

DER ÖFFENTLICHE SEKTOR THE PUBLIC SECTOR



Commons Reloaded

Potentials and Challenges in Urban and Regional Development

Guest editors:
Alexander Hamedinger
Lukas Franta



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“Der öffentliche Sektor - The Public Sector”, als Printzeitschrift im Jahr 1975 gegründet, erscheint seit 2015 als elektronische Open-Access-Zeitschrift des Fachbereichs Finanzwissenschaft und Infrastrukturpolitik im Department für Raumplanung der Technischen Universität Wien.

Das zweisprachige Journal lädt zum Diskurs über die Bedeutung und Herausforderungen staatlicher Aufgabenerfüllung, mit besonderem Augenmerk auf die Wechselwirkung zwischen gesellschaftlichem und wirtschaftlichem Wandel, politischer Steuerung und räumlicher Entwicklung auf unterschiedlichen Ebenen (z.B. Stadtteil, Gemeinde, Region, Nationalstaat, intra- und internationale Ebene). Gleichzeitig sollen verschiedene Rollenmodelle in der Aufgabenverteilung zwischen öffentlichem, privatem und zivilgesellschaftlichem Sektor hinterfragt und diskutiert werden.

In einem multidisziplinären Ansatz werden Fachleute verschiedener Disziplinen angesprochen: Finanzwissenschaft und Fiskalpolitik, Raumplanung, Infrastrukturplanung und -politik, Bodenmanagement und -politik, Ressourcenökonomie, Planungsrecht, Immobilienwirtschaft und Wohnungswesen, Politikwissenschaft, Volkswirtschaftslehre, Stadtsoziologie sowie andere verwandte Gebiete.

“Der öffentliche Sektor - The Public Sector” versteht sich als Wissensspeicher und Kommunikationsplattform zwischen Wissenschaft und Praxis einerseits und zwischen Jungakademiker/innen und erfahrenen Expert/innen andererseits.

Jede Ausgabe ist einem Schwerpunktthema gewidmet, zu dem ein spezifischer “Call for Papers” eingerichtet wird. Darüber hinaus werden auch andere geeignete Beiträge aus den oben genannten Themenkreisen veröffentlicht. Die Herausgeber ermutigen insbesondere junge Wissenschaftler/innen, Artikel zur Veröffentlichung einzureichen. Nach Prüfung und Akzeptanz des Abstracts werden alle eingereichten Artikel einer Review durch ein oder mehrere Mitglieder des Editorial Board unterzogen, fallweise werden auch externe Reviewer beigezogen. Es werden keine Autorengebühren eingehoben. Publikationssprachen sind Deutsch oder Englisch.

Founded in 1975 and published until recently as a print journal, “Der öffentliche Sektor - The Public Sector” is now presented as an open-access e-journal edited by the Chair of Public Finance and Infrastructure Policy in the Department of Spatial Planning at TU Wien.

The aim of the bilingual journal is to advance the discussion on public intervention in a socio-economic and spatial context, studying the interrelations between economic and social change, policy design and policy impact on different spatial levels. At the same time, it encourages the discussion on role models and co-operation between the public, private and non-commercial sectors.

It follows a multi-disciplinary approach, addressing experts from disciplines and fields such as public economics, urban and regional planning, infrastructure policy, fiscal policy, environmental economics, land use policy and planning, planning law, real estate management and housing economics, political science, urban sociology and other related fields.

“Der öffentliche Sektor - The Public Sector” considers itself as a platform for exchange between science and practice, as well as between young academics and senior experts.

The journal adopts a focused thematic format with specific calls for papers. Each issue is devoted to a particular theme selected by the editorial board. However, papers that fall into the broad research fields mentioned above will also be published. The journal especially encourages young researchers to submit papers. After acceptance of the abstract, all papers will be reviewed by one or more members of the advisory board and eventually also by external reviewers. No open-access or paper submission fees will be charged. Publication languages are English and German.

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Editorial

Gerlinde Gutheil-Knopp-Kirchwald

The second special issue of “Der öffentliche Sektor - The Public Sector” is dedicated to a specific notion of “publicness”, namely urban commons. After Elinor Ostrom’s Nobel-prize winning work on “Governing the Commons” (1990) the topic of Common Pool Resources has been discussed and further developed in various contexts and disciplines. One could for example draw parallels between commons and open-access-journals such as “The Public Sector” - but in this issue we will focus only on the urban dimension of commons.

I am very happy to have won my (former) colleagues from TU Wien, Alexander Hamedinger - who already has been a member of the editorial board - and Lukas Franta as guest editors for this special issue on urban commons. I will leave it to them to give a thematic introduction and an overview over the contributions of this issue- see p. 5f.

Personally, this issue of “Der öffentliche Sektor - The Public Sector” (in its 43rd year after its foundation by Egon Matzner) is special also for another reason. It is not only the first issue on urban commons and the second with guest editors and a double-blind peer-review process. It also marks the 3rd year of open-access-publishing and the involvement of an editorial board, and the sixth year after a graphical relaunch and the introduction of a thematic focus for each issue. And - since I have left TU Wien for new professional challenges- it also is my last one as editor-in-chief. Today’s goodbye as editor-in-chief, however, won’t be my final farewell to the journal, since I joyfully accepted the invitation to remain a member of the editorial board.

I would like to thank Michael Getzner (head of the Department of Spatial Planning at TU Wien), Johann Bröthaler (head of the Centre of Public Finance and Infrastructure Policy) and Wolfgang Blaas (my predecessor as

editor-in-chief) for “entrusting” me the journal and for their continuous support. The role as editor of a scientific journal was an extremely inspiring and highly instructive job for me. Thank you for giving me this opportunity! Many thanks also to the editorial team (Maximilian Jäger, Astrid Krisch) and the secretariat (Rosalinde Pohl) for your excellent implementation work.

The (until today) three guest editors and the editorial board have significantly raised the journal’s quality level – I truly recognize your late-night hours of work, your ideas, your networking, your expertise and perseverance. Special credits deserves the Repositum team of the TU library, who helped making the “Public Sector” journal the first open-access journal published by TU Wien.

All the efforts of the above mentioned persons, however, would be in vain, if it were not for the two most important groups: The authors and the readers of “Der öffentliche Sektor - the Public Sector”. Thank you for your inspiring contributions, your loyalty and your feedback! Within the small, but growing scientific community around “The Public Sector”, it is not rare that readers of one issue become future authors and vice versa. Therefore, it is now the moment to announce the call for papers for the next special issue 1/2018 which is open: *Assessing the spatial and policy contribution of economic (e)valuation. Impacts of economic valuation on policies and spatial planning*. For further details please visit http://oes.tuwien.ac.at/sektor/wiki/call_for_papers

I wish you an inspiring reading of this special issue on urban commons, and I also hope you will remain a loyal reader of “Der öffentliche Sektor - The Public Sector” until its 50th anniversary and beyond!

Introduction

Alexander Hamedinger, Lukas Franta

In context of the economic and financial crisis, which has profoundly reshaped cities and regions around the globe, alternative forms of social and economic organisation are increasingly discussed in urban and regional research and practice. Particularly commons are (again) hotly debated as an alternative way to organize the production, distribution and consumption of certain resources. Recently, a number of urban, regional and planning studies are devoted to the analysis and evaluation of commons in spatial development, using a range of different theoretical rationales. These include amongst others research inspired by the pioneering work of Elinor Ostrom (1994) to political-economic (David Harvey 2012) and socio-political coined strands of thought (Armutskonferenz 2012). Most of the research strands basically underline that commons are made through socio-spatial practices of the commoners. Kratzwald (2015) reminds that commons include a certain resource, the commoners as actors, and the rules of appropriation and use of the resource, which are defined by the commoners themselves. Commoning generally refers to relational processes and practices of collectively self-regulating the production/appropriation and/or distribution, and/or maintenance and/or consumption of resources, often with the aim of improving social cohesion and solidarity in societies.

From a planning perspective commons are frequently interpreted as a new way of steering and coordinating collective action beyond state and market, of improving the efficiency of production and consumption of environmental resources, of facilitating the accessibility of basic goods and services, of empowering local residents, of improving social cohesion by building social capital or of strengthening citizens' participation and self-organisation in planning projects. In the respective scientific literature commons are seen and interpreted from different perspectives: economic theory ("theory of goods"), governance (as a form of self-governance), urban politics (actors' interests and processes of dealing with conflicts), and from the perspective of transforming economy and society more generally (with an anti-capitalist attitude).

However, commons are also critically discussed as part of neoliberal spatial development or as niche for a small urban elite. Furthermore, the goals of promoting and strengthening commons are intrinsically linked to the motives and interests of the actors involved. For the local state, support of urban commons could be a welcomed measure to, on the one hand, strengthen the self-organisation of civil society actors concerning the provision of certain resources, and on the other hand, to financially unburden the local state. Gradually, local state actors instrumentalise urban

commoning practices for improving the image of the city in an increasingly competitive environment, in other words to become more attractive for tourists and foreign capital. For civil society actors urban commons may serve as a way to actively take part in urban development, to claim their "right to the city", to build up social capital and solidarity, and to emancipate from hegemonic structures established by neoliberal urban development policies. However, commoners have to reflect on the impacts of their practices, particularly concerning inclusion and who is benefitting from it, how they might induce further privatisation of urban resources, and concerning the question how to deal with co-optation efforts by the local state. Simultaneously, commoning requires particular socio-political preconditions that incentivize engagement, such as openness and mutual trust. Commoning is embedded in existing actor constellations, power relations and structures of social inequality while running danger of re-producing these relations and structures. From a governance perspective it is important to consider the question how the practices of commoning can be "upscaled" (e.g. on the city regional level) without losing their emancipatory power emanating from the micro-level. In order to keep the management of the common pool resource effective, stable internal governance mechanisms are necessary in the form of internal manifestos or even legal statutory.

This special issue wants to contribute to this discourse by critically reflecting on as well as empirically and theoretically questioning the potentials and challenges of commons and commoning practices, particularly in the fields of urban planning, housing, urban renewal, and urban green space.

The first contribution by Nina Vogel develops a transformative planning approach which combines traditional, more top-down oriented planning with urban commons and forms of co- or self-organisation. She argues that commoning offers an alternative perspective on governance. Her governance approach in planning called DINE combines three spheres: a well formalised "dynamic master plan", "In-between uses" temporarily allowing for delegation of power, and "Emergent arrangements" that occur in an informal and bottom-up way. According to her commoning can be situated in the last two spheres. Vogel offers a governance approach which takes the plurality of urban societies into account and therefore contributes to a more just, sustainable and democratically strengthened urban planning.

Arvanitidis and Nasioka look at commons and common resources, in this case urban green space in Volos, Greece, from commoners' or users' perspective. In analysing qual-

ities, property rights and the willingness of residents to get involved in self-governance of urban green commons, their text looks at basic preconditions for involvement in collective management arrangements. Arvanitidis and Nasioka thus help explain why residents may refrain from joining in collective resource management efforts and which preconditions are necessary to foster collective action in neighbourhoods.

Katherina Hammer and Romana Brait use the commons as a theoretical framework to analyse the Viennese “Grätzloase” program, introduced by the city government in 2015 and aiming at fostering the participation of citizens in shaping public space in their neighbourhood. For them commons mainly figures as an alternative way to organize economy and society. In their analysis of different initiatives and projects supported within this program they point to severe forms of exclusion, mainly institutional and socio-economic. Spatial distribution of these initiatives in Vienna shows patterns of inequality, and some projects have a commercial motive, contrasting the idea of commoning.

The impact of commoning on local planning is in the focus of Delsante and Bertolino’s contribution to this issue. Delsante and Bertolino understand commons as a relational practice using Milan’s M^AC^AO (Macao) commoning collective as an example. They show how bottom-up initiatives as Macao can influence urban development of brownfields and vacant spaces in the city. Macao’s commoning activities brought vacant buildings under common management providing citizens with much needed space and their common pool resource manifesto is recognized in Milan’s urban development policy.

A similar influence of commoning activities on urban planning policies is drawn by Laura Belik in her analysis of the ramifications of the initiatives advocating for transforming the Minhocao highway in Sao Paulo into a commonly

managed space. Thereby, she specifically looks at the side effects of commoning activities on the neighbourhood: to what extent are commons fostering gentrification and the displacement of the poor? In her contribution, she opposes concepts of urban democracy to commoning activities, highlighting the fuzziness of the border between bottom-up empowerment through commons and incentivizing forces of gentrification in neighbourhoods. In a Marxist tradition, Belik is arguing how casually practices of commoning may be subjected to a capitalistic logic of the production of urban space.

