights and common grazing grounds posed an obstacle to productivity gains in agriculture' (Grüne, 2013: 159). Indeed, these measures acknowledged that the status of fish in the lagoon was changing, with part of the fish stocks becoming merchandise and goods to be traded and exchanged. Subsequently, in the second half of the eighteenth century, these measures had significant economic and social repercussions, not only for the lagoon's ecosystem, but also for the status of the territories and species.

## The consequences of the Enclosure Movement

The tensions between private and common uses of aquatic territories was an age-old problem that had not begun at the end of the early modern period in the *laguna* (Starkey-Reid-Ashcroft, 2000). However, the role of the Venetian authorities in this process show that this evolution could be done arguing that the individual exploitations could protect the resource renewal. Indeed, each time the Republic of Venice limited the common uses of the lagoon and its resources, the decisions were justified by the protection of the marine resource against the numerous fishermen.<sup>34</sup> However, the consequences of these decisions seem to be leading to the opposite phenomenon.

The first consequence concerned the *laguna's* ecosystem. Throughout the medieval period the authorities were concerned about the reduction in fish resources (Bevilacqua, 1996: 48). On the contrary, in 1760, permission, even in limited ways, to catch young fish created a pressure on lagoon resources. Indeed, legal authorisation for this practice led to an increase

<sup>33</sup> ASVe, CL, S.2, b. 302, fol. 538r à 546r.

<sup>34</sup> ASVe, ST, f. 2737, fol. n.n., May, the 17<sup>th</sup> 1781.

in illegal catches: for example, there were those who engaged in changing the name or the place, or even the date on the issued licences.<sup>35</sup> Moreover, after 1760, these practices appeared to become the most lucrative fishing activity in the lagoon owing to the high prices that the *vallesani* were prepared to pay for the fish (Zecchin, 1994: 20). During the increasing number of trials and stipulated in the regulations, many workers were denounced for participating in this illegal traffic. Fishermen and farmers were the first mentioned. However, the *terminazioni* of 1760, 1781 and 1790 also mentioned categories of workers related to agricultural professions in the lagoon. From 1760 onwards, these vine, fruit and vegetable growers were also known as *fossanti* (Boerio, 1867: 284) when they illegally stocked these young fish in the drainage ditches from the fields in order to keep them alive before selling them to the fish farms (Bullo, 1940: 176). For example, several farmers were involved in the illegal stocking of young fish in the ditches around Torcello.<sup>36</sup> Investigations revealed that these young fish were being sent directly to a neighbouring *valli* in Torcello. This example shows that this lucrative trade extended beyond traditional fishing circles, and thus contributed to the lagoon's depopulation through the sale of young fish to the *valli*. Furthermore, the stages between the capture and delivery of these fish led to high mortality: fishermen stored them in ditches where the fish had very little water and food to survive, while workers also stored them in vases.<sup>37</sup> Losses were therefore high during transportation, making the resource scarce. It can therefore be assumed that the measures taken increased the pressure on lagoon resources, contrary to what it was claimed.

The second repercussion was economic and concerned the exploitation of a fragile ecosystem. Indeed, was working in the *valli* a fishing activity, a breeding activity or a harvesting practice? The vocabulary sometimes used in the records is similar to that used for agricultural activities. The expression 'water fields' (*campi d'acqua*), or the idea of 'picking' (*raccogliere*) fish were both used throughout the eighteenth century. The idea of picking was related to *lavorieri*, the last stage in the fishing process: the term referred to a maze of canals that got narrower towards the end so as to sort the species. At the end of the passage, the fish found themselves trapped in a few centimetres of water, among hundreds of others, and the *valli* workers had only to pick them out by hand, store them in baskets, making sure to keep them alive, and then take them to the markets (Zecchin, 1991: 18).

The fish farms were questionable structures in the Venetian lagoon landscape, both in their establishment and in their function. They were

35 ASVe, GV, b. 85, f. 74, n° 203 n.n *Contro diversi*. ASVe, GV, b. 84, f. 73, n° 120.

36 ASVe, GV, b. 84, f. 73 n° 120.

37 *Ibid.*

also isolated organisations, operating autonomously. At the end of the early modern period, they became a productive system helped by the Venetian institutions, as they were seen as a key element in the economic sector of the local lagoon activities. They constituted a whole that geographers would today call the agri-food sector, that is to say, an organisation where production was rationalised. Whereas these fish farms had previously been seen as cumbersome factors in a fragile ecosystem, from the end of the seventeenth century onwards, they were increasingly regarded by the authorities as structures on which part of the city's daily supplies depended, and which needed to be managed (Zambon, 1994: 55). Moreover, these laws made it possible to consolidate a fishing activity whose yields could be easily controlled, or even increased, which was the magistrates' objective. The growth in liberal ideas could explain a part of these choices: the records show that the patricians tried to make this food market an efficient and sustainable economic circuit based on an enclosure system that favoured the *valli* (Clemente, 2018). Thus, from autonomous and agricultural structures, the *valli* were gradually considered to be a network of productive centres in which the yield was intensive and controlled. The desire to build up and control stocks was at the origin of developing the productive fishing structures, with the lagoon envisaged as a gigantic warehouse. However, all these changes were not a commercial operation: this extended production was only and exclusively meant to supply the city and not to export.

