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What is "Political" in Commons-Public Partnership? The Italian Cases of Bologna and Naples

RESEARCH ARTICLE

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ABSTRACT

The whole development of the Italian commons implied since the early stages some kind of dialogue between communities of activists who have at heart the future of public property and local administrations experimenting with varied forms of dialogue with citizens. As elsewhere, the Italian commons movements do not come out of nowhere. They are instead deeply rooted in a context and history of civic and political activism within social movements and the third sector. Also dialog with institutions take place in the wake of a highly institutionalized tradition of interactions between state and civil society, which in Italy dates back to the early 1980s. Through two case studies – in Bologna and Naples – the paper shows two different ways of conceiving the commons. The first on the outcomes of the convergence between public administrations and commons movements in terms of services delivered, the second on the political process through which the commons is realised.

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1. INTRODUCTION

Mobilization for the commons in Italy has largely taken place over the last decade, and has mainly concerned the participatory use of urban public buildings and the social, artistic and cultural activities connected to them. The Italian commons movement is part of a changing landscape. Following the harsh repression of the so-called CSOA—the Italian acronym for Occupied and Self-managed Social Centers (see Dines 2000)—and anti-globalization movements in the early 2000s, antagonism and conflict with institutions have often given way to dialogue with public administrations around the management of public goods. For their part, many local institutions engaged in an internal debate on the political implementation of normative tools such as urban regulations to promote commoning.[1]

This encounter between commons movements and local administrations is the focus of this article. Interaction with institutions is a notoriously delicate moment in the life cycle of commons, and more in general of social movements and civil society actors. It can empower movements, "tame" them, or result in the denial of their political role by the public sector (Fressoli et al. 2014). Well aware of this risk, Italian commoners have always sought to preserve what they considered the political nature of their action; to escape the risk of neoliberal capture, they avoided playing the role of mere service providers (Asara 2019). However, the very definition of what this political role is, and the strategies that are put in place to preserve it, varies greatly across local experiences of commoning. In the following pages, we will explore this broad range of meanings and repertoires of action. Through the empirical analysis of two cases, Bologna and Naples, we will argue that Commons-Public Partnerships (hereafter CPPs) can acquire political value for commoners and institutions at different levels. They can be seen as means or preconditions for enabling political action, when this consists primarily of the possibility of building alternative spaces and models of action autonomously and according to their own political principles. Alternatively, CPPs can be an end in themselves, when interactions are the space in which political agency is played out through open conflict and the exercise of voice.

In the paper's main contribution to the debate on CPP, our argument will thus move beyond the classic marginalization/co-optation dilemma in dealing with the relationship between commons movements and public authorities. This impasse is the starting point, since it is inherent in the commoning process and an inescapable part of the game. In our view, the indispensable task of preserving the political role of the commons can be better understood by stepping out of this dichotomy and shifting our gaze to *what* actors consider political and to *how* they conceive and implement this role. Thus, escaping the risks of co-optation does not mean giving up interaction with the public, but managing it by avoiding disciplining and respecting the different sensibilities of each movement. Moreover, we argue that representations and strategies are both closely dependent on the contexts in which interactions take shape, and are framed by path-dependent dynamics and past patterns of relationships between the public sector and civil society. After a brief overview of our research design (section 2), we will contextualise the administration-commons encounter both theoretically (section 3)—by framing it in continuity with older forms of self-organisation—and empirically (section 4)—through the ethnographic account of specific CPP experiences.

2. STUDYING THE COMMONS WITHOUT FORGETTING CIVIL SOCIETY. PERSPECTIVE, CASE AND METHODS

This article is the secondary outcome of empirically grounded/ethnographic studies conducted separately by the two authors in recent years on the interaction between commons movements and institutions in urban Italian settings, and on the forms of politicization and depoliticization of civil society actors in their interaction with the state. Sharing the results of these two research paths brought to light some common features of these two forms of interaction that deserved further investigation. First, in analyzing civil society actors' forms of "flexible institutionalization" (Asara 2019), the analytical lenses of continuity and change play a central role. In Italy, as elsewhere, commons movements do not come out of nowhere. They are deeply rooted in a context and history of civic and political activism in social movements and the third sector. Similarly, interactions with the political system and the public administration also take place against the backdrop of a highly institutionalized tradition of interactions between the state and civil society, which in Italy dates back to the early 1980s. As we will see, in some cases CPP takes its cue from the practices and rhetoric acquired in the Public-Civic Partnerships (PCPs) of recent decades. This is not to say that innovation cannot spring from such experiences, but rather that it may take the form of a "path dependent innovation" (Thrane et al. 2010). From this perspective, the emphasis on the novelty and the ground-breaking potential of the commons must be accompanied by a corresponding focus on the dimension of continuity and path dependency, which seems to be less prevalent in commons scholarship (Heinmiller 2009: 131).

The strong substratum of interactions between civil society and public actors in Italy may facilitate cooperation.

However, studies of the Italian third sector have shown that it has evolved toward an increasingly depoliticized model of pure outsourced service provision (Busso 2017). In this case, this continuity in interaction with local institutions carried the risk of a path dependent evolution that can undermine the political potential of CPPs. This tension can be seen not only at the level of practices, but also on that of discourses. Social innovation processes face the "*double bind* [...] of being concurrently encouraged and discouraged to do things differently" (Bartels 2017, p. 3790). In the face of this ambivalent discourse, the actors involved must, on the one hand, affirm their traditions and legitimize their paths; on the other hand, they need to exploit the potential for legitimacy that comes from the discourse of continuity and innovation, even when it is not accompanied by a renewal of practices (Wodak 2009).

