



TAVOLI PLENARIA 30/9

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TAVOLO ASSEMBLEA / TAVOLI

ORGANIZZAZIONE / ~~INTERAZIONE~~

~~INTERAZIONE~~ / CONTENUTO /

~~INTERAZIONE~~ / COMUNICAZIONE INTERNA

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TAVOLO ACCOGLIENZA

LINGUA E/O VERSO L'ESTERNO /

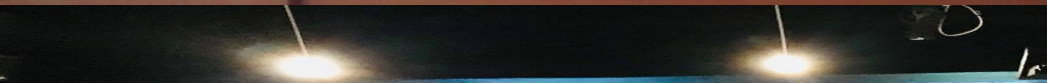
RETI ESTERNE / RELATIVITA' DELL'ASLO

ECOSISTEMA ASILO

IL LOGO
DEI BUONI
INCONTRI

- ATTRAVERSABILITA'
- ACCOGLIENZA
- INTERDIPENDENZA
- ETEROGENEITA'

- ORIZZONTALITA'
- NON EGEMONIA
- CURA
- QUALITA' DELLE
RELAZIONI
- COMUNITA'



‘To let a seed become a tree’: Urban commons in Naples

Short report on the field visit by A. Kioupiolis and interviews 30 November-5 December 2018, with A. Vesco

Introduction

In Naples, the fieldwork of *Heteropolitics* is focused on Ex Asilo Filangieri, a self-managed cultural space in the historic centre of the city. In this space, cultural activities are consciously organized as commons. There is also an intense concern with the internal political self-administration of the space, the relationships with the municipality and the city at large, as well as an endeavor to experiment with alternative democratic politics in ways which could resonate with citizens, cities and communities more widely. Civic and cultural praxis in ‘L’Asilo’, as it is called by participants, pivots around a) collaborative artistic creation and experimentation; b) egalitarian democratic self-management; c) self-legislation through the production of an internal regulation that was finally ratified by the municipality after a long struggle; d) the making of a different community and politics informed by openness, plurality, horizontality, non-violence and non-domination, consensus, collaboration, and experimentation; e) the negotiation of a different relationship with the municipality characterized by both collaboration, struggle, conditional municipal support and autonomous self-organization of the community in l’Asilo.

L’Asilo is a core case study of the contemporary commons in Italy. It further pursues the process of commoning artistic activity, community and politics initiated by Teatro Valle in Rome in 2011, a landmark in the recent history of the commons in Italy. In a sense, l’Asilo takes up where Teatro Valle left off.

More specifically, L’Asilo is discussed in our interviews as a model of the ‘**civic use**’ (*uso civico*) in the commoning processes of Italian cities: in the relations of pro-commons social movements with municipalities and the attitude of city administrations towards the commons and civic groups promoting them. This politico-legal model is distinct from both the Labsus model and the approach elaborated by Ugo Mattei.

L’Asilo seeks to combine the commons through ‘civic use’ with public property and support. It relies on public funding from the municipality for some functions (for the maintenance of the building and basic operational expenses, such as electricity). L’Asilo is not, and does not want to become, ‘self-sustainable’ on the market, in financial terms. This contrasts to some degree with other models of urban commons in Italy, whereby collectives and associations collaborate with municipalities and sign ‘pacts’ with the city administration to become self-sustainable financially. The political predicament and debate here is whether cultural activities should operate according to the logic of the private market or they should be sponsored through public funding and the redistribution of wealth. In a commons-based society, a part of the wealth produced in the narrower economic sphere of material production could or should be redistributed to other activities, from education to health and culture, which are likewise productive or creative in a broader sense. Such activities contribute to the

‘economic basis’ by sustaining social reproduction but also by fostering the growth of knowledge, creativity, culture and ideas, which feed again into material production for social needs in a narrower sense.

The case of L’Asilo elucidates the different paths taken in Italy by social movements which seek to get a hold over institutions in order to advance the commons and civic empowerment. In contrast to Spain, where social movements, activists and citizens came together in electoral municipal platforms with a view to becoming city administrators, in Italy they strive to make an impact on the formal political system through an intelligent, diverse and inventive use of the law. This opens up a different avenue to gaining leverage on established political institutions, which is worth considering and debating. Perhaps, it allows egalitarian social movements to uphold a higher degree of political independence. As mentioned above, there are currently in Italy three main approaches to the use of law for the purposes of urban commons: the Labsus model, the approach worked out by Ugo Mattei and his associates, and ‘civic use’ as articulated in Naples by social movements and jurists (see the interviews below).

