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Classifying Like a State: Land Dispossession on Eastern Crete's Contested Mountains

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Abstract: Despite the widespread attention to capital investments in land and property around the globe, the active re-regulating role of the neoliberal state in processes of “accumulation by dispossession” remains underexplored. Through an in-depth look at the dispossession of highly fragmented and loosely regulated private land for wind-farm investments on Crete’s eastern corner, Sitia, this paper re-affirms the *political* nature of the forcible appropriation of land for large-scale investments; dissects the specific mechanisms in which the state dispossesses land on behalf of investors and promotes the forcible appropriation of land from *below*; and problematises the dialectic relationship of both rupture and continuity between crisis and inherited, path-dependent relations embedded in land. The transformation of Sitia’s loosely regulated, informal relations on land is made possible through the mobilisation of the state’s bureaucratic and normalising powers, which redefine the concept of *forest* and dispossess through *classifying* land as such.

Keywords: land dispossession, state classification, forestry land, windfarms, crisis, Crete

Introduction

Since the 1980s, the world “fever” of capital investments in land and property has attracted significant and growing scholarly attention: from political ecology (Calvário et al. 2017; White et al. 2012), peasant studies (Jansen 2015), Marxism and political economy (Oya 2013), anthropology (Li 2014) and sociology (Levien 2013) to the World Bank (2011) mainstream economics, the “land grab” debate has been investigated from myriad different angles. While the “global land grab” has become a “catch-all phrase” (Borras and Franco 2010), it is no surprise that most academic efforts focus on cases of dispossession in the global South: this is where thousands of acres of land have been dispossessed, an unprecedented proportion of people displaced and livelihoods destroyed. Land dispossession—the forceful expropriation of land for accumulation’s sake—is, however, not confined to the “peripheries” of the global economy: it occurs in “capitalistically advanced” Europe too (Franco and Borras 2013; Hadjimichalis 2014a).

This has been particularly evident since 2008, within the conditions of a capitalist crisis of global reach. The post-crisis strategy has been an attempt to put not just capitalism, but neoliberal capitalism back on its feet (Aalbers 2013); it has

reinforced austerity, the dismantling of labour rights, and the privatisation and dispossession of land and common resources across Europe in uneven ways. Building upon the eurozone's structural inequalities, the "bailout" programmes and Memoranda of Understanding have particularly targeted loosely regulated land and property in southern European economies (Hadjimichalis 2014a, 2014b); the case of Greece, where I situate the study presented in this paper, is a particularly good example of this. Greece's spatial policy has been dramatically transformed in the decade since the 2008 crash. The public debt has been methodically constructed as a crucial lever of dispossession (Hadjimichalis 2014a), and the plethora of state-administrated "rescue" mechanisms has resulted in an overproduction of institutional and legislative changes under "fast-track" and "exceptional" procedures. As part of this "regime of accumulation" (Hadjimichalis 2014a), the forcible appropriation and redistribution of land is regarded as a key solution to the country's debt crisis (Vourekas 2013) and has set a new paradigm in the relation between fiscal and spatial policy (Klabatsea 2012). Investors have been intruding massively into the purchase and leasing of land and the real estate system, looking for privileged positions for, inter alia, high-quality tourism (Hadjimichalis 2014a) and both "green" and "un-green" developments (see Apostolopoulou and Adams 2015; Siamanta 2019); the latter are both part of the well researched increasing neoliberalisation of land and natural resources for profit all around the globe (e.g. see Fairhead et al. 2012; McCarthy and Prudham 2004; Smith 2006).

Both within and well beyond Greece, the 2008 financial crash has generated new momentum for *state* interventions in land acquisitions (Cotula 2012): the dispossession of land involves the direct participation of the state, and its willingness to mediate in the process of the land's forcible redistribution (Wolford et al. 2013). Despite its radical origins, the "land grabbing" debate has, however, been increasingly absorbed by mainstream, depoliticised, and descriptive perceptions of development (Borras and Franco 2010; Levien 2013). This paper seeks to reaffirm the active role and the specific ways in which the neoliberal state dispossesses rural private land through an in-depth look at a large-scale renewable energy investment on Crete's Eastern corner, Sitia, where Terna Energy, the investing company, aims to construct a €276,500,000 "hybrid" power plant. I draw on a seven-month study conducted in Sitia in 2017—using in-depth interviews, document analysis and an ethnographic approach to the "field"—to foreground the role of the state in enacting intense spatial "restructuring" processes dictated from "above". Land grabbing in crisis-ridden Greece has been the object of previous study (Hadjimichalis 2014a, 2014b), but an empirical, "socially embodied" (Kaika and Ruggiero 2015) perspective on Sitia's dispossessed communities helps inform a hitherto largely theoretical discussion on land dispossession and dissect the *specific* mechanisms employed by the state on behalf of investors.

I first discuss how Harvey's (2003) theory of "accumulation by dispossession" and Bourdieu's (1994) concept of the "bureaucratic field" can contribute to our understanding of contemporary land dispossession and the state's role in it. After providing a brief overview of Terna Energy's "hybrid" power plant, I move on to explore the shifting functionality of the state's historical "overlooking" strategy

vis-à-vis the existing informal, largely unregulated relations on land. What happens to this institutionally “vulnerable” landscape if there is *no market* for windy private land—in a context of growing interest for renewable energy investments, which makes it highly sought after? It is precisely within the dialectical relation between historical continuity and rupture with previous regimes that I here explore the state’s re-regulating role: the transformation of Sitia’s landscape is made possible through the mobilisation of the state’s bureaucratic and normalising powers, which reinvent and redefine the concept of *forest* and dispossess through *classifying* land as such.