In Italy, the convergence between commons movements and local institutions to implement processes of self-production, self-management and self-government is strongly linked to the use of law as an instrument for the advancement of urban commons (see Vesco & Kioupkiolis 2022). Law is the *trait d'union* between the mobilization of commons emanating from society and the institutional implementation of commoning models. The legal debate on the Italian commons has touched on a nearly endless array of normative approaches—some radical, others less so—to the legal-political definition and implementation of the commons, taking into account the relations between open communities of citizens and local institutions. So far, these juridical reflections have resulted in two main models and regulatory frameworks of interaction between local governments and commons movements. In the so-called "Bologna model", a strong administration, linked to the traditional center-left parties, has retained control of the commoning processes in its dialog with the city movements; this is a public law method focusing on facilitating municipal regulations and institutional mechanisms. A more autonomous process was implemented by social movements and collectives in Naples, where more fluid forms of interaction with local institutions were put in place by following a legal device called "collective urban civic use".

Undoubtedly, the extensive legal debate has given an impetus to the search for possible ways forward for the affirmation of the commons. At the same time, this regulatory-prescriptive approach has partly monopolized the political and academic conversation, hindering thoughtful scrutiny of the concrete role assumed over time by local administrations in the promotion of the commons, and partly obscuring the social and political nature of the interaction between institutional action and civil society/social movements. As Kioupkiolis notes, "today, the commons in Italy are not merely a legal concept [but] foster complex institutional practices of democratic empowerment that have resulted from ongoing social pressures, struggles and civic initiatives, advancing civic engagement in public administration" (2021: 5). If this is true, as indeed it is, we must therefore get to the heart of the interaction between commons movements and local institutions by using the tools of the social sciences. To grasp the articulation between the discourse on the revolutionary scope of commons and the concrete, everyday practices of commoning, we thus decided to analyze the two cases mentioned above. While the case of Bologna is characterized by a strong public administration which boasts a solid tradition of continuity in local government and is a true example of continuity between old PCPs and new CPPs (Helfrich 2021), Naples presents a more hybrid system, where a well-established network of commons movements can have a stronger voice against a less centralizing and newly established public administration.

The paper is based on around 40 interviews with activists and policy makers, as well as on participant observation of the practices and discourses by local administrators and commons activists during public assemblies and meetings, and of the daily activities of the communities of commoners.[2] Conversations—both recorded and unrecorded—with people involved in commoning processes in Bologna and Naples were accompanied by interviews with journalists, politicians, scholars and simple "users" of the spaces cared for and managed by these commons communities. The paper thus adds to the scarce ethnographic literature on the link between commons and institutions in Italy, where we encounter eloquent traces of a long tradition of collaboration between civil society actors and the state apparatus.

3. SELF-ORGANIZATION AND INSTITUTIONALIZATION DILEMMAS: THE COMMONS SOLUTION

Even before it was addressed by commons scholarship, the dilemmatic nature of relationships with institutions had long been the subject of civil society studies, which focused on the contradictions inherent in practices of self-organization. Indeed, self-organization can be a way to engage those who are usually excluded from so-called conventional political activity, and generate alternative models that can challenge dominant approaches (Piven and Cloward 1977). However, the services offered may unwittingly be used as an excuse for reducing public intervention, and for this reason—paradoxically—enjoy the consent of ruling classes in times of crisis (Birchall 2002). In the background, the experiences

(and rhetoric) of self-organization lend themselves to instrumentalization. They are in danger of being lumped together with the neoliberal rhetoric of "responsibilization" of both individuals and communities (Yeo 2002).

Against this backdrop, the debate on the commons has always kept the focus on the political role of self-organization. Though it was relatively marginal in Ostrom's early work (1990), this issue is in fact at the center of a wide debate (Rose 2020). While political value of commoning has thus never been questioned, it has been viewed in varyingly nuanced ways (Kioupkiolis 2019). Commoning is, first of all, a way of introducing alternatives to dominant political models in daily practice, and of acting politically in different arenas. The focus here is on commoning as an alternative way to participate:

> For those activists oriented toward political parties and elections, legislation, and policymaking, we counsel a shift to a deeper, more significant level of political life—the world of culture and social practice. (Bollier & Helfrich 2019: 5)

By contrast, more radical perspectives emphasize the conflictual (or, in a narrower sense, revolutionary) potential that lies at the center of this idea of commoning (Hardt & Negri 2009, Harvey 2012). According to this view, "the common(s) signal a transformative project that reaffirms the values of collective ownership and self-management not only in the state but also in the material basis of production" (Kioupkiolis 2019: 76).

Radicality and conflict are deeply affected by the process of "incorporation" (Cress 1997), and the institutionalization is conceived as entering into the "institutional arrangements of society'" (Giugni 1998, xii). This process goes through several steps before a stable relationship with the public sector can be created or even imagined, the most significant being the acquisition of formal recognition as a non-profit organization of some kind and the incorporation of a certain degree of professionalization and formal organizational structure (Cress 1997). These steps have repercussions on chosen forms of action as well as on the bureaucratic burdens, ultimately leading to some form of moderation and loss of the spontaneous nature that often accompanies the emergence of forms of self-organization (Busso and De Luigi 2019). It is no coincidence, then, that the problems (and risks) of interaction with public authorities have always played a prominent role in the debate about the commons. Among the many insights emerging from this debate, for the purposes of this paper it is useful to outline two different—though closely related—tradeoffs that distinguish this interaction at the analytical level.

