

# The commons and the civic and collective urban use: from theory to the praxis of *L'Asilo*, Napoli



*This paper was written by Adriano Cozzolino, activist of L'Asilo and PhD candidate in International Political Economy, for the conference "Participatory governance in Culture: Exploring Practices, Theories and Policies. Do it Together", 22-24 November, Rijeka (Croatia). The community of L'Asilo read and commented on the paper.*

## 1. The commons as radical response to the current democratic crisis

In the last few years, the question of 'commons' has taken strength in the various strands of the European and international social movements. To a relevant extent, the theory and practice associated to the commons can be conceived as a response to the fierce individualism of the neoliberal ideology and, at the same time, to the crisis of the state, increasingly became the vector of the enforcement of market rule, wage devaluation and the reduction of welfare state—along with measures like the privatization of the public heritage. At the same time, the state is increasingly undergoing processes of vertical centralization that reduce the space for popular political scrutiny and strengthen the fast-tracking of the decision-making process, especially empowering institutions like the Executive, the Treasury or the European Commission and European Central Bank at the supranational level.

Therefore, the commons emerged as the progressive response to the crisis of liberal democracy and political authority. In definitional terms, the commons should be conceived as 'essential for the fulfilment of the collective needs linked to the exercise of the fundamental rights of the human being, as such deserving protection and safeguard by law, also for the benefit of future generation.'<sup>1</sup> Examples of commons regard natural heritage (lakes, mountains, springs,

<sup>1</sup> This definition was provided by the Rodotà Commission, established by the Ministry of Justice in 2007 in order to outline a delegation bill scheme for the reform of public property. Within the broader category of public property, the Commission worked also on a definition of commons and on the legal means to safeguard this emerging category.

shores) or human production like culture, theatres, the internet and so on. The key question, though, is that the commons are *not* just a list of natural and/or human things deserving protection, but the outcome of a social process in which human communities come together to protect and democratically decide about their collective resources—as such, a real alternative to individualism and exclusion. In this regard, the question of commons concerns a different way of managing and *living* the collective goods: in other words, they are ultimately linked to an alternative way of owning and deciding about collective goods and resources, sort of collective practices in which the human person *and* the human community are central.

To a relevant extent, the emergence of commons as a political-social issue should be regarded also as a form of rejuvenated political participation in the face of the crisis of parties, unions, the parliament and generally liberal democracy, insofar as the key element is the direct participation in their (self-)management. The political effort to ‘take back’ collective goods is also a political strategy to reverse, or stop, processes of privatization of public services and collective heritage. The spread of the neoliberal paradigm in particular from early 1990s has entailed a massive process of individual appropriation by the wealthy of collective goods and/or subjugation to market rule of formerly open access goods—like a new enclosures dynamics. In this regard, the commons are, at the same time, a (I) form of renewed political participation, (II) a way to learn again to cooperate and put in effect solidarity-oriented practices, and (III) the fight against privatization and commodification.

Another important aspect of the commons concerns the decision-making process. As noted above, the decision-making process about collective resources is increasingly diverted to technocratic, unaccountable institutions at the supranational level or to fast-track procedures at the national. The relation between commons and decision-making process is at the same the *re-appropriation of the political decision*, and a *different* process of decision-making. In this last regards, a the self-management of the commons implies also a wholesale different decision-making process based on discussion, open space for dissent, horizontality, in which each and every person is in the condition to express him/herself. Moreover, it is the community that establishes the rules of management/functioning of the commons (see next sections).

Concluding this introduction, the commons are essential for the fulfilment of human needs and fundamental rights. The community-commons are characterised by the open access, horizontal-democratic and direct decision-making process, and self-management.



Photo: Sabrina Merolla

## 2. A specific declination of the commons: the civic and collective urban use

Manifold are the potential ways of articulating the concrete/daily life of the commons. The ‘civic and collective urban use’, put in effect by the radical social-political experience of L'Asilo, Napoli, is among these. Leaving to the next section the description of the history and the details of L'Asilo's life, here the focus zooms in on the civic and collective urban use (CCUU). Generally, the ‘civic use’ is an ancient right, probably of medieval origins, of collective use of private or public fields, entitled to the members of the community settled in the territory. The civic use was usually associated to practices like pasture, estovers, hunting, sowing, but it was progressively abandoned due to urbanisation and industrialisation, becoming marginal in the Italian legal system.