Sabine Gruber dwells on the principles of governing characteristics for commons and the market in the policy field of housing. She basically interprets commons as an alternative of governing compared to the market and the state. In order to understand governing principles Gruber looks at co-housing projects especially in Vienna, which are a self-determined form of governing for her. At the end she discusses how the governance principles of commons like sharing resources and taking part in collective action could be transferred to a macroscale and argues for a “gradual approach” concerning equal distribution between social groups on such a scale.

Grigoryan and Paulsson shift the focus to the legal framing of common spaces in apartment buildings. More specifically, their contribution looks at management issues related to common spaces in multi-apartment buildings in post-socialist countries. Common rooms are the common pool resource at stake here. While showing that each case study built its regulatory system from local traditions, Grigoryan and Paulsson aim at laying out propositions to improve legal framework for collective management of common spaces in apartment buildings in order to avoid the tragedy of the commons.

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Synergies through Entanglement

Commoning Entering the Urban Governance Realm

Nina Vogel

Cities are in a continuous state of becoming, where changing social, environmental and economic conditions intersect. An inherent challenge in planning is finding legitimate and sustainable responses to a plurality of societal challenges, needs and goals. Top-down and investor-led planning is confronted with co-/self-management and collective appropriation of urban resources. Two prevalent trends for urbanization, “smart-city” approaches and urban commons, are opposed and discussed. This paper considers these tendencies and presents a transformative planning approach to urban governance that combines traditional planning tools with urban commons and forms of co-development. The paper introduces a conceptual suggestion, DINE, that potentially challenges city ideals in planning with three parallel analytical spheres: a) Dynamic master plan, b) IN-between uses, and c) Emergent arrangements. Conceptualizing commoning in urban governance could promote democratic disputes and support the formation and maintenance of alternative local environments. The DINE governance model is introduced as a potential conceptual toolbox for different planning projects and actors.

1 Growth-led urbanism: Spatial transformations & new space co-operations

«[The crises in 2008] have made the loss of social, economic, and political rights painfully tangible not just for traditionally disadvantaged and marginalized groups, but increasingly also for comparatively privileged urban residents, whose notion of good urban life is not realized by increasing privatization of public space, in the “upgrading” of their neighborhoods, or the subjection of their everyday lives to the intensifying interurban competition.»
(Mayer 2012, 63)

As the quote above demonstrates, being guided by a competitive, growth-led urbanism that is neither sufficient nor

desirable causes major problems by increasing inequalities and setting ill-defined priorities (Bollier 2014, Rydin 2013). Contemporary urbanism requires rethinking the fixed understanding of the urban environment and its regulatory tools and agencies (Brenner and Schmid 2015). Socio-spatial unevenness, plural urban lives and identities and multi-scalar challenges are differential urbanisation processes that challenge universal and unified governance solutions reflected in city ideals. This paper aims to contribute to the discussion on alternative approaches to urban governance in transformative planning by proposing a governance perspective that embraces a differential urbanisation process.

Urban commons are currently highly discussed and acted phenomena in theory and practice. The „Zeitgeist“ to engage with alternative resource use, new economies and pressing inequalities in contemporary societies and cities frames this interest in commons and commoning. A revival of the „right to the city movement“ can be observed in critical urban theory, and in protests and occupy movements that are reclaiming urban resources and values (cf. Lefebvre 1996; Brenner et al. 2012; Borch and Kornberger 2015; Dellenbaugh et al. 2015; Mayer et al. 2016). These practices are about safeguarding urban public domains, as necessary spaces and substantial assets for recreation and encounters, for socialising, politicising, learning etc. (Hajer and Reijndorp 2001). Thus such urban sites represent a democratic arena for society. Moreover, they influence cultural, ecological and economic development, e.g. they increase attractiveness, safety, local identity and connectivity (Rydin 2013; Brenner et al. 2012; Harvey 2012). The organisation of everyday life is seen as crucial in forming (sustainable and just) urban futures, as the urban space is produced and reproduced by spatial practices and social structures and is also governed through these (Lefebvre 1991).

However, in a situation where urban land value is constantly increasing, planning projects are reliant on private capital and hence concentrated on rate of return. This commodification of space results in common needs and values being less prioritised, even when represented in visions and policy documents. The emergence of urban ideals is culturally and politically loaded and linked to growth approaches, governing practices, management schemes and the overarching narrative of the desirable city. The “smart city” discourse originates from “the imaginaries of the green/sustainable city and the technological/intelligent city” (Vanolo 2014, 885), which form powerful rationalities that affect local policy and planning decisions, create new collaborations between private actors, citizens and the local state, influence actual urban form and define the design language and aesthetics of development sites. Though idealised conceptions or new “blueprints” for sustainable cities interact with (re)emerging ways in which inhabitants and organisations claim their “right to the city” (Brenner et al. 2012; Mayer et al. 2016) and form an urban governance realm that can be defined by competition, cooption or collaboration. Some of these dynamics are discussed below and are included in a conceptual governance model, DINE.

New trends can be rooted in discontent with conventional planning and/or the desire for new values and practices to serve urban development with new opportunities. For example, DIY-urbanism or tactical urbanism (Lydon and Garcia 2015) reflects temporary arrangements, as well as innovative actor and structural constellations that comprise interventions and/or co-development practices that often blur lines between planning, art, design, technologies etc. These spatial practices provide a basis for new

forms of deliberation, especially related to urban green structures, harbour transformations and collaborative forms of resource management such as urban farming, site-specific designs, creative pioneers, commoners and occupy movements (Oswald et al. 2013; Diedrich 2013; Parker and Schmidt 2016). “Very often the appropriation of disused urban spaces is done in a bottom-up, grass-root manner, with little financial investment, minimal interventions, and a high degree of recycling of existing structures” (Colomb 2012, 137). Sources of finance, expertise and power may be shifted and organised anew. Temporary uses and alternative forms of governance may originate from social crises and pressing needs for e.g. housing, in response to austerity measures or as a tactic to generate attractive urban life (Oswald et al. 2013), although beyond the informal emergence there is increased interest by municipal planning authorities in supporting prospering “social capital” and creative community forces. The local state facilitates structures for co-developing local spaces in the form of e.g. community parks and squares (Arts et al. 2012; Vogel 2017).

These novel forms of collaboration clearly have an influence on urban planning and society (Oswald et al. 2013). Within these dynamics, quality and capacity questions arise that concern the maintenance of spaces and places, the allocation of responsibility and power to influence agenda settings, and possibly new roles in contemporary urban development. Thus governance questions on how and who can safeguard a democratic planning practice are at stake. Top-down, investor-led planning in a competitive context is confronted, and possibly challenged, by co-/self-management and collective occupation of urban resources (Sehested 2009; Rydin 2013).

This paper contributes to the debate on the consequences of contemporary urbanisation, linking to new trends and dominant planning ideals. The risk of endangered common values of urban public life and unequal socio-spatial relations is not handled very well in idealised planning approaches, such as “smart cities“. Thus alternative governance approaches emerge and novel hybrids form. The question guiding the present analysis was how commoning can complement a governance approach that supports emergence, quality and power of different urban publics.

To illustrate the challenges, the remainder of this section describes the “smart city” ideal in its origin, main mechanism and possible consequences for transformative planning. In section 2, the commons paradigm and the practice of commoning are introduced and discussed as complementary urban governance practices, i.e. practices of appropriation, co-development and self-management and value in democratic urban publics. This critical theoretical discussion sets an underlying qualitative framework for the conceptual development in section 3 that introduces the governance concept, DINE, its three analytical spheres and process dynamics. Synergy effects and chal-

lenges of new entanglements are discussed in section 4. Finally, section 5 presents concluding remarks on governing transformative planning employing DINE.

1.1 Smart city ideals govern urban space and modify the public realm

Contemporary urban development is predominantly orientated towards growth-led planning and short-term profits and is increasingly investor-led and market-based (Sager 2014; Vogel 2015). However, reactions following climate change and socio-economic crises challenge this hegemony and call for radical changes and more sustainable systems and practices. Some common responses are expressed in “resilient” city planning, planning for sustainable and “energy-producing city” districts and “smart and green growth” ideals (cf. OECD 2011; Vogel 2015, 2016; Holgersen and Malm 2015). However, these responses reflect system enhancement rather than renewal and operate within an ecological modernisation paradigm (Vogel 2016). For example, approaches within the “smart-city” discourse are generally “smart-growth” developments originating from New Urbanism in the USA in the 1980s, combined with the “intelligent city” representing technological innovations linked to urban space and infrastructure, such as ICT (Vanolo 2014). More generally, the digitisation of society, complex networked infrastructures, so-called Big Data flows and systems and the financial connections and dependencies on private capital and partnerships define the contextual parameters for the smart-city ideal (see e.g. Graham and Marvin 2001).

As the “smart city” ideal is embedded in or conflated with growth-led planning, it leads to intensified commodification of urban space (Holgersen and Malm 2015). The development of spaces become even more commodified as profit-generating assets and other crucial functions for community benefits and well-being, such as fostering just sustainability through e.g. green structures for recreation and health, encounter of otherness, collective activities and (child), care may be down-prioritised (Rydin 2013). Vanolo (2014, 884) discusses the risk of the “smart city mentality”, which de-politicises and privatises the urban agenda and “distances urban government from politics and represents the urban question in terms of environment and technology, broadening the field of action of technicians, consultants and private companies”. Moreover, he identifies a disciplinary power of this discourse, which creates new assemblages of power, an idea of the “good” and “green” city and new concept of citizenship: “Smartness is becoming a field of social control that makes intrusion in a person’s private life quite natural” (Vanolo 2014, 894). It is presumed that citizens act according to incentives to self-regulate consumption via “smart” devices and systems (e.g. smart mobility schemes, green consumption, zero-energy housing, etc.). However, not everyone is able (or willing) to adapt their lifestyle accord-

ingly, which creates inequality challenges, technological dependencies and accessibility issues and predefines a moral obligation to behave in a certain way. Moreover, (new) markets and advertisements increase prestige and justify their products under the “smart agenda”.

This global phenomenon probably reinforces socio-spatial patterns of segregation and gentrification furthered through property markets and governance practices that prioritise profit-orientated decisions, which gives rise to competition for space in transformative urban change (Hansen 2006). If contemporary planning practice threatens the availability and democratic value of civic urban sites, then equality and justice may weigh less in the predominant “sustainable growth” discourse. Instead, growth-led planning is paired with widely accepted “popular environmentalism”, i.e. “greening” the given systems of consumption and production through technological innovations. Together, these lay the foundation for strategies of “green growth” in urban governance, which form ideal conceptions of sustainable city districts, an idea of “the good life” and of what defines qualitative spaces (Luke 2006; Holgersen and Malm 2015). Zukin (2009) talks of “hegemonic global urbanisms”, which create dependencies on a larger scale and are symptomatic of a crisis of e.g. authenticity, by “[...] eliminating the means by which poor people and ethnic minorities produce their lives, and reducing the social and aesthetic diversity that has been a historical element of city life.” (Zukin 2009, 545). As long as local and regional governance is determined by a “new metropolitan mainstream” that prioritises “economic growth, property-led investment in flagship mega-projects, urban renewal and gentrification over job creation, social redistribution, equity and participation.” (Brenner and Schmid 2015, 153), it will be difficult to achieve sustainable and just transformative planning.

A potential consequence instead is an increase in competitive city branding, which quantifies the performance of cities in terms of comparable parameters. These are used to frame problems, identify solutions and thus create a governing structure for cities in a race for “smartness” as the idealised urban future. “The ranking takes on the role of a “performance technology” by which urban spaces are standardized and governed.” (Vanolo 2014, 890). This ignores the given circumstances of differentiated urbanisation mentioned earlier. The problem is ignorance of contextual and local challenges, which may not be solved by “green” technologies and market forces. This may lead instead to valuation and commodification of the urban realm according to e.g. attractiveness for investment of private capital (Madanipour 1999), in turn fostering new coalitions of private and public actors that circumvent democratic elections and define an urban development according to their investment strategies. Finally, the concept of the future city becomes unified and preoccupied by techno-centric solutions that frame the urban challenges and solutions accordingly (Vanolo 2014). There is thus

an ongoing need for a deeper understanding of concrete transformation processes, in order to achieve better guidance of professional actors' practices and a better everyday life for citizens.

Scrutinising different governance practices can shed light on gaps and overlaps between known expertise and informal, less-defined practices. (Re)claiming urban commons and undertaking co-development and self-management of urban space can offer values that would otherwise not emerge. Novelties within this context include involvement of residents in e.g. co-development and commoning that forms new use(r) values, multi-functionalities of urban spaces and reflection and communication on what is quality space, and for whom. Identification of different actors, stakeholders, methods and values that will be relevant beyond the smart-city agenda is a necessary step towards meaningful and informed planning practice.