Dispossession and the “Bureaucratic Field”

While land dispossession (and the active role of the state in it) is by no means a historically novel phenomenon (Levien 2012), Harvey’s (2003) theory of “accumulation by dispossession” provides a sound basis for conceptually situating dispossession under conditions of advanced capitalism (Glassman 2006). In order to overcome chronic problems of overaccumulation since the end of Fordism, and profound crises in which expanded reproduction (the accumulation of capital based on the exploitation of wage labour) becomes more difficult, Harvey suggests that the re-appropriation of surplus value from one class to another requires new means of accumulation: scouring the earth in its constant search for profitable outlets, capital engages in “accumulation by dispossession”. The latter’s role is to “release a set of assets (including labour power) at a very low (and in some instances zero) cost. Overaccumulated capital can seize hold of such assets and immediately turn them to profitable use” (Harvey 2003:149).

“Accumulation by dispossession” originates from Marx’s (1990) own discussion of “so-called primitive accumulation”; Marx argued that the creation of capitalism’s preconditions entails a dual, brutally violent transformation of social relations: the social means of subsistence and production are turned into capital, and the producers are turned into wage-labourers. Stripping “primitive accumulation” off its historicist baggage, and following Rosa Luxemburg’s (2013) footsteps on the phenomenon’s continuity, Harvey’s (2003) theory helps explain a diverse range of contemporary forms of dispossession and, most importantly, emphasises the role of the expropriated asset, land, or resource *itself*—and not solely the transformation of its owners.

Despite its tremendous ability of capturing various contemporary forms of dispossession, however, “accumulation by dispossession” has been criticised as being *too broadly defined* (Bailey 2014; Levien 2012, 2013). By expanding the boundaries of the concept too much, according to Robert Brenner (2006:100), Harvey includes in his concept “a virtual grab bag of processes”—some of which are a fundamental part of the “already well-established sway of capital”. Linked with the difficulty of distinguishing between expanded reproduction and “accumulation of dispossession” is Harvey’s failure, according to Levien (2012), to adequately distinguish between the role of economic and “extra-economic” (including state) force in the dynamics of dispossession. The *means-specific* character of “accumulation by dispossession” is, for Levien (2012), the only

meaningful way of distinguishing it from capitalism's "ordinary" way of expanding. Responding to this critique, also mounted by Wood (2006), Harvey (2006a:159) stresses the "incredible interpenetration of state and capital practices (institutionally, politically and even ideologically)" we are surrounded by; a clear-cut separation between the "political" and "economic" would therefore not only produce a "weak theory of the contemporary state", but also be extremely problematic in practice. Following Papakonstantinou (2008:117), I agree that what "accumulation by dispossession" aims to do, then, is emphasise the continuous character of *political* violence contrary to the linear logic of its clear separation from the economic violence embedded into class exploitation. It thus contributes to a dialectical understanding of "fraudulent" and "predatory" practices *within* and *because of* a system of inherent, structural exploitation.

While I do not see the analytical utility of Bailey's (2014) and Levien's (2013) call for a clear-cut distinction between "economic" and "extra-economic" means within the dynamics of dispossession, I do agree, however, with their critique that the state, institutions and agents of capital remain in the abstract in Harvey's (2003) work, despite him clearly acknowledging their crucial mediating role. Harvey's theory lacks empirical clarity, and looking at *how* the neoliberal state appropriates land in particular historical and geographical formations can make our understanding of the political violence of dispossession elsewhere richer. Using the example of Greece, my aim here is to precisely show how economic purposes related to land lead to specific *ways* of achieving these purposes.

Seeking clarification on these ways brings us to the concept of the "bureaucratic field", i.e. Bourdieu's (1994) conceptualisation of the state as a set of institutions that control the monopoly of definition and distribution of "public goods". Building on the work of Miliband, Gramsci and Poulantzas, Harvey's (1976) Marxian theory of the state captures the subtleness and pervasiveness of the latter as a dynamic institutional and ideological engine which exercises power through a series of diverse channels: the state controls the flow of ideas and information; subordinates the majority through a combination of force and consent; and internalises political mechanisms of class domination within its administrative and bureaucratic order. The fragmentary and incoherent nature of the state's structure and function, reflective of the dialectic relationship between serving economically conceived class interests and exercising political power which lies at its heart, has the capacity of mystifying it as an "abstract idealization of the common interest" (Harvey 1976:82). Bourdieu's (1994) theory goes a long way towards demystifying the state's "natural" appearance. Through a historical reconstruction of its genesis, which brings back into view "the conflicts and confrontations of the early beginnings and therefore all the discarded possibles" (Bourdieu 1994:4), the state is conceptualised as a concentration of various (and often antagonistic) forms of capital (physical, economic, informational and symbolical). It is the interplay and struggle between the latter which forms the state's rule and authority over different domains—and, by extension, defines the antagonistic relationship between protecting private property rights and dispossessing private land in the name of "national interests" in a capitalist *modus operandi*.

States have historically been the main agents of dispossessing private land for “common good”—this process of expropriation is deeply rooted in the legal doctrines that have regulated the relationship between government and the institution of private property since medieval times (Reynolds 2010). For the neoliberal indebted state, private investments in land are considered a necessary response to restoring financial stability, and are therefore reframed as responsible governance (Kallin 2018)—or, when being part of “bailout packages”, as the *only possible governance*, and as a moral obligation to the creditors (Lazzarato 2012). If debt normalises processes of “accumulation by dispossession” as systemic compulsion (Kallin 2018), states hold the means of imposing and naturalising the above rationale, and translating it into policy. The neoliberal state is far from a passive receptor of transformations required by “above”: its power is *remade*, but does not become less (Harvey 2010; Wacquant 2012). Wacquant (2012:71) situates neoliberalism’s institutional core in “an articulation of state, market and citizenship that harnesses the first to impose the stamp of the second onto the third” and urges analytical attention to all three. He employs Bourdieu’s (1994) concept of the “bureaucratic field” as a powerful tool for understanding the “remaking of the state as stratification and classification machine”—a series of bureaucratic agencies which naturalise and monopolise, especially by means of symbolic and juridical power, the definitions and categories of thought that “we spontaneously apply to all things of the social world” (Bourdieu 1994:1).

