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The Post-political Meaning of the Concept of Commons: The Regulation of the Urban Commons in Bologna

The concept of Commons is an ambivalent one. While it has acquired politicised meanings, it has also acquired some de-politicised ones. This article analyses a case of de-politicisation of this concept, occurring at the urban scale in the Italian city of Bologna, where the City Council has recently adopted the 'Regulation for the Care and Regeneration of the Urban Commons' to promote a form of collaborative governance. Through an interpretative approach that uses critical discourse analysis, the article illustrates a form of post-politicisation of the concept that aims to suture the social space without fully succeeding. The article concludes by stressing the necessity and urgency of the struggle for the politicised meaning of the concept of Commons.

Keywords: Commons, Urban Commons, Post-political configuration, Bologna, Collaborative governance

Introduction

In the last few decades, the Commons has become a central concept in critical academic discourse, acquiring significant politicised meanings in Rancière's disruptive sense (1998). This can be noted in particular from the 1990s onwards, when the complicity of the State and the Market in neoliberal plundering became evident (Midnight Notes Collective, 2001; Harvey, 2005) and the Commons re-emerged from the updating of the Marxist concept of enclosure as a form of organisation beyond the State and the Market, which could draw a path for the emancipation from capitalism (Dardot and Laval, 2015; De Angelis, 2003; Mattei, 2011; Hardt and Negri, 2009; Harvey, 2012; Federici and

Caffentzis, 2013). From this perspective, the concept of Commons assumes its plural and singular inflections; in the plural, the social practice of the Commons represents the means to achieve this emancipation (De Angelis, 2003; Mattei, 2011; Harvey, 2012; Federici and Caffentzis, 2013) while the political theory of The Common represents the very objective of this emancipation (Hardt and Negri, 2009; Dardot and Laval, 2015). In other words, in the hegemonic struggle against capitalism, understood in Laclau's philological meaning (Laclau and Mouffe, 1985), critical scholars find in the concept of Commons the empty signifier through which social space can be politicised and fragmented struggles can be re-articulated. However, alongside the politicised meanings of the concept of Commons, it is possible to recognize different de-politicised meanings (Caffentzis, 2010; Mattei, 2011, 2013; Federici and Caffentzis, 2013), used by right-wing and left-wing economic institutions and political leaders as the new capital fix through which capitalism can overcome its impasses by socialising itself (De Angelis, 2013).

This article analyses a case of the de-politicisation of the concept of Commons that has been occurring at an urban scale in the city of Bologna (Italy). Here, in 2014 the City Council approved the 'Regulation between Citizens and the City for the Care and Regeneration of the Urban Commons' (Bologna Regulation) to promote a new form of collaborative governance. The article uses an interpretative approach based on critical discourse analysis (Fairclough, 1989), that combines an inductive and a deductive method to understand the meaning of the concept of Commons, its effects on urban governance, and to what extent the de-politicised meaning is able to overshadow the politicised ones in the city's political discourse. The article begins by illustrating the politicised meanings of the concept of Commons and how, alongside them, de-

politicised meanings have also developed. Subsequently, it introduces the Bologna case, describing the theory behind the Bologna Regulation, the practice of the Bologna Regulation, and then evaluates its effects on the governance of the city. This preliminary assessment leads to a hypothesis that the concept of Commons in the Bologna Regulation aims to shape a post-political institutional configuration within the city (Rancière, 1998; Mouffe, 2005; Swyngedouw, 2009, 2014). After verifying the hypothesis, the article concludes by clarifying the de-politicised meaning of the concept of Commons used in the Bologna Regulation, its effects on the governance of the city and to what extent this meaning is able to overshadow the politicised one.

The concept of Commons between politicisation and de-politicisation

Although in everyday practice, the Commons have never fully disappeared as legal (Grossi, 1977) and governmental institutions (Ostrom, 1990), the concept has only re-emerged in recent decades in academic discourse, after more than a century in which it had been denied by bourgeois constitutionalism and discredited by its philosophers (Mattei, 2011). The political scientist Elinor Ostrom (1990) brought the category of Commons back into the heart of the academic debate with her book 'Governing the Commons'. She demonstrated the ability of individuals to self-organize themselves into collective institutional systems through which they are able to share resources without having either to privatize or nationalize them to avoid 'the tragedy of the Commons' (Hardin, 1968). In her early work, the Commons were considered all those resources that, due to their intrinsic characteristics, responded to neoclassical economics' classification as so-called Common-Pool Resources, such as rivers, forests and water basins (Ostrom, 1990). Subsequently, the Commons were considered all those types of resources shared by a group of individuals, including knowledge (Hess and Ostrom,

2007). Her work represented a great inspiration for all scholars researching the Commons. Ostrom belonged to a liberal school of thought whereby the Commons represented a further form of management, albeit a collective one, to be added to the State and the Market within the capitalist order. Nevertheless, her work has been essential to define an alternative path that goes beyond the centralised form of the State and the private form of the Market. An alternative path that has been fundamental in laying the basis for the politicisation of the concept in Rancière's disruptive sense (1998).

From an anti-capitalist perspective, the concept of Commons has always represented a principle which has linked together various antagonistic struggles (Linebaugh, 2008). However, it was with the neoliberal shift, which brought to light two deceits of capitalism, that the concept acquired significant politicised meanings. Through the updating of the Marxist concept of enclosure, such as the Midnight Notes Collective's new enclosures (2001) and Harvey's accumulation by dispossession (2005), it became evident that neoliberal privatisation and commodification were carried out through the complicity of the State with the Market. It also became evident that what was being privatised and commodified were nothing but resources, assets and wealth that *de facto* belonged to (local, national, global) communities who were not considered proprietors *de iure*: the Commons. Thus, with the neoliberal shift, the Commons arose from their very opposite (Mattei, 2011), not only to show their existence against bourgeois constitutionalism's negation but to represent the empty signifier, in Laclau's philological meaning (Laclau and Mouffe, 1985), through which social space could be politicised and fragmented struggles re-articulated. In this critical perspective, the concept of Commons assumes its plural and singular inflection to draw a path towards

emancipation from capitalism, whereby the social practice of the Commons represents the means, while the political theory of The Common represents the very objective of this emancipation.