2 Commons reconfigure the urban?

The notion of commoning is presented in this paper as one alternative governance perspective for e.g. collective management of public spaces as a commons. However, it is important to discuss the capacities and types of urban commons and perhaps critically re-assess/re-address the concept in its current adoption in modern urban societies. It is particularly important to examine how commoning is "initiated" and by whom, e.g. as a consequence and counteraction to austerity measures, a political statement reclaiming rights to the city or a place-making initiative supported by local government. All these options will have crucial impacts on the long-term viability of commoning practices and whether they are desirable. Thus, commoning might not be the panacea, but it could offer complementary qualities and empowering effects that support sustainable futures locally. It is therefore relevant to understand how "commoning" works in a specific case and context. This relational quality is critical for engaging with urban commons.

«The common is not to be construed (...) as a particular kind of thing, asset or even social process, but as an unstable and malleable social relation between a particular self-defined social group and those aspects of its actually existing or yet- to-be-created social and/or physical environment deemed crucial to its life and livelihood.»

(Harvey 2012, 73)

There is no clear-cut definition for (urban) commons per se, but in rather general terms it can be understood as a social paradigm that challenges basic assumptions of economic theory, market transactions and the logic of "Homo economicus" (Bollier 2014). Two publications in particular continue to influence the commons debate today. Since

Hardin's (1968) The "Tragedy of the Commons", natural resource commons being overused and exploited due to a utility-maximising rationality of users is widely described as a free-rider problem. However, this conflation with an "open-access regime" misinterprets commons, which in fact comprise rule creation, responsibilities and monitoring systems by commoners that maintain and negotiate the commons. The seminal work by Elinor Ostrom (1990), "Governing the Commons", describes the capacity of communities to actually self-organise their management of common-pool resources according to design principles for collective action. These resources are, in the main, natural resources.

There are currently a variety of commons theorisations as well as practices, which complicates a definition by resource category per se. However, these diverse commons share a relational and collective character and most have an interest in "fair access, use, and long-term sustainability" (Bollier 2014, 5), focusing on e.g. legal and economic aspects in (new) collective actions and ownerships (e.g. Ostrom 1990; Kohn 2004; Foster 2011), management of shared resource, where it is inappropriate or unfeasible to exclude others (e.g. Hardin 1968; Ostrom 1990; Hess 2008), or diverse forms of commoning as inherently relational practice (Euler 2016), which often evolves when resources or values are endangered. Central for commoning is "the principle that the relation between the social group and that aspect of the environment being treated as a common shall be both collective and non-commodified-off-limits to the logic of market exchange and market valuations." (Harvey 2012, 73).

As urban commons can differ from natural resource commons, the "resource" definition and management schemes can perhaps be rethought in contemporary urban debates. According to Parker and Johansson (2011), there are three core features that define urban commons:

- i. "Dispersed (larger) scale", which leads to lack of recognition by commoners, and a need for another level of regulation and boundary setting, e.g. privatisation of public spaces as city-wide phenomena with particular localities and shapes, to diversify the appropriation and reclaiming of publics.
- ii. This links to the contested character of urban commons, as the "plurality of urban social lives leads to different relations to common resources and values.
- iii. Finally, urban commons involve "cross-sector collaboration" between e.g. civil society, NGOs and government authorities, which seems to be necessary to monitor and safeguard some urban commons such as available housing or public (recreational) spaces. Thus, the state adopts a facilitating role.

Bradley (2015, 92) argues that "the production of urban commons can be understood as part of a larger movement

of open-source 'commons-based peer production'" and that "open-source urbanism embodies a critique of both government and privately led urban development". She does not seek to exclude the public sector, but instead advocates learning through commoning to improve and further position planning for post-capitalist urban development.

Both the practice and theory of urban commons are much contested, as illustrated above. However, identifying what constitutes a commons may be less about its properties (resource, product) than about the social relation to it (Euler 2016). The next section unpacks some of the diverse possibilities and actual practiced commons as a component in contemporary urban governance and discusses urban commons according to reclaiming, forming and/or identifying assets and values, partnerships and politics. While these categories sometimes overlap and influence each other, the approach reveals some differentiated uses and abuses of contemporary commons.

2.1 Urban commons as reclaiming community values and assets

«At one time the simple answer to ensuring that the public realm offered a range of communal facilities was direct provision by the public sector, often the local authority. This would extend both to services such as leisure - the swimming pool, the bowling green, the tennis court - as well as the provision and management of public spaces, both parks and urban squares and other spaces in the public realm.»

(Rydin 2013, 170)

Today, this cannot be taken for granted. Foster (2011) describes a recurrent challenge with "regulatory slippage" in provision of conventional public goods, such as (quality) public spaces, whereby in times of austerity measures, increased marketisation and limited welfare state power, the level of local government control or oversight of public resources significantly declines. Consequences can be residual public spaces or private service provision and management. The "growing disjunction (...) between the development process and localities" (Madanipour 1999, 888) is basically linked to investment by and dependency on development companies, which focus solely on safe return space treated primarily as a commodity. This lays the ground for contemporary collective agency reclaiming urban spaces as commons.

The appropriation and reclaiming of community values and resources as commons is often based on a decrease in their supply, quality or accessibility. However, explicit threats in the form of privatisation, increased gentrification and segregation may also provoke a defensive reclaiming of common values, public spaces and affordable housing (e.g. the Gezi Park protest in Istanbul, Media-Spree protests or appropriation of the Tempelhofer Feld in Berlin).

Some criticisms of contemporary commons include ambivalences with inequality challenges and co-optation problems that may lead to commodification and abuse of collective practices. The boundary setting of a commons, access and rule creation are especially interesting and reveal the different power relations and processes of in/exclusion. Appropriation as such does not ensure a specific quality and may merely involve passive use as a consumer, such as the basic presence in public space, or even a domination by an interest group, which might result in exclusion or a decline in quality or safety. However, it can also involve active co-producing that contributes to local community capacities, such as socio-political stewardship of a commons. Thus the active contribution to the urban political life creates a qualitative difference. Discussions on contemporary urban commons, their management, safeguarding and novel identification need to be aware of these qualitative and contextual details.

Nevertheless, the desirability of the tendencies for self-/co-management of urban publics based on austerity measures should be discussed, particularly whether e.g. public sector funding and state responsibility should be covered by civil society or whether commoners should take care of inequality issues based on socio-economic structures at a wider city scale. Depending on the perspectives and system criticisms, this might be *the* way forward (leaving the state behind), or inappropriate, requiring the state authorities to be confronted and their roles altered.

2.2 Urban commons as place-making (supported) by the local state

In response to the modernistic heritage of a fragmented and despatialised public sphere, urban designs are increasingly attempting to form public spaces as "infrastructure for social life", spatial enclosures that bring people and activities together (Madanipour 1999, 882). However, these predefined spaces act within functional restrictions and, by definition, exclude specific agencies and functions not suitable for that specific space. Another dimension of "ideal" urban transformation, exemplified in Paris, incorporates the formation of urban subjects: "urban policy has become a leading edge of France's assimilationist model in which transforming neighborhoods is tied to cultivating citizens" (Newman 2013, 951). Similar to the smart-city agenda when "designing" a specific consumerist choice and norm, the policy interventions are designed to define a citizenship that conforms to the neighbourhood ideal.

In this context, commoning may evolve as a counter-movement or response to disciplined agency (see section 2.1) or as co-development and self-management of e.g. urban open spaces. Novel forms of partnerships are characteristic of the governance genealogy and practised in diverse governance arrangements, which differ mainly through their state involvement (from hierarchical to co-/

self-governance) and scale (from local to global) (Arts et al. 2012). Recent co-developments between private cooperation and the local state are the so-called New Public Management regimes (e.g. Hood 1991) and the inclusion or “activation” of civil society in management and development practices in the form of co- and self-management of e.g. urban green structures, open spaces and community organisations (e.g. Arnouts et al. 2012; Arts et al. 2012).

A core characteristic of urban commons is production of values, which is described as the “generative potential of commons” (Meretz 2013). This potential describes an added value of commoning that would otherwise not occur. For example, the collective formation of rules, distribution of responsibilities and safeguarding the maintenance of a commons create relational bonds and capacities between the commoners and with the environment/asset/value at stake. This is seen as relevant “social capital” that can mobilise novel community relations, increase inclusiveness and thus respond to the pressure of equality issues (McShane 2010). Moreover, managing or influencing the actual planning, forming and maintaining and monitoring specific places, parks or squares reflects power dynamics in the public realm.

Municipalities identify in e.g. park-commons or other public space commons a chance to increase attractive and inclusive local spaces. In this regard (as long as they do not threaten formal urban structures), commons support a municipal place-making strategy by e.g. intensified presence of (accepted) users, modifying social production of space that increases attractiveness with a livelihood and local identity. However, challenges with in/exclusion are certainly not resolved. These are under continuous dispute in locally enacted democracy. Some critical voices may claim that commoning paired with “social capital” is coopted in a “people-washing” agenda or a “Trojan horse” (McShane 2010) that abuses these capacities that the market-state pair cannot provide. There are mixed-critical responses to be found in the commons debate, such as “criticising neo-liberal rhetoric about virtues of community and self-reliance” and “advocating the freedom and innovation of social production” (ibid., 103).

2.3 (Urban) Commons complementing local publics

Commoning is embedded in a governance realm comprising differing planning practices and development trends. The contextual conditions become crucial, which might be an underlying motive for emerging practices and structures (e.g. 2.1 reclaimed community values; 2.2 imposed place-making). Linking back to Zukin, who describes a context for commons presenting contemporary development dynamics and power relations in socio-spatial changes in cities, gentrification and neoliberalism are criticised for leading to a less diverse city. In this regard, (new) urban

commons/commoning could be an interesting counter-practice. Using a concept of “authenticity”, Zukin sheds light on issues of urban identity, culture and experience, which concern and influence spatiality and political sphere. The practice of commoning serves commoners with similar values.

The generative force of commons carries a quality of encounter, as social relations are at the core. Hajer and Reijndorp (2001) discuss relevant processes and new perspectives to understanding the formation of “public domains”. The public domain is more than public space; it is a cultural dimension of encounter and exchange in public space. This is an interesting perspective on the appropriation of public space and creates fruitful insights for planning and governance discussions in regard to urban commons. Interestingly, public domains, their qualities and practices, may form and take place at so-called “non-places” (Augé 1995), such as transit and in-between spaces. “The new public domain does not only appear at the usual places in the city, but often develops in and around the in-between spaces in the archipelago of homogenous and specialized islands, in surroundings that belong to different social, economic and cultural landscapes” (Hajer and Reijndorp 2001, 128). These new spaces are also called liminal spaces: “they are border crossings, places where the different worlds of the inhabitants of the urban field touch each other” (ibid.).

This plurality of the urban worlds and different publics constitutes the continuous conundrum of democracy. “The public” is not a homogeneous sphere or value attached to a specific topic or object. Publics are situated around an issue that comes into being through their consequences for any effect and through their communication of these effects (DiSalvo 2009). Thus there is a relational dynamic of consecutive (re)actions that delineates publics, rather than the issue itself. According to Dewey, this is the main challenge to publics; to be acted upon they first need to take form. Accordingly if there is no articulation, beyond identification of an issue, the public cannot take form. Here the practice of commoning may contribute to the constitution of publics. Urban commons may act as niches or seeds that can influence, amend and enrich “publics” in stimulating a collective dispute on societal values, rights and appropriation. Commoning needs boundary settings and reflects the continuous practice of collective safeguarding. This may comprise stewardship of collective values, resources and relations that are part of the public realm. Interestingly, the productive force of urban commons is not merely about finding urban commons (as an object out there), but about actively forming and promoting these values and public goods (as a practice). This might be happening “under the radar” (informal, somewhat hidden) to nurture a commons or to avoid cooption. This relationship could be described with commoning as collective action and publics as societal structures, (re)producing democracies. Still, these processes of structure-agency relations and reproduction can unfold in

multiple ways and do not necessarily form idealised local democracies; instead processes of e.g. populist fragmentations, protests and political uprising have dominated recently.

The interrelationships of commons and publics thus can also be fruitful in forming reflexive dialectics. Such dialectics can act as a reference frame and may break up enclosures that are continuously formed in the practice of commoning and in identifying publics. On the one hand, (state) power reflected in the production of the public space (Madanipour 1999), a socio-spatial enclosure, can be “shuffled” or opened by an arena of multiple publics that are fuelled by political niches (in form of commoning). On the other hand, the public realm may serve as ground that safeguards some different boundary settings, broadens encounters and holds collateral otherness. This puts a critical perspective on commons that can be very exclusive and may form within communities that are extremely stratified and segregated, such as gated communities that offer exclusive user and access rights defined by the membership of the community (Kohn 2004).

The conceptual discussion below continues these thoughts and embeds the commons paradigm within a planning context and governance approach. A conceptual model is introduced that incorporates alternative, complementary governance practices in transformation processes to broaden understanding of spatial appropriation and engage with politics in space.