The experiment made by the community of workers of L'Asilo is based on a creative interpretation—and expansion—of the civic use. In other words, while keeping its foundational elements, namely the right of collective use entitled to a community of people settled in a certain territory, the workers of L'Asilo extended such collective use to the urban sphere; the civic use became thus the ‘civic and collective *urban* use’, designing the right of a community of people to self-manage and use the urban commons. The defining elements of the CCUU are, therefore, (I) an informal community of people, thus not identified as a formal-legal association or foundation; (II) the faculty of self-regulation, namely the power of the community to decide about the regulation and management of the commons through participatory and democratic processes; (III) the social and cultural value of such experiences and practices.

The collective use, in the specific case of L'Asilo, is exercised with respect to a building in the centre of the city of Napoli, also part of the city's historical heritage. This building, a wonderful three-storey XVI century building (about 4000 square meters), owned by Municipality of Napoli

—thus, formally public property—was actually used in a quasi-private manner through a clientele-oriented management, with an ongoing waste of taxpayers money.

The workers of the arts of the city initially occupied the building as a protest against the private use of the common heritage. Afterwards, within the struggle for the recognition of the role of the community in the self-management of the building—and given also the importance that L'Asilo was acquiring for the cultural and social life of the city—the art workers decided to avoid the model of the occupation and, at the same time, of the formal-exclusive attribution to one or more specific associations/foundations of the space. The aim of the political and institutional struggle of L'Asilo was the full recognition of the *community as the institution* that at once directly manages and uses—thus, *creates*—the commons. In 2015 the Municipality officially recognised the ‘Urban Civic Use Regulation’ produced by the workers community of L'Asilo: ‘By acknowledging this regulation, the public administration assumes the burden of ensuring the usability of the place, while the right to make use of it is free and guaranteed to all but accompanied by a participatory model that is founded on open assemblies and thematic roundtable talks.’<sup>2</sup>



The Regulation was the outcome of several years of reflections concerning issues as new ‘grassroots’ institutions, participation, self-management. The recognition/reception by the Municipality of the Regulation produced by the community of L'Asilo rendered the community of workers the institution charged of the self-managed of the space on the basis of the right of

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<sup>2</sup> The quotation is taken from Urbact, the European exchange and learning programme promoting sustainable urban development. Urbact included the Civic Uses in the good practices for urban development and community building. Available at <http://urbact.eu/lost-found#>

civic use, thus of the collective use, in this case, of a commons belonging to the collective heritage.

### **3. How a building became L'Asilo: the journey of a community of art workers**

L'Asilo started to be a commons *just* when a community of workers guaranteed at the same time the open access, the democratic self-management and the collective use of this common heritage.

The political experience of L'Asilo is linked to a local art workers collective that started to fight the vertical and clientele-based governance of culture and cultural heritage. As a strong form of protest, in 2012 the art collective—at the time named La Balena—occupied the building that symbolized this kind of management of culture: the building hosted a cultural foundation, paid with taxpayers money, managed by few people for their own political benefits, with no tangible positive outcomes for the cultural life of the city and for the workers in the sector. The occupation, however, lasted just three days: the community declared the space non-occupied but *freed*, and became the guarantor of an open and collective use of the building. At the same time, the community started a common reflection on the best ways to guarantee the open access, a grassroots institution-building, the direct self-management: the time to rediscover the civic use had come.

In few months, the building became the place of a radical practice based on few key elements: cooperation and mutualistic-oriented relations; horizontality; direct participation; caring of the shared spaces; collective use of the means of production.