The social practice of the Commons benefits from diverse contributions including post-Marxist and feminist political economy, critical legal studies and critical geography. Each contribution gives a different meaning to the concept, depending on the disciplinary perspective. For post-Marxist and feminist political economy, the Commons are a mode of collective production and reproduction, a possibility of regaining control of the means of production and reproduction and detangling lives from the Market and the State (De Angelis, 2003, 2012; Federici and Caffentzis, 2013); for critical legal studies, they are political and social instruments for the direct fulfilment of fundamental rights that create institutional forms beyond the accumulation of wealth and power of the State and the Market (Mattei, 2011, 2015; Quarta and Spanò, 2016); while for Harvey they are collective forms of organisation of production and distribution of wealth and value that aim to displace market forces and the accumulation of capital (Harvey, 2010, 2012) . However, despite these different definitions, it is possible to identify a common interpretative framework. For all disciplines, the Commons are not a merely shared resource, as in the case of Ostrom, but are a collective relational social practice. The relational aspect becomes the distinctive element which groups together all the definitions. According to Harvey, a Commons can be defined as such when ‘a social relation between a particular self-defined social group and those aspects of its actually existing or yet-to-be-created social and/or physical environment deemed crucial to its life and livelihood’ (2012, p. 73) is established . The crucial nature of the social relationship between the group and the

resource qualifies the Commons with a collective need closely linked to the group's demand for a decent life, reclaiming the means of production and reproduction, their fundamental rights and the production and distribution of wealth and value.

In recent theorisations, the concept of Commons evolves from the means used for the emancipation into the aim of the emancipation itself: the political theory of The Common. This thesis was first presented in 'Commonwealth' by Hardt and Negri (2009) and successively in 'Commun. Essai sur la revolution au XXIe siècle' by Laval and Dardot (2015). Their theoretical approaches are very different. Hardt and Negri, inspired by the Marxist historical materialism tradition, understand The Common as a political project used to push forward a revolution and establish a new society based on self-government. According to the authors, at the operational level, this revolution has already started, since the cognitive production system facilitates the unprecedented autonomy of labour and provides the foundations and tools for the revolution. However, this revolution must go hand in hand with the organisation of a political movement, which at the moment is not visible. Laval and Dardot, inspired by the tradition of Proudhonian associationism, understand The Common as a political principle based on self-government, co-activity and co-obligation that can revolutionize society. At the operational level, the institution of the Common is achieved through daily 'instituent practices' that aim to create new forms of institutionality. Despite the dissimilarities between their theoretical approaches, their thesis converges with Hardt and Negri's in the revolutionary function of this political theory, which aims at forms of self-government beyond the State and the Market. In this respect, their convergence-despite-the-differences represents the first evidence of the concept of Common articulation capacity.

The two inflections show the political potential of the concept of Commons. By reclaiming the crucial nature of the social relation with its resource through the Commons, social groups can produce and re-produce self-governing forms which pursue the revolutionary vision of The Common. In this way, the concept of Commons can generate the determined antagonist activity that for Rancière is the essence of politics and the only moment when politics occurs, i.e. when those who have no part express a dissent and a rupture with the current order of things (Rancière, 1998). Certainly, this political potential cannot be uncritically overestimated. Further reflections have been made and others still have to be made (Harvey, 2012; Cumbers, 2015; Stavrides, 2016) to critically disclose this concept beyond idolatry and utopia (Mattei, 2015). However, despite the necessity to deepen it both theoretically and empirically, it is absolutely essential to maintain its politicisation since, as Mattei underlines (2015, p. 15) the Commons 'is the only word that has been put on the agenda by people and not by capital in the last twenty years'. Nevertheless, as has happened to most radical concepts (e.g. the idea of sustainability), it is a term that is targeted by a reactionary *détournement*, reversing the Debordian terminology, that aims to undermine its politicised meanings (Mattei, 2013, 2015).

In the last few decades, the concept of Commons has been used in political-institutional discourses by different political parties and economic actors. This process is what the Midnight Notes Collective (Caffentzis, 2010; De Angelis, 2013; Federici and Caffentzis, 2013) denounces as the co-optation of the Commons and what Mattei (2013, 2015) defines as the cognitive capture of the Commons. The Midnight Notes Collective's 'co-optation' mainly refers to that process of revalorisation of the

Commons by mainstream economists and capitalist planners that have finally understood that collective management of natural resources can be more efficient and less prone to conflict than privatisation, and that the Commons can produce for the market very well. An example of co-optation could be the policies adopted by the World Bank to overcome the contestations and the negative effects of the aggressive privatisations fostered in the Global South (The World Bank, 1981). Starting from the 1990s onwards, the World Bank has explored the idea of common property management (Wade, 1987; Bromley and Cernea, 1989), eventually stating in the 1992 World Bank Report that Common Property Resources can foster more effective rural development than nationalisation (The World Bank, 1992). In this context, the role of the state should be limited to promoting, if it is lacking, the collective actor's entrepreneurship, to demonstrate the tangible benefit of collective management. Thus, the World Bank considered the Commons as a commodifiable collective form of management that is an alternative to a private one but one that is actually better than state management; this is because it is an arrangement that may in any case foster capitalist development, especially when aggressive privatisations are not recommendable (Caffentzis, 2010).

