

COMMONS: PRACTICES OF SPACES AND SOCIAL CHANGE

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I. INTRODUCTION

The debate about common pool resources and the commons is not new (as demonstrated not only by the very well-known researches by E.Ostrom¹ but also an article of Ciriacy-Wantrupp and Bishop in 1975²), however their role in today political context has changed and the topic is becoming more and more relevant. In fact in various European Countries several are the specific actions oriented to the protection and the care of the commons.

However the political and juridical content remains to be defined, especially for its interaction with the concepts of public and private. In certain domains the political and theoretical thinking about the commons is stronger than in others, therefore the contribution they can offer to the debate is particularly interesting. In this perspective the study focuses on urban spaces and the role played by social movements in their definition. In fact no legislation in Europe recognizes the commons as a legal category and most of the social and political thinking about is part of grassroots engagement. The lack in legislation however doesn't imply a lack of interest among law scholar nor among

¹ Ostrom E. *Governing the commons: the evolution of institutions for collective action*, Cambridge University Press, Cambridge- New York, 1990

² Ciriacy-Wantrup S.V., Bishop R.C., *Common Property as a concept in natural resources policy*, in *Natural Resources*

institutions: the proceedings of the Rodotà Commission³ in Italy in 2007 (aiming to include the *commons* in the classification of goods in the civil code) and the researches and publications sponsored by the Social Cohesion Division of the Council of Europe⁴ (highlighting the importance of a legal recognition of the commons to protect them) are two consistent examples of this attention and provide focused views and approaches to the topic. According to the study of the Council of Europe, for example, the recognition and protection the commons would contribute to the eradication of poverty and the protection of human rights. In fact for grassroots movements focusing on social and economic alternatives the use of the definition of the commons is particularly relevant as a form of resilience against the crisis. Furthermore among the same grassroots movements an interest for legal aspects and legal implications is raising and it could contribute to the definition of the framework⁵, where different components and different levels of awareness are blended.

Both the documents also support the idea of a legal framework, functional and flexible, which recognizes the commons as a category of goods and tributes an outstanding role to local communities and activists involved.

To frame the debate some aspects are particularly relevant. First of all their definition, compared with the dichotomy public/private as well as with the traditional common-pool resources studied by E. Ostrom; secondarily the political, economic and social function of the commons. It can be generically affirmed that the commons are nowadays considered as a theoretical and practical tool against poverty, for more fair and just societies where people can enjoy their social and economic rights. Indeed the definition of the commons and the practices of defence and re-appropriation are strongly interlinked. As for their definition many scholars (from different perspectives though⁶) underlined that a common goes beyond public and private, State and market. The existence of a further dimension, as a third option, is somehow implicit while some

Journal 15, pp.713-ss. 1975

³ Established in 2007 by the Ministry of Justice the Commission was in charge of the modification of the legislation concerning public goods. It takes its name by Stefano Rodotà, law scholars who officiated it. The legal proposal was presented to the Senato but was never discussed. According to this proposal the commons were to be included as a legal category (see hereinafter)

⁴ *Vivre en dignité au XXI^{ème} siècle*, Conseil de l'Europe, Fév. 2013.

⁵ M.R. Marella, *Pratiche del comune*, Per una nuova idea di cittadinanza, in *Lettera Internazionale* n. 116, II trimestre 2013, pp. 40-44. In particular the session “Le nuove occupazioni e la 'lotta per il diritto’”.

⁶ Ostrom E., *Neither market nor State: governance of common-pool resources in the twenty-first century*, IFPRI Lecture Series, Lecture presented June 2 1994, International Food Policy research Institute, Washington DC, 1994. M.R. Marella, *Pratiche del comune*, Per una nuova idea di cittadinanza, in *Lettera Internazionale* n. 116, II trimestre 2013, pp. 40-44.,

comparisons might be done from an historical perspective.