Self-presentation of l'Asilo

from <https://www.facebook.com/lasilo/> , l'Asilo 21 July 2018¹

The Ex Asilo Filangieri, former seat of the Forum of Cultures, is since 2 March 2012 a public space dedicated to artistic and cultural production and enjoyment. The space is self-governed by a heterogeneous, mutable, solidary and open community, through practices of shared and participatory management, by analogy with the civic use.

In l'Asilo, the organization of the spaces and the planning of the activities take place in a public and horizontal way, through the assembly and the working tables which promote interactions, sharing and experimentation.

The 'inhabitants' of l'Asilo recognize themselves:

- in the repudiation of every form of fascism, racism, homophobia and sexism through active policies of inclusion and affirmation of singularities;
- in the liberation of artistic expression and culture from the logics of profit and market, as a manifestation of creativity, freedom and human personality, and as a fundamental contribution to the qualitative growth of society;
- in interdisciplinarity and the sharing of arts, sciences and knowledge, with a view to liberating labour by way of fostering a cooperative and non-competitive vision of human relationships according to the principle 'from each according to one's own possibilities and capabilities, to each according to one's own needs and desires';
- in the independence of cultural and artistic organization from interferences external to the practice of self-government;
- in interdependence, understood as the dependence of the community on the collaborative capacity of the individuals who recognize themselves in it;
- in the pursuit of consensus in decision-making, in order to build a shared decision-making process through an inclusive and non-authoritarian method.

¹ Translated in English by Maria Deligiannidou.

Interview (1) with Giuseppe Miccarielli²

The history of the commons in Naples

L'Asilo was a covenant established in the 16th century. In 2008 it was restored in order to host a Universal Cultural Forum event in 2013. This was organized by a private association funded with public money. L'Asilo started with a symbolic occupation by a group of artists and cultural workers ('Balena') in March 2012, who protested against the public sponsorship of such events at time when artistic work was underfunded and neglected. Gradually, the assembly gathered 300-400 people who decided to stay in the building.

This movement was part of a broader pro-commons political mobilization in Italy in 2011, which included the national campaign for the referendum on the privatization of water and the defense of water as a common good, the occupation of Teatro Valle in Rome and Macao in Milan. There was a *contagion of movements* for the commons. In Naples, the city administration was already sponsoring the commons, having introduced in the City Statute the notion of Culture as a common good.

The political challenges faced by l'Asilo and the commons in Naples

The collective which gathered in Asilo and wanted to 'occupy' the space, refused to constitute an association or a co-operative, through which it would receive legal recognition by the City administration and would be allowed to use and manage Asilo as a cultural centre. This structure tends to generate vertical, anti-democratic and clientelist relations. The cultural workers wanted to contest this scheme, but they did not know how, insofar as they sought recognition and some assistance from the city. The lawyers who joined them after the beginning of the occupation suggested a legal route, which would combine the legal provision of civic use ('uso civico'), bearing originally on natural resources and 'traditional' commons, with the article 43 of the constitution, which allowed for the takeover of a public service by the community of its workers under certain circumstances. In the community of l'Asilo, a debate broke out over the potential use of 'bourgeois' law to advance their cause.

G. Miccarielli himself came up with the first draft of the regulation, building on constitutional model, the statute of Teatro Valle and traditional 'uso civico' regulations. The l'Asilo assembly agreed to work on the draft, and they took it to the municipality. The community felt that relationships with municipality were changing, and they were giving the line! In May 2012, the city administration ratified the regulation through an administrative act, but they had changed its content. Hence, a long debate ensued and a new negotiation was initiated. At the beginning, the administration of Luigi de Magistris was not on the same wavelength with social movements on the commons. Inside it, there were actors who hindered the process. In December, police entered the building and evicted members of l'Asilo community from the 3d floor, where they stayed and where they built a theater after another legal