Lastly, the third consequence was related to the organization inside the communities. The implementation of the new fisheries directives of 1760 were detrimental to the *pesca vagantiva* and fishing communities whose activities primarily took place in the public domain. As early as 1706, the *Nicolotti* began denouncing the fisheries, saying that 'the universal disgrace of the poor fishermen is due to the impoverishment of the lagoon and the ever-increasing number of *valli*'.<sup>38</sup> The decisions to restrict the communities' fishing rights had important social and professional repercussions. Firstly, favouring private property meant favouring the *vallesani*, the tenants who ran the fisheries, i.e. the actors in the communities with the greatest financial capacity. Records show that renting the Chioggia *valli* meant that it had to pay about 900 ducats a year, as well as some alms to charitable institutions in the city.<sup>39</sup> The identity of some *vallesani*, listed by the *Giustizia Vecchia* in 1777, 1782 and 1791, confirmed that they were not smallholders, and moreover, the frequency with which these farmers'

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38 BMC, ms., cl. IV, n° 112, *mariegola della comunità di San Nicolò all'Angelo Raffael de mendicoli*, p. 163r: « (...) Questa universale disgratia a poveri pescatori nasce dall'abbonimento della laguna e dal numero accresciuto delle valli ».

39 *Ibid.*, art. 10.

surnames appeared reveals that this activity was in fact managed by only a handful of families from the communities.<sup>40</sup>

The intensification of the *valli da pesca's* activities resulted in an increase in inequality in both the fishing world and the communities. The latter had never been homogenous collectivities, and in each of them were small-scale fishermen, the poorest of whom were often crab or shellfish gatherers. The difficulties for fishing communities to exist as a collective at the end of the seventeenth century were largely caused by the transformation of the two criteria that defined them. In fact, members from the same communities were united through their fishing activities, as well as by the territory they exploited. With the establishment of fish farms, as well as the development of fishing activities in the open sea, the poorest fishermen became employees rather than little independent fishermen (Perini, 1996; De Niccolò, 2004). Subsequently, inequalities within these communities increased and the individuals considered to be the most reliable – those with the capital to invest in the farms, or in large boats and nets – became the privileged interlocutors of the authorities, taking precedence over the political leaders of the communities, whose function was to represent the whole group. As a result, the poverty of the other prevented them from participating in the management of fisheries resource. In the 1780s, the *Giustizia Vecchia* described a poor fisherman as ‘a wretch, who has a family to support, and who excuses his faults by the violence of his misery which pushes him to defraud’, explaining that ‘those among the fishermen who had enough reason, experience and faith were already all directors or heads of companies’.<sup>41</sup>

In addition to the community leaders losing influence in favour of entrepreneurs from the same communities, the measures taken by the Venetian authorities also attacked the second criterion of community membership: the territory used for fishing on which the foundations of community organisation had been based. The privileged space had shrunk and access to it had been limited. Thus, without the *commons*, how could a community survive? The reduction of common spaces for the most humble fishermen, as well as the reduction in fish stocks, undermined the whole fishing community’s organisation. Instead, new relationships and partnerships were cultivated based on efficient and intensive exploitation, supported by new entrepreneurs and supervised by the authorities.

40 BQS, IST 0017 n°029.16: *terminazione* 6 March 1782; ASVe, GV, b. 20, f. 15: *terminazione* 19 September 1791.

41 ASVe, Senato Terra (ST), f. 2737, fol. n.n., 17 May 1781: « (...) un miserabile, carico di famiglia, che scusa la sua colpa con la violenza di sua miseria, che lo attrasse alla contraffazione (...) Che quelli tra pescatori che per ragione di esperienza probità e fede figurano, come direttori e capi delle compagnie, erano tutti impiegati ».

The movement initiated in the lagoon to favour the fish farms in the Venice *laguna* followed an enclosure movement of aquatic spaces, thus raising questions about the existence of the *commons* and common territories useful to fishing communities. This movement to reduce access to the *commons* concerned both spaces and resources, the fish, which were the defining elements of the very existence of fishing communities. The Venetian authorities' role in this phenomenon was significant: the territory for which they were guarantors had ultimately been made available to private production to supply the markets. Consequently, while these measures had often been implemented to protect fishery resources, in essence, they seemed to have had the opposite effect and instead contributed to the weakening of these resources.

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