The first tradeoff has to do with the tension between the need to preserve autonomy and spontaneity and that of achieving recognition and, consequently, accessing resources (Tang & Tang 2001). Here, the first dimension of interaction with institutions deserving special attention is that of self-organizing and commoning initiatives' legal recognition and status. On a basic level, it is necessary that the law be able to grant this possibility (Ostrom 2012). Law and commons regulation can also have the broader political value of gaining "leverage on institutions while upholding grassroots autonomy" in a framework of counter-hegemonic action (Vesco & Kioupkiolis 2022: 7). However, this empowering function of legal recognition, which paves the way to an autonomous and granted management of public resources, clashes with the opposite—and well known—view of state intervention as a source of constraints and a risk for the very essence of commoning. In Hardt and Negri's words:

> any attempt at external organization only disrupts and corrupts the processes of self-organization already functioning within the multitude. The multitude produces efficiently, and moreover develops new productive forces, only when it is granted the freedom to do so on its own terms, in its own way, with its own mechanisms of cooperation and communication. (2009: 302)

The second tradeoff takes shape in the sphere of urban governance. In fact, the commons' needs go beyond the level of legal status, and also concern the political level. Here, the tension is between the political agency offered by entering the institutional arena, and the two opposing risks of co-optation and marginalization. Moreover, as for other civil society initiatives, operating in a dense administrative and institutional environment poses a threat to the democratic nature of so-called "bottom-up" experiences (Wagenaar 2019). In this sense, as Bollier and Helfrich (2019) show, public sector and market actors—as "guardians of the prevailing order"—tend to defend the institutional order from both an administrative and cultural standpoint. Consequently, "The market/state system is understandably interested in challenging or co-opting systemic threats such as the commons, by marginalizing them through the usual mystifications ('socially responsible business,' the 'green economy') or trying to make us ignore them" (2019: 283). The risks of co-optation can be faced by relying on the very nature of the commons and the commoners, whose commitment "to a broad set of philosophically integrated values" (2019: 4) makes them less vulnerable to the threats of integration than other forms of civil society initiatives.

However, some kind of institutional arrangements are needed. Ostrom's reflections made it clear that forms of self-organization had to come to terms with

the broader institutional environment in which they were embedded (Ostrom 2005, Ostrom & Andersson 2008). In her thinking, the answer to possible threats to the commons lay in polycentric governance, where public and private institutions and experiences of self-organization coexist in a complex intertwining that unfolds from the local level to involve the national and international ones (Ostrom 2008). And it is exactly this dense and complex interaction between different organizations and different levels of government that—almost paradoxically—can grant autonomy to commons experiences, providing at the same time the resources they need (McGinnis 1999). The polycentric governance model has the undoubted merit—among others—of showing how decentralization alone is no guarantee of autonomy. However, it does not pay special attention to the rules and patterns that determine the direct interaction between institutions and commons, and more importantly, it tends to underestimate the risks of depoliticization connected to governance (Brown 2015), that ultimately can fuel society's neoliberalization (Kioupkiolis 2020).

Bollier and Helfrich's (2019) idea of CPP offers a sharper definition of the features required to avoid the risks of pre-existing private-public partnership models, that ultimately supported outsourcing, delegation and privatization. The model they propose is centered on the idea of autonomy in instigating, managing and steering projects, in a broader and unconditional delegation of authority. In their words:

> A [CPP] is not about *commanding* people to do x or y. It is about *creating conditions* so that people *want* to contribute their personal energies and talents [...] The key is not offering the "right incentives" or salaries. It is about giving people real authority to manage their own operations—and supporting them with the right infrastructure, equipment, and funds. (2019: 337)

It is clear that what is at stake goes far beyond the question of how services are managed: it involves a rethinking of the very assumptions of public action. In this connection, it is essential to overcome the distinction between "service users" and "service providers" which leads to losing sight of the essentially communal basis of the commons and, consequently, their disempowerment'.

For this to take place, the hierarchical principle in public administration must be sharply curtailed, limiting its function to the promotion and support of self-organization (Bauwens 2005). From this perspective, the state does not merely tolerate or authorize commoning initiatives, but shows genuine commitment to their transformative potential (Bollier and Helfrich 2019). This calls for a profound transformation involving not only the actors and their institutional environment, but also their modes of interaction. Continuity and path dependence do not operate only on the level of actors and organizations, but also occur at the meso-level of governance and interaction models (see Vergne & Durand 2010).

The commoners we will focus on in our case studies are well aware that they have to cope with this risk. The obstacles they have encountered relate precisely to the tendency of institutions to follow governance models and modes of interaction linked to public-private partnerships. This happens both when they are faced with solid and well-established institutions, as in the case of Bologna, and when collaboration occurs with "weak" and apparently less top-down local administrations such as that led by Luigi De Magistris in Naples.