**4 fundamental basic principles of the civic uses:  
accessibility, usability, fairness and  
inclusiveness in the use of spaces and technical  
equipments - collaboration to the process is on  
volunteer bases (about 50 people)**

**Technical equipments were reused, donated or  
bought through crowdfunding: thus we built a  
theatre, a space for dance performance, a gallery  
and are about to create a cinema**

Coming to the details of the management of the space, L'Asilo is self-managed through a weekly assembly in which everyone can participate and discuss the questions at stake. The

weekly assembly is alternatively devoted either to the self-management of the space and other social-political questions (Assembly of Direction), or to welcome and host projects from the outside (Assembly of Management), namely when people want to share their projects with L'Asilo as both a community and a material space endowed with theatre, cinema, workshop, presentation room, and other performing art spaces. Along with the weekly assemblies, there are also working groups (tables) that discuss the details projects. The working groups are usually divided according to the topics, e.g. visual arts and workshop, performing arts, self-government, library, cinema, social issues (that is, socially oriented initiatives for the neighbourhood), and urban gardening. The decision-making process is based on the method of consensus: this method, rather than focusing on the vote and the formation of majority/minority, implies a wholesale different approach rooted in the discussion, the acknowledgment of the differences, the effort to find a synthesis among different views, and even the possibility that the decision is not taken.

It is quite difficult to quantify what has been made from 2012 to date. The importance of such experiments should be assessed first and foremost in qualitative terms. However, from a quantitative perspective, L'Asilo has sought to monitor over time the number of the activities:

**Some numbers since March 2012:**

- 18,000 people took part in the direct management of the L'Asilo through roundtable talks and public assemblies;
- 150 public management assemblies for the self-government of the L'Asilo;
- 830 days of working groups;
- 2,000 people participating, including arts, culture and entertainment professionals, workers, artists, scholars, researchers, academics, associations, institutions, and citizens that have used L'Asilo spaces and resources, and/or organised activities.
- 200,000 users took part in the activities;
- 5,800 activities (1,300 days of theatre, dance and music rehearsals that have contributed to the production of more than 250 art projects);
- 1,500 days of training in over 200 laboratories, workshops and training sessions;
- 300 debates, seminars and public meetings;
- 300 musical groups and individual musicians in rehearsals and concerts;
- 300 companies, groups and individual theatre/dance artists involved in rehearsals and performances;
- 200 exhibitions, installations, visual/digital art and photography meetings;

- 150 projects and artistic/cultural initiatives for children;
- 90 book and magazine presentations and poetry readings.

As stated in the previous section, the community of L'Asilo was recognised as the self-managing institution of the space through the reception, by the Municipality, of the Urban Civic Use Regulation produced by the community. The regulation is based on several pillars:

the rejection of fascism, racism, sexism, and homophobia; the freedom of the art from market dynamics and profit seeking; the sharing of the arts and knowledge as means to free labour and promote a vision of human relations based on cooperation and non-competitiveness; the independence of culture; the interdependence of humans of the community, thus promoting collaboration and cooperation; in seeking consensus to promote a shared decision-making process through an inclusive and non-authoritarian method.<sup>3</sup>

**There follows some of the main excerpts of the regulation:**

**Art. 2 Urban collective and civic uses**

The present declaration, taking inspiration by an extensive interpretation of the civic uses, rules the use of the spaces of *l'Asilo* and of the means of production that it contains, assuring usability, inclusiveness, fairness, accessibility and self-government, in order to ensure the preservation of the building as common good for future generations and preserve the rights to civic use recognized to the community of reference. It also determines the organizational structure and the functions of the different bodies of self-government to allow an experimental management of the good, inspired by the most advanced forms of participatory democracy and open to the creative dynamic of the process of self-government.

In order to make effective this practice of management, the Administration considers the rights related to the use of the building not only as mere access, but also as full availability by the community of reference, thus including the rights to the direct administration of the good itself. The bodies of self-government outlined in the declaration represent the managing body the good.

**Art. 4 Inhabitants, guests, beneficiaries**

1. "Inhabitans" are all who are involved in the life, care and management of *l'Asilo*. Therefore, they enjoy full rights of participation to the decision-making processes forseen under this declaration.
2. "Guests" are all who propose an activity scheduled by the assembly, that is all who request a space for an temporary use for artistic or cultural purpose. They:

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<sup>3</sup>The Declaration of Civic Use is available here (Italian): <http://www.exasilofilangieri.it/regolamento-duso-civico/>

[...]

2.3 can participate to all moments in which the self-government of *l'Asilo* is articulated, with the exception of the process for the formation of consensus.

3. “Beneficiaries” of *Asilo* are all who take part to the activities proposed to the public by the “inhabitants” or the “guests”.

## **DECISION-MAKING MODALITY**

### **Art. 14 Guarantees of access and collective use**

The overriding principle in the programming of activities is the non-exclusive use of any part of the property, as turn-taking and the guarantee of use, access and usability the of space by the parties who benefit is the guiding principle of the whole urban civic use system.