Mattei's 'cognitive capture' refers mainly to that process whereby a concept which is capable of subverting an apparently immutable, established and institutionalised sense is captured by the reformist left, by its actors and by its philosophers, to tame its revolutionary potential. An example could be the various moderate-left political candidacies in Italy, such as the 'Italia Bene Comune' coalition that ran for national election in 2013 (Mattei, 2015). In the Italian language, the expression 'Bene Comune' has a twofold meaning, one being the Commons and the

other being the Common Good. Playing with this ambivalence, the coalitions aimed to use a term that had recently re-emerged in the vocabulary of the Italian social movements, with the Acqua Bene Comune' (Water as a Commons) movement, with a markedly political potential (Bailey and Mattei, 2013) to stretch it to the benevolent and widely sharable theological-political notion of the Common Good, that merges what is just and what is beneficial for a given human society (Dardot and Laval, 2015). In this way, moderate-left political candidacies used the concept to woo and expand their left-wing electorate despite the fact of actually having embraced the economic realism of capitalism. In both cases, the concept of Commons is stripped of the relational aspect, which allows those who have no part to reclaim a rupture with the current order of things, to become the new fix for capitalism. This 'commons fix', by bringing back cooperative and friendly ideals, allows capitalism to overcome its impasses by socialising itself and fortify its agenda (De Angelis, 2013); in this case, to combat the crisis of social reproduction generated by the wave of privatisations and the discredited reputation of its political representation. In this way, the concept of Commons is de-politicised, in order to pursue right-wing and left-wing economic institutions' and political leaders' own aims that, although political in the sense that they respond to a clear political vision, are far removed from the kind of antagonist political visions that produce politics in Rancière's sense.

To summarize, the concept of Commons is an ambivalent one (Rossi and Enright, 2017). On the one hand, critical thought has politicised it for its use as the empty signifier of the hegemonic struggle against capitalism; on the other hand, economic institutions and political leaders have de-politicised it to socialize capitalism and fortify its agenda. Neither of the two meanings seems to have sutured the social

space, in Laclau's sense (Laclau and Mouffe, 1985). Thus, in this historical moment in which the two meanings still coexist, it is not only necessary but also urgent to study its de-politicised uses and understand their meanings and effects. This is carried out in the following section of the article, where a case of de-politicisation of the concept of Commons detected in Italy at the urban scale is analysed.

The Bologna Regulation case: questions and methodology

The Italian context provides a relevant case of the de-politicisation of the concept of Commons that is taking place in the city of Bologna. In 2014, the City Council, governed by a centre-left coalition led by the Democratic Party, approved 'The Regulation on Collaboration between Citizens and the City for the Care and Regeneration of Urban Commons', whereby the concept of Commons is used to promote a new form of collaborative governance. This is based on a cooperative scheme set up so that the public administration and the residents can collaborate, in which the latter are called to become involved directly in the management and care of abandoned squares and buildings (Kuhne, 2015). From the moment of its approval, the Regulation has been extremely successful both in Bologna, where 357 interventions of care and regeneration have been agreed (Comune di Bologna, 2017), and in the rest of Italy, where by September 2015, similar regulations were adopted by fifty-four cities and were under evaluation in a further seventy-nine (Labsus, 2016). According to the supporters of the Bologna Regulation, its success is a symptom of the latent civic energies that citizens need to release (Labsus, 2016). However, it can also be considered a symptom of the deep urban governance crisis that finds the institutions unable to address the fragmented and multiple participatory claims emerging from the fragmented and multiple dimensions of the urban question (Brenner, 2000).

Despite the spread of the 'Regulation on Collaboration between Citizens and the City for the Care and Regeneration of Urban Commons', this analysis focuses on the case of Bologna as it represents: i) an explanatory case of the socio-political dimension in which the Regulation emerges; ii) a representative case of the governance crisis in Italian cities; iii) a paradigmatic case, since Bologna has a privileged economic and social capital compared to other Italian cities in which the Regulation was adopted. The research analyses the case of the Bologna Regulation with the aim of understanding the meaning given to the concept of Commons, its effects on the governance of the city and evaluating to what extent the de-politicised meaning is able to overshadow the politicised ones in the city's political discourse.

The article uses an interpretative approach based on critical discourse analysis (Fairclough, 1989) that combines an inductive with a deductive method. The inductive analysis begins by describing the evolution of the relationship between the Bologna public institutions and participatory claims; it then continues by illustrating the theory that supports the Regulation, through analysing material published by the Directors of the two main agencies involved in its drafting, and books, academic articles and web posts; and by explaining the practice of the Regulation through the analysis of the approved text (Comune di Bologna, 2015). The inductive analysis concludes with a preliminary assessment of the effects that the Bologna Regulation has on the city governance, opposing the positive effects celebrated in the mainstream public and political debate with other, less positive ones that have not been publicised. This leads to the hypothesis that the concept of Commons in the Bologna Regulation is used to construct a post-political institutional configuration (Rancière, 1998; Mouffe, 2005).

The deductive analysis verifies the hypothesis, establishing whether the characteristics of the theory and the practice of the concept of Commons in the Bologna Regulation match the characteristics of the theory and the practice of a post-political institutional configuration, as expressed by one of the authors that has most contributed to bringing this concept into the urban realm (Swyngedouw, 2009, 2010, 2014).