3 A conceptual suggestion: DINE as a threefold governance arrangement

The DINE governance concept is intended to cope with urbanisation challenges and their local consequences in a different way. The conceptual thoughts build on triangulation of knowledge from critical urban theory, transformative planning and multi-level governance. This is combined with the practices of commoning, co-development and temporary uses. An understanding of structure-agency relations provides conceptual reflections on underlying mechanisms. DINE is based on three simultaneous spheres:

- » “Dynamic master plan” arising from conventional planning as formalised though adaptive and permeable structure,
- » “In-between uses” with a temporary character and possible delegation of people and power, and
- » “Emergent arrangements” that arise over time, in a bottom-up and informal way (see Figure 2).

This conceptual arrangement encompasses multi-actor, multi-scalar and differing time frames and the ability to adapt to conditions of e.g. sudden crisis, to be inclusive and reflexive, creating a more robust if not democratic governance approach. Practices of commoning and co-governance and co-management can be found in the different spheres. In particular, emergent arrangements may comprise commoning as novel practice, although this does not exclude commons as in-between uses. Collaborative efforts are basically represented by the conceptual perspective as a whole and in the different spheres. It should be noted that the three analytical spheres are not hierarchically organised as such, although differentiated in their binding (formal) and temporal character. Some scholars talk about the “efficacy paradox” (Voss and Kemp 2005, 2), which also underlies some dynamics of this model, which is to be able to open up and allow unforeseen emergences, while also being able to intervene and find closure for guidance and quality control. This particular dialectic tension is fruitful for a democratic governance process.

3.1 Process dynamics, temporal dimensions and multiplicity of goals

Visualisation of processes over time is important for communication, reflexivity and learning. It is necessary to discuss which activities happen, when, for how long and who can delegate, curate, coordinate, initiate, regulate etc. Equally important is simultaneous use of goals with a fixed, dynamic and open character (see Figure 1). Such a threefold approach provides development with an interplay and parallel coordination of transformative processes that contain a range of practices, from fixed formalised structures (e.g. guiding principles such as equity) and dynamic formalised processes (e.g. masterplans), to temporary in-between uses and finally non-formalised co-/self-management (e.g. commoning) and unforeseen development.

Moreover, the temporal dimension plays an important role for the level of structuring and inertia of the material and immaterial structures formed. These can have impacts on practices and may provoke time-lags in transforming given structures and practices (Danermark et al. 2002). Understanding structure-agency dynamics offers guidance and strategic interventions for more resilient, long-term perspectives that help avoid myopic planning decisions (Vogel 2015).

Some sort of mediating agency will be beneficial to achieve and/or support learning across disciplines, sectors and scales in sustainable transformations. A “scale-crossing broker” (FUSE seminar 2016) might serve as a mediating and dynamic agency. The broker can be a person, although it is foremost a “capacity”, which could be reflected in an actor, idea, platform or research. The need for such a capacity is because of the characteristics of wicked problems,

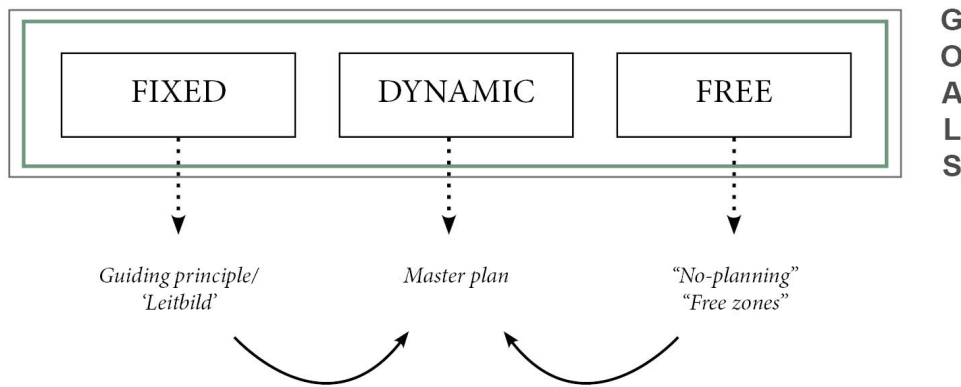


Figure 1: Simultaneous effects of differing goals as governance elements.

Source: Technische Universität Berlin, 2009, adapted by the author.

which require cross-scale movements, inter- and trans-disciplinary knowledge and critical rethinking of concepts, offering space for reflections and questions of business as usual. To some extent this results in an exploratory process supporting and empowering actors to cope with challenges and embracing the conflicts and contradictions in which they are embedded.

3.2 Three spheres of DINE

Dynamic master plan

Dealing with so-called wicked problems, such as climate change, sustainable mobility and equality to name a few, calls for system-transgressing action and going beyond adaptation (Vogel 2015). A multitude of measures need to be stimulated, implemented and related to each other to achieve effective changes towards sustainable urban futures (ibid.). Mono-causal thinking or explanation does not cope with or reflect the challenges cited. Hence the

dynamic master plan is a policy tool that governs planning practice, offering some regulatory goals and rules in a long-term perspective, while also opening up for evaluation and rearrangement responding to emergent practices and structures that challenge the rigidity of common master planning (e.g. smart city ideals, green growth visions) or even undermining its efficacy. The facilitating role is crucial as the parallel processes of in-betweens and emergent arrangements are embraced in a productive manner.

In-betweens

A clear-cut definition of temporary uses (e.g. interim, in-between, “Zwischennutzung”) is difficult, as they can take many forms. However, the following characteristics are considered to be decisive: informal characteristics (e.g. no planning authority), unpredictable dynamics,

impermanence/open-ended existence, capacity for novel arrangements of actors, their means of decision-making, and space appropriations (such as easing pressures and enabling experimentation by temporarily circumventing the rigidities of the planning process) (Colomb 2012; Oswald et al. 2013). However, in-betweens can also be initiated and/or delegated by formalised processes in e.g. the planning authority. Commoning and commons might evolve as in-betweens more broadly accepted and established (e.g. urban gardening), although they could also be an emergent arrangement in the form of newly appropriated resources and values formed (e.g. within alternative economies). Thus, there can be overlaps and developments between spheres.

Emergent arrangements

Emergent arrangements are understood as practices and structures that arise unplanned and can have diversity in (physical) form, actor constellation and duration. They can also be related to the so-called liminal spaces (Hajer and Reijndorp 2001), which can evolve as temporary occasions, popping up as moments of encounter, in which specific meaning is given to a place and agency. The unplanned characteristic is core, but this does not mean that emergent structures and agency cannot be repeated. These may develop inertia or evolve for longer durations, may form relations that outlast this project and elsewhere derive benefits from these arrangements. The underlying drivers, though, are likely to be different than in a planned and formalised approach, e.g. anchored in needs not represented by the hegemonic structures and evolving informally. Even though the bottom-up dynamic is central, top-down structures may either support or hinder the emergence of dynamic arrangements.

DINE as a conceptual idea promotes interaction and sensitivity towards these three spheres, to form synergies that might otherwise not occur.

DYNAMIC MASTERPLAN

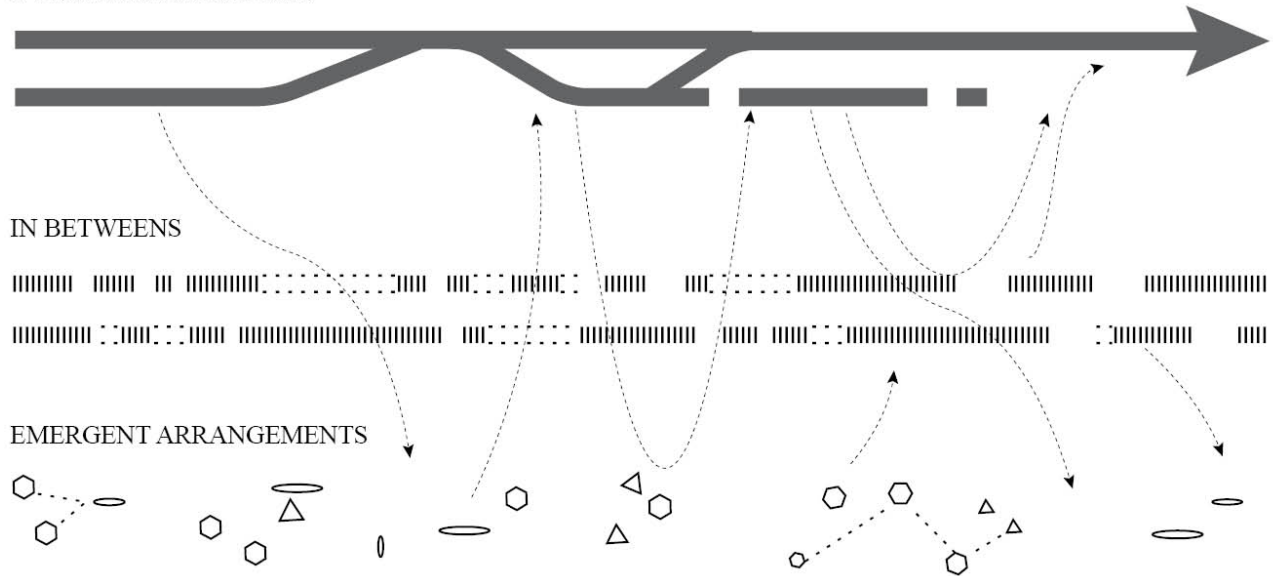


Figure 2: Conceptual sketch of DINE - a multi-level governance arrangement; the arrows represent entanglement and the interaction between the spheres over time.
Source: Developed by the author.

4 Alignment or entanglement? Some challenges and chances

“City dwellers possess the power to re- imagine and re-appropriate the function and meaning of city by merely occupying and using it (and thus) remain the gatekeepers to the urban commons” (Newman 2013, 961-962). This describes the emergent powers of collective actions that are merged in the DINE conception, although to unfold, support and possibly guide such agency, different capacities need to be available. This section reflects upon entanglements that create synergies which further these productive powers and upon challenges that act as barriers or are counterproductive to democratic and sustainable futures.

Recent urbanisation processes reflect novel agency in the sense of collective action, self-reliance, temporary uses etc., revealed as emancipatory power and attractive value-generating forces formed, deployed and enjoyed by individuals, communities or the local state. The role and occurrence of a (new) citizenship becomes a focal point in new collaborative governance arrangements (e.g. Helfrich 2012; Newman 2013; Bradley 2015; Mayer et al., 2016). Some of these practices reflect merely a sort of insurgent citizenship, rebellion against commodification of urban commons, but the relatively competitive urban realm as such regarding space, functions, people, investments etc. can also constrain the urban commons. In addition, the plurality of lives and strangers that collectively constitute the urban commons can challenge a practice of commoning, especially in situations of decline (Huron, 2015).

A challenge linked to self-reliance in urban development goes back to self-monitoring. Inhabitants are woven into a “DIY surveillance system” that may control a “good neighbourhood” and counter “negative uses”, although it comprises serious dangers of subjective regulatory powers. According to Newman (2013), who calls this “vigilant citizenship”, social control originally performed by the state is transferred to the residents, which affects pluralities of contemporary societies and publics accordingly.

Furthermore, the occurrence of new institutional settings might be essential to achieving a more lasting effect of e.g. temporary use values and their structural arrangements and to securing collective democratic agency. According to Bollier (2014, 10), there is a need for “new forms of socially embedded governance and provisioning that “grow” organically”. This means that e.g. personal liberties, commercial interests and legal rights need to be rethought in favour of more collective rights (held in common). Such a transition reflects a systemic, deep structural and cultural change, which may need time to evolve properly. However, incremental change may not suffice and more radical, insurgent agency (as described above) that transgresses given systems may be necessary (Vogel 2015).

The (urban) commons paradigm served as theoretical input to DINE on how to engage differently with spatial appropriations and their underlying meanings, powers and rights for a public realm. So-called “Vernacular Law” (Bollier 2014), i.e. unwritten social norms and processes of the informal and socially negotiated rules governing commons, receives attention. These informal agreements offer an opportunity that circumvents formal frameworks, though they act as binding pacts within the community where they are used. The DINE concept can reveal these (possible) interactions between and within the three spheres and thus furthers recognition of e.g. collective

rights. These are either formed in processes of commoning or can be reflected in temporary arrangements. To innovate and rethink masterplanning with the emergences from the other spheres, it would be necessary to strengthen these informal arrangements. An institutional adaptability or “hybrid institutional forms” (McShane 2010) would potentially respond more easily and inclusively to the pluralism of urban lives, socio-spatial unevenness and multi-scalar challenges of differential urbanisation processes.

5 Concluding remarks

The paper presents a socio-spatial governance concept (DINE) and argues for embracing the pluralistic nature of society and local communities to strengthen sustainable, just and democratically informed planning. Here commoning offers new relational practices and values that potentially provide new coping strategies concerning climate change, social inequalities and financial crises, which techno-centric market-based planning ideals cannot serve. However, more than a potential capacity, commoning may be a direct response to the socio-economic conditions created by crises and unitary ideals of growth-led urbanisation.