Economic perspectives are usually predominant in the domain of goods but when it comes to the commons social aspects occur to be much more relevant. The most famous scholar who dealt with the commons mentions a set of characteristics to define a common: defined borders, collective agreements, monitoring, progressive sanctions, conflict resolution systems⁷. Much older models focus on the idea of reciprocity and responsibility inside the community⁸. In general in order to discuss about a common good a community of reference is needed. Even though commons remain excluded from a juridical framework, a few cases that can be relevant for a juridical analysis exist, such as California and New Jersey Supreme Court decisions dealing with the free speech rights inside malls⁹; a case that challenges the distinction between public and private but doesn't explicitly refer to the commons.

Part of the fascination of the debate about the commons is their contribution in reshaping spaces and social relations: in fact, as the two cases studied demonstrate, practical aspects remain prevalent over the theoretical ones. Compared with the traditional common pool resources the commons have less economic definition but strong social implications: governing these commons is also defining them, and it implies social and political effects.

More and more attention is paid to the topic as a whole, from different perspectives, in various disciplines and in several Countries, as demonstrated, among others, by the list of contributors of *Wealth of Commons*, directed by D. Bollier and S. Helfrich¹⁰. However because of their specificities and of the variety of disciplines possibly involved the topic tends to remain quite marginal in academia while it becomes to be becoming more and more present among social movements. The bizarre result of this situation is a sort of gap between the literature about the commons (since the very first studies up to the most recent publications) and the practices of creating (or protecting) the commons. It is very rare that people involved in the practice of the

⁷ Ostrom E., *Neither market nor State: governance of common-pool resources in the twenty-first century*, IFPRI Lecture Series, Lecture presented June 2 1994, International Food Policy research Institute, Washington DC, 1994. pp.4-11.

⁸ Cangelosi E., *Publica e Communis, Acqua, mondo romano e beni comuni*, Aracne, 2014

⁹ *Pruneyard Shopping Center vs. Robins*. See Stephen G. Opperwall, Comment, *Shopping for a Public Forum: Pruneyard Shopping Center v. Robins, Publicity used Private Property, and Constitutionally Protected Speech Case*, 21 Santa Clara L. Rev. 801 (1981).

¹⁰ David Bollier D. , Silke Helfrich S. (ed.), *The Wealth of the Commons: A World Beyond Market and State* Levellers Press, 2012.

commons are aware of the social, economic and political literature dealing with topic. Even more weird the topic is becoming more and more present in the vocabulary of social movements (even if, relatively often, a deeper analysis of the actual meaning would not lead to concrete results) but in a number of contexts the practice goes beyond the political analysis. Stated differently: among social movements some people might talk about the commons, although quite vaguely, while others do not even mention the concept, but they practice it.

II. COMMONS: REWRITING A CONCEPT

The commons might have a revolutionary role in the society of crises but a definition of the framework analysed here is needed. In fact, and as already stressed, the commons are a cross-disciplinary topic involving disciplines as law, economics, politics, social sciences and different combination of those (such as political economy and political ecology). From certain perspectives environmental sciences, anthropology and urbanism can be also involved. Awareness of this variety is fundamental to follow any analysis dealing with this topic.

In fact the first theoretical discussion on the commons was made by a biologist, G. Hardin. In 1968, in his article titled “The tragedy of the commons”, Hardin aims to discuss overpopulation and does it on the bases of a comparison with common pastures before the adoption of enclosures system in England. Core of the theory is that lacking any private property delimitation land was to be overused, leading to a tragedy, i.e. the impossibility to feed the stock.

The theory was promptly adopted by the theoreticians of the prevalence of private property (and market) but since 1978 two political ecologists (Ciriacy-Wantrup and Bishop¹¹) highlighted a crucial misleading aspect of Hardin’s theory: the pastures he described were not “commons” nor even “common pool-resources”, rather being “open access resources”. A bit more than 10 years later (in 1990) the political economist E. Ostrom eventually published the outcomes of studies conducted over years demonstrating that the “commons” can be governed without occurring in any tragedy¹².