² Professor of political theory, lawyer and activist participating in l'Asilo and assisting in the legal process. The text is a selective and re-ordered transcription of the interviewee's responses, approved by him.

and political fight. The assembly decided to continue work on the regulation, as another strategy of sharing the means of production. In June 2015, the municipality was publicly challenged on the occasion of a visit paid to l'Asilo by Pierre Dardot, who would also meet the mayor. From that moment on, a different dialogue started. They held new meetings with the new 'assessor' and other public functionaries, finally in a new work together. In December 2015, the municipality issued a new administrative act, co-authored by l' Asilo and based on the self-regulation totally drawn up by l' Asilo. They extend now these studies and their collaborative work with the de Magistris administration for other seven spaces, for about 40.000 square meters of occupied real estate.

Their main idea through the regulation was to 'hack' the law. They made a declaration of *urban and collective* civic use. The legal instrument worked out by Asilo can now be used by others, too, and it has been used for the recognition of eight more spaces (which are now writing their declarations of use). It's also powerful The idea of the recognition of a 'collective use' that has already started is powerful, and it is different from the 'constitution' of such a capability only after municipality decision.

A major, internal political challenge faced by l'Asilo concerns the decision-making process. The public assembly decides in l'Asilo. How can different people work and rule in common, creating a process together? In l'Asilo, there is no collective, only a public assembly and different worktables, created as the self-governance system of a heterogeneous community. Different people are involved in it, both in terms of their profession (artisans, actors, cultural workers, researchers, unemployed and students) and in terms of political identity (from anarchists to greens, communist and democratic people or non-political people etc.). All of them work together as long as they are not directed by a monolithic ideology and do not fight for internal hegemony, but against the dominant legal order so as to create a new institution. To develop this common process of collaboration, they can use the law (the regulation), jokes, psychology. It is the commoning (activity in common) that creates the bond. The community, which is thereby generated, is diverse and open.

Fifteen cities in which such processes have been initiated are now linked together in an informal network.

The political idea/objective of the commons in l'Asilo

They oppose the dominant legal order, they are 'abnormal.' Their aim is to create *new institutions*, in which people in a building can regulate the ways in which they can enter in public spaces, use means of production, decide and co-decide as a deliberating subject in contrast to the hegemonic political model, in which only one or few subjects decide. To achieve this they use also a certain interpretation of the Italian Constitution and a theoretical idea of fundamental rights (including the radical one of the freedom of creating new democratic institution). They propose a practice of direct administration in which people perform public functions, coordinating themselves where necessary with the public administration, to demand services, rights and dutiful actions that people cannot provide always themselves. Starting from the management of buildings, this model could be extended to public services and more broadly.

There are three key elements in this political ideal: 1) the collective use of the means of production; 2) direct administration through an assembly which is *open to everyone, but follows rules and excludes racism, fascism and gender violence*; 3) the right to different uses spread among different experiments.

Herein lies their main difference with other legal theories of the commons

Differences with other legal approaches to the commons in Italy

First, they are distinct from *the model of Labsus*, a regulatory model in which people and individuals, formally, enter into a pact with the municipality for a number of years, for free or under payment, on specific terms ('*patto di condivisione*').

A series of problems arise with this model.

1. Through the pact, you need to share the project of the authorities. By contrast, in l'Asilo, they separate the property, which is *public*, from the management and the use, which is carried out through direct administration in open assemblies ('*common*').
2. In the pact model, a private association comes to manage a public building. This allows for a de-responsibilization of the public sector, which is related to the shrinkage of the welfare state and the cuts in public expenditure. Since the public sector lacks today the financial resources to maintain large buildings, they assign to an association the task to regenerate and revitalize a space, which can be sold in some years, after the end of the pact (enabling a process of gentrification). In l'Asilo, by contrast, they don't assume such responsibilities, the administration remains the public owner of the building and it has to cover basic maintenance expenses.
3. When the association needs to pay for basic maintenance expenses, e.g. electricity, it develops a capitalist mentality as it seeks to gather the required capital.
4. To manage big public buildings through a pact, the association needs to prove that they can cover the costs financially, e.g. pay the bills for electricity. To meet this condition, they often need partnerships with the big private sector.
5. The legal form leaves a footprint, fueling different processes of subjectification.