Applied to the question of land, such conception of the state, as I argue in this paper, provides a useful frame for dissecting the state’s bureaucratic *methods* of dispossessing land by “failing” to protect it, by classifying it as “forestry”, and by redefining what the latter means. As becomes clear in the following sections, the state of dispossession is construed “not as a monolithic and coordinated example, but as a splintered space of forces vying over the definition and distribution of public goods” (Wacquant 2010:200).

Terna Energy’s Hybrid Power Plant

Ranging from Europe and the US to North Africa and the Middle East, Gek Terna Group’s (2018) activity “spans from construction, energy production and supply, concessions, waste management and mining activities to Real Estate development & management”—the group claims to have made investments over €1.5 billion “in the crisis”.¹ Terna Energy holds a “leading position” in the Greek energy market, with approximately 6000 MW of renewable energy projects in operation, under construction or in an advanced stage of development (Terna Energy 2018). In Crete, Terna Energy’s plans for a “hybrid” power plant consist of two counterparts: subproject *a*, a system of 27 wind turbines situated in Sitia’s mountainous inland, in Lasithi; and subproject *b*, a system of pumped-storage hydroelectricity for load balancing in Potamon Dam in Amari, Rethymnon. I here focus my attention on the forcible appropriation of land for subproject *a*—the windfarms in Sitia.

Crete is still an autonomous grid island and currently widely considered a “renewable energy-saturated” system due to the volume of “green” energy already produced (Sfakianaki 2017). This sets a limit to the number of new windfarms

that can be installed in the system without destabilising it, and intensifies competition between energy providers to achieve production licences for their investments, as only companies which do offer a plan for excess energy use or storage are given the possibility by the Regulatory Authority for Energy (RAE)² to install new windfarms in Crete (Sfakianaki 2017). Competitors can therefore either remove the existing “disadvantageous” barrier of Crete’s power autonomy by implementing a submarine interconnection cable to the mainland,³ or offer storage options for the excess “green” energy. By promising to balance the insufficient energy demand through the function of the “hybrid” plant’s hydroelectric pumping system, Terna Energy gets to access, apart from RAE’s production licence, generous state “compensation”: €6,350,000 per year, a sum that will be added to the company’s yearly (gross) income of €59,868,330 (Enveco for Terna Energy 2016). Companies with “hybrids” therefore achieve, argues Sophia (a member of the Technical Chamber of Eastern Crete), “a competitive advantage for themselves ... and, as they are compensated at an extremely high price, we suddenly see fourteen ‘hybrid’ plants scheduled in Crete”.

State support towards Terna’s plant has also been manifested in a Public Private Partnership between Terna Energy and the (state) Organisation for the Development of Crete: a typical case of allocating publicly funded projects (the Potamon Dam and the island’s power grid) to private investors for long-term “exploitation” (Sfakianaki 2017), in which “the public sector bears all of the risk and the corporate sector reaps all of the profit” (Harvey 2006b:25). Potamon Dam was designed and publicly funded for “the irrigation of the Rethymnon plain and the reinforcement of the Municipality’s water supply” (Organisation for the Development of Crete 2018); these projects were never completed, and the fact that the “energy exploitation” of the dam was contracted to Terna in 2012 shows the “intrusion” of big private “players” in projects of such scale in the current financial, political and legislative context (Sfakianaki 2017).

Terna’s power plant has been resisted, and currently lies at a standstill. In 2016, the project was unanimously rejected by three community assemblies in Sitanos, Karydi and Zakros (see Figure 1). Such was the mobilisation and pressure from opposing residents that Sitia’s Town Council “was forced”, as the Mayor put it himself, to reject the investment unanimously. In 2018, after almost two years of relative stillness, the Region of Crete—in a rather heated Regional Council meeting in Heraklion which was massively attended by Sitia’s landowners—evaluated and rejected Terna’s plans. Any final decision on the plant’s fate lies, however, centrally (in the hands of the Ministry of Economy and Development); Town and Regional Council decisions are only of advisory nature when it comes to investments of “national interest”. As part of a discourse that equates the social and ecological demand for renewable energy with *any* business activity and method related to it (Hadjimichalis 2014a), Terna’s power plant is being promoted as a “beneficial project” for Crete and the whole country: it will substitute imported fuel (oil) *and* bring capital investment (Interview, Terna). It is, however, part of a system of fierce internal competition between “big” investors for a share in the country’s relatively new and extremely profitable energy market (Sfakianaki 2017)—the political economy of this new market itself, and the role of speculation “games” around land for “green”

investments are issues I explore elsewhere (Korfiati 2019). My aim here is to dissect the particular fashion in which dispossession occurs in Sitia: *how* do investors access land, if all the windy properties are private, and not for sale in the market?