However Ostrom's studies remained very sectorial at least until 2009, when she

¹¹ Ciriacy-Wantrup S.V., Bishop R.C., Common Property as a concept in natural resources policy, in *Natural Resources Journal* 15, pp.713-ss. 1975

¹² Ostrom E. *Governing the commons: the evolution of institutions for collective action*, Cambridge University Press, Cambridge- New York, 1990

obtains the Nobel Prize for Economics. Furthermore her research is much more relevant for the approach it promotes than for the cases studied, the latter being specific categories of common-pool resources with characteristics that can barely be applied or reproduced outside specific contexts. However it is important to note a few aspects E. Ostrom considers particularly relevant: social organisation and cultural approach which are, on the contrary, replicable and can contribute to the description and explanation of the commons from a theoretical perspective independently from physical specificities of the resource, the space or the good which is considered as “common”.

From the legal perspective, as mentioned before, it is only in 2007 that we encounter a first attempt of legal definition of the commons, made in Italy by the Commissione Rodotà¹³⁹ which proposed the commons as a third category beside public and private goods on the base of three characteristics: connection and interaction with human rights, duties towards future generations and prevailing of use over property¹⁴. Some of these aspects are consistent with Ostrom's analysis while others go beyond, toward a more elaborated approach. It appears however extremely clear that such a debate involves more than classic economic or legal definitions.

The two cases analysed in this article present different level of political thinking and elaboration about the commons, but share a strong component of practice of the commons. Compared with other studies about the commons and the struggles to protect or define them the peculiarity of these two examples is that they are not based in closed urban contexts or in rural areas but are developed in urban open spaces. Extremely different one from the other for what concern their location (small plots vs squares and parks), their background (locally based and focused vs international and broad activism) and political visibility (local vs worldwide) both the cases present the commons as about people much more than about spaces.

III. PEOPLE AND VEGETABLES: REDEFINING GREEN URBAN SPACES

Urban gardens are usually studied from the perspective of urbanism (and history of urbanism) or, more rarely, in the framework of history of ecologist movements. The

¹³ Commissione Rodotà - per la modifica delle norme del codice civile in materia di beni pubblici (14 giugno 2007) - Proposta di articolato.

¹⁴ “Previsione della categoria dei beni comuni, ossia delle cose che esprimono utilità funzionali all’esercizio dei diritti fondamentali nonché al libero sviluppo della persona. I beni comuni devono essere tutelati e salvaguardati dall’ordinamento giuridico, anche a beneficio delle generazioni future. Titolari di beni comuni possono essere persone giuridiche pubbliche o privati. In ogni caso deve essere garantita la

most relevant typologies of urban gardens studied belong to different historical contexts. On the one hand urban gardens used to be established in the United States and United Kingdom during the World War I and World War II under the name of Liberty and Victory Gardens with the specific aim of increasing food self-production in times of war¹⁵. On the other hand, more recently urban gardens have been created, mainly as an American phenomenon, during the green, ecologist wave in the 70ies. In particular the most famous, and traditionally considered the “first” community garden was the Liz Christy Garden created in Manhattan in 1973 (and still existing). In this case the goal was to resist to over-urbanisation of the area from an ecological perspective where neighbours coordinated themselves to create this kind of space with the support of green activists (in this case the Green Guerrillas). Similar experiences took place during all the seventies (and part of the eighties) in United States, UK, Australia and Canada). Somehow, for a long period, urban gardening used to be an ‘Anglo-Saxon’ tradition, which might also explain why the great majority of the studies conducted about this phenomenon come from these Countries.

However, ten or maximum fifteen years ago the phenomenon took a new path and new characteristics. Its political and social component became more relevant and several new gardens started appearing in urban areas. They have a lot in common but also some differences. In fact some specification is needed about the definition of these gardens not only in order to understand the rationale of this tradition but also to analyse these new experiences, which are definitely far from their ancestors, even though they maintain some elements of them. These differences are what we aim to focus on in this article on the base of a field research conducted in Brussels where these experiences are particularly well-established.