The association must elect a president, who is legally responsible. Moreover, it promotes a private management of the public sector in line with the model of the (neoliberal) new public management. Furthermore, through the pact, the collective project is more or less fixed from the outset. Finally, associations, in order to be recognized, must implement a model of representative democracy in which people have an equal vote and decide by vote rather than consensually.

By contrast, in l'Asilo, they want to do something different, to *stay in common* in the public domain. Moreover, they seek to create an incubator or a hub of direct administration, not a start-up. Furthermore, the project of civic use is open and subject to ongoing changes. Responsibility for the use of the space is shared and distributed. And, finally, the popular assembly of the citizens is placed on the same level as the public authority, they are not simply a partner coming from the private sector.

L'Asilo displays also differences with *the model of Ugo Mattei*. In addition to the problems listed above, this model uses only private law, spreading the idea of a contract between private entities/persons, which is a neoliberal one, in the practices of the commons. This model promotes the establishment of a Foundation to co-manage spaces, as in Teatro Valle. Now it seems that they are promoting a private Foundation model co-managed by delegates of the municipalities (or the owner of the space) and economic stakeholders of the city. In this way, the governance model proposed starts out from abstract legal theory and it erases the horizontal and democratic governance that commoners pursue in practice. It also replicates the neoliberal idea on the basis of which a private subject (tomorrow also as a bank foundation) can provide services managing a public space. Responsibility is dangerously concentrated in a private and identified subject, and the foundation has also a problematic patrimonial autonomy, which implies finding funds for all the extraordinary maintenance that often cost millions of euro. These are probably the reasons why there is no successful urban common experiment that uses this approach.

The approach of *uso civico, as instantiated in l'Asilo*, employs both private and public law. For example, the civic use assembly may appoint a private subject, i.e. an association, to sign a private agreement for furniture or with the municipality but only as a facilitating subject of the civic use, that is, only for a specific function but not for the use and administration of the space. In this way, we can resist the possible changes in the administrative acts that recognize civic use and also oppose the 'private' ideology. Without fighting also in the field of public law, any conquest is impossible and we facilitate corporations to buy out the public domain. In contrast to Foundations, social movements and engaged citizens may be more willing to defend a space and a process, should the need arise, because the aim is to translate in reflexive rules an ongoing immanence produced by commoners themselves in their commoning praxis. This is not only a legal strategy, but also a strategy building post-capitalist communities. It is a model theorized from the grassroots, and it does not use capitalistic tools, but draws from the ancient history of common property.

The legal theorists and activists of civic use start from what people do in a certain community of the commons and support it legally, on the condition that the communities are not gated, but *antifascist, antiracist and antisexist*- this is the 'border' of the community.

Interview (2) with Luca Serafino³

Reasons for joining l'Asilo and personal experience

People in l'Asilo help others 'for nothing' to work on a design, sharing knowledge and tools for common use, particularly in 'l'armeria', the fine arts department of l'Asilo. At the roundtables of l'armeria every Tuesday, they meet to discuss about their activities and to plan. It is like a place he had always imagined but had never been, before he joined it four years ago. Then he assumed the job of communication for their main artistic and political festival, the 'Grande Vento.' In l'Asilo he found a community of his dreams, he felt 'Yes, we can do it', and his life will never be the same again. Over time, his self-knowledge, and his overall knowledge, grew politically, artistically and technically.

The creation of this place was a response to the situation in Naples, where people are angry and hungry, frustrated, with few jobs, corruption and inefficient public services, such as transport. Naples is like a trap, like most of the South in Italy ('the question of the South in Italy'), and an exception, for better or for worse. This partly accounts for the creation of l'Asilo in the historic centre of Naples.

Alternative politics and community in l'Asilo

There is no single political point of view, but different views which interact as in an agora. L'Asilo is a gate for all and a galvanizing place, with people from all around the world, e.g. musicians from Japan, old activists from social movements, French and German activists, and so on. Every process comes from people who have different points of view. To work for the common good, they need and try to be open-minded and to trust each other. They should work for the (common) good, but not in a selfish and self-aggrandizing way. This is hard sometimes, and it is difficult to achieve consensus. There are fascists inside us.