4. ITALIAN COMMONS IN PRACTICE: TWO CASE STUDIES

4.1. THE COMMONS AS COLLABORATION AGREEMENTS: THE "BOLOGNA MODEL"

A turning point for the establishment of institutionalized commons practices was the legal formulation of the concept of "commons" at the level of Italian local councils in 2001, when Title V of the Italian Constitution was amended. Thenceforth, as stated in the last section of Article 118, "The State, regions, metropolitan cities, provinces and municipalities shall promote the autonomous initiatives of citizens, both as individuals and as members of associations, relating to activities of general interest, on the basis of the principle of subsidiarity". The new clause assigns higher legal power to citizens' autonomous initiatives, establishing that institutions are required to encourage them. This ushered in a plethora of participatory experiences at the level of local councils and, despite the lack of national laws on the matter, a group of jurists from Bologna believed that it was possible to take advantage of this constitutional amendment to promote active urban participation initiatives. They were mainly scholars and activists associated with the Labsus (Laboratorio per la sussidiarietà) group established in 2005 by Gregorio Arena and other professors of administrative law. The work carried out by Labsus applied the constitutional principle of subsidiarity by producing municipal legislation and a regulatory framework which bypasses national legislation (Kioupkiolis 2021). In the wake of this work, at the beginning of 2014 the City of Bologna approved the first urban regulation in Italy dealing expressly with the commons. It was called the "Regulation on collaboration between citizens and the local council for the care and

regeneration of urban common goods." Bologna was soon followed by other cities and towns and, so far, around 300 municipalities have approved similar regulations and many others are expected to do so in the future.[3]

The Bologna Regulation was approved by a center-left city council led by the Democratic Party that saw the commons as a political issue in line with its own idea of the city. It promotes collaboration and joint action between inhabitants and the city for the care and regeneration of urban spaces: from public gardens to abandoned buildings, etc. According to its main promoters, the Bologna Regulation is addressed to a wide range of actors in the city, from ordinary residents to private owners and commercial businesses, encouraging them to collaborate in neighborhood associations, cooperatives, and foundations to manage public spaces and buildings. The Regulation provides a toolkit of governance and legal instruments that will assist "active citizens",[4] local entrepreneurs, and knowledge institutions and other civil society organizations in co-designing a participatory, polycentric model of governing urban goods. In addition, the Bologna Regulation seeks to boost interactions between urban commons, the "collaborative economy," digital technologies and social innovation (Foster & Iaione 2016).

Over time, the Bolognese administration has created intermediary institutions capable of managing commoning activities on behalf of the municipality to promote forms of integrative governance. This is the case, for example, for the Foundation for Urban Innovation (FIU), co-managed by the City of Bologna and the University of Bologna. As its president told us, "the foundation is a participatory governance device that uses digital platforms, as well as live meetings, to promote collaborative decision-making methods and relational urban governance" (Int. M. D'Alena, 2019, FIU president). Bollier and Helfrich (2015: 10) warned that the "many legal, financial and organizational forms that are useful to advance the principles of commons at larger scales […] should not be confused as the essence of a commons". They referred to the risk of capture and co-optation by institutions and market actors. The FIU's function is not merely to facilitate participatory processes involving non-institutional actors; its very nature as an institutional subject with a concrete, imaginative vocation leads it to design initiatives of its own and to govern those that flourish from below. This model of collaborative governance is inspired by old PCP models, addressing citizen groups already formally established as associations and/or committees. This continuity was formalized in the Regulation, where a specific provision (Article 5) was introduced concerning the already well-known form of "collaboration agreements" entered into between the city and citizens' associations. The continuity was such that, in analyzing the Bologna model, Helfrich (2021) speculated about taking PCP a step forward, reaching forms of CPP that go beyond this model.

On the other hand, many different subjects and groups have started bottom-up initiatives in the participatory climate in Bologna that was established by the Regulation. They range from institutional cooperatives—such as Kilowatt, an urban garden, co-working and social enterprise promotion space—to more radical political collectives, such as the well-known Làbas, initiated by a large group of activists mostly under the age of 30 who in 2012 occupied an abandoned military barracks in the heart of the old city.

The case of Labas is illustrative of the dilemmas that radical social movements that decide to cooperate with political authorities face. After being evicted from the barracks, the collective started a dialog with the city administrators, who assigned them a new building for their activities. Over the years, Làbas has become a large and heterogeneous group of people who are very active in the national commons network, in dialog with other commons movements in Naples, Turin, Rome, Milan, and many other cities. At the same time, they are well rooted in the city's neighborhoods, so much so that area residents have elected some of its members to the city council. In addition to the Làbas collective's social and cultural activities in Bologna and beyond—in the Mediterranean, for example, the group's ship "Mediterranea – Saving Humans" assists migrants—some members are now engaged in active institutional politics as part of Coalizione Civica (Civic Coalition), the left-wing, municipalist, non-party-affiliated ticket supporting the center-left coalition governing the city. Their entry into institutions was seen by the city's social movements and even by some Làbas activists in two rather opposite ways. On the one side it was interpreted as a form of institution hacking in the wake of radical municipalism tradition (see e.g., Russel 2019; Dikeç and Swyngedouw, 2017). On the other side, some emphasized the risk of absorption in official political logics and, thus, a weakening of the transformative nature of the movement was feared.

Regarding their relationship with local institutions, Làbas activists thus find themselves in a contradictory position. On the one hand, they are quite critical of the commoning model promoted by the administration; on the other, they are frequently accused of institutional co-optation by other movements in the city belonging to the same radical political area. These accusations were fueled by the group's acceptance of a renovated building in the city center as a "gift from the mayor", as well as its decision to have members hold elected office in the city administration. Some of the interviewees told us about "hints" from other groups about their closeness to the administration.