The commons capacity to integrate realms of production, consumption and governance offers new opportunities for urban development. Visions are formulated that upscale commons to “a more commons-driven smart city” (Kostakis et al. 2015, 124). Bollier (2014) envisions commons-based structures at larger scales, for regional and global systems, and the conceptual structure of DINE could be used to simulate structure-agency relations of such a “complex adaptive system” that may help to “upscale” commons at higher level. However, the informality of in-between uses and insurgent character of (at least some) commons can potentially challenge market-based structures and neoliberal governing. Thus upscaling in the sense of formalising these practices might co-opt the emergent powers and could lead to merely exchanging values at the expense of use values and socio-political relations.

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As Newman (2013, 961) puts it: “The struggle over the right to the city has long been central to the dialectic process of capitalist urbanization; contestations over the urban commons change form as quickly as the city itself.” DINE can incorporate ongoing changes of practices and conceptualise these in a reflexive governance setting. The concept thus allows for flexibility on confronting contemporary (new) blueprints of e.g. smart city ideals, with alternative tendencies of e.g. commons. Embedding these different governance practices in the threefold concept can help reveal windows of opportunities and pitfalls to be avoided.

Application of DINE in practice could offer novel governance arrangements by mapping and analysing multi-actor, multi-temporal, and multi-scalar arrangements that hold new capacities for, and offer learning about, socio-spatial relations and their consequences for local communities. Altogether, novel narratives, experiences and visions can be produced to further the transformation in a more sustainable, just way. The present theoretical-analytical analysis showed the value of greater entanglement by multiple actors, scales and informalities due to the different spheres. This interplay could enhance the chance for community values, empowerment and development, ultimately undermining the trend of social stratification and segregation.

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Urban Open Greenspace as a Commons

An Exploratory Case Study in Greece

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This paper defines urban open greenspace as an urban commons and empirically explores the possibility of its collective management, using Volos city, one of the major urban areas in Greece, as a case study. A survey of about two thousand people was conducted for this purpose, which examined, inter alia, people's perception of the condition and qualities of urban greenspace, their views on a possible reconfiguration of property rights on the resource, and their willingness to collaborate on the self-governance of urban greenspace. Moreover, using ordered logit models, we explore the conditions, values, opinions and characteristics that affect the likelihood of people getting involved in collective management arrangements. The results indicate that users have reservations about such arrangements, which may be attributed to a lack of trust both in each other and in public authorities and institutions. This reveals a considerable deficit in social capital, which is regarded as essential for fostering cooperation in collective-action situations.

1 Introduction

Rapid urbanization over the past decades and increasing population density in urban centres have had a significant effect on the urban natural environment, causing many problems to modern cities, both environmental and social. Urban open greenspaces (UOGs) have a key role to play in addressing these problems, since they are not only the lungs of the city, but also places for healthy socialization (Swanwick et al. 2003; Wolch et al. 2014). The protection and efficient management of UOG, therefore, constitutes a high priority, especially in countries like Greece, which has one of the lowest levels of urban green per inhabitant in Europe (Ntouros 2001). In addition, the reduction of public resources available for UOG makes it necessary to explore new and more innovative ways for UOG management and conservation. A number of scholars, policy makers and organizations have placed emphasis on bottom-up approaches, acknowledging (at least implicitly)

that open greenspace is, in essence, a common pool resource (CPR) and as such the public, together with the local authorities and other stakeholders, should collectively engage in its planning, management and protection (Rohring and Gailing 2005; Ernstson et al. 2008).

Theoretical and empirical studies of urban commons have been rather limited (Blomley 2008; Colding et al. 2013). By and large, the literature has explored the commons in rural settings (e.g. irrigation water systems, pastoral systems and local fisheries), and it was not until recently that scholars turned their attention to urban CPRs and their management problems (inter alia Blomley 2008; Foster 2012; O'Brien 2012; Colding and Barthel 2013; Colding et al. 2013; Huron 2015; Shah and Garg 2017). Yet, given the complexity and diversity of the urban commons, many aspects remain under-researched (Moss 2014).

The current paper contributes to this literature, defining UOG as a commons and exploring creative ways for its management and sustainable development. The research questions it addresses include the following: How do urban dwellers perceive and value UOG? Are they willing to get involved in its management and protection? What factors affect their disposition for participating in collective management schemes? To do so, the paper uses primary data collected through a survey conducted in the city of Volos to examine people's views on the condition and qualities of UOG as well as the possibility of collective management, focusing on a possible reconfiguration of property rights on the resource, the management competency of various stakeholders (authorities, organizations, community and individuals), the social relations between users and their willingness to get involved in forms of collective management. Moreover, using logistic regression, the paper explores which conditions, values, opinions and characteristics affect users' likelihood to participate in possible commons schemes of UOG management.

The paper is structured as follows. Section 2 defines CPRs and discusses issues of collective management. Section 3 identifies UOG as a commons and section 4 presents briefly the key characteristics of UOGs in Volos. Sections 5 and 6 outline the research methodology and the results of the analysis conducted, respectively. Finally, section 7 concludes.

2 Common Pool Resources and their Management

CPRs are a special category of resources (either natural or man-made) which share two main characteristics: non-excludability, meaning that it is too difficult (i.e. too costly) to exclude anyone from using them, and rivalry, meaning that consumption by someone reduces availability to others. These features enable rational individuals to use as much of the resource as they like without taking full responsibility for their actions by disregarding the social, long-term costs from overuse (Bromley 1991). As a result, the resource is gradually depleted, which eventually leads to its degradation and destruction, a situation known as "the tragedy of the commons" (Hardin 1968).

Possible solutions to this tragedy would be to instil a stewardship ethic in users and to encourage moral and altruistic behaviour (Worrell and Appleby 2000; Barclay 2004), and/or, as Hardin (1968) and others (e.g. Demsetz 1967; Libecap 2009) have highlighted, to attribute clearly defined property rights, either to individuals (privatization) or to the state (nationalization), giving the owner incentives and the authority to enforce resource sustainability.

However, Hardin's dichotomic governance solutions (privatization vs. nationalization) have been criticized on the basis that they restrict the rights and actions of users in real life, destroying the social relations, networks and values (i.e. the social capital¹) that characterize local communities, to the detriment of both these communities and the long-term efficiency of the resource. The most prominent exponent of this view is the 2009 Nobel laureate in economics, Elinor Ostrom. Drawing on a number of empirical studies across the world, Ostrom (1990, 1992, 1999, 2000, 2008, 2010) and others (inter alia Wade, 1988; Ostrom et al., 1992; Stern et al., 2002; Bollier and Helfrich, 2012) demonstrated that communities can successfully manage commons by themselves, even in the absence of private property rights (privatization) and a strong regulatory authority (nationalization).

As a result, a third, more socially acceptable governance regime emerges, where the users themselves overcome collective-action problems and form strong and stable institutions for the sustainable management and appropriation of their CPR within the given legislative framework. These institutions are specific social/informal arrangements (rules, norms, practices etc.) and formal regulations (laws, constitutions etc.) which define and allocate rights and obligations among the involved parties and provide the mechanisms for policing, enforcement and conflict resolution.

In addition, this strand of the literature (inter alia: Ostrom 1990, 2006; Baland and Platteau 1996; Ostrom et al. 1999; Agrawal 2003; Briasouli 2003; Arvanitidis et al. 2015) has identified a number of characteristics that are common to successful collective governance regimes. These can be organized under five headings. The first group of characteristics concern the resource itself; for example, resources of small size with definable boundaries can be preserved more easily than large-scale resources. The second group refers to the characteristics of the users: Homogeneous groups with a dense social network based on trust and with experience in collective action do better than others. The third group of conditions concentrates on the relationship between the resource and its users: Collective governance is more likely to be successful if there is a perceptible threat of resource depletion, if the community (current and future generations) depends on the resource, and if the community is geographically close to it. The fourth group refers to the governance structure and the arrangements to be developed to manage the CPR: Simple structures that emerge locally, are user-based and have simple, internal and low-cost policing and enforcement procedures are preferable. Finally, the last group concerns the external environment: Trusting and accom-

¹ Social capital refers to "features of social life- networks, norms, and trust- that enable participants to act together more effectively to pursue shared objectives" (Putnam 1995 664-665). Social capital helps reduce information deficiencies and transaction costs, enhancing the scope for interaction, cooperation, coordination and collective action.

modating local and central authorities as well as clear and supportive state regulations (with formal incentives and sanctions) help greatly.

In a nutshell, a collective governance regime is successful when the resource is managed collectively by an identifiable community of interlinked users and stakeholders, who regulate appropriation of the CPR in line with local preferences, practices and modes of collective action (formal and informal). This perspective is essentially instrumental in nature (Blomley 2008). Moreover, it approaches the commons through an institutional or economic lens, placing emphasis on the internal characteristics and structure of the governance regime and downplaying its political dimension. In contrast, other scholars (inter alia: Klein, 2001; Harvey 2003, 2012; De Angelis 2007) perceive the commons in a rather different way. For them, the commons depend upon, and are produced in relation to, a constitutive outside, e.g. in the form of political opposition or a conflict or struggle against the forces of market enclosure. This literature highlights the rights of the community to the resource on the basis of ingrained practices of appropriation, collective habitation and investments made. By virtue of being on site for a long time and using and relying upon the commons, users both acquire and sustain legitimate rights to it. In that way the commons are socially constructed and politically produced. This process of commons creation or reclamation has further spatial, social and political implications. As De Angelis (2007) and Harvey (2012) have argued, in this way, the commoners proclaim their “right to the city”, opening up new horizons for more participatory forms of governance which promote socio-spatial justice and the (re)imagination of the city. Evidently, this line of thought has a more global perspective than the Ostromian approach, which is mainly local and focuses on practical issues of long-term CPR management and maintenance (Huron 2015). Our work aligns with the latter perspective.

3 Urban Open Greenspace as a Commons

Several definitions have been given to describe urban greenspace, reflecting varying disciplines and contexts (see Taylor and Hochuli 2017). For the purpose of the current work, we draw on Briasouli (2003), Levent et al. (2009) and Lo and Jim (2012), amongst others, to define UOG as public and private urban open spaces that are primarily covered by vegetation and generally accessible to the public. As such, UOGs include parks, squares, playgrounds, land trusts (school and church yards, vacant plots etc.) and other recreational open spaces. UOGs are of vital importance for the quality of life in cities, as they provide not only ecological, but also aesthetic, social and economic benefits (Swanwick et al. 2003; Arvanitidis et al. 2009; Wolch et al. 2014).

UOG is a special type of CPR (Briasouli 2003; Huron 2015; Shah and Garg 2017) in that it is not possible to exclude people from using it (non-excludability), whereas use by some reduces the quantity or quality available to others (rivalry). The latter fact stems from the “saturated nature of cities”, i.e. the fact that cities house an increasingly large number of people in a relatively small amount of space (Huron 2015). This situation creates great pressure on urban land, forcing urban dwellers to either share or compete for the resource. In addition, under-investment in the provision and maintenance of UOG by the local authorities (due to a lack of means and/or political will) leads to a decline of urban green (GreenKeys 2008; Colding et al. 2013), requiring new and innovative ways for its management so as to avoid the “tragedy”. The regime of collective governance may constitute such an option.

The collective governance of UOG as a commons concerns a system of institutional arrangements (rules, norms, mechanisms etc.) that regulate the appropriation and maintenance of the CPR. These institutions are developed collectively by a trusting community of local users and stakeholders who depend on the resource for their well-being. Membership in the community may be defined formally or according to ex post criteria, such as residence or acceptance by current members. The interest groups participating in the governance regime play different roles and have different sets of (de jure or de facto) rights that are unlikely to be either exclusive or easily transferable. It is important to note that the practical management of the resource constitutes a critical feature of the governance regime and as such, its success depends not so much on land ownership per se but on the provision and allocation of diverse bundles of rights to the parties involved (Colding et al. 2013; Shah and Garg 2017). The way in which these rights are structured and used has a great impact on the benefits generated, on equity issues and, ultimately, on the sustainability of the resource (Colding and Barthel 2013). Inequalities emerge when different groups derive different levels of benefits from the resource, creating winners and losers. Power asymmetries between groups play a key role in these processes, usually reproducing existing societal inequalities in the access to and appropriation of the resource (Shah and Garg 2017).

4 Urban Greenspace in Volos City

The previous section defined UOG as a commons and explored the prospects of collective governance. It was argued that this regime provides an innovative and promising solution to economic and social challenges that modern cities are facing. Successful development of such governance structures depends to a great extent on the importance the local community attaches to the resource, on the strength of their social ties and trust relations and on their willingness to participate in the management

and protection of the resource. We use these concepts and ideas to analyze UOG in Volos city. The choice of this specific case rests on the fact that Volos is a typical, large enough Greek city with recorded grassroots initiatives and movements (Lowen 2012; Streinzer 2014).