In terms of definitions language differences are relevant (for example in French speaking countries there is a difference between “jardins” and “potagers” based on the importance given to the food-production component) because adjectives and nouns used to define these gardens, whose common characteristic is to be in urbanised areas, may vary accordingly to the aspect the people involved want to stress. Some may be occupied abandoned plots while others are officially held in trust to the group who manage them (either by a public entity or by a private owner). Some are defined as *social* (particularly in

loro fruizione collettiva, nei limiti e secondo le modalità fissati dalla legge”.

¹⁵ Something similar and with a slightly similar intent, even though more oriented to healthiness of the urban living context, occurred between the end of the XIX and the beginning of the XX Century when

Spain and in Italy), some are *collective*, some are *shared*, some belong to the *community* or to the *neighbourhood*. In each case a reference is made to a specific vision or approach. What is particularly interesting is that the idea of the commons seems at a first sight completely absent from the framework; though the research conducted in Brussels shows that it is much more present than it seems to be.

However the original feeling of subtracting space to urbanisation is present in every case. Resistance against commodification of the space is getting in fact more and more relevant. These gardens might be more or less inclusive but theory of change and social engagement seems proportional to the level of inclusivity of the experience. However even gardens established at a neighbourhood level can have high social effectiveness, especially when they are based in areas with high social tension. Indeed in at least one case a garden was established in order to create social links and interactions in context of reciprocal isolation¹⁶, rather than just to rescue an abandoned area.

In fact a survey conducted among urban gardeners, all of them based in Brussels, shows that social motivation for taking part in these activities is somehow stronger than motivations related to food production, contrarily to what one could expect. Producing health and safe food of course has a non-negligible value among the participants to the survey, as it is for ecological approach, however interaction with neighbours, creation of networks, reciprocal learning and resistance against urbanisation are considered equally or more important. Green areas, subtracted from abandon and cement, either they are unused spaces, public or private, plots to be used for new buildings or a roof become a meeting place to share knowledge and create opportunities for social growth. And this is explicitly part of the framework. Even when an urban garden implies individual parcels (which makes it more oriented to food production) collective participation to the management appears as the most relevant interest in participating. It can therefore be affirmed that the creation of alternative social dynamics is intrinsic to the practice of urban gardening.

Although spontaneous references to the idea of commons are very few in the structured interviews and the debate itself is almost not present in their discourses (sometime some of them are not even aware of the debate itself) the approaches used by

some garden-cities (Cités-Jardins) were established as 'green neighbourhoods' in French and Belgian cities

¹⁶ That's the case of the Marjorelles garden, created by people living in passive house built in a public housing area in order to create a good relationship with the neighbours who were not particularly happy with their presence. A specific set of interviews have been conducted with the activists involved in this garden For more information

the activists are consistent with the framework about the commons. The internal political debate about gardens in the Brussels' network doesn't mention the commons almost at all (also because of different level of engagement); this absence is consistent with a generic distance of the topic from the main interests and political vocabulary of social movements in Brussels¹⁷. However all the interviews show that alternative social dynamics, community participation and responsibility are fundamental in urban gardening practices; furthermore when asked to mention three concepts or items related to the idea of commons almost all the informants mention the gardens and a certain number of goods, traditionally considered as public but often cited also in the debate about the commons (such as water or parks). When discussing about management of the gardens, personal motivations and approaches other ideas come out such as collective responsibility, mutual support, social relationships, social change, alternative economy. Although not mentioned the idea of the commons seems to be present. Creating an artificial community based on sharing (land, time, knowledge and space) is considered fundamental and all the gardens mention collective and equal decision making about the activities accordingly with key words such as *trust*, *responsibility* and *organisation*.

Even though some conflict with the local administration might rise when a garden is established (especially when the aim of the activists is to resist against further urbanisation, usually supported by municipalities) or to create space for food production and knowledge sharing (usually consistent with governments policies) urban gardens in Brussels never had to face strong opposition from the Government and sometimes they even obtained official support (funds or property concessions). As a result there is almost no bottom-up legal elaboration in the case of Brussels' gardens since these experience can take advantage of specific administrative and financial programs which somehow support these initiatives, depending on our radical they are. Despite certain predictable bureaucratic constraints both gardens settled on publicly and privately owned areas are technically a sort of concession (through specific agreements case by case) to the gardeners who take the responsibility of their management. Ownership is in this case clearly much less relevant than access and use, and this is one of the fundamentals of the theory of the commons.