Non-Regulating as State Strategy? The Shifting “Functionality” of Informal Land Practices

[I]t must be made clear that *laissez-faire* too is a form of State “regulation”, introduced and maintained by legislative and coercive means. It is a deliberate policy, conscious of its own ends, and not the spontaneous, automatic expression of economic facts. (Gramsci 1971:371)

If implemented, Terna’s 27 wind turbines will occupy a surface area of at least 6,872,604 m² of land (Enveco for Terna Energy 2016) at the “heart” of Sitia’s

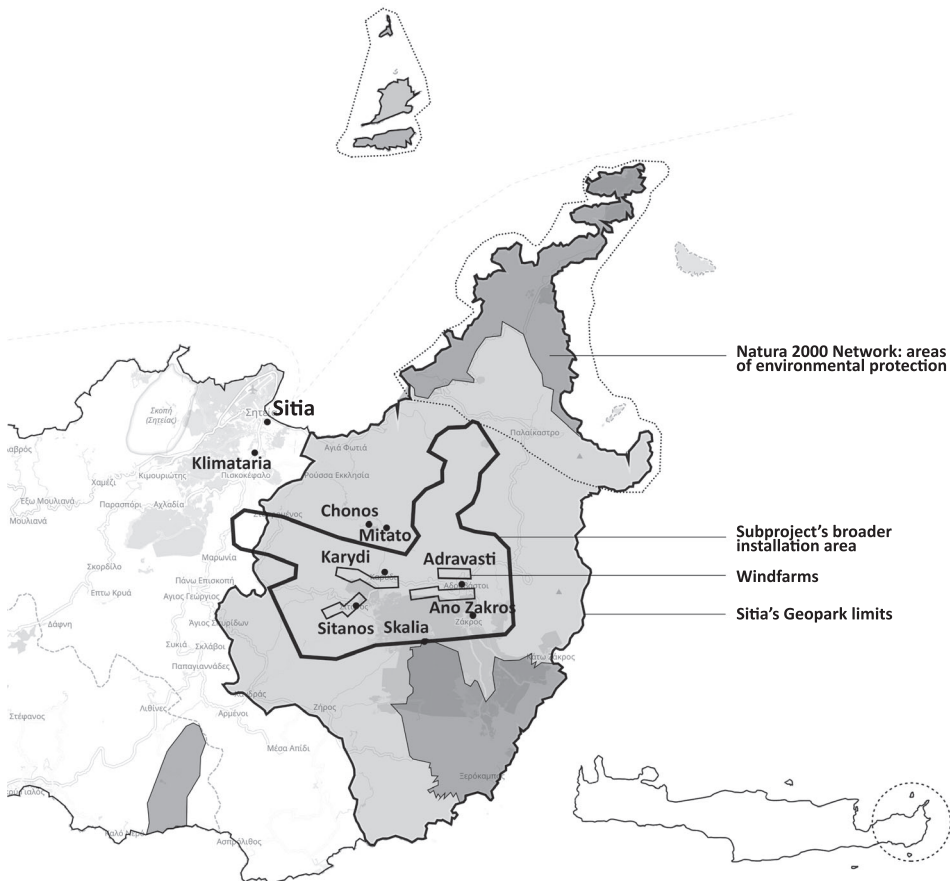


Figure 1: Eastern Lasithi and the Hybrid Plant’s Windfarm Installation Area (source: edited by the author, using background map from <https://www.openstreetmap.org> and data from <http://www.sitia-geopark.gr> and Enveco for Terna Energy [2016])

(UNESCO) Geopark and in close proximity to Sitanos, Karydi, Adravasti, Skalia, Mitato, Chonos, and Ano Zakros (see Figure 1). Some of these are traditional settlements (dated before 1830 and mostly saved unaltered) and include important archaeological findings of which only few have been officially declared. Locals argue that Terna's plans pose a serious threat to the use-values (simply put, the material uses of a commodity that can satisfy needs—as opposed to exchange-value, the relative price of a commodity when exchanged for other commodities) they generate and the productive activities they practice on land inherited from their families (agriculture, apiculture, stockraising, hiking, speleological, archaeological tourism etc.); the very existence of the Geopark itself; and the area's fragile water supply (Opposing Residents of Sitia 2017). According to Harris, a member of Sitia's Town Council, "it is common practice for landowners to rent the land out to shepherds and get rent in the form of cheese. These are private pieces of land, but without any property titles: any transactions related to them are therefore informal". Informal practices on Sitia's land, as I explore in the section that follows, as well as state "failure" to implement measures of environmental and archaeological protection, produce a landscape with *no institutional barriers* to dis-possession.

Spatial politics in the modern Greek capitalist state were founded on the basis of (small) private property as the only "healthy base" of the national economic politics (Mantouvalou 2005). Private property, especially in (semi)agrarian settings, was however never fully *realised*: land is more than a means of production that can be valued economically, and its valuation cannot be reduced to the "singularity of private property" (Levien 2013). In Crete, land spatialises a long line of inheritance within the same family or community, and locals often take customary laws for granted. According to Emiliou, a member of the Ecological Group of Sitia, properties in Sitia's mountainous inland are *technically* private, but land is seldom treated as an asset to buy or sell, and property boundaries are frequently defined by approximation. In other words, most locals lack what Anne Haila (2017) has called the "property mind"; they do not have "a culture of property" and knowledge around or interest in land markets. Informal property and labour relations on land, which are coexistent with (if not necessary for) fully marketised and regulated spheres of capitalist society (Fraser 2014), have been so far largely overlooked by the local and the national state: the lack of a complete National Cadastre results in uncertainty around land ownership titles (and the series of undocumented transactions on it); and the unclear regime of land use makes, in turn, the possibilities and restrictions of any activities practiced or planned on it unclear.