Volos city is the capital of the Magnesia prefecture and one of the five largest Greek cities with a population of over 140,000 residents (ELSTAT 2014). Volos has a positive population growth rate² and accommodates a substantial number of secondary and tertiary economic activities, including tourism and tertiary education.

The city's greenspace covers only about 5% of its total area (Municipality of Volos 2006). The percentage of UOG per inhabitant is 6.4 square meters (GreenKeys 2008), which is quite low compared to other European cities of similar size and the European standard³. As regards the distribution of UOG, most of it is located along the coast, which leaves the rest of the city suffering from a lack of adequate UOG (Municipality of Volos 2006). Although there are small greenspaces scattered all over the city (small squares, playgrounds, vacant plots etc.), they do not meet the standards that modern cities should follow (GreenKeys 2008).

The quality of UOG in Volos is quite low, too. This is due to the local authorities' limited and now shrinking resources and the absence of a long-term municipal greenspace strategy, so only the most essential works are carried out, whereas acts of vandalism and littering are highly visible (GreenKeys 2008). Overall, the quantity and quality of UOGs in Volos are low, they lack cohesion and enjoy only medium levels of maintenance and care.

5 Research Concept and Methodology

The previous section outlined the poor conditions of UOG in Volos, indicating the inability of the local authorities to adequately address the issue. Clearly, a new approach to UOG management seems necessary to sustainably maintain and protect the resource. Collective governance by the community seems an interesting option.

To that end, the research we conducted explored citizens' views regarding UOG, the value and importance they attach to the resource, the strength of their social ties and

trust relations, and their willingness to get involved in various tentative schemes of collective UOG governance. Data were collected through a survey, which, using structured interviews in the form of a questionnaire, examined the views, attitudes and behaviour of users concerning a number of relevant issues, such as the condition of the resource, intensity of use and the degree of dependence on the resource, the quality of social capital and the users' willingness to be engaged in some form of collective initiatives for the sustainable management of UOG.

The questionnaire we used consists of five parts containing 22 questions of all types: measurement, dichotomous, ordinal as well as Likert-scale and semantic-differential questions on a scale from 0 (denoting strong disagreement, negative opinion etc.) to 10 (denoting strong agreement, positive opinion etc.). In the first part, the respondents were informed of the purpose of the research and the anonymity of participation. The second part recorded their views regarding the condition of UOGs (adequacy, quality, accessibility etc.) in Volos and their dependence on the resource. The third part focused on their views on the capability of various stakeholders to efficiently manage UOG and on a possible reconfiguration of property rights on the resource. The fourth part examined users' trusting attitude (a key dimension of social capital) as well as their attitudes towards cooperation for collective governance of UOGs. Finally, the last part of the questionnaire gathered socio-demographic information, such as age, gender, education and income level. The survey questions were pre-tested in a pilot study enabling fine-tuning of the instrument.

The survey was conducted in January 2012 and was repeated after two years, in January 2014, using a random sample of people visiting UOGs at the time of data collection. The questionnaires were distributed in person by the members of the research team, and respondents were asked to complete them on the spot. In order to increase response rate and quality, participants could choose whether to have the questions read to them (with the responses being recorded by the researcher) or to complete the questions by themselves in their own time. The questionnaires were collected, validated, and then coded and analyzed to generate a number of statistics illustrating the respondents' answers to the issues raised.

6 Analysis

6.1 Response rate and composition of respondents

A total of 2,200 questionnaires were collected, of which 1,976 (89.82%) were valid. The gender composition of the valid sample was about 49% male and 51% female (see

² The population growth rate during the past two decades was almost 8% (1991-01) and 15% (2001-11).

³ The European Environment Agency acknowledges that UOG per inhabitant should extend beyond 9 m² for cities to be sustainable. UOG per inhabitant in other European cities is approximately 144 m² in Dresden, 35 m² in Zurich, 27 m² in Amsterdam, and 9 m² in London, Rome and Paris.

Table 1), indicating that urban greenspace is used equally by both sexes. The average age of the respondents was about 35 years, with the youngest respondent being 17 years old and the oldest 88. The majority of respondents hold a university degree (47.5%), followed by those that have completed secondary education (27.7%). As regards their monthly household income, most respondents (27.9%) earn between € 1,000 to € 1,500, followed by those in the € 500 to € 1,000 bracket (22.4%), figures indicative of the financial stress that Greek households have been experiencing due to the recession and the austerity measures taken.⁴

6.2 Evaluation of UOG

First, users were asked to evaluate the adequacy, accessibility and quality (management effectiveness and actual condition) of the existing UOG (see Table 2). They indicate that UOG quantity is about medium (mean: 4.4), enjoy the relatively good accessibility of UOGs (mean: 5.9), but find the quality of management on the part of the city lacking (mean: 3.4) and believe that UOGs are in a medium to low condition (mean: 3.6). In addition, users were asked to assess the necessity for qualitative improvements of UOGs and the contribution this would make to citizens' well-being.

		Distribution (%)	Sample size	Mean	Standard deviation	Median	Percentiles		
							25	50	75
Gender	Male	49.3	1,975						
	Female	50.7							
Age (years)	Below mean	57.7	1,969	35.2	12.8	32	24	32	44
	Above mean	42.0							
Education	Primary or less (1)	2.2	1,969	(3.3)	(1.0)	(4)	(2)	(4)	(4)
	Secondary (2)	27.7							
	Post-secondary (3)	14.0							
	Tertiary (4)	47.5							
	Postgrad (5)	8.6							
Family	0: no children	39.8	1,317						
	1: one or more children	60.2							
Monthly household income (€)	Up to 300 (1)	4.6	1,963	(4.2)	(1.5)	(4)	(3)	(4)	(5)
	301-500 (2)	6.9							
	501-1,000 (3)	22.4							
	1,001-1,500 (4)	27.9							
	1,501-2,000 (5)	20.9							
	2,001-3,000 (6)	11.3							
	3,001-5,000 (7)	3.9							
	5,001-10,000 (8)	1.3							
	above 10,000 (9)	0.8							

Table 1: Composition of respondents

Source: UOG survey

⁴ The country's long-standing public debt problem escalated to crisis at the beginning of 2010, resulting in a general collapse of the Greek economy. The European Commission, the International Monetary Fund (IMF) and the European Central Bank (ECB) provided financial assistance in two bailout programmes (in 2010 and 2012) in return for harsh austerity measures (deep budget cuts and steep tax increases imposed through 13 austerity packages) which contributed to a worsening of the recession. By the end of 2013, the economy had contracted by about 25%, unemployment had tripled to exceed 25% (above 50% for young people), average real gross earnings had fallen below their 2000 level by 9%, and a considerable number of individuals and families found themselves in conditions of extreme hardship (the proportion of the population below the 2009 poverty line exceeded 38%) (Matsaganis 2013; Matsaganis and Leventi 2014).

They indicated that qualitative improvement is necessary (mean: 8.2, most responses in the highest value) and that this would improve people's well-being and the quality of urban life in general (mean: 8.3, most responses in the highest value).

	0	1	2	3	4	5	6	7	8	9	10	Sample size	Mean	Standard deviation
	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)			
	0: Not at all/low							10: Very much/high						
Adequacy	3.5	4.4	9.7	16.3	19.0	18.2	11.7	8.8	4.4	2.2	1.8	1,973	4.4	2.2
Accessibility	1.7	2.9	5.8	7.1	10.0	14.9	12.6	15.5	14.3	9.6	5.5	1,969	5.9	2.4
Management quality	11.4	13.6	15.2	12.7	14.6	15.5	5.8	4.3	3.7	1.9	1.3	1,969	3.4	2.4
Condition	9.0	12.7	13.4	14.0	15.8	15.9	7.5	5.1	3.4	1.6	1.5	1,973	3.6	2.4
Qualitative improvement is necessary	0.8	0.5	0.8	1.5	2.3	5.1	6.3	11.3	16.6	17.9	36.9	1,974	8.2	2.1
Contribute to well-being	0.7	0.5	1.0	1.4	2.0	5.0	5.5	9.1	15.0	21.4	38.4	1,970	8.3	2.0

Table 2: Condition of UOG
Source: UOG survey

6.3 Property rights configuration

A number of questions explored the respondents' views and attitudes regarding the (re-)configuration of property rights for the provision and financing of UOGs. In particular, we asked whether people would be willing to accept, first, the introduction of an entrance fee to ensure successful policing, maintenance and overall improvement of UOGs, second, the introduction of controlled access to help prevent vandalism and degradation of UOGs, third, the allocation of part of UOGs to profitable but friendly uses (e.g. cafe, snack bar, soda fountain etc.) to provide necessary funding for their improvement, and finally, the allocation of property rights to organized groups of citizens (i.e. environmental organizations, elderly associations, schools) to help ensure successful policing, maintenance and improvement of UOGs.

As Table 3 reveals, the respondents were particularly opposed to the idea of entrance fees as a means to ensure the qualitative improvement of UOGs (mean: 3.5, with a majority of respondents favouring the lowest value), where as

they took a rather positive stance to the proposal for controlled access in order to prevent acts of vandalism and degradation (mean: 6.5, with most respondents favouring the highest value). Their answers were similar regarding the assignment of property rights to organized groups of citizens for maintenance reasons (mean: 6.7). As regards the possibility of UOG financing through the assignment of property rights to profitable but friendly uses, most respondents (52.1%) had a rather positive view (mean: 6.3), while a few (32.5%) were neutral or undecided.

In the next question, people were asked to assess the competency of various stakeholders to efficiently manage the resource (see Table 4). The stakeholders were the central state, local authorities, specialized management bodies, environmental groups/organizations, organized groups of citizens, all citizens, and private investors. Respondents thought that local authorities and environmental organizations are the most capable of efficiently managing UOGs (mean value of 7.4 and 7.2, respectively), followed by locally organized groups of citizens (mean: 6.6), specialized management bodies (mean: 6.3) and all citizens together (mean: 6.1). At the bottom of the list were the central state (mean: 5.8) and private investors (mean: 5.1).

0	1	2	3	4	5	6	7	8	9	10	Sample size	Mean	Standard deviation
(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)			
0: Strongly disagree					10: Strongly agree								
Introduction of an entrance fee to ensure successful policing, maintenance and improvement of UOGs													
32.8	6.9	7.5	6.9	5.0	13.9	5.6	6.3	5.1	2.8	7.3	1,975	3.5	3.3
Introduction of controlled access to help prevent vandalism and degradation of UOGs													
8.1	2.5	3.5	4.1	4.0	12.2	8.2	11.7	13.1	9.6	23.2	1,974	6.5	3.1
Allocation of property rights to profitable but friendly uses to provide necessary funding for UOG improvement													
6.4	1.5	3.1	4.5	5.5	16.1	10.9	15.0	15.7	6.4	15.0	1,973	6.3	2.8
Allocation of property rights to organized groups of citizens to contribute to successful policing, maintenance and improvement of UOGs													
4.8	1.9	2.4	3.8	4.3	14.6	11.5	13.7	14.7	7.9	20.3	1,975	6.7	2.7

Table 3: Views and attitudes towards UOG issues
Source: UOG survey

Summarizing the findings, it seems that there is a positive attitude towards management by organized citizen groups, either environmental or local, whereas the competency of both the central state (nationalization) and the private sector (privatization) is called in question. Regarding UOG self-management by all citizens, respondents were positive but somewhat sceptical.

degree of people’s dependence on the resource, the level of their trust, and their willingness to cooperate with others in the management of UOG as a commons.

Four questions were used to assess people’s dependence on UOGs and on the city in general. The first question explored the frequency of UOG use. Although there is a

	0	1	2	3	4	5	6	7	8	9	10	Sample size	Mean	Standard deviation
	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)			
Central state	13.2	4.6	6.7	5.0	4.9	10.2	6.8	8.7	9.6	7.3	23.0	1,965	5.8	3.5
Local authorities	4.9	2.3	3.5	3.9	3.2	7.5	5.0	7.2	12.2	13.5	36.9	1,970	7.4	3.0
Specialized bodies	8.3	1.7	4.3	4.7	4.0	13.4	8.7	12.6	16.3	10.5	15.4	1,958	6.3	3.0
Environmental organizations	3.0	.6	1.5	2.2	2.8	11.2	10.8	16.0	19.7	11.1	21.0	1,966	7.2	2.4
Organized groups of citizens	4.5	1.0	3.1	4.4	5.2	13.6	12.2	15.0	16.9	8.8	15.3	1,967	6.6	2.6
All citizens	8.5	2.7	4.6	4.9	5.3	14.2	9.0	11.1	13.6	7.6	18.5	1,966	6.1	3.1
Private investors	13.0	3.5	5.9	6.5	7.5	16.6	11.6	13.3	9.9	5.7	6.4	1,960	5.1	3.0

Table 4: Efficient management of UOGs
Source: UOG survey.