The Concept of Commons in the Bologna Regulation

Bologna can be considered a privileged economic and social context in Italy. The city, capital of the Emilia Romagna region, is wealthier than the national average and has a long tradition of direct citizen participation built up over more than sixty years of progressive municipal governments (Muller, 1977; Boarelli, 2010). From the 1950s to the 1980s, 'Red Bologna' (Jäggi, Müller and Schmid, 1977) was considered a leading example of Municipal Socialism thanks to a Communist government that combined the wealth of a rapidly industrialised economy with innovative socialist welfare (Cossentino, 2010). During this period, direct participation was a fundamental aspect of city politics, based on a neighbourhood scale decentralised system (Schmid, 1977). Emblematic examples are the involvement of families in the management of nursery schools (Muller, 1977) and the ratification of neighbourhood committees for the approval of all the most relevant planning decisions (Schmid, 1977). Nevertheless, after the 1970s, Bologna suffered, although moderately, the same spatial-socio-economic problems of other advanced capitalist cities: de-industrialisation, welfare cuts, immigration, an ageing population and the re-urbanisation of inner city areas (Buzar, Hall and Ogden, 2007). At the same time, the City Council, governed by the reformist left since the 1990s, has progressively reduced the channels of direct participation to widen institutional participation. This does not mean that participatory claims have

changed but that some of them are now perceived by institutions as being rather uncomfortable and troublesome (Boarelli, 2010).

Currently, Bologna is a city that has fragmented and multiple participatory claims, ranging from the more antagonist to the more moderate ones, including: i) in relation to the population, one of the largest concentrations of squatted social centres, which are reclaiming the social use of abandoned spaces (Mudu, 2004, 2012); ii) a housing movement that in recent years has resulted in a series of squatted buildings, with people demanding solutions to the housing emergency and fighting against evictions (Le Altre Case di Bologna, 2017); iii) a student movement organised around 'Uniriot' and 'Atenei in Rivolta', aimed at transforming Italian higher education (Cini, 2017); iv) an immigrants' movement struggling for citizenship and labour rights (Antonelli and Perrotta, 2017; Cuppini, 2017); v) a movement of citizens and intellectuals aiming to challenge urban planning focused on big projects, such as FICO Eataly World, and on questionable regeneration projects, such as the case of the Bolognina district (Wu Ming, 2017b); vi) an informal network of cooperatives and collaborative practices such as community gardens, agro-ecological consumer cooperatives and collective canteens (Cuppini, 2016). However, in the last few years, most of these participatory claims have been ignored by the public administration. This means that before the adoption of the Regulation, Bologna was characterised by a large gap between its social capital - expressing fragmented but multiple participatory claims - and its political representation, reluctant to include them in the politics of the city (Boarelli, 2010). In this landscape, the emergence of the Bologna Regulation seems to respond to the reformist local government's need to address part of these participatory claims, which are historically rooted but also exist currently.

From a theoretical point of view, the origins of the Bologna Regulation date back to 2004 with the creation of the Laboratory for Subsidiarity (Labsus), a research laboratory set up by different institutionalised third sector organisations, such as Legambiente and Legacoop, whose aim was to implement the Constitutional Principle of Subsidiarity (Labsus, no date). This principle, introduced in 2003 in art.118 of the Italian Constitution, establishes that 'State, regions, metropolitan cities, provinces and municipalities shall promote the autonomous initiatives of citizens, individually and in combination, to carry out activities in the general interest'. Labsus interprets subsidiarity as a principle that allows citizens to autonomously and directly solve problems that affect the community, with the support and the integration of the public administration (Labsus, no date). In this sense, it appears that the implementation of the principle of subsidiarity might broaden the spectrum of participation to address some hitherto unheard participatory claims. In fact, in the Charter of Subsidiarity, the Labsus political manifesto (Labsus, 2004), subsidiarity is not considered a synonym for institutional participation in which 'citizens take part in consultative decision-making processes and in the definition of public policies, but it represents a different form (of participation) that completes and integrate it'.

According to the Directors of Labsus and Labgov, the two main agencies involved in the drafting of the Bologna Regulation, Professor Arena and Professor Iaione, the need to implement the subsidiarity principle emerges from two related preconditions: the 'economic crisis' (Arena, 2012) and the 'decline of public spaces and services' (Iaione, 2012, 2015). Arena argues that the general impoverishment of the last few decades in Italy, and especially after the onset of the crisis, inevitably implies that

urban welfare systems must reduce their costs, opening up to the private sector in order not to reduce social interventions (Arena, 2012). Iaione uses the crisis and urban austerity policies to underline how these have led to a generalised degradation of the urban environment, also defined as 'urban decline' (Iaione, 2012, 2015). To overcome these issues, both authors argue that the engagement of active citizens - autonomous, supportive and responsible citizens - is needed (Arena and Iaione, 2012). They ‘can and must share their time, skills, experiences and ideas with the public administration in the sake of the general interest’ (Arena and Iaione, 2012). According to them, they do not represent substitute but additional resources to the public administration with which they are called to collaborateto ensure the ‘wellbeing and full development of each individual after the crisis, in a complex world where neither the administrations nor the market are able to solve problems on their own’ (Arena, 2012). This collaboration takes place through recognising and caring for the Urban Commons, which are described as those ‘material and immaterial goods whose enrichment enriches all and whose impoverishment impoverishes all’(Arena and Iaione, 2012). This urban governance model, whereby public administrations and active citizens collaborate to take care of the Urban Common, is called Shared Governance (Arena, 2012) or Collaborative Governance of the Commons (CGCs) (Iaione, 2012, 2015, 2016).

This collaborative governance implies a shift in the traditional public administration model. According to Arena (2012) the ‘one-way paradigm’ whereby a ‘citizen’s demand is followed by an institutional response’ has to be substituted with a ‘shared paradigm’ where ‘citizens become protagonists of community life along with the local government, which has the entrepreneurial role to make civic energies emerge and the role of regulating and coordinating the actors that participate in the governance’.

According to Iaione (2012) the 'centralistic, quantitative and hierarchical' administration has to be substituted by a ‘polycentric, qualitative and relational’ public administration, whereby the ‘state, citizens, and a variety of other actors collaborate and take responsibility for common resources’, and the local government has the role of ‘coordinating, enabling and supporting this new collaborative ecosystem’ ecosystem’ (Foster and Iaione, 2016). In reality, as upheld by the two authors, in Italy this type of governance is already taking place. In recent years ‘civic energies’ have exploded and ‘many individual citizens unconsciously apply the constitutional principle of subsidiarity, taking care of squares, porticos, gardens, schools, etc.’ (Arena, 2013). What is missing is for these CGCs to be established as a normal governance paradigm (Arena and Iaione, 2012).