These practices of "non-regulation" are part of the state's "overlooking" *strategy* which has served a long-term and cross-class "functionality". "Any landscape", as Don Mitchell (2008:35–36) highlights, "is (or was) functional": produced through the investment of capital in it, landscape can potentially yield (or serve as a site for the realisation of) exchange-value; and, landscape establishes the necessary conditions for the reproduction of the labour power required for the above. As part of this double functionality, the dynamics of state neglect, lack of regulation and informality in the Greek countryside have so far produced

uneven and marginalised but dynamic local economies which should not be seen as “underdeveloped” or “delayed”: contrary to a “stagist” understanding of capitalism, they should rather be viewed as a manifestation of uneven geographical development in the country (Vaiou and Hadjimichalis 1997). Land dispossession in Greece “did not commence with the crisis”; “micro-dispossessions for use-value” comprise “a timeless characteristic of Greek society”, with thousands of land-grabs by individuals, businesses, monasteries and municipalities for cultivation, housing and all sorts of illegal constructions in the countryside and urban peripheries (Hadjimichalis 2014b:505–506). These *laissez-faire* practices have historically contributed to the social and geographical diffusion of rent and the formation of a broad small property “class” (Mantouvalou 2005). This particular regime of social reproduction has been dominant since at least the early 19th century, forging a wide informal societal (including state) consent for its maintenance (Mantouvalou 2005; Tsoukalas 1986).

The landscape’s functionality is, however, a dynamic process, and shifts to accommodate capital’s changing needs. Since the 1990s, spatial planning in Greece was stripped of any social and public priority and started encouraging entrepreneurial targets within a framework of competitiveness and international appeal (Vourekas 2013). The growing financialisation, large-scale land-deals and the preparation for the 2004 Athens Olympiad (Kalatzopoulou and Mpelavilas 2014) led to a shift from micro-dispossessions for use-value to macro-dispossessions for exchange-value (Hadjimichalis 2014b); land has since been dispossessed by new elites, large developers, banks and monasteries, and often met with (violent) resistance (Calvário et al. 2017). So far used for use-values and small-scale economic activities, Sitia’s loosely regulated landscape attracts generalised pressure for various kinds of large-scale, often speculative investments on land (with touristic real estate and energy investments as the tip of the spear). The fragmentary framework of spatial planning, as Sophia puts it, was:

intentionally left unstructured. Who ever tried to structure it? ... Any existing planning law in the post-war period was never implemented, and suddenly they froze everything since the 90s to make new, convenient planning laws, and authorised these instead. These are tragic stories...what kind of state are we talking about then? A state that intentionally does not exercise its role.

This becomes evident in the state’s inadequacy to “protect”. Yannis, a landowner in Sitanos, argues that state “failure” to officially demarcate important archaeological sites on Sitia’s mountains is part of “a systematic and planned undermining of this area to make the creation of these [wind]farms possible from 2005 onwards”. The provisional demarcation of the archaeological sites located within the Municipality of Sitia was a prerequisite for the Ministry of Culture to approve Sitia’s General Urban Plan (GUP) in 2007. But back then, argues Sara, a landowner in Sitanos, some of the GIS maps which accompanied the GUP “did not even show the villages ... They did not even include the archaeological sites, the ones that *were* declared ... So, what did the investor see? Pastures! They saw a place with an excellent wind potential, and nothing else. A wasteland”. If Sitanos, Katsidoni, and Karydi were declared as traditional settlements, argues Stella, a

member of the Town Council of Sitia, “specific minimum distances would need to be maintained—so the 27 wind turbines would not fit”. While it is hard to prove that the Archaeological Commission *planned* to leave Sitia’s archaeological sites unprotected, local archaeologists argue that such negligence derives from the neoliberalisation of the state itself: there is, for example, “such terrible understaffing” that many archaeologists are forced to evaluate whether sites should be protected or not without in situ inspections.

In a similar vein, the Independent Operators meant to be established by the state in order to clearly define and regulate the neighbouring Natura 2000 environmentally protected areas were never set up. Additionally, according to Fanis, the coordinator of Geoparks in Greece, Geoparks do not have any legal substance in the national legislative framework. In theory, only the “biodiversity law” (Law 3937/2011) foresees the operation of Geoparks in the form of regional or national parks. In practice, however, the recognition of Geoparks under Law 3937 presupposes a “legislative procedure” which involves the submission of a “special study” which has not been defined: “the specifications of this ‘special study’ are not provided. Nobody knows what this study is about ... The Ministry clearly doesn’t want to go ahead with this” (Interview, Fanis). Determining the above legislative procedure would define land uses and areas of protection and would impose some restrictions on investments within the Geopark’s limits.

Following capital’s changing needs, the absence of land contracts, clear property boundaries, registered land uses, and effective layers of protection serve the neoliberal project of “reengineering” rather than “dismantling” the state (Wacquant 2012). In the following sections I explore a combination of state strategies that not only produce a landscape with no institutional barriers to dispossession—but *actively* re-regulate the legislation and its practice, shift the role of the forest as a public good, and bypass the question of private ownership over land by *classifying* it as “forestry”.

Land Framed as “Forestry”: Dispossession by Classification

Through the framing it imposes upon practices, the state establishes and inculcates common forms and categories of perception and appreciation, social frameworks of perceptions, of understanding or of memory, in short *state forms of classification*. (Bourdieu 1994:13)

“What is interesting with the energy projects”, Sophia stresses, “is that they function according to the ‘whoever secures the land first’ rule. Therefore, since 2010, when some legislative issues were taken care of, or even since 2008, in the prospect that they would be taken care of, big stretches of land were involved in deals with listed companies”. Terna has received a production licence and conducted an EIS study for the “hybrid” plant, but has not dealt with ownership issues of the “secured” land yet. This is indicative, argues Sara, of the “simple fact that investors take land for granted: they have been planning investments on land which they haven’t even checked if it’s public or private ... they just say, I’ll make

my project here! They are certain they'll get it". I here explore where this certainty derives from, and I pay particular attention to the role of the state in providing that certainty.