6.4 UOG as a commons

As discussed above, the literature has identified a number of design principles for sustainable management of the commons. In particular, it was found that successful collective governance emerges when the community (present and future generations) appreciates the resource and depends on it for its well-being, when users have strong, trust-based social relations, and when they feel comfortable collaborating both with each other and with other interested parties. Taking these factors under consideration, the current section investigates whether collective governance schemes can be developed for UOGs in Volos. This is done through a set of questions which explore the

percentage of people who rarely visit UOGs (10.7%), more than 50% of respondents visit them at least once a week, and over 80% at least once a month (see Figure 1). These figures are low in comparison to European standards but are typical of greenspace usage in Volos and in Greece generally (GreenKeys 2008).

The second question explored whether respondents would, ceteris paribus, consider moving to another city. On this issue, respondents appeared divided (Table 5): a significant part of the sample (36.3%) would not consider moving (14.4% picked the lowest value), whereas 37.6% of respondents would consider moving if conditions were favourable (the remaining 26.1% were undecided). Finally, to assess people’s intergenerational (long-term) commitment to the city and its resources, respondents were asked

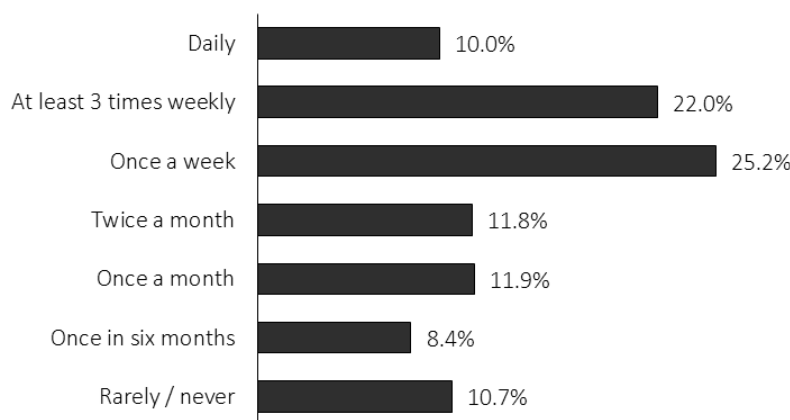


Figure 1: Frequency of UOG use
Source: UOG survey.

whether they believe their offspring would stay in Volos (Table 5). One out of three respondents (34.3%) thought their children would stay in the city, whereas the majority of respondents (40.9%) did not have a clear answer (placed on the middle of the scale) and one-fourth (24.7%) were rather sceptical. Overall, it became evident that people depend on UOGs to some extent and that appropriation of UOGs constitutes an integral part of living in Volos. However, a significant number of people do not feel particularly committed to the city, which raises questions about whether they would be willing to get involved and invest in long-term relations in order to manage and maintain UOGs.

The next two questions were designed to assess the quality of trusting relations (the essence of social capital)⁵, which are a vital factor in fostering cooperation in collective-action situations (Ostrom and Ahn 2003). First, the trusting attitude of respondents was measured using a semantic-differential question with the following options: “I do not trust someone until there is clear evidence that (s)he can be trusted” indicating low trust (score of 0) and “I trust someone until there is clear evidence that (s)he cannot be trusted” indicating high trust (score of 10). Table 6 presents the results, which clearly show the lack of trust (and thus the social capital deficit) that characterizes the citizens of Volos (Arvanitidis et al. 2015; Arvanitidis and Nasioka 2015) and of Greece in general.⁶ Specifically, 38.8% of respondents described themselves as rather reserved and suspicious (14.6% picked the lowest value), 35.4% placed themselves in the middle of the scale, and only 25.9% put themselves on the high end of the trust spectrum.

Since interpersonal trust is a relative concept, depending on who it is directed at, the next question attempted to assess the degree of trust respondents have in various people or entities: friends, neighbours, fellow citizens, organized citizen groups, technocrats/scientists, local authorities and the central state. As Table 6 reveals, friends are perceived as the most trustworthy group (mean: 7.5), whereas people are rather reserved and cautious in their relations with all people/entities (in trust order: technocrats/scientists, neighbours, organized groups and fellow citizens) and especially towards the state, both at the local and central level.

Finally, we examined whether respondents had previous experience in civic participation and how willing they would be to cooperate with others in the self-governance of UOGs. As regards the former, only a small share of

	0	1	2	3	4	5	6	7	8	9	10	Sample size	Mean	Standard deviation
	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)			
	0: Definitely no					10: Definitely yes								
Consider moving	14.9	7.3	7.2	6.9	7.0	12.5	6.6	7.8	10.0	7.2	12.6	1,972	5.0	3.4
Offspring will stay in the city	9.2	3.9	6.2	5.4	6.0	26.8	8.1	9.7	11.2	6.8	6.6	1,965	5.3	2.8

Table 5: Relation with the city

Source: UOG survey

	0	1	2	3	4	5	6	7	8	9	10	Sample size	Mean	Standard deviation	
	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)				
	0: Definitely no					10: Definitely yes									
General level of trust	14.6	6.9	9.1	8.2	9.7	17.9	7.8	8.4	8.4	4.1	5	1,972	4.4	3	
Trust in	Friends	0.8	1.1	1.9	1.9	3.6	8.7	6.4	14.2	22.3	22	1,972	7.5	2.2	
	Neighbours	7.5	6.5	9.4	10.7	12.2	19.5	14.1	10.1	5.9	2.3	1,973	4.5	2.4	
	Fellow citizens	8.6	9	12.1	12.7	14.3	21.1	9.9	6.6	3.4	1.6	0.5	1,973	3.9	2.3
	Organized citizen groups	7.2	7.1	10.2	10.9	12.3	20.9	11.6	8.4	7	2.5	1.7	1,973	4.4	2.5
	Technocrats/ scientists	9.5	6.1	8.1	8.2	8.9	20.3	9.8	11.7	9.9	4.8	2.6	1,970	4.7	2.7
	Local authorities	24.4	16.6	15.7	11.4	8.4	12	4.8	4	1.3	1.1	0.4	1,971	2.6	2.3
Central state	44.3	17.1	11.5	8.3	6	7.1	2.5	1.3	1.1	0.3	0.5	1,974	1.7	2.1	

Table 6: Trust

Source: UOG survey

⁵ Although trust, norms and networks are all different (though interconnected) dimensions of social capital, it is the attitudinal aspect (i.e. trust) that drives its effects and constitutes the essence of the notion (Coleman 1990; Putnam 1995). On these grounds, trust is used as the key, if not the only, indicator of social capital (Paldam 2000).

⁶ Several other studies (inter alia Paraskevopoulos 2006; Jones et al. 2008) report similar findings, that is, low and declining levels of social trust in Greece, offering a number of possible explanations: a rise in individualistic mentality and utilitarian political culture, increasing income disparities, strong clientelistic relations, increasing disappointment and distrust in political institutions, and the long period of authoritarianism along with a problematic transition to democracy during the first post-dictatorship period (1974-mid-1990s).

respondents (17.2%) reported that they participate in associations, cooperatives, clubs etc., which ties in with the previous finding regarding trust. Of those who reported membership in an organization, 53.2% indicated that they participate in one organization, 29.8% participate in two organizations, and the rest in three or more organizations.

As concerns their attitude towards cooperation for the self-management of UOGs, 68.9% of respondents were rather positive about cooperation with people they know quite well (9.7% were reserved), 53.9% had a positive attitude towards joining forces with organized groups (associations, cooperatives, etc.) (14.1% were rather reserved), but only 29.2% were happy to work together with all people, in contrast to 36.6%

who were unwilling (see Table 7). These results reveal, once more, the low level of trust among citizens in general.

in such schemes with either known individuals, organized groups or the general public. A significant and positive effect

Cooperation with:	0	1	2	3	4	5	6	7	8	9	10	Sample size	Mean	Standard deviation
	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)			
	0: No						10: Yes							
... persons I know well	3.4	1.4	2.5	2.4	3.2	10.5	7.8	14.5	18.6	17.5	18.3	1,947	7.2	2.5
... organized groups	3.9	2.4	3.6	4.2	6.0	13.2	12.8	15.8	16.8	11.2	10.1	1,946	6.4	2.6
... everybody	13.3	8.7	7.3	7.3	7.3	17.9	9.0	8.0	7.2	5.9	8.1	1,949	4.7	3.1

Table 7: Attitude towards self-governance of UOGs as a commons

Source: UOG survey.

6.5 Determinants of UOG collective governance

The study uses ordered logit models to investigate which characteristics, views, stances and behavioural tendencies affect users' willingness to get involved in the collective management of UOG. We examine three slightly different arrangements which are reflected in three dependent variables: cooperation with people they know well, cooperation with organized groups and cooperation with everybody. In turn, the explanatory variables examined are (1) the socio-demographic characteristics of users (age, gender, education, income and family size), (2) their stances and views regarding UOGs (frequency of use, perceive increase in well-being due to UOG and the competency of local authorities to efficiently manage urban green), and (3) behavioural characteristics (commitment to the city and its resources, intergenerational commitment, trust attitudes and civic participation). Table 8 provides a description of the variables used.

In order to explore whether (and if so, to what degree and how) the aforementioned exploratory variables affects users' willingness to engage in the collective management of UOGs, we run ordered logistic regressions. Table 9 presents the estimated models with the variable coefficients, significance, standard errors and model statistics. It turns out that the following five variables do not seem to exert any significant effect on users' likelihood to get involved in the self-management of UOGs: age, the perceived efficiency of local authorities in managing the resource, users' commitment to the city and its UOGs (both current and future generations), and the frequency of UOG usage, which indicates that people's willingness to participate in such schemes is not really affected by the relationship they have with the resource.

The statistically significant indicators exert the expected influence on the likelihood of people to participate in the collective management of UOGs. A uniform effect across all models is observed for gender, with women reporting a higher willingness (probability) than men to participate

is also found for the importance of greenspace for their well-being and the quality of urban life. The higher this perceived importance, the greater the probability that people join forces for UOG management with those they know well and organized groups. The trust variables also perform well and have the expected signs. We see that, in general, higher levels of trust lead to an increased likelihood for participation in collective action. In particular, a higher level of trust in organized groups raises the likelihood of involvement in collective arrangements of all forms, whereas a higher level of trust in friends goes hand in hand with a higher willingness to collaborate with both friends and organized groups, and a higher level of interpersonal trust or trust in the state raises the probability for cooperation with everybody. Prior experience with civic engagement also raises the probability for people to get involved in collective management initiatives with everyone or with organized groups, an effect that is particularly strong for the former kind of arrangement. Somewhat unexpectedly, education, income and family size appear to have a negative effect on the likelihood to participate, arguably reflecting the lack of time these individuals have. Education is statistically significant in the first and the third model, indicating that an increase in education status (and presumably in job duties, responsibilities, workload etc.) lowers the chances of an individual joining forces with friends, and to a smaller extent with all parties, for the management of UOG. Similarly, higher income levels lower the probability of an individual cooperating with organized groups (with the effect being rather small). Finally, having a family (as opposed to being single or married with no kids) significantly reduces the likelihood to participate in collective management initiatives both with organized groups and all people, since there is little time left for pursuing such interests.

Interestingly, the effect of time on the likelihood of individuals participating in schemes of collective UOG management is considerable and statistically significant in the first and the third model, i.e. concerning cooperation with people the respondents know well and cooperation with everybody, respectively. This suggests that as time elapsed and the economic recession deepened, Greek society showed signs of change (at least in this specific time of

crisis⁷), with people becoming more self-centred (perhaps more individualistic) and less interested in getting involved

in collective UOG management, as they were possibly absorbed by other, more substantial problems of daily living.