The opportunity to implement the CGCs emerged in 2011 during a seminar held by Labsus on the application of the subsidiarity principle, in which several administrative officials took part, including the Manager of the Municipality of Bologna. Following the seminar, the City Council decided to try to put the theories presented by the research laboratory into practice. From 2012 to 2014, an experimental project called ‘the City as a Commons’ was carried out by Bologna City Council, with the financial support of the ‘Del Monte Bank Foundation of Bologna and Ravenna’ and with the technical and scientific support of Labsus and Labgov. The latter is a research laboratory dedicated to the implementation of the ‘City as a Commons’ paradigm (Labgov, no date) at ‘Luiss Guido Carli’, a private university supported by Confindustria, the Italian Industry Association. Three urban workshops with active citizens were set up in different neighbourhoods: i) in Parco della Zucca (Navile neighbourhood) to take care of street furniture and green areas; ii) in Via Santo Stefano,

Via Fondazza and Piazza Carducci (Santo Stefano neighbourhood) to take care of the porticos and green areas; iii) in Piazza Spadolini and in Giardini Bentivogli and Vittime di Marcinelle (San Donato neighbourhood) to regenerate a municipal building and its surrounding areas (Labsus, 2013). The experimental project, successively assessed by the City Council, led to the drafting of 'The Regulation on Collaboration between Citizens and the City for the Care and Regeneration of Urban Commons', eventually adopted by the City of Bologna in May 2014.

The main reason behind the adoption of the Bologna Regulation was the need to respond to and regulate participatory claims related to the most visible aspect of the urban question: caring for and regenerating abandoned squares and buildings (Iaione, 2012). However, with the introduction of the concept of Commons, the field of intervention widened (Iaione, 2016). According to the Bologna Regulation, in fact, the Commons are:

> '(…) those tangible, intangible and digital goods, that through participative and deliberative procedure, are recognised to be functional to the individual and collective well-being, to share the responsibility with the administration for their care and regeneration in order to improve collective enjoyment' (Comune di Bologna, 2015)'.

This definition opens up other areas of intervention that go beyond the care and regeneration of abandoned squares and buildings. According to the same Bologna Regulation (2015), the areas of activity included are: 'the intervention in public spaces

and building, the promotion of social innovation and collaboration, the promotion of creativity, arts and artistic experimentation, and the promotion of digital innovation'. In this way, the projects range from graffiti removal to awareness campaigns, from anti-deterioration walks to social assistance for vulnerable groups, and from street art to micro-improvements in public squares and gardens. However, most interventions - around 60% - are related to the care and regeneration of physical urban spaces (Comune di Bologna, 2017).

According to the text of the Bologna Regulation (2015), the CGCs usually start with a 'collaborative proposal' made by 'active citizens', who are 'single or associated, somehow gathered in a social formation, also people of an entrepreneurial disposition or with a social vocation'. The administration can also suggest collaborative proposals; however, up till now, these have almost exclusively come from citizens (Comune di Bologna, 2016, 2017). Once a proposal is presented, it is first evaluated by the municipal government to establish whether or not it 'is in harmony with both public and private interests'; subsequently, the proposal is assessed by the closest government structure, usually at the neighbourhood level (Neighbourhood Council), in charge of its assessment and approval, after a period in which it is publicly displayed 'to gather useful observations for its evaluation from all the interested parties'. If it is approved, the group of citizens is invited to participate in a 'process of co-design' with the public administration where the proposal is developed, refined and evaluated in terms of compatibility and support.

As active citizens cannot be paid, since the activity is carried out 'personally, spontaneously and without payment', the public administration's support is established

in terms of 'assistance in planning, procedural facilities, free access to municipal spaces, provision of raw materials and equipment, financial reimbursement, exemption and relief from local taxes, and visibility'. Once an agreement is reached, a temporary 'collaboration pact' is signed, during which the active citizens become 'custodians of the goods'. The pacts, which are 'the instruments by which the City and active citizens agree upon everything necessary in order to carry out the interventions' vary according to the type and degree of complexity of the intervention; a pact is signed in order to establish its goal, its duration and the form of financial and material support provided by the administration. Generally, the length of a pact varies from one month to one year, according to the needs of each specific care and regeneration intervention. After being signed, the collaboration pact is 'published on the civic network to encourage the spread of good practices and the evaluation of the objectives achieved'. Finally, at the end of the care and regeneration intervention, the active citizens have to report 'the activities performed and accounts' to the administration in order to evaluate the results of the intervention and a possible renewal of the pact.

The concept of Commons in the Bologna Regulation: an assessment

The scheme proposed by the Bologna Regulation was quick to be considered a success by the Italian political establishment, and was also awarded a medal by the President of the Republic, Giorgio Napolitano (Bignami, 2014). Moreover, the CGCs were soon praised by scholars of the Commons, by the two agencies supporting the Bologna Regulation and by the Bologna City Council. According to scholars of the Commons, the Bologna Regulation allows citizens' heterogeneous participatory claims to be channelled within a same legal framework, simplifying and de-bureaucratising the public administration machine (Kuhne, 2015, Bollier, 2015). According to Labsus, it

highlights a collective identity, thanks to the ability of participants to be interpreters of the spirit of places where they live, identifying and transmitting this identity to others (Labsus, 2016). According to Labgov, it helps the administration to address urban decline and enables active citizens to engage in the care and regeneration of the Commons together with the public administration, reducing conflictive relationships and increasing trust in institutions (Iaione, 2015). According to the Bologna City Council, it enables the personalisation of public actions in order to adapt them to the needs of the territories and to address needs that have not yet been satisfied (Comune di Bologna, 2017). Nevertheless, some negative effects, that neither emerge in the mainstream public and political debate nor in Labsus', Labgov's or the City Council's publications, need to be taken into consideration.