Large investments have already been implemented in the area, including more than 90 MW worth of windfarms (Municipality of Sitia 2014). Thanos, the president of Katsidoni, argues that Sitia is already "saturated" in terms of the renewable energy produced but also of spatial planning; multiple stretches of land are already occupied by renewable energy investments. Initially, locals did not have negative reactions to the latter, as opposed to the current widespread negative sentiment vis-à-vis large-scale renewable energy investments; many argue that there are qualitative differences in the way the first energy investments were carried out in the area: back then, companies contacted the locals "like humans", paid fair prices for the land, and made topographical plans (Interview, Thanos). Ironically, for some, identifying the exact location of their properties and creating formal contracts served as a way of securing their properties later, against the ongoing dispossession efforts of investors and the state (Interview, Thanos). This reflects a clear shift in the role of the renewable energy industry in the country, which escalated from small-scale and often state-led investments in the 1990s to widespread large-scale investments within a generalised narrative of "green growth" and the gradual liberalisation of the domestic energy market. I am here not interested in analysing the formulation of the new "green" discourse around land per se, but rather in exploring the power of the state to *act* on this new narrative through adjusting old, well instituted tools; creating new categories of thought translated into law under conditions of "urgency"; and shifting existing definitions to meet new ends.

Nestoras occupies a high position in the department of Protection, Administration and Management of Forests in the Decentralised Administration of Crete. "The crucial element for investors", as he puts it, "is whether the land is suitable for windfarms. Investigating the question of property is secondary to them". In the EIS's list (Enveco for Terna Energy 2016) of selected (mainly technical) criteria for the proposed installation area, not once do the authors refer directly to the question of land *ownership*—a significant absence which was also reflected in my interview with the project's representatives. The consideration of costs over the question of land is indicative of the *financial* ease with which investors acquire properties. This is reflected in Terna's subproject's budget breakdown: a total of €7,500,000 is foreseen for "environmental rehabilitation, land acquisition and unpredictable factors" (Enveco for Terna Energy 2016), all bundled together at the bottom of the list. This represents, in total, only about 2.7% of the €276,500,000 estimated total investment cost. Bringing land-related costs down, however, is not enough if *there is no land on the market for sale*. How are local landowners dispossessed of their private land? In a state that is desperately eager to give land away in the name of "national interests", forcibly transforming private land into public land is an act of accumulation by dispossession. This allows:

the contemporary "investors", these ... neophytes, Terna and the like, [to] come here in the form of a conqueror and go and classify areas ... Forestry areas are public land.

They declassify the areas [from private agricultural], they go to the forestry authorities, they pay the public fee etc., and they say, "I'll make a windfarm". And they don't care about anything. Inevitably, therefore, the local community will react. (Interview, Thanos)

This "conquering" mechanism can be stripped down to two interlinked state strategies: the first exploits the relationship between forestry land and *ownership rights* over this land; and the second transforms the *meaning* and role of the forest as a public good.

From Private Land to Public Forestry Land

All forestry land in Greece is considered by presumption public. But Crete, the Ionian Islands, the Cyclades and the Dodecanese are exceptions to this general rule. In Sitia, the classification of land as forestry *should not* directly affect land ownership issues due to Crete's peculiar landownership regime. Following the Cretan Revolution and before its annexation by Greece, the island went through the transitional stage of the autonomous Cretan State (1986-1913), which led to a different landownership regime when it comes to, *inter alia*, forests, forestry and grassland areas; the Cretan Civil Code resulted in legal particularities, but also a different "psychology" vis-à-vis landownership in Crete, which involves strong elements of family inheritance rules instead of legal titles (Papadakis 2017). The ownership of forests, forestry and grassland areas in Crete is *not* considered by presumption public, and most properties on Cretan mountains are private. In case the land is contested, in theory the state, similarly to private individuals, needs to *prove* its ownership over the land (Law 998/79, Article 62). Simos, a landownership lawyer, argues that this particularity is "in practice not respected, which results in individual landowners being forced to turn to expensive lawsuits against the state to recognise it as *private* grassland or forestry ... which can take years, because the state exhausts all the steps". Court rulings in land dispute cases vary largely on the approach taken by individual judges, with some justifying landowners and others granting the land to the public by presumption or taking intermediate approaches (Interview, Pavlos/member of the Regional Council of Chania).

The pressure exerted over the outcome of court proceedings is related to the shifting role of the forest as a public good. In practice, any privately-owned area which is classified as forestry land or grassland is claimed by the state as *public* forestry land: it can then be leased to renewable energy investors for a "public" fee of just €50 per acre, the so-called "beekeeper price". Accumulation by dispossession involves a fix, as Arrighi (2004:531) puts it, which involves the "forcible or fraudulent appropriation of something for *nothing*, rather than the exchange of nominally equivalent values".

From Public Forestry Land to Renewable Energy Investments

It is precisely the private nature of Sitia's mountainous land, as Orionas, a member of the PanCretan Network Against Industrial-Scale RES, points out, that creates

the need for “legislation that essentially allows for the state to get the landowner out of the way”. This legislation, although intensified and supplemented with new regulatory measures amidst the crisis, has been facilitating “green” investments as early as 2001 (Law 2941), when they were prioritised as “projects of public interest”. They can since be implemented within forestry areas regardless of the implementing body and are still valid even if the land is legally recognised as privately owned. In practice, this means that investors can implement renewable energy developments anywhere they like, if the area is “forestry”, or classified as such by the Forestry Commission (Interview, Sophia). Expropriations of privately owned land were made possible, and the Forestry Commission is since entitled to expel and impose sanctions on shepherds. In 2006 (Law 3468, a first form of “fast-track” law), crucially, the question of scale was introduced: “large-scale” investments (of at least 30 MW of power and €30 million budget) are since prioritised. In continuation of Law 2941/2001, the 2008 “Spatial Framework for the Spatial Planning and Sustainable Development for the RES” (Article 6) “imposed the implementation of RES projects literally in every corner of the countryside” that did not have a Presidential Decree for protection (Interview, Sophia): “National Parks, protected natural formations, preserved monuments of nature, protected landscapes and areas of eco-development” (Law 1650/1986, Article 19), and “Important Bird Areas” (IBA 2000 and European Directive 92/43/EC) are not deemed incompatible with RES projects.