At the same time, they were outspokenly critical of the city government's commons policies, and accused the administration of holding the reins of the partnership with the commons collectives.

> I am extremely convinced that the current Bologna Regulation is a joke. First, because it is inadequate with respect to several issues. Second, because it is still founded on potestative power.[5] In fact, it does not speak of *withdrawal*, but of *revocation* of the collaboration agreement [by the administration]. "Revocation" is redolent of potestative language, redolent of public utility. Third, today, individual citizens who want to use a public space cannot do so. If you want to use that regulation, you have to form an association. Lastly, its concrete enforcement has always been very poor. (Int. Pietro, 2018, Làbas activist)

In practice, the Regulation has often been used to carry out urban maintenance work, such as caring for public parks and street cleaning. Activities that are the public administration's responsibility are in fact outsourced through the Regulation. Other Làbas activists complain about these applications:

> Creating an access ramp for a school is not something that should be outsourced to citizens. Mobilizing citizens for the common good should be promoted through other types of activities! The problem is that this Regulation has even been used to organize public events, just to formally increase the number of concrete applications so that they can then talk about Bologna as a "city for the commons". (Int. Daria, 2018, Làbas activist)

From the point of view of the commons movement, the Regulation has serious limitations that detract from its political scope, as it is both very cautious and sufficiently vague to be applied to varied contexts. On the other hand, it is an effective narrative: "This is a real *red washing*, the Democratic Party and the administration are doing red washing with this stuff here" (Int. Pietro, 2018, Làbas activist).

In addition to the limitations mentioned by our interviewees, two aspects should be noted here. First, there is a remarkable formal continuity between the instrument of "collaboration agreements" envisaged by the Regulation and the old formula of direct allocation of public buildings by administrations to citizens' associations—a method that for decades has characterized cooperation between public administrations and civil society associations. Second, the concrete application of the Regulation reveals the political nature of this project. In this case, interaction between commons movements and local government focuses on the existence of a formal regulation and the results it can produce in terms of services offered, but not on a transformation of the political process that might have been facilitated by the interaction.

The Bologna model almost completely sidesteps issues concerning forms of self-organization and management of the common good. That step forward called for by Helfrich (2021) concerns precisely the political nature of administrative governance, the (alter-)political essence of the "commons" as "a new politics that comes from outside the existing space of conventional political possibilities" (Hage 2015: 61). By contrast, self-government practices are the basis of the resolutions on the common goods approved by the Naples City Council. It is thus to Naples—and to the dynamics we will describe in the next section—that Làbas activists turn their attention today:

> In contrast to Naples, in Bologna we are still seeking a real recognition from (and a certain autonomy vis-à-vis) the municipality. In Bologna there is already a Regulation, it is problematic but not entirely to be thrown away. It needs to be changed, introducing certain things that are in De Magistris's ordinances in Naples and that would be interesting to include here. (Int. Gianni, 2020, Làbas activist)

4.2. INTRODUCING NEW CONCEPTIONS OF COMMONING: NAPLES AND "URBAN CIVIC USE"

The experience of Naples rests on rather different foundations and has been the singular offshoot of a confluence of independent social actors and the former non-aligned mayor. The city government led by Luigi De Magistris,[6] elected in 2011 and again in 2016, was in fact strongly opposed by all the traditional political parties, especially by the center-left coalition. Our analysis thus focuses on a decade—2011 to 2021—which tellingly illustrates how, over and above legal arrangements and regulations, commoning initiatives are inextricably linked to political circumstances and to the openings afforded by specific historical and institutional phases. Today, the Neapolitan commons movements continue, but are confronted with the uncertainties of a new local political framework in which the city is administered by the center-left, which has only half-heartedly endorsed the route taken in the last decade.

From the time of its election, the former administration collaborated closely with some of the major urban movements and political collectives in the city. In dialog with the administration, a group of legal experts from the city's commons network developed the model called "urban civic and collective use". A legal instrument for the recognition

of open communities that use and take care of urban public spaces. It is an urban version of the ancient legal notion of "civic uses", i.e., "perpetual rights of the members of a community [...] over assets belonging to the state, a municipality, or a private individual" (Treccani Encyclopedia 2020). These rights are of ancient origin and stem from the institution of collective land ownership. This institution dates back to Roman and Germanic agrarian collectivism, but its heyday was under feudalism, when civic uses were how the vassals of feudal lords' gained their subsistence.

The core aspect of this legal arrangement is that, unlike the Bologna model, it does not consist in allocating a public space to an association or a specific body. Alongside direct management by the public administration and the formula of a non-profit assignment to associations that had characterized old PCP models, civic use is a *third* solution, where open communities of activists oversee and manage commons/buildings directly. The political nature of civic use also lies in the emphasis placed on the self-governing practices of spontaneous groups:

> … self-government is connected here to a basic decision-making system where the process centers, not on a single subject as an exclusive concessionaire, but on an open number of individuals, associations and collectives that can benefit *together* from the common good which is the subject of the sharing agreement. (Micciarelli 2017: 145–146)

In this convergence, open and heterogeneous assemblies have retained a higher degree of autonomy and initiative. Whereas the Bologna Regulation was written by experts and consultants who aimed at "activating citizenship", here the process arose entirely in open forums led by citizens who were already active and who framed—and collectively wrote—their own regulations for the collective use of urban assets. The real novelty of the process that began in Naples thus lies in the formal recognition by local institutions of existing groups and open communities of subjects who look after public goods. This fact, together with the forms of self-government later adopted in these communities, is decisive in marking the transition to the commons.