Urban gardens are practices of collective, communitarian and participatory

¹⁷ It is only in 2012/2013 that a small group of activists, related to the Community Land Trust project, or involved with neighbourhood associations and movements involved in water and food sovereignty campaigns begins a discussion on the commons, with a special focus on city-related issues, abandoned

management and represents solid alternatives to over-urbanisation and lack of social bonds within the communities; even if gardeners don't take active part in the debate, these experiences could be compared with the common-pool resources studied by E. Ostrom (where there wasn't any strong political and theoretical thinking neither) since they put in practice mechanisms, tools and rules built case by case by the community involved. "Governing the Commons" presents examples of traditional and customary rules of dealing with common resources; urban gardens experiment modern mechanisms and new practices for conscious, responsible and participatory management of resources and spaces. Being experiments, based on the variety of community members' experiences and approaches, they are also reproducible.

IV. OCCUPY: COMMONS, SQUARES AND PARKS

The second branch of this study focuses on a different social and political movement, less defined than urban gardening but with two relevant points in common with it: on the one hand the re-elaboration of old practices from a new perspective and, on the other hand, some key approaches that make it relevant for the debate about the commons. This part of the analysis will take advantage of a large amount of materials since the so-called 'Occupy movement' attracted an international interest of media and academia because of its different components, as well as because of its specificities in terms of political instances and methodologies.

Exploded in 2011, the movement takes its international denomination 'Occupy' from the first occupation occurred in the United States ('Occupy Wall Street') in September but the roots of the movement are in Spain, where several thousands of people occupied squares with tents from May 15 onward (which gave the name 15M to the movement) protesting against the economic and social crisis and lack of political representation. Their indignation against the current social, economic and political model valued them another name used to define the movement, '*indignados*'.

The movement was extensively studied and pictures of the most relevant phases (May-December 2011) were published several times, showing occupied squares in Europe (Spain, UK, France, Belgium, Greece) and US (New York-Zuccotti Park-, Chicago), as well as several US Campus (Harvard, Yale, Berkeley). At a first sight the

spaces and housing rights.

movement has coherent claims, where commons are of course definitely less present than economic and social crisis. The key words of the movement are ‘default’, ‘austerity’ and (in Europe) ‘troika’. Furthermore both the most famous slogans, “we are the 99%” and “no hay pan para tantos chorizos”, express a total lack of trust in representative democracy and point out the responsibilities of governments and financial lobbies for the economic crisis. However beside these main topics, largely known even outside the movement, other aspects are, more or less consciously, even closer to the debate about the commons.

The slow but progressive interest of the Occupy Movement for the commons is positively commented by David Bollier, American writer and activist and co-founder of the Commons Strategy Group who wrote in its blog over the commons in February 2012 that it was “the beginning of a beautiful relationship”¹⁸. The reference is to a forum hosted by Occupy Wall Street on the same month with the meaningful title “Making worlds: A forum on the Commons” whose explicit goal was to introduce the discussion about the commons into the debate within the Occupy Movement creating new connections and bonds with other movements. In a context where , Bollier writes, “many of the familiar distinctions between “public” and “private,” and between “economic” and “social” just don’t make sense in this new world [...] the Occupy world and commoners, by contrast, assert a larger, more integrated vision of human development”¹⁹.

Although the commons are definitely not the main political topic of the Occupy Movement (not in Europe nor in the States), as it is the case for the urban gardens, practices are strongly related. It is not just a matter of managing the occupied squares (or sometimes streets and parks) in a communitarian and collective way : the action of occupying these areas produces a transformation (temporary though) of a ‘public’ space in a ‘common’ space. Furthermore decision-making tools (such as the consensus), inclusiveness, reciprocal support within the group and external support from the community represent further elements that link this movement to the commons from a theoretical perspective.