The first effect is related to the accessibility of participatory claims to the CGCs. Of the variety of claims, the Bologna Regulation includes the more moderate ones but excludes the more antagonistic ones. The City Council Evaluation Report (2016) shows that, since the adoption of the Bologna Regulation, 60% of the approved collaborative proposals have been presented by institutionalised and well-established third sector. However, at the same time, the more antagonistic participatory claims suffered severe repression. From 2013 onwards, different squatted buildings were evicted, among them: i) the Atlantis, Crash and Labas squatted social centre, with the XM24 under clearance; ii) the squatted ex-Beretta-Clinica, which housed 85 people, the building in Via Mura di Porta Galliera, which housed 50 people, and the ex-Telecom building, which housed 280 people; iii) the Ex-Dima shopping centre, squatted by about 130 people from the international coalition of migrants and refugees (Le Altre Case di Bologna, 2017). Furthermore, tensions between police forces and the student movement increased as a

result of the police breaking up the sit-in at the University of Italian Studies' library, followed by several demonstrations repressed by the police (Stinco, 2017). And finally, citizens' criticism of the speculative development approach of the 'Municipal Structural Plan' and 'Municipal Operative Plan' have not yet been addressed by the City Council (Ciccarelli, 2017).

The second effect is related to the accessibility of social groups to the CGCs. Although in theory anyone can participate - 'formal and informal groups, individuals or associations' – in effect, participation is more accessible only to specific social groups. Since the collaborative proposals arise almost exclusively from citizens' initiatives, only citizens with the cognitive and organisational skills capable of advancing such proposals can access the Bologna Regulation. Moreover, financially speaking, since the administration only reimburses the cost of the intervention but doesn't pay labour costs, it mainly allows the participation of citizens who can afford to carry out voluntary activities, i.e. citizens with sufficient economic capital and citizens with sufficient free time, such as the steadily-increasing retired population. In this sense, the risk is that, as underlined by Quarta and Mattei (2015), the Bologna Regulation becomes a tool through which the local government aligns with the dictates of austerity urbanism (Peck, 2012), using the participation of citizens in good faith. However, although this risk is a real one, none of the Evaluation Reports contain an assessment of the social backgrounds, ages or education levels of the citizens presenting collaborative proposals.

The third effect is related to the redistribution of resources in the CGCs. First of all, the partial accessibility of claims and social groups to the GCCs may lead to a socially and spatially uneven redistribution of resources, allowing only some citizens

and neighbourhoods to improve the material and immaterial conditions of their lives, and leading to increasing urban segregation. In the Evaluation Reports (Comune di Bologna, 2016, 2017) it is possible to find the distribution of approved collaborative proposals per neighbourhood. However, this distribution, responding to the new administrative configuration of the city approved in 2016 that reduced the number of neighbourhoods from 9 to 6, and joined up districts with a very different levels of segregation, does not permit an assessment of the relationship between the approved collaborative proposals and levels of urban segregation. Moreover, since the type of contribution by the public administration varies greatly from pact to pact, the geographical distribution of the pacts is not sufficiently indicative of the effective distribution of resources; this essential data is missing from the Evaluation Reports. In any case, if uneven redistribution of resources is a still non-verifiable risk, what is certain is that in saving through outsourcing, considering the unpaid labour approach of the Bologna Regulation, resources are much lower compared to a hypothetical total cost of the intervention carried out by the administration itself. Considering the unequal accessibility to the scheme by various claims and social groups, together with the uneven distribution in the urban fabric, those already reduced resources may be redistributed even more unequally between classes and spaces in the city.

The fourth effect is related to redistribution in terms of the decision-making power in the CGCs. Governing a Commons should entail a certain degree of decision-making power over a Commons. However, in the case of the Bologna Regulation, despite the ‘co-design process’, it seems that there is no co-decision regarding the Commons since the decision-making process follows a rather consolidated public procedure hinging on different tiers of government, that leaves the decision-making

power of the public institution intact (Angiolini, 2016). Firstly, at the municipal level, where it is established whether or not the proposal fits the general interest, and subsequently at the neighbourhood level, where after a 'publication of the proposal' in order to receive comments, opinions, doubts and disputes, this can be approved or not. Without gaining any decision-making power, in the first phase, the role of citizens is limited to that of initiators and consultants while, in the second phase, once the collaborative pact is signed, what they gain is the legal accountability of the Commons. Becoming the 'custodian of the goods' for the Italian Civil Code art.205, as explicitly mentioned in the Bologna Regulation, means that liability is transferred to the group of citizens and the administration is exempted from any claims.

The first inductive analysis permits a preliminary assessment of the use of the concept of Commons in the Bologna Regulation. This use may have both positive and negative effects on the governance of the city. According to the supporters of the Bologna Regulation, it modifies the urban governance positively, de-burocratising the administrative machine, giving shape to citizens' collective identity, increasing citizens' trust in institutions and reducing conflictive relationships, while personalising public actions. However it also has various negative effects: i) it is selective and includes only the more moderate participatory claims, excluding the more antagonistic ones; ii) it seems to select and include some social groups – those with sufficient economic and social capital and with sufficient free time – while excluding the most disadvantaged groups; iii) it does not seem to guarantee an equal redistribution of resources within the city, instead facilitating saving on services through outsourcing, since it does not value the cost of labour; iv) it does not aim to effectively redistribute decision-making power, since this is retained within the public administration. None of these negative effects is

detectable in any of Labsus', Labgov's and the City Council's publications. The not fully verifiable negative effects, such as the redistribution of resources and the accessibility of political participation, should be addressed by the public administration and by the two external agencies. However, while they are committed to promoting the success of this collaborative governance initiative, their priority does not seem to be assessing and announcing any potential negative effects resulting from its implementation.