In no case a portion of the property can be assigned as the operational headquarters to any subject, even temporarily, except in cases under Article 13. No project, although supported by public funds, can be carried out on the premises of the Ex Asilo Filangieri without the approval of the Assembly of Direction, which is the organ of guarantee of the artistic and cultural autonomy of the community of *l'Asilo*. Both individuals and collective entities of any legal form, may propose activities according to the rules of this declaration, with the exception of electoral propaganda and related initiatives, for profit activities and, unless otherwise established by the Assembly, although meritorious initiatives that can not be included in the artistic and cultural field. The Tables provide continuity and nomadism with a focus on youth, research, experimentation and initiatives which generally have no place in the institutional circuits. The scheduling of activities is always open to new proposals and ensures that a portion of the spaces is reserved for the regular work of the community for rehearsals, activities related to the production and creation by individuals, groups and companies.

### **Art. 15 Principles of cooperation and co-management**

The civic use of the Asylum is based on the principles of self-management, cooperation and mutualism, and tends to strengthen individual and collective accountability in the programming process of the activities. Accountability is established by the cooperation in which each member of the community, whether guest or inhabitant, contributes to the activity of care and management of *l'Asilo*, beyond the specific activity that involves him or her. Every single member, whether guest or inhabitant, whose proposal is scheduled, chooses accordingly to the ways identified during the Assembly of Management, in what way and in what moments donate part of his/her time and of his/her skills to others so that other members of the community can also enjoy the facilities, the means of production, knowledge and spaces of *l'Asilo*.

*l'Asilo* aims to make every activity carried out there, following the principles outlined above, a precondition so that other activities can take place in the future, in the interests of fair division of the workload, cooperation, conservation of the property for future generations



### **Art. 17 Consensus building and decision-making**

In accordance with the above principles and in order to promote effective practice of civic awareness and self-organization, the decisions taken by the organs contemplated by the declaration are established on the basis of consensus.

## **ECONOMIC AND FINANCIAL DISPOSITIONS**

### **Art. 19 Purpose of the actions undertaken**

*L'Asilo* as the seat of an interdependent production center is based on the pooling of means of production and equipment for art, culture and theatre. For this purpose workshops, seminars, meetings and artistic productions are promoted and supported with the aim to stimulate growth and develop the needs of the community and the individuals who are part of it.

### **Art. 20 Financial resources**

City Administration recognising the high social and cultural value, as well as the positive economic externalities generated by the use of a civic common good, which involves not only the users of the space, but the neighbourhood and the whole city, provides, within the limits of the resources available, the hiring of management charges and what is necessary to ensure adequate accessibility to the property. It also provides what is necessary to ensure a safe environment for the carrying out of the activities and the protection of the property by preventing vandalic damage. The Assembly of Direction can identify the interventions required to request activation of the Administration in this regard; City Administration in compliance with the intended use of the property, can in turn identify the necessary interventions and submit them to the Assembly of Direction; City Administration undertakes to intervene in any case ensuring access to and use of the spaces according to the scheduled activities

### **Art. 21 Economic Management**

The economic management is based on the principle of transparency: 1. the Assembly of Management discusses and approves public spending commitments; 2. the Assembly of Direction approves publicly spending commitments and provides indications for the economic management for the following calendar year; The activities included in the programming of *l'Asilo* are not for profit and they are based on voluntary contributions used for the improvement of working conditions, the means of production and the care of the spaces. Access to the spaces and activity is never subordinated to economic performance; the eventually required contributions are to be intended always as free and not binding.

### **Art. 22 Economic and financial support sources**

For the realisation and the carrying out of the activities the inhabitants of the community can:

1. resort to forms of self-financing, such as fundraising and crowd funding;
2. establish agreements with other bodies or associations to finance specific initiatives or certain activities;
3. raise public and private funds also through the creation of the necessary legal instruments;
4. accept donations, sponsorships, sponsorship and perform any other activity collectively decided by the Assembly of Direction. The assets transferred to the equipment of the spaces are destined and bound to their collective function; only in case of change of the intended use, the subjects who donated them, may request repayment if identifiable.

**To sum up, what is L'Asilo?**