Strangely, even if they were not the main topic when the Occupy movement was, in its different forms, particularly interesting for media, the commons became more am more important just after the attention decreased. Therefore we encounter the relatively

¹⁸ <http://bollier.org/occupy-commons-beginnings-beautiful-relationship>

¹⁹ <http://bollier.org/occupy-commons-beginnings-beautiful-relationship>

rarely used expression “occupy the commons”²⁰ and the Forum, held in New York in 2012, represent a sort of land-mark for the inclusion of the commons in the Occupy Movement political vocabulary. In this perspective a group of activists under the denomination of FoO (Future of Occupy) Collective²¹, started focusing on this topic: most of them are British and from the States but they stress the importance of international connection and interaction within social movements²² and provide materials on local struggles for the commons at an international level.

Once again it is not a matter of considering the topic relevant but rather a matter of actual everyday practices of protecting and experimenting the commons. In a very specific case, particularly well-known because of its political context and because of the reactions it provoked, taking space back, managing it collectively and share responsibility are explicitly connected both with the idea of the Occupy Movement and of the commons. That’s the case of Gezi Park.

The most famous episode of a the demonstrations occurred in Turkey in 2013 is indeed related to the broader movement ‘Occupy’, even though claims were much more focused. Gezi Park is at the same time the topic (or better the ‘excuse’) for the protest, the place where it started and the name used to represent it inside and outside Turkey (‘Occupy Gezi’²³). The occupation was in this case explicitly intended to subtract the occupied space from commodification and market: the area, a relatively small park close to the very central Taksim Square in Istanbul was supposed to be transformed in a commercial centre so that the very first symbol of the demonstration were the trees. But of course there is much more than that!

In fact a project on ‘Mapping the commons’ was launched in Istanbul in 2012²⁴. Its aim was to identify the commons and place them on virtual map of the city in order to protect them from exploitation and private interests. The first implication of this exercise was that commons still needed to be defined, identified and recognised. Both

²⁰ In fact a similar expression “Occupying the commons” was used in Italy (and not in the United States) as title for a project for a documentary trying to link the occupation of the Teatro Valle (a particularly well know case of political reflection about the commons in Italy) with Occupy Wall Street. The project seems to be still in progress (http://www.commonssense.it/s1/?page_id=938). However the point of view of the authors seems to be more oriented towards theatres occupation than actually linked to the Occupy Movement approach and background.

²¹ <http://thefutureofoccupy.org/about/what-we-do/>

²² <http://thefutureofoccupy.org/foo-magazine/the-commons-issue/contents/#unique-identifier3>

²³ The nexus was created by turkish activists and was spread through the hashtag #occupygezi by social networks. See <http://occupygezipics.tumblr.com/> or <https://www.facebook.com/OccupyGezi>

²⁴ The project (<http://mappingthecommons.wordpress.com>) includes maps of Istanbul, Rio de Janeiro and Athens.

theoretical analysis and practical aspects interacted in this process: the idea of common itself was dealt with in a first step, notably on the bases of the theories elaborated by Hardt and Negri used as a theoretical background²⁵. Different parameters²⁶ were used for the selection of the commons, including the number of actors involved (size of the community, peculiarities of the group and interaction systems among them), kind of common (cultural or natural, new or traditional) and eventually the level of conflict. Other data such as the location and the history of each common were also included in the mapping. Besides a more general definition including cultural spaces, water, riverbanks, woods and public squares²⁷ a number of specific places were identified during the workshops: the Galata Tower, Golden Horn riverbanks, the Ayvansaray area and Gezi Park (or Taksim square). Therefore protecting the trees in the park, recognized as commons, against privatization and exploitation easily became the fuse of the protest.

Both the content and the methodology of the protest can be seen in connection with Occupy movement. It corresponds to an imagery that proposes an alternative economic and social model. Even though just a few articles and analysis²⁸ focused on the connection between the protests in Turkey and the fight against the privatization of the commons, the idea of re-appropriation of a space, mixed with the participatory decision making and the consciousness of being practising something completely new²⁹ definitely support this connection. Taksim square protests, in fact, had almost nothing to do with the trees in the park, they rather belong to the broader framework of resistance against an economic, social and political model considered wrong. This is what N. Chomsky sustained at the University of Beirut in June 2013: “the struggle to defend the commons takes many forms. In microcosm, it is taking place right now in Turkey’s Taksim Square, where brave men and women are protecting one of the last remnants of the commons of Istanbul from the wrecking ball of commercialization and gentrification”³⁰.