Prior to the commencement of any work related to the installation of their projects, the investing companies apply to the competent Forestry Commission for the land to be classified. This process does not require the applicants to produce titles of land ownership or the owners’ consent; any company can apply for the classification of any stretch of land anywhere, regardless of who owns it. It is therefore common practice for prospective investors to apply for the classification of areas much larger than necessary for their immediate needs, possibly to secure their future plans in the region (PanCretan Network Against Industrial-Scale RES 2012). The whole process has been accelerated during the crisis: according to Law 3851/2010 (Article 12), the classification act is now issued by the Forestry Commission as a matter of priority—within a single month from the application submission.

Temporality is an important incentive for investors to avoid seeking contact with individual landowners: they ask for the land to be classified, and “since it *will* be classified as forestry, or grassland, they go to the state and lease it. And they bypass the question of ownership ... They think, this is an immediate form [of ownership]” (Simos, original emphasis). It is also common for companies to follow “a middle ground solution” to avoid delays by preventing landowners from taking legal action:

they [the Forestry Commission] classify [the land] as public forestry, but then ... here comes the investor, and they find you, who owns the mountain, and they say “I’ll give you €5,000 a year” ... who will say no? It’s a proper income. €10,000, I don’t even know how much. Black money. (Interview, Pavlos)

Taking advantage of the landowners' relative ignorance, companies approach them and offer them long-term rents and contracts of questionable validity: their aim is to secure their consent until the project is installed. As soon as the area is classified as forestry and transferred to state administration, companies might stop paying the former landowners (if they ever did) (PanCretan Network Against Industrial-Scale RES 2012). It is convenient for investors to use the "classification mechanism", Sophia stresses:

because in this way they have nothing to do with the individual ... but they deal with the state instead, a much easier task with so much public forestry land around ... The state will gladly give it to them and will not bring any objection. As opposed to the others [landowners], who may beg them, pressure them, or bind them with a contract so they are forced to pay much more. So why should they deal with the private owners and not with the state, which promotes this as policy anyway?

The role of the local administrative authorities is crucial in interpreting and implementing the law before the case goes to court. Therefore, apart from the strength of the wind, the investors pick land "on the basis of who their local collaborators are" (Interview, Sophia). Yannis agrees that this "classification mechanism" is a matter of "collusion between the state, and the municipality, with the various mayors etc., and big investors. This is crystal clear". Corruption within the local administration was identified by many participants as an important dimension of this "collusion". According to Menios, who is in danger of losing his land in Sitianos:

palms are being greased here ... everything is accomplished through that: the forestry inspector came here and told me my own land is forestry. But everyone around here knows that it's not! And because my late father-in-law planted a single eucalyptus, and five oleander plants ... it became a forest.

But the "classification mechanism" and its implementation is the outcome of, as Sophia puts it, more "structural shifts":

I would formulate this differently; that in that way there is a strong *incentive* to turn properties into forestry land. Which means that, even if they don't grease their [civil servants'] palm ... they will now pressure or request them for ... one thing that the whole propaganda says, along with Ms. Birbili [former Minister of Environment], and then the Council of State as well, that is *the* useful thing to do for the social interest. (Interview, original emphasis)

Spatial policy involves both a material and symbolic element—in Sitia, what changes is also the symbolic role of the forest, as a "public good" which is, as it stands, "undercapitalised" and "not green enough". Renewable energy investments therefore bear a symbolic weight that kills two birds with one stone: the land is "developed" and investment capital "flows in", and the forest becomes greener. The above presupposes a transformation in the very definition of what constitutes forestry land to begin with. Apart from changes in the legislation itself, the *interpretation* of whether land is forestry or not via in situ autopsies, which often falls on the shoulders of a single civil servant, is a crucial part of this

transformation. The state's "neoliberal reengineering", as Wacquant (2010:72) puts it, employs, among other institutional logics, "the trope of individual responsibility as motivating discourse and cultural glue that pastes ... various components of state activity together".

This "siege ring" of the state and companies around the land is primarily a class conflict, since most landowners are unable to afford the expenses of a legal dispute. In theory, private landowners can object to the classification of their land as forestry; but in practice the process is costly, and takes time—on average, it takes more than five years for the objection request to be discussed by the Primary Commission alone. For the objection process to stand a chance of winning, the applicant needs (apart from hiring a specialist lawyer) to produce, beside property titles or the proven usucaption over the land, a special photo interpretation of the 1945 or 1960 aerial photos of the area (from the Hellenic Military Geographical Service). In short, thousands of euros are required for the lawyers' fees, photo interpretations etc. for an "extremely dubious vindication" (PanCretan Network Against Industrial-Scale RES 2012). In this sense, argues Yannis, "all these acres of land ... we are talking about pieces of millions of square meters ... are practically confiscated". Company tactics of "buying" land also reproduces and reinforces class divisions between the inhabitants themselves, as their need to take the "breadcrumbs" offered by the company in return for their land varies; this "builds consensus" and "breaks the reaction front" (Interview, Yannis). Local landowners are, essentially, left with two options: to simply give the land away, if they cannot afford the costs of a legal dispute; or to forcibly sell it at extremely low prices. Refusing to conform, many are concentrating their efforts in scrutinising the company's legal grounds and EIS argumentation, and preparing their case for a potential appeal to the Council of State.