We will now briefly retrace the route taken by the Naples administration. In 2011, the City amended the Municipal Charter and introduced the legal category of "bene comune" (common good). In the words of the former councilor in charge of the commons, the term "common good" meant "accessible, usable, shared, available to the representation and the realization of the needs, projections, and recognizable desires of established communities" (Piscopo 2017). In 2012, the City Council enacted the "Rules for the Management of Common Goods", and in 2013 the municipal administration established an Observatory on the Commons in order to identify public and private assets which could be transformed into "common goods" for collective use as part of the public heritage. Other institutional measures symbolically communicated the city's commitment to promoting the common use of urban spaces. In 2014, the municipality adopted the first resolutions to *return* several abandoned buildings to the public.

In taking this route, Naples has been hailed in Europe and beyond for its important social and political experimentation, with its spaces and gardens run by spontaneous groups of citizens, after-school and public clinics, squats, social laboratories, territorial committees, artistic and cultural collectives, etc. It is an experiment that is now central to the administration's public rhetoric. As the former city manager in charge of Common Goods told us:

> Through civic use there is no concession of a space to anyone in particular, it is everyone's space! Where the ownership of the space is no longer relevant. What matters is finally the use of the space [...]. The truly innovative factor is precisely this: the recovery of the institution of collective use. So you create spaces that are used collectively, where I can't do whatever the hell I want as an individual, but I have to deal with a community, so I also need to be able to find the right mediations, to build consensus on projects, to carry them out together with others… Do you understand what's going on? We are really creating citizens! (Int. F. Pascapè, 2018, Naples city manager)

The interviews with institutional representatives also mentioned the inevitable negotiations between institutions and urban movements regarding the authorship of the entire process. Administrators tend to appropriate legal and political decisions that activists claim as their own achievements. The concrete implementation process of the City of Naples' commons resolutions is obviously not linear. And it is precisely by observing how it is put into practice that we can grasp certain conflicts, rigidities and the commons movements' daily struggle to ensure that gains in the common management of public goods are not undercut by other urban policies running counter to them. The *Massa Critica* network and the *Observatory on the Commons* offer interesting vantage points on these dynamics.

For some years, *Massa Critica* brought together all the (institutional and non-institutional) Neapolitan entities whose work revolves around policies for the commons. The representatives of the city's commons collectives that had joined *Massa Critica* met both at the City Hall and in the so-called "liberated spaces" (the buildings allocated to open communities of commoners). Meetings were also attended

by key representatives of the municipal administration, which has always publicly supported the network. Because of its ability to bring together highly diverse experiences, its strong institutional legitimization, and its significance within the city's social movements circuits, *Massa Critica* was considered "an important change in the city's socio-political context, both in general and with respect to the historical evolution of its urban movements" (Gargiulo & Cirulli 2016).

Despite their ongoing dialog with the municipality, the people making up the *Massa Critica* network have always distanced themselves from an institutional approach to politics, expressing their ambition to "hack" the institutions:

> *Massa Critica* wants to launch an ambitious project: to shape the political agenda of the city from the bottom up, autonomously and independently, going from neighborhood to neighborhood, so as to be able to impose this agenda on whoever is elected in the coming months, and ensure that it is respected, day by day, in the coming years.[7]

This approach is embodied in an attitude of strong opposition to the city's administration when the latter makes choices concerning the urban heritage that seem to favor the neoliberal austerity policies that are damaging cities and local bodies. Many activists are now questioning the links that the network has forged between institutions and commons movements over the years. Others believe that the network has established some enduring mechanisms:

> On some levels, *Massa Critica* has not realized its potential, but it has also brought a fruitful exchange of views in the city, for example on the "debt" and on some financial mechanisms, thanks to dialogue between very different skills and approaches. It was also the starting point for experimenting with common goods, which was very spontaneous. (Int. Carlo, 2018, commons activist)

The *Massa Critica* experience has also been fundamental in the creation of several institutional bodies. We have already mentioned one example, the *Observatory on the Commons*, a mixed entity including commons activists, academics and institutional representatives.

In April 2019, we took part in the first formal session of the Observatory's new era at the invitation of some members of its scientific committee. The session was held in the City Council Hall and was attended by representatives of the city commons communities and commons scholars, as well as by the then mayor and commons councilor. In such a venue, an understanding is formed between institutional actors and commons collectives. Such relationships appear to tilt in favor of the public administration, which is the only party that can guarantee that this official space for discussion and debate will continue to function, and can promote initiatives that are not appreciated by the other members. A body of this kind can only seek to pursue forms of collaboration that echo the co-planning mechanisms provided for in Italian Third Sector legislation, which calls on the public administration to identify collective needs and determine how the measures for meeting them are to be implemented.