L'Asilo is not a place for giving an answer but a *passage for dreaming a different way of living in the future*. If you are interested in it, rather than in a career primarily, you need to be part of it. In l'Asilo, people do things because they choose to. They are not forced to do things they don't want to, as in the 'normal' world. So, in l'Asilo, they can do things with a smile on their face, not for money or out of convention. However, when people commit themselves to do something, they have to; the community is relying on them.

There are two parts in l'Asilo, and two ways of seeing it: an artistic, and a legal one. The two of them together make the system work. The problem with other communities is often that they consist only of artists or only of one political point of view. This does not work at all any more...

The most important political aspect and idea of l'Asilo lies in *practicing* different relations which each other. They do not want to use more power over others and to compete. Rather, they want to share different knowledge without seeking or using

³ Architect, designer and activist participating in l'Asilo. The text is a selective and re-ordered transcription of the interviewee's responses, approved by him.

advantages. They offer help to others for free. People have different knowledge and they exchange it not only between two people, but in a community, a circle. For instance, one conceives the project of an installation. S/he shares it with others to produce a common project. *The will to share and do things in common is called interdependence* by them.

The future lies in this kind of community, in which one's freedom is more open to the freedom of others.

Moreover, they try out things in practice and they use them when they work. But everything is always changing in an unexpected way, as a *never-ending river, and a process*, not an institution.

L'Asilo is concerned with how we can pass to another life. Through storytelling they can help other people to engage in similar processes. Hence, communication is important. They themselves want to save and store what they are doing in an open archive, and they are working on it.

The whole point of l'Asilo is *'to let a seed become a tree'*. More important than the continuation of l'Asilo in the next ten years, for instance, is whether something more global can grow.

Municipality and the regulation

The mayor, who is open-minded, helped l'Asilo and he enabled the occupation. It is important that their own regulation was recognized by the municipality in the end. For the first time in Italy, the municipality recognized their conception of the regulation, which is inclusive and wants to open a space in the city where people who want to do something and have no money and knowledge can do it. They did not want to follow the process pursued in other parts of Italy, where in order for an occupation to become recognized, people need to found an association, and, with their names and surnames, to own a building. In l'Asilo, they built from scratch a professional theater, a cinema, a performing arts hall, a space for work and study, and also a community, which is a lot more than all the above.

Interview (3) with Maria Francesca De Tullio⁴

Motivation

Since she was very young, she dislikes closed identities and collectives. She has been looking for a new politics which does not want to dominate reality but acts in an open way.

L'Asilo: what's in a name?

A common, a new experiment to govern the space, to build a new form of democratic participation and to elaborate new political thought. A *safe space* where different movements and communities can meet and imagine new politics- a new municipalist politics.

The new in this politics

In general, it combines antifascism, antiracism and antisexism with heterogeneity. More specifically,

- 1) it is an attempt to connect social movements with a juridical path. This involves an attempt also to *hack* the legal system in order to build new institutions, to use the law to change the system 'from within.' L'Asilo can act as an example, a precedent in legal terms, which brings the idea of self-organization in new juridical institutions;
- 2) it conjugates political tensions with long-term political reflection and an attention to relations. They are not always interested and involved in actual politics. L'Asilo is an ongoing and fluid experimentation, by an ever-shifting community. They have no precise vision for the future, they engage in an experimentation about which they are very conscious.

Hence, l'Asilo now is developing a broad reflection on the assembly itself and its functions of information-sharing and decision-making. A key focus of the assembly is its opening to newcomers. They seek, thus, to be clear about how it works. There has been recently a lot of internal reflection and external projection.

The commons in l'Asilo

Not everybody shares the same idea. Researchers, activists and artists hold different ideas. They will reflect again on the concept of the commons in a coming assembly. Key shared and relevant concepts include: self-government, openness, access, co-operation rather than competition, and *sharing the means of production*- this is very important.

Not all people in l'Asilo are interested in building a new political subject. But l'Asilo is a place for incubating new subjectivities, relations and creative co-operative production.

⁴ Jurist, post-doctoral researcher in constitutional law and activist participating in l'Asilo. The text is a selective and re-ordered transcription of the interviewee's responses, approved by her.