Conclusion

"What spaces are left in the global economy for new spatial fixes for capital surplus absorption?" asked David Harvey in the final chapter of *The Enigma of Capital* (2010:217). These spaces are, as I argue in this paper, manufactured, and "there is nothing automatic", as Levien (2013:16) puts it, "about capital (overaccumulated or not) finding outlets in land or any other asset". The space of dispossession is not "just discovered at the edge" (Tsing 2003:5100): it is *produced*, and the neoliberal indebted state assumes a crucial role in this process. In this paper I focused my attention on the state's role in the transformation of private, highly fragmented property (mainly) for use-values and small-scale economic activities to public property for pending renewable energy investments from big investors. Turning land into public property leads to its (re)commodification, and new forms of state classification emerge as major drivers of dispossession. This paper reaffirms the crucial role of the state in the political economy of land dispossession and sheds light on underexplored *forms* this role is manifested in.

Attention to state dynamics in processes of accumulation by dispossession is of crucial importance for three main reasons. First, it emphasises the *political* nature of the forcible appropriation of land for large-scale investments and dissects its

close interrelation with economic pressures from investors. Attracting and promoting specific kinds of investments, controlling the definition of “public goods” through symbolic violence (Bourdieu 1994), and (re)commodifying land through its forcible incorporation in the public domain are all state affairs. When land is not available in the market, and investors cannot simply purchase it, as is the case with Sitia’s mountainous private properties, states need to be willing to find ways of expropriating land *for* them; Crete’s particularity exposes the lengths at which the state is prepared to go in order to appropriate land on behalf of investors. This argument follows “transformationist” approaches to state theory, which advance the idea that states are not dismantled under contemporary capitalism—they are qualitatively transformed (Brenner 2004). The state of dispossession protects (or fails to protect) property rights; allocates land uses and decides what kind of spatial plans can be applied where; and decides what parts of the land are worth protecting (i.e. environmentally or archeologically) and what this protection means (see also Apostolopoulou and Adams 2015).

Second, the state of dispossession promotes the appropriation of land for investments *from below*. The transformation of private productive land into public forestry land, accomplished through the mobilisation of the state’s juridical and bureaucratic power of land classification, takes shape in a *local* mechanism of interpreting and enforcing the law. What happens at a national level is not enough to explain the mechanism of dispossession, and the national state should not be assumed to be a monolithic agent—nor should it be blurred with the municipality (the local government) (Haila 2016). In a dialectic relationship between individual agency and structure, decisions of local governmental officials and employees are motivated by and produced through a combination of lack of funds and understaffing (such as in the case of the Archaeological Commission); (indications of) acts of micro-corruption and self-interest seeking; and finally, the genuine urge to serve a specific type of “public good”. If the state is able to define, serve, and naturalise the latter through symbolic violence, as I have argued following Bourdieu (1994:4) and his concept of the “bureaucratic field”, it is “because it incarnates itself simultaneously in objectivity, in the form of specific organisational structures and mechanisms, and in subjectivity in the form of mental structures and categories of perception and thought”. Dispossession of land on behalf of capital for “green” purposes and the “national interest” here presents itself as the only possible policy option, and therefore “has all the appearances of the natural” (Bourdieu 1994:4)—it becomes the duty of every individual and every region to contribute to the task of attracting capital flows through investments in land. This reflects Neil Brenner’s (2004) argument about *rescaling* as a fundamental part of the remaking of the neoliberal state towards a growth-oriented and competitiveness-driven direction: not only cities and city-regions but also rural areas should not be treated as “mere subunits of national administrative systems”: they are an essential part of the state’s *reworking* on a national level. The naturalisation of attracting all kinds of investments as a “public good” is crucial, as it also helps explain *why* local governments, similarly to the state on a national level, favour land acquisitions despite being close to local interests.

Third, looking at state mechanisms of dispossession highlights the dialectic relationship of both rupture and continuity between crisis and inherited, path-dependent relations embedded in land. Why is the state willing to dispossess, while it has diachronically preserved a wide, cross-class alliance which reproduced the social and geographical diffusion of rents? Changes in forestry legislation and the definition and perception of the forest as a public good were put in motion since 2001, and accumulation by dispossession occurs on a landscape that has been inadequately protected, controlled, and regulated by the state for years before the outburst of the crisis. I have analysed this lack of regulation as a form of regulation, and as an important part of a diachronic strategy of the Greek capitalist state that has served a cross-class and long-term “functionality”. But the “success” of the neoliberal state (national or local), as Harvey (2010:197) puts it, is increasingly “measured by the degree to which it captures flows of capital” and “builds the conditions favourable to further capital accumulation within its borders”, and regions compete to achieve the above. This competitive pressure is not the product of the financial crisis itself; especially under conditions of crisis, however, capturing flows of capital is directly perceived as a state mechanism of paying back the debt: indebtedness, fiscal constraints, and “restructuring” are *reinforcing* the strategy of both cities and the countryside to attract investments. Dispossession, however, does not occur in a moment, and it is a *process*—not an act. In the “Right to the City”, Lefebvre (1996:104) approached his study of the production of urban space through the dialectic relations between “continuities and discontinuities”. The spatial manifestations of the crisis should be looked, following his thought, as both a continuation of previous regimes *and* a moment of rupture with them; and, following Gramsci’s spatial historicism (Ekers et al. 2013), processes of accumulation by dispossession cannot be explained without looking *back*, and without placing the state’s role in its historical (dis)continuity.

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Endnotes

¹ Gek Terna Group consists of Terna, Terna Energy, Terna Mag, and is also part of Heron (see <http://www.heron.gr>).

² RAE is an independent administrative authority (Law 2773/1999), which was issued within the framework of the harmonisation of the Hellenic Law to the provisions of Directive 96/92/EC for the liberalisation of the electricity market.

³ The fierce competition between the different interconnection plans (almost worth €4 billion in total) is indicative of the scale of the profitability of the new “green” energy market nationally and beyond, but also Crete’s crucial geopolitical location in it.

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