Certainly, further research must be carried out to fully understand the effects of the Bologna Regulation on the governance of the city. However, this preliminary assessment suggests that the concept of Commons in the Bologna Regulation is used to construct an institutional configuration that widens institutional participation to some specific claims and social groups, those with moderate participatory claims; this is in order to build consensus over the strategy required to tackle urban decline, but without addressing its real causes. It provides these groups with institutional instruments and resources to participate, therefore reducing potential or existing conflicts while excluding the more antagonistic claims and the more disadvantaged classes from city politics. This type of institutional configuration is what post-foundationalist political philosophers have defined as a post-political institutional configuration (Ranciere, 1998; Mouffe, 2005). According to Rancière, a post-political institutional configuration is a democratic model that 'has eliminated the appearance, miscount, and dispute of the people and is thereby reducible to the sole interplay of state mechanisms and combinations of social energy and interests' (Ranciere, 1998, p. 102). This model represents the expression of the consensual model of democracy, in which two or more parts that already know each other prefer to negotiate rather than fight over an already

perceptible and objectifiable question. However, as Rancière sustains, this means the disappearance of politics (Ranciere, 1998, p. 102): the disappearance of those who do not already have a part, and of those questions that are not already perceptible and objectifiable.

This post-foundationalist perspective has widely influenced the discipline of urban studies, from urban planning (Allmendinger and Haughton, 2012; Ruming, 2017) to urban geography (Darling, 2014) and governance (Deas, 2014). Undoubtedly, one of the scholars that has most contributed to bringing this political thinking into urban studies is Erik Swyngedouw (2009, 2010, 2014). He upholds that the city is a privileged space to analyse the contours of the current political constellation. Thus, by analysing the effect of environmental policies (Swyngedouw, 2009) and large scale redevelopment projects on urban politics (Swyngedouw, 2010), Swyngedouw defines the characteristic of a post-political institutional configuration in cities. According to him, a post-political configuration is expressed through a specific theory: the populist discourse, and a practice: Governance-beyond-the-State arrangements (Swyngedouw, 2009, 2010). The following section is dedicated to a validation of the hypothesis, verifying whether the characteristics of the theory and the practice of the CGCs in the Bologna Regulation match the characteristics of a populist discourse and of a Governance-beyond-the-State arrangement, as expressed in Swyngedouw's articles (Swyngedouw, 2005, 2009, 2010, 2014).

A populist discourse (Swyngedouw, 2009, 2010, 2014) is recognisable by the fact that 'all the citizens are affected by the same urban problem', which, in Bologna's case, is represented by the decline of the urban environment. This problem is interpreted

as ‘an inevitable catastrophe of our current times’ that distils a ‘common threat or challenge’, as in the case of Bologna, where the economic crisis is considered to be the responsible for urban decline. However, this crisis is neither investigated nor scrutinised in order to understand the reasons behind it, and is considered to be an inevitable precondition. This threat can be ‘cut off without affecting the functioning of the system itself’ through a common action where both ‘citizens and institutions collaborate and join forces to defeat it’. In the same way, the Bologna Regulation’s discourse upholds that the collaboration between citizens and institutions can represent the solution to this decline. Thus, citizens are called to join forces in this challenge as populism is based on the politics of ‘the people know best’; in the Bologna Regulation case, who know best are ‘the active citizens’, a group of residents who have both the social and economic resources to be able to dedicate their time to the care and regeneration of the Urban Commons. Finally, as in all populist discourses where ‘no proper name is given to the field of action’, the Bologna Regulation introduces the concept of Commons, using the ambivalences of its meanings in order to achieve a vague understanding of the implied political vision.

A Governance-beyond-the-State arrangement (Swyngedouw, 2005, 2010) is an allegedly innovative participatory governing practice that implies ‘a common purpose, a joint action and a framework of shared values and wishes to achieve collective benefit’ which in the Bologna Regulation is represented by the need for the administration and citizens to join forces to care for the urban environment. This practice ‘is dependent upon a consensual agreement of the existing conditions’ which, in the Bologna case are represented by the economic crisis and urban decline, and ‘the main objective to be achieved’ which is the wellbeing and full development of each individual through the

care and regeneration of the Urban Commons. ‘This model considers the mobilisation of resources by actors operating outside the state system as a vital part of a democratic, efficient and effective government’, as envisaged in the Bologna Regulation, where active citizens are considered an integral part of the new governance paradigm through which they can *and must* become the best allies of the administrations. ‘While apparently organised outside the state, the state often plays a pivotal and often autocratic role’, as in the case of Bologna, where the City Council retains the decision-making power within its apparatus. ‘In sum, it is constituted by a horizontally networked association’, in this case also individuals, ‘that share a high degree of consensus and trust, with selectively inclusive participatory institutions or organisational settings’, as in the Bologna Regulation, where participation is permitted only to some specific claims and classes.

The analysis demonstrates the hypothesis that the concept of Commons in the Bologna Regulation represents an expression of the aim to build a post-political institutional configuration. The construction of this post-political configuration is based on the adoption of the Bologna Regulation to implement a form of collaborative governance: the CGCs. Despite the fact that this governance, with the application of the subsidiarity principle, seemed to be able to bridge the existing gap between civil society and its political representation, it actually maintains it. With the implementation of the CGCs, the multiple and fragmented participatory claims emerging from the multiple and fragmented dimensions of the urban question are not addressed by the Bologna City Council; and only the most moderate participatory claims are included in the Bologna Regulation. Thus, the implementation of the CGCs allows the public administration to selectively channel participatory claims. In this way, it gains the consensus of active

citizens regarding the most visible aspect of the urban question, i.e. the care and regeneration of the urban environment, while de-fragmenting and "de-multiplying" the more antagonistic participatory claims, silencing the most troublesome aspects of the urban question.