These aspects are well understood by the Neapolitan activists taking part in the Observatory. Even after the latter was established, marking the start of a formal collaboration, there have been cases of sharp conflict between the two parties. For example, when the municipal accounts were made public in April 2019 and showed that the city administration had ordered the sale of 479 public buildings to put its finances back on track, the *Massa Critica* network organized fierce public protests, not least because the properties on sale included several buildings managed by communities that were part of the network. "It is no news that the Municipality of Naples, strangled by debt and fiscal 'harmonization,' has put several hundred buildings that it owns up for sale, in order to pay off its debts and continue to impose neoliberal austerity regulations on local bodies" (*Massa Critica* 2019). The protests continued by addressing the role of the Observatory, and by accusing the administration of having established a purely formal entity, through which it can publicly support the popular cause of the commons, without, however, committing itself in practice to working side by side with the city commons movements:

> It should be emphasized that on April 1st the Observatory on the Commons convened for the first time and, on that occasion, no one officially informed the meeting's participants about the intention to sell an additional 479 properties belonging to the Municipality of Naples, including some of the buildings assigned to open communities through city council resolutions. Therefore, the first question is: what role does the administration intend to assign in practice to this new institution? (*Massa Critica* 2019)

As has always been the case with partnerships with civil society actors, the rhetoric of participation and convergence with commons movements by no means precludes neoliberal city policies. On the contrary, engaging in CPP initiatives has the effect—as noted above by the Bologna activists—of providing progressive administrations with a plausible official narrative under cover of which they can push through choices entirely in line with privatisation

logics. Incidents such as the one we have just described exemplify the complex and ambivalent relationship between the Neapolitan commons movements and the former city administration.

However, the network of Neapolitan commons has developed sufficient antibodies to maintain a high level of conflict and tense relations with its interlocutors in the municipality. Many of the activists we met in the field believe that the institutions can be "hacked" only by constantly doubling down on conflict. In this environment, disappointments are taken for granted. None of the entities that have been the beneficiaries of resolutions for the "civic use" of public spaces ever feels entirely "safe," and none of them intend to subordinate themselves to the administration. As a commons activist—and political scientist with whom we had an ongoing dialog during the fieldwork—once told us, "This is always a danger, politics is also this! De Magistris can wake up tomorrow and say 'the commons were made possible exclusively thanks to us [the administration].' Thus taking the authorship of this initiative. It wouldn't surprise me. He is waging his own political battle. We are not naïve; we know there is always this risk" (Augusto, 2018, commons activist and researcher). Given these priorities, the relationship with the municipality is nothing more than a tool whereby the Neapolitan commons communities keep conflict alive, together with their own capacity for constant political self-analysis.

In this context, the countervailing power is fully expressed outside the state. It is a conflictual interchange with institutions that differs from the radical municipalist strategy (see, inter alia, Observatorio Metropolitano 2014; Roth et al. 2019)—even in its most libertarian version (Bookchin 2015)—since the Neapolitan commons are in no way platforms of citizens involved in the direct administration of the city. However, they are also explicitly inspired by the city administration as regards the political nature of their forms of self-organization. Their antibodies are in fact expressed mainly within the assemblies and in the political processes of self-government carried out in most of the open communities of activists that manage buildings that were recognized as "urban commons" by the past administration. And it is precisely at the level of the assemblies that the political vocation of these commons movements is attested and preserved: open, horizontal assemblies, in which decisions are made by consensus (della Porta et al. 2008), careful to question all decisions and the very meaning of the political process. Following diffuse leadership approaches and explicitly pursuing "another logic" (Gibson-Graham 2006, xxvi) of ongoing self-scrutiny that grapples with complexity, commoners handle the risks that alter-politics assumes by working through messiness and by renouncing ideological rigidity and "cleanliness" (see Vesco & Kioupkiolis 2022). In its everyday practices, therefore, the Naples case reinforces the idea that the commons are primarily not social, artistic or cultural "economic goods" to be managed but "social systems for meeting shared needs" (Bollier & Helfrich 2019, 28). They are enduring social systems for shareable things and activities, in which relationships and forms of self-government are fundamental (Kioupkiolis 2020: 166).

5. CONCLUSION

The Neapolitan and Bolognese commons movements showed an ability to concretely affect both the conceptualization and regulation of the commons and the ways in which institutions conceive and apply new regulations. In both cases—as in municipalist projects in other European countries—even though local institutions are slow, rigid and sensitive to the market, the political experiences we have described were able to leave enduring traces on the relationship between commons and the city administration (see, inter alia, Sarnow & Tiedemann 2022).

At the same time, our two case studies show that the risks of co-optation are always lurking, and are well known to all the actors involved as well as to external observers. The local institutions we have focused on have frequently been accused, both by activists and by local public opinion, of instrumentalizing social movements' work to respond to small everyday social needs and to withdraw support for art and culture. In Naples, the many spaces now recognized by "urban civic use" resolutions are undoubtedly able to offer services, art and culture, making up for a chronic lack of public funds. For this reason, the activists have often been portrayed as naïve, at the mercy of urban government, and De Magistris's opponents have pointed the finger at an administration deemed unable to act on top-down development strategies. However, the different collectives of commoners appear fully aware of these risks, which are frequently discussed in assemblies. The commons movement in Naples stands out precisely for its ironic acceptance of these limits in the name of affirming concrete practices of self-government (Vesco 2021). This is even more true of Bologna, where the administration is considered all too effective in strategically exploiting the activities of spontaneous groups of commoners to supplement its service offerings.