In fact the debate about the commons has definitely moved from a strictly economic context to a wider political, social and legal arena and now catalyses actions

²⁵ 25 M. Hardt, A. Negri *Commonwealth*, Belknap Press of Harvard University Press, Cambridge (MA), 2009 . In this book, in the framework of a trilogy including *Empire* (2000) and *Multitude* (2004), the authors deal with new models of living in the era of globalization and argue for the idea of “common” as an alternative to the private and public models.

²⁶ <http://mappingthecommons.wordpress.com/category/methodology/>

²⁷ Complete list at: <http://mappingthecommons.wordpress.com/category/theory/>.

²⁸ See for example: www.eldiario.es/turing/privatizacion-comunes-encendio-Primavera-Turca_0_139986455.html

²⁹ <http://www.dinamopress.it/news/taksim-square-and-gezi-park-occupation-practicing-commons>

³⁰ <http://espoirmolenbeek.blogspot.it/>.

aiming at the construction of an alternative model. It remains to be analysed if the variety of backgrounds of people who joined the movement, in Istanbul³¹ is a consequence or rather a cause of this redefinition of the approach to the commons. However, as the movement in Istanbul clearly demonstrates the renewed interest for the debate is related with the outbreak of privatization of the last fifteen years and of the worsening of the crisis (economic, social and political). Mapping the commons can be considered as a very first step to prevent their expropriation or any misuse that does not fit with the needs and the interests of the community. Similar mapping experiments are indeed ongoing in Europe and the Mediterranean area and demonstrate how crucial this topic will be in the near future both in terms of controversies between opposite political, social and economic models and in terms of engagement of individuals. The commons seem to be at the heart of the creation of a future model where peoples' rights are more important than neoliberal development strategies.

Occupations of open spaces (parks, streets and squares) reclaiming them as commons is a very visible protest at a communication level (for example because of the physical presence of the tents) but they did not last for long time; however they offered an opportunity to experiment horizontal and inclusive decision making practices and management tools. Participation, horizontality, consensus and inclusion that are the key concepts of these movements and of the debate about the commons. Occupations become places for social and political elaboration and reveal, with their simple existence, the possibility for a different use of space traditionally considered as public but too often subjected to commodification.

V. CONCLUSIONS

Creating the commons

The already mentioned publication supported by the Social Cohesion Division of the European Council presents the concept of “commonisation”³²: a process through which a good (or a place) changes its status from public (or private) to ‘common’. That good’s uses and functions are redefined by the community (some consider it as a re-appropriation). The most relevant step in this mechanism is the recognition of the change occurred in terms of function or, in few cases, the re-establishment of a previous

³¹ www.domusweb.it/content/domusweb/en/architecture/2013/06/1/gezi_park_occupation.html

function neglected in recent times (in this case recognizing that place or good as common means giving it back to the community). The practices described in this study, whatever the level of political and philosophical engagement in the debate about the commons, are practices of change: their goal is to make something *common*, either something that was not before or something that used to be but is not anymore. The practice itself is what produces the *commonisation*. This explains why the property status paradoxically represents a minor issue: in making something common the crucial point is about management tools, use, access and participation of the community. “*Commonising*” is a process with a number of components, and their different combination is what differentiates one practice from another.

Some experiences have a longer history and are largely widespread, as it is the case of urban gardens, but are less focused on the topic, while other experiences are more recent but also more focused. However they are similar as it is the rationale behind. For example the redefinition of urban spaces, characteristic of the urban gardens, is definitely consistent with the struggle for the commons; there is therefore a high likelihood that this socio-political imagery takes a role and becomes present in the practices of redefinition of urban spaces through the creation of gardens. On the other hand the occupy movement experiences showed some interest for the debate about the commons, but this component remained relatively marginal. Even though the occupy practices could be considered as a sort of opposite of the urban gardens in terms of stability and structure (a few cases with a lot of participants vs a lot of cases with small group involved, short time vs long-lasting experiences, high visibility vs low visibility) they share an essential component for the debate about the common: the involvement of the community and the share of responsibilities.