In reality, the implementation of collaborative governance arrangements is a trend in all Western democracies (Swyngedouw, 2005). This trends sees, since the 1990s onwards, traditional modes of bureaucratic government being replaced by new mode of governance whereby public agencies engage with non-state actors to make or implement public policies or manage public programmes or assets (Ansell and Gash, 2008; Blanco, 2015). This paradigm shift has been already pursued through collaborative arrangements to foster 'community engagement' and 'active citizenship'. In Great Britain, this has been a crucial point of the New Labour's Third Way political vision (Davies, 2012a) that has been already widely criticised by post-foucoldianan (Marinetto, 2003) and post-gramscianan studies (Davies, 2012b). The former underlined how these collaborative arrangements do not imply a loss of power by the state but only the transformation of the devices through which it operates; the latter highlighted how they are instruments for the construction of hegemony by the new social democracy. The peculiarity of the Bologna case is that, it introduces and de-politicises the concept of Commons in order to make the CGCs more effective.

In the Bologna Regulation, the Commons is deprived of the crucial nature of the social relation established between the social group and the resource that allows the group to strive for a decent life, becoming instead the very reason of the social relation between the citizens and the institutions, and mobilising the former to share responsibility for the care and regeneration of the urban environment. If the Commons' meaning of reclaiming the crucial relation between social group and resources had the objective of pursuing the revolutionary vision of The Common, allowing those who have no part to reclaim a rupture with the current order of things, the Commons' meaning of being the reason for the relationship between institutions and citizens has the objective of pursuing a post-political institutional configuration, one which allows those who already have a part to collaborate between themselves to solve already perceptible and objectifiable questions, in order to maintain the current order of things. However, as pointed out by Swyngedouw (2014) a post-political institutional configuration is never able to suture the social space, and this seems to be the case in Bologna, where the post-political meaning of the concept of Commons does not remain uncontested.

The more antagonistic participatory claims, especially following the long wave of repression, have severely criticised the Bologna Regulation. In a document published by the Wu Ming collective to stop the squatters of the XM24 social centre being evicted, there is a condemnation of the 'vampirisation' of the Commons by the 'astute

administrators', for whom 'subsidiarity means dealing with the social despair produced by their policies, but without criticising themselves' (Wu Ming, 2017a). In an interview, Detjon Bega, councillor of the Civic Coalition, accuses the collaborative pact of being a tool that 'transforms the self-organisation into a provider of a service that the State no longer intends to provide', when instead it should represent a 'laboratory of grassroots political experimentation, to define a social use of empty spaces and houses, through urban regeneration carried out through processes of participation and self-government' (Ciccarelli, 2017). Along the same lines, Mattei's criticism accuses the 'bourgeois left' of not missing an opportunity to boast about the Bologna Regulation, thus reducing the Commons to 'volunteering'. 'Evidently', continues the law professor, 'the Commons of the Democratic Party hunting for votes are only those of volunteers who paint a bench or help with the upkeep of a garden. When they produce Politics (capital P, not by chance) they become subversive and truncheons arrive' (Mattei, 2017).

To summarize, in Bologna, two different concepts of Commons have been developed. On the one hand, the recently approved 'Regulation between Citizens and the City for the Care and Regeneration of the Urban Commons' post-politicises the meaning of the concept of Commons with the aim of building consensus among active citizens on the most visible aspect of the urban question, and to de-fragment and "de-multiply" the more antagonistic participatory claims which Bologna still has plenty of, excluding them from political life. On the other hand, the antagonistic participatory claims, fighting against being de-fragmented and "de-multiplied", denounce the de-politicisation of the concept of the Commons and reclaim its politicised meaning in order to build participatory processes from the bottom-up and develop forms of self-government, claiming the political space that the centre-left government, through the

Regulation, wants to deny to them. Therefore, at the time of writing, it does not seem that the post-politicised meaning of the Commons is overshadowing the politicised meaning, suturing the social space. However, the attempt persists and the spread of the Bologna Regulation, which has now also been adopted in other Italian cities - ones that may not have the privileged social capital of Bologna and its ability to challenge it - will not contribute to maintain and extend its politicised uses.

Conclusion

In the last few decades, the concept of Commons has become an ambivalent one (Rossi and Enright, 2017). On the one hand, critical thought has politicised the concept in Rancière's disruptive sense to transform it into the empty signifier of the hegemonic struggle against capitalism; on the other hand, the economic and political elites have depoliticised the concept to socialize capitalism and fortify its agenda. The case of Bologna where the 'Regulation between Citizens and the City for the Care and Regeneration of the Urban Commons' has been recently approved, represents the urban expression of this contention. In this case, the concept assumes a post-politicised meaning that attempts to suture the social space, but this meaning is challenged by antagonistic social movements. Certainly, demonstrating the meaning of a post-politicised use of the concept and its effects on urban governance does not avoid its utilisation in this sense. Nor does it prevent that, through the successful spread of the Bologna Regulation, the concept can be post-politicised in other Italian cities that cannot rely on the same privileged social capital of Bologna. In Bologna, in Italy and elsewhere, the Commons will continue to be contested between two visions of the city and two worldviews. Demonstrating that the de-politicised meanings of the Commons have not sutured the social space is not sufficient, and it continues to be necessary and

urgent, also from an academic perspective, that other voices are raised to challenge it. It is necessary since it allows an understanding of the origins and meanings of de-politicised uses and it is urgent in order to prevent them being normalised. As Foucault (2004) argued, 'the discourse is not only that which translates the struggles and the system of domination, but also that for which one struggles and through which one struggles'. For this reason, it is necessary to maintain a continued struggle for a politicised meaning of the concept of Commons, 'the only word put on the agenda by the people and not by capital, in the last decades' (Mattei, 2015, p. 15).

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