This unprecedented visibility and explicitness of the issue made the collectives that are part of the Neapolitan commons network and groups like *Làbas* in Bologna even more determined not to become mere service providers. "We are not a service center", they often repeat during assemblies. However, the two cases show significant differences in the forms taken by the interaction with the city administration, and in how its political dimension is understood and practiced.

In the case of Bologna, the domains of interaction with the administration and of self-organizing practices seem more separate. While commoners invest in preserving what they consider the political nature of their practices, the relationship with the public actor is far less politicized, and shows clear traces of the pattern developed in PCPs and in previous experiences of governance and relations with civil society. Here, path dependent interactions and discourses are a means of enabling innovative commons practices to develop. In Naples, by contrast, politicization also occurs at the level of interaction. The encounter with institutions becomes an opportunity to construct and assert new forms of politics, focusing in addition to *what* is achieved on *how* it is achieved. The process, rather than the product, is the prime locus of political action and affirmation.

A large body of evidence attests to the differences between the two models. First, the Neapolitan process of defining the rules is more participatory in nature, while that in Bologna is more technical. Second, the process in Naples is more confrontational in nature, sparking conflicts and practices of distinction. These features inevitably influence the resulting model, in which the practice of claiming spaces (and not having them assigned as in Bologna) appears more prevalent, as does the recognition of informal collective actors, or the focus on spaces more than on actors. It is not by chance, then, that the Municipality of Bologna's Common Goods Officer told us, "In Naples, they are almost anarchists! […] Ours is a more structured and well governed process" (Int. D. Di Memmo, 2018, Bologna Common Good Officer).

However, our analysis shows that the recognition of the political value of interaction also depends on the characteristics of local politics and administrations. In fact, the De Magistris administration in Naples recognizes the legitimacy that this process can confer, and the interaction with the commons movements is part and parcel of how the public administration represents itself. By contrast, this interaction is far less crucial for the more robust Bolognese local government: the openings shown by the weak and transient Neapolitan administration correspond to the closures and rigidities of the strong and entrenched Bologna administration. Although the legitimating potential of the discontinuity and innovation rhetoric is present in both cases, its power always depends on the institutional context and the strength of the administrations' "bottom-up" interlocutors. If the Neapolitan commoners have a greater scope for action and can afford to express reflections—and even theoretical knowledge—about the commons, the Làbas collective in Bologna is faced with an administrative apparatus that has clear ideas about the forms of commoning to be put in place. Being confronted with a fait accompli, they give up engaging in a political discussion of what the true nature of the commons is, and renounce to legitimize their actions by "waving the flag" of the commons. In fact, they hardly ever explicitly talk about commons in interviews, or at any rate do not refer to them in a convinced way. It is no accident that there are almost no theorists of the commons among them—theoretical elaboration of the commons in Bologna is all in the hands of institutions or institutional study centers unrelated to social movements in the strict sense. In Naples, by contrast, it is both poles of this partnership that believe in the concept and practice of the commons. Here, abetted by a favorable institutional conjuncture, the commons have been conceived mainly in extra-institutional militant circles and then largely taken up by the city administration. This encounter gave rise to a concrete political contamination of the administrative forms of urban spaces, introducing alternative visions of political action and management of urban commons policies.

These differences, however, should not be read comparatively in terms of different levels of political content of the two experiences. In neither case are there "winners" or "losers" in the interaction between commoners and public administration, and in both experiences forms of "radical reformism" (Bollier & Helfrich 2019) are put in place. Rather, what emerges are two different models of distribution of political rewards, which go beyond the classical representations of the marginalization/co-optation dilemma and from which derive two different configurations of the relationship between the partnership-building process and what it produces in terms of practical experiences. When commoners and institutions benefit equally in terms of political legitimacy from both the establishment of the partnership and from the commoning practices it produces, the two moments appear more closely connected, bound by a circular relationship and distinguished by blurred boundaries. When, however, institutions attribute political value mainly to the form taken by the partnership, and commoners mainly to its product in terms of political and social activism, there is a clearer separation between the two moments and the political rewards are different for the two actors involved.

NOTES

1 Local efforts proceeded alongside a national legislative process that led in 2008 to a highly innovative proposal suggesting that the Ministry of Justice introduce the category of "common good" in Italian law, as distinct from both public and private ownership (see Mattei 2011).

2 Fieldwork in Naples and Bologna was conducted by A. Vesco as part of the ERC project entitled "Heteropolitics. Refiguring the common and the political."

3 Many of these cities and towns have not yet had the opportunity to implement their regulations.

4 The regulation puts a strong emphasis on active citizenship, to the point that the term “active citizens” is repeated 50 times in 28 pages.

5 The term “potestative” refers here to the municipal administration’s power to make unilateral changes to legal agreements with other parties, who cannot oppose these changes.

6 De Magistris is now the leader of the Unione Popolare (People’s Union), a left-wing political party that ran in the 2022 national elections.

7 See https://www.identitainsorgenti.com/dopo-la-due-giorni-massa-critica-decide-la-citta-i-prossimi-appuntamenti-di-napoli/, accessed May 3, 2018.

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The authors have no competing interests to declare.

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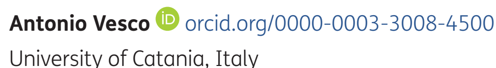
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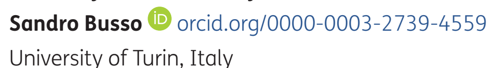
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