



Formalization and legitimation in qualification processes based on Geographical indications. Evidences from the *Charcuteries de Corse* case

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Abstract – Qualification schemes based on registered Geographical Indications (GIs) are recognized as tools for supporting origin products, yet little is understood about their impacts on local communities' social and economic structure. Indeed, the legal recognition of GIs may be conceptually approached as a transformation process from common to collective good based on formal rules; the results of this process can be interpreted in terms of controversial bond between legality and legitimacy. Taking this theoretical framework into account, the paper aims at examining the effects resulting from the engagement in an origin linked qualification process. The analysis relies on the evidences coming from the case of the Corsican pork-butchery sector products, also known as *Charcuteries de Corse*. The results reveal the diverse experiences that may potentially evolve under a GI mechanism.

INTRODUCTION

According to the Trade Related Intellectual Property Rights (TRIPS) Agreement, adopted in 1994 by the World Trade Organization's, Geographical Indications (GIs) are "indications which identify a good as originating in the territory of a [WTO] Member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin" (article 22.1). At the European level, the Council Regulation (EC) 510/2006 (now 1151/2012) assigns to the GIs various goals such as promoting products, improving the income of farmers and retaining the rural population in less favored areas. The legal recognition of a GI can effectively become the pivotal point of the so called "quality virtuous circle" [Vandecastelaere, Arfini, Belletti and Marescotti, 2009] that aims at generating positive effects on farmer livelihoods, local communities, and the environment. Notwithstanding the fact that the conditions under which these effects are considered positive are very complex, it is generally recognized that the GI protection scheme implies large processes of transformation. This is mainly due to the fact that the legal recognition of GIs is based on formalization of both the system of relationships and the production processes, and on a more complete allocation of property rights over the geographical names and other local resources (as breeds). As the

setting up of a GI framework takes place in a local pre-established socio-economic environment, the equilibrium among interest groups is a crucial issue.

METHODS

This paper refers to the Corsican pork butchery sector [Sainte Marie et al., 1998] in order to investigate the processes that can happen when a qualification strategy based on GIs official recognition is pursued. From a theoretical point of view, we consider GI registration as a transformation process from a *common* to a *collective* good as, unlike before, after the recognition only producers complying the rules are able to use the protected name. GI registration and legal protection may stimulate collective action but they may also produce a radical transformation as far as the entitlement of the local actors is concerned; based on the idea of legality, GIs may originate a veritable struggle against the local shared sense of legitimacy [Usunier and Verna, 1994].

The paper is based on an in-depth examination of Corsican pork butchery sector relying on three primary sources of data. After a literature review, a first round of explorative semi-structured interviews was conducted on a group of selected farmers, and then a second round of interviews on a sample of 17 actors including pork-meat producers and distributors. Questions were formulated to understand the actors' profiles, their history, their breeding practices and their perception of the impacts of the GI implementation. The technique of participant observation has also been used during two meetings of local association of "GI promotion".

MAIN FINDINGS

In the Corsica region and abroad, the products issued from the local pork-butchery sector are widely known as a local "excellence", thanks to some major factors such as the specific breed (*Nustrale*), the type of feed and the way of processing the meat. Benefiting from this strong reputation, some processors import raw material from abroad, selling a middle-low-quality meat as an authentic "*produit de Corse*". The will of preserving the product status represents a common point of view, which is shared by all the traditional breeders. Indeed, this will has pushed a group of breeders, associated in the Syndicate, to engage themselves in an origin-linked qualification process in order to obtain a GI legal recognition. But at the same time, a lot of producers are still acting outside of the legal requirements (no

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identification of animals, on-farm slaughtering, selling without any label, no fiscal declaration) maintaining their activity thanks to the direct selling.

Evidences show that, on one hand, the double "split" among breeders has engendered a differentiation and the creation of a sort of *elite*, corresponding to the members of the syndicate; on the other hand, the efforts made by public institutions to coordinate the breed-approach together with the origin-linked-product-approach would sensibly contribute to the social acceptance of the GI.

As far as the contribution towards formal economy is concerned, a wide range of responses can be considered. Regarding breeders, if sanitary aspects are perceived as more powerful incentives, this is not completely true with reference to e.g. fiscal regulation or third part controls.

The so called "man-supply chain" [Casabianca et al. 1994] organization model that consists in the processing of its own animals and informal direct selling (without any label), is expected to survive to the GI legal recognition and perhaps to increase, with possible market perturbations. In this sense we interpreted the results of the field-survey as clues of an hybrid transition towards formal economy: some products will follow the standard procedures required by the GI recognition process; some others, in the same productive unit, will be excluded from the legal recognition. Young starting breeders could play an incentive role in the formalization process: since their entrance in the direct selling system appears as full of obstacles, the easiest way to benefit immediately from a good reputation consists in obtaining the GI legal recognition, so as to share the status of the quality sign.

Regarding the relationship among the actors of the supply chain, the GI represent a fundamental push to formalization process, in fact all the operations should be traced, with consequences for both intermediate-buyers and customers.

As a part of the formalization process, the GI official registration corresponds to a concept of legality, that is to say something which is in conformity with the law. On the contrary, the legitimacy makes reference to something which is commonly considered as "right and fair". Legitimacy is also often linked to the notion of *embeddedness*, involving a sense of "rooting" in the local context. The co-existence of rules of law and rules of legitimacy could give birth to two groups of actors, following respectively the code of practice and the code of what is considered commonly tolerated. Even if being part of one group or another is not always a voluntary choice (some breeders cannot materially afford the costs of a GI legal recognition), the presence of two non related-entities lead to various interpretations, such as the "empowerment" one: the respect of the Code of practice, besides giving the actors a property right on the origin name, could allow them to benefit from an authentic process of empowerment (the *honest* people) with regards to the non-respectful actors, who can only

count on legitimacy (the *fraudulent*). Various scenarios can be foreseen, depending on both the degree of tolerance and the strength of legitimacy in comparison with legality. Based on Usunier and Verna [1994] work, the case study indicates the so called "trap" hypothesis as a possible evolution: the GI mechanism could represent an incentive to the achievement of legality with comparison to legitimacy, leading to a progressive lowering of tolerance. This is particularly true from professional buyers' (e.g. supermarket) point of view, which base their transactions exclusively on legality. Consumers play also a relevant role as far as their choices are based on various quality conventions which refer to more or less formal quality evaluation criteria.

DISCUSSION AND CONCLUSION

The analysis shows that in general GI devices represent a contribution to the transition to the formal economy, but it can be argued that the social and economic context is susceptible to change the intensity of this contribution in a decisive way. The logic of legality encapsulated in GI registration may conflict with the principle of legitimacy, in contexts characterized by high level of informality. Due to the GI, the entitlement of each actor face to the resource is modified, so that the individual responses to this transformation can configure contrasted scenarios. In the Corsica case, the GI scheme will be integrated in a system characterized by many structural problems, including the existence of both the formal and the informal economy. The vertically integrated breeders easily escape to the formal system because they find refuge in the direct selling and the role of "sole protagonist" of the breeder. Young breeders can play a very important role in the Corsican system. Deciding to "start from scratch" the activity of pork breeder in Corsica involves numerous risks and problems (i.e. difficulties in land management, barriers to enter the circuit of direct selling which requires a strong network of relationships). In this sense, the activation of the GI scheme could encourage the entry of young farmers in the supply chain, with repercussions on the development of the *Nustrale* breed, on the revaluation and redistribution of the activity of breeder, on the success of the device itself and its contribution to formalization.

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