For her, the ‘commons’ are a political tool to construct new forms of political action by cultivating different social relationships so that they can build together new ways of taking care of the space, in both physical and political terms. The aim is emphatically not the establishment of new collectives or parties, which have a single vision, a pre-constituted idea, and they try to impose it strategically outside, instrumentalizing people willingly or not. Political change comes from relationships.

All movements in Naples related to the commons seek to create new assemblies with this logic, opposing the instrumentalization of people.

Another important aspect of commons and politics in l’Asilo is the broader projection, the articulation of movements of commons in Naples, the production of a common narrative. Negative narratives alone do not work.

The legal process and aspect of l’Asilo. Comparison with other models of urban commoning in collaboration with city administrations

L’Asilo was born from a symbolic occupation, which eventually decided to experiment with the place and to undertake its self-government through a public assembly. They adopted the idea of creating a new legal form through the declaration of collective and civic use. This declaration, which operates as the constitution of l’Asilo, proclaims the principles of non-exclusive use, openness, self-government through the assembly, and the distribution of economic responsibilities between the community and the city government.

This is important for equality. The city gives active support to the experiment. The declaration states that the city should ensure the accessibility of the space (this means, for example, that it should pay for the extraordinary maintenance and the bills of water and electricity). This way of sharing the space with the city promotes equality by allowing people to manage a space that they could not afford, through public and open assemblies.

After three years of negotiations, the city government recognized the declaration of l’Asilo. A resolution of the city government – as distinct from a resolution of the city council, which they would like to obtain – is less secure. It is easier to change, while a resolution of the city council would be more secure.

A frequent critique against the legal model of l’Asilo is that their approach relies on the current city administration, which may change in the future. But they wanted to experiment with a new tool, since the ‘pacts model’ or the ‘Bologna/Labsus model’ was not suitable for them.

In the Bologna model, the city administration chooses which spaces will become ‘common’ and makes a public tender. Then, they decide. The Bologna city administration has evicted other occupations over the last years. This model does not allow for self-government. You need to agree with the municipal administration which decides. This is mainly a project for urban regeneration. Usually, there is no sharing of responsibilities with the city. The people who take over a space already possess financial means, or they turn the common space into an association and economic activity in order to gather money. Moreover, they have to select some persons who are

responsible for the space, whether they form an association or not. By contrast, l'Asilo wanted real self-government, hence they invented their own mechanism.

Critical response against l'Asilo: 1) it is linked to the person of the mayor, whereas in the Bologna model they are linked to the bureaucracy of the city. Hence, they are more independent; 2) not everyone wants to run space for free, as volunteers.

L'Asilo holds that a certain model may be good for a certain situation, and different models for different situations...

Civic use already existed in the Italian legal system in connection with woods, pasture and undivided land, which was left to a local community of reference. This is the traditional civic use, which involves closed communities. Now they talk about *urban* civic use in order to communicate with the administration. But this is not legislated and jurists don't agree over the relation of the latter with the traditional civic use.

City administration and social movements

At the beginning, the mayor was conflictual with social movements. The administration is brave in some respects, in others, they have to push them, e.g. in order to implement the resolution that the administration has adopted for l'Asilo.

Initially, de Magistris posed as neither left nor right. He was elected through a 'Civic list.' Later on, they sought a new political basis to legitimize their administration: the social movements were part of it. Another reason for liaising with social movements is that they help the administration to elaborate new policies, especially in art, for free. They do not want to give away power, but to fill in gaps in their politics.

Before the first local elections in 2012, social movements built *Massa Critica* as a long-term reflection and platform that would influence the future municipal authorities, whatever their political colour. Now, with the rise of fascism and xenophobia and the change of mayor in two years [de Magistris cannot run again after two consecutive terms], sometimes the movements – not the commons themselves, which are heterogeneous and open to everyone by nature – debate whether they should make a bid for the administration. But now they don't have a structure for that, and many anarchistic and libertarian souls in the group are strongly against such a prospect.

Gender

In the South, sexism is strong in every class. So, their starting point in l'Asilo is very weak.

However, they have antisexist movements in the space. For example, the movement 'Non Una Di Meno' gathers in l'Asilo.

In l'Asilo, there is equality, both men and women speak. But feminism in this space is not about men and women, it is about avoiding violence, domination, bullying, and this is still an ongoing challenge.