Despite the differences both the experiences are strongly embedded in the social and economic context. Both can be considered as reaction to the systemic crisis and represent forms of resistance or of resilience; in this framework the idea of the commons can offer a contribution to their elaboration and foresee future approaches. In fact, as underlined by M. Castells and other scholars involved in the Aftermath project³³, societies are currently in a crucial moment for the creation of an aftermath, where one of the consequences of crisis is likely to be a new interaction between society and the

³² Vivre en dignité au XXI^{ème} siècle, Conseil de l'Europe, Fév. 2013. p.189

³³ www.aftermathproject.com

political system³⁴ to be based on the creation of new paradigms. And the commons, irrespective of the level of theoretical elaboration, are a practice and a social self-organised and grassroots response to the crisis.

Creating a community

A community is essential to govern and manage the commons, as underlined by all the scholars who dealt with this topic; but the structure and the process of creating it may vary as the two cases presented perfectly show. The experiment of the commons is first of all an experiment of creation of what is defined as a “community of reference”: the group of people, whose size and composition, is defined case by case. The context where each experience is developed is particularly relevant since it affects the criteria put in place for the creation of the community and for the process to join it.

The two cases analysed represent quite different options: the community involved in urban gardens appears, at least for the case of Brussels, as somehow pre-established, since agreements on the use of the space are made with the formal owner; on the contrary the community involved in the occupation of squares or parks, as demonstrates the case of Gezi Park, is created contextually with the occupation itself. Both are inclusive communities but the first implies a formal adhesion while the second is based on the physical presence on the place. Furthermore a substantial difference exists in terms of size: very small the first, very big the second. Urban gardeners know each other very well while the occupiers of Gazi Park might even don't recognise one another (probably with the exception of a few individuals). However, it is to be stressed, some of the occupations, including GeziPark, produced a further effect such as the creation of smaller groups which keep being involved in the promotion of the experience on a smaller size (less participants, in practice) focusing on participation and alternative social and economic system.

Of course these cases represent only two options, and two extremes, but they perfectly show the variety of possibilities in creating a community which recognises itself as it and takes the responsibility of dealing with the commons.

Practices in practice

Despite their differences these cases presents several elements can be identified as

³⁴ See M. Castells, J. Caraca, G. Cardoso, *Aftermath*, Oxford University Press, 2013

key points of the debate about the commons and contribute to the interpretation of the role played by the commons as tool of resilience in the current crisis. The analysis demonstrates how their definition has to be based on concrete experiments.

Before and beyond legal analysis and approach we deal here with practices that contribute to the re-definition, re-appropriation and re-imagination of urban spaces. Spaces that are recognised as common independently from their property regime and somehow given back to the community.

Each of these experiences provides interesting starting points for social analysis: occupations of squares and parks worldwide, with different claims and modalities of interaction, reinforce the issue of the importance of the commons as a tool to fight against the crisis; urban gardens, even though they don't mention the commons explicitly, represent a real and solid example of artificial foundation of a commons and of a community of reference.

From a juridical perspective each experience is different but, once again, there is some coherence among them. In the case of urban gardens, even though the situation might present relevant differences, agreements exist in most of the cases between the gardeners and the owner of the plot, whatever public or private. As a consequence in most of these cases the practice prevail over the legal claim and over the theoretical elaboration of the idea of commons. Parks and squares occupation focus on the social and political recognition of their actions, omitting completely the juridical issues, since most of them focus on the symbolic value of redefinition and re-appropriation of public space.

Key words of this analysis are not only reciprocity, responsibility and sharing, but also practice (creative, conflicting, innovative, collective) and, of course, space (urban, cultural and eventually social).