Variable code	Description	Values
Dependent variables		
C-KNOWN	Respondents' willingness to cooperate with people they know well in the collective management of UOG	Scale from 0 to 10, with 0 denoting no willingness and 10 denoting very high willingness to cooperate (see also Table 7)
C-ORGANIZED	Respondents' willingness to cooperate with organized groups in the collective management of UOG	Scale from 0 to 10. 0 denotes no willingness and 10 denotes very high willingness to cooperate (see also Table 7)
C-ALL	Respondents' willingness to cooperate with everybody in the collective management of UOG	Scale from 0 to 10. 0 denotes no willingness and 10 denotes very high willingness to cooperate (see also Table 7)
Explanatory variables		
AGE	Respondents' age in years	Continuous variable. The lowest age is 17 and the highest is 88 years (see also Table 1).
GENDER	Respondents' gender	Dummy variable. Values from 0 to 1. 0 denotes male and 1 denotes female (see also Table 1).
EDUCATION	Respondents' education level	Scale from 1 to 5. 1 is the lowest education level and 5 is the highest (see also Table 1).
INCOME	Respondents' income	Scale from 1 to 9. 1 is the lowest income level and 9 is the highest (see also Table 1).
FAMILY	Respondents' family status and household size	Dummy variable. Values from 0 to 1. 0 indicates households with no children and 1 households with children (see also Table 1).
USAGE	Frequency of UOG use	Scale from 1 to 7. 1 stands for daily use, 2 is "at least 3 times a week", 3 is "once a week", 4 is "twice a week", 5 is "once a month", 6 is "once in 6 months", and 7 is "rarely/never" (see also Figure 1).
UOG WELL-BEING	Respondents' assessment on whether UOG increases their well-being and the quality of urban life	Scale from 0 to 10. 0 refers to the lowest value (i.e. "not at all") and 10 to the highest (i.e. "very much") (see also Table 2).
LA CAPACITY	Respondents' assessment of the local authorities' capacity to efficiently manage UOG	Scale from 0 to 10. 0 refers to the lowest capacity and 10 refers to the highest (see also Table 4).
CITY COMMITMENT	Respondents' inclination to move away from Volos (to a different city)	Scale from 0 to 10. 0 refers to the lowest value (i.e. unlikely to happen) and 10 refers to the highest (i.e. very likely to happen) (see also Table 5).
INTERGENERATIONAL COMMITMENT	Respondents' assessment on whether their offspring would stay in Volos	Scale from 0 to 10. 0 refers to the lowest value (i.e. unlikely to happen) and 10 refers to the highest (i.e. very likely to happen) (see also Table 5).
INTERPERSONAL TRUST	Respondents' general level of trust	Scale from 0 to 10. 0 refers to a lack of interpersonal trust and 10 refers to the highest level (see also Table 6).
TRUST FRIENDS	Respondents' level of trust in friends	Scale from 0 to 10. 0 refers to a lack of trust and 10 to the highest level of trust (see also Table 6).
TRUST ORGANIZED GROUPS	Respondents' level of trust in organized groups	Scale from 0 to 10. 0 refers to a lack of trust and 10 to the highest level of trust (see also Table 6).
TRUST STATE	Respondents' level of trust in the state	Scale from 0 to 10. 0 refers to a lack of trust and 10 to the highest level of trust (see also Table 6).
CIVIC PARTICIPATION	Current membership in associations, cooperatives, clubs etc.	Dummy variable. Values from 0 to 1. 0 refers to non-participation and 1 refers to any kind of participation in associations, cooperatives, clubs etc.
TIME	Survey year	Dummy variable. Values from 0 to 1. 0 refers to the year 2012 and 1 refers to 2014.

⁷ This is the period between January 2012 and January 2014, when, under the terms of the two international bailout programmes, eight austerity packages were implemented, resulting in a substantial reduction of public spending (through pension cuts, wage cuts and layoffs of public employees), rising unemployment and falling incomes, along with steep increases in both direct (property and income) and indirect taxes paid by households.

Table 8: Variables used

Source: Authors' compilation.

Explanatory variables:	MODEL 1 Dependent variable: C-KNOWN	MODEL 2 Dependent variable: C-ORGANIZED	MODEL 3 Dependent variable: C-ALL
AGE	0.0015 (0.0050)	0.0061 (0.0052)	0.0058 (0.0051)
GENDER	0.2975 *** (0.1017)	0.2610 ** (0.1018)	0.1726 * (0.1015)
EDUCATION	-0.1495 *** (0.0505)	-0.0353 (0.0505)	-0.0904 * (0.0503)
INCOME	-0.0357 (0.0361)	-0.0872 ** (0.0358)	-0.0049 (0.0358)
FAMILY	-0.1714 (0.1386)	-0.3047 ** (0.1386)	-0.3174 * (0.1384)
USAGE	-0.0352 (0.0281)	-0.0109 (0.0282)	-0.0175 (0.0282)
UOG WELL-BEING	0.0873 *** (0.0266)	0.1259 *** (0.0261)	0.0205 (0.0258)
LA CAPACITY	0.0116 (0.0170)	-0.0243 (0.0173)	-0.0214 (0.0171)
CITY COMMITMENT	-0.0087 (0.0158)	0.0046 (0.0159)	9.44E-05 (0.0158)
INTERGENERATIONAL COMMITMENT	0.0045 (0.0190)	0.0095 (0.0192)	0.0317 (0.0193)
INTERPERSONAL TRUST	0.0048 (0.0182)	0.0110 (0.0179)	0.0532 *** (0.0179)
TRUST FRIENDS	0.3012 *** (0.0262)	0.1150 *** (0.0252)	0.0203 (0.0245)
TRUST ORGANIZED GROUPS	0.0912 *** (0.0237)	0.2756 *** (0.0247)	0.1217 *** (0.0239)
TRUST STATE	-0.0181 (0.0265)	0.0080 (0.0261)	0.1094 *** (0.0269)
CIVIC PARTICIPATION	-0.0440 (0.1325)	0.2500 * (0.1339)	0.5020 *** (0.1327)
TIME	-0.3065 *** (0.1085)	-0.1008 (0.1077)	-0.2330 ** (0.1075)
Model statistics			
N	1,976	1,976	1,976
McFadden Rsq	0.0403	0.0462	0.0227
LR stat.	217.1150	260.4257	132.8681
AIC	4.1636	4.3295	4.6008
SIC	4.2700	4.4360	4.7072

Table 9: Determinants of UOG collective governance
Source: Authors' calculation.

, ** and * indicate significance at the 0.1, 0.05 and 0.01 levels, respectively. Standard errors are given in parentheses.*

7 Concluding Remarks

The current paper defined UOG as an urban commons and explored the prospects of developing collective governance regimes for it, using Volos, a typical medium-sized Greek city, as a case study. In doing so, the paper examined how urban dwellers understand and value their greenspaces, whether they would be willing to participate in schemes of collective governance and if so, with whom, and what determinants (personal characteristics, stances, views etc.) affect such a decision. The discussion and findings reported herein allow some inferences to be drawn.

Under-investment in the provision and management of UOGs due to a lack of means and/or political will by the local authorities leads to their degradation, so new and innovative approaches are required. In addition, the saturated state of modern cities makes UOG an increasingly scarce CPR, forcing urban residents to either compete for it or find ways to jointly consume and protect it. The regime of common governance provides such an opportunity. What is required for its development is a strong community of local users and stakeholders who collectively create and enforce a system of institutional arrangements (within the given legislative framework) to regulate the appropriation and maintenance of the common resource. We identified two basic elements for such a process to be successful: social trust between the parties involved (users, authorities, institutions) and (transgenerational) dependence on the resource. Both ingredients seem to be missing in Volos, despite recent experiences with social movements and grassroots initiatives. This state of affairs may be attributable, among other things, to the lack of a deep culture of collaboration and civic engagement, and to people's ad-

herence to traditional perceptions and schemes of public good provision. If this is the case, then there is certainly scope for public education to increase people's knowledge, awareness and understanding of the issues at stake.

Overall what comes to the fore is that a lack of trust- both among citizens and towards other interested parties including the state (both local and central)- is a serious obstacle to the development of user-based collective-action initiatives. This reflects a deficit in social vcapital, which raises doubts about whether all-citizen cooperation and participation can form the basis of successful collective governance structures (at least at this stage). Due to people's reluctance to get involved and invest in long-term relations and responsibilities with regard to the management and maintenance of UOGs, the most pragmatic solution, at least in the short or medium term for cases like Volos, would be the creation of an independent body that coordinates environmental organizations, informal citizen groups (e.g. networks of friends), technocrats-scientists, and, more generally, people with awareness and knowledge of the topic. Interestingly, other scholars have come to similar conclusions (see Colding et al. 2013; Shah and Garg 2017); they, too, report varying levels and forms of user involvement in governing the commons, depending on local conditions, preferences, experiences and culture. Future research should explore these issues more closely.

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The Role of the Commons in Countering Market-Based Transformations of the City: The Viennese Grätzloase

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This paper focuses on an analysis of the “Grätzloase” program, which was launched by the Viennese city government in 2015. The program is supposed to create socially mixed shared spaces in the city and encourage citizens to participate in the shaping of public space. In our analysis of the Grätzloase program, we focus on the theory of the commons. The commons are debated as alternative ways of organizing production and are defined by their specific social and institutional arrangement of production and utilization. We examine how commoning as a specific form of production can contribute to reshape public space. In our empirical analysis, we focus on whether and to what extent the Grätzloase program has transformed public space in Vienna. We examined its economic anatomy, the specific institutional arrangements and its cultural and social functioning. Furthermore, we focus on identifying the groups and elements that drive processes of inclusion and exclusion.

1 Introduction

This paper focuses on an analysis of the “Grätzloase” program, which was launched by the Viennese city government in 2015. The term “Grätzloase” is a compound of the words “Grätzl” (Viennese slang for a distinct neighbourhood area) and “oasis” or “haven”. The program is supposed to create socially mixed shared spaces in the city and encourage citizens to participate in the shaping of public space. Individuals as well as associations can submit their ideas for reshaping areas of public space by creating cultural or other activities to enjoy leisure time together.

In our analysis of the Grätzloase program, we focus on the theory of the commons. Commoning means organizing production in a non-market way - instead, the commons rely on the principles of “[...] utilizing, cooperating, sharing and contributing [...]” (Hamedinger 2012, 123, translated by the authors). We examine how commoning as a specific form of production can contribute to reshaping public space

Today, many sociologists, geographers and economists highlight the commons as an important counterpart to dominant developments in the era of Post-Fordism. Due to increased economic pressure, cities are transformed in accordance with market principles in that city governments transfer ownership and control of public space from the broader community to private actors (Nemeth 2012, 2).

This paper aims to examine whether and to what extent the Grätzloase program has transformed public space in Vienna.

In order to analyse if and how the program challenges the market-based transformation of the city in the sense of the commons, we need to examine its economic anatomy, the specific institutional arrangements and its cultural and social functioning by looking into the specific institutional and socio-economic structure of the Grätzloase program:

Who is involved, who benefits and who provides funding? We will try to link those three aspects: First, we investigate which institutional stakeholders participate in the project and in which way they do so. Second, we focus on aspects of financing, i.e. examine the public and private sources, which enable the realization of Grätzloase activities. In addition, we raise the question of how sustainable the Grätzloase investments are and look at distributional implications. Third, we focus on identifying the groups and elements, which drive the process of inclusion and exclusion.

2 About the commons

2.1 Producing under non-market conditions

Eight years after the outbreak of the financial crisis that led to a period of economic stagnation and increasing social and economic inequality across the industrialized world, the discourse on alternative ways of organizing production and consumption has gained new momentum.

The commons represent a form of collective production under non-market conditions. Generally speaking, the term “commons” refers to shared resources. Originally deriving from an ecological perspective, the commons nowadays are also widely discussed amongst political scientists, sociologists, economists, geographers and lawyers (Ostrom/ van Learhoven 2007, 7). Within this growing field of academic interest, the range of investigated topics has broadened from natural resources like grazing, fishing or foresting to a more general understanding of shared resources, including e.g. public spaces in urban areas, bicycles or cultural resources (like software or information).

According to Elinor Ostrom, author of the standard work “Governing the commons”, a common pool resource “[...] refers to a natural or man-made resource system that is sufficiently large as to make it costly (but not impossible) to exclude potential beneficiaries from obtaining benefits from its use” (Ostrom 1990, 30). More generally, a common can be described as a mix of social arrangements between humans regarding resources. “A common is not a thing, and neither is it a resource or the simple act of sharing. The commons is a social relationship based on human activity. It consists of both a resource and a manner of using, caring for and preserving it by a collective subject (Fattori, 2011; Federici, 2011; Helfrich, 2008; Linebaugh, 2008, 2014; Ostrom, 1990; Rifkin, 2014). The commons are administered collectively, by adopting a set of norms regarding their use that ensures their preservation for future generations” (Azzellini 2016, 3).

That means the commons are not defined by their type of resource but rather by their specific social and institu-

tional arrangement of production and utilization: A selected group of users shapes, governs and utilizes a common pool resource.

The idea of how the commons should be produced and organized is about: “[...] sharing resources together, cultivating rules, taking ownership of the world without taking possession of it” (Armutskonferenz 2013, 10). That means the rules are created, managed and used by a certain group of users, and it includes preventing depletion or underuse of the resource (Helfrich 2012, 16ff). Governing the commons is based on the principles of utilizing, cooperating, sharing and contributing but does not include profitability. They are meant to create common solutions for concrete problems, e.g. managing public space or a common forest (Armutskonferenz 2013, 10ff).

The production form associated with the commons is debated as a potential counterpart to the ongoing process of commodification: “While the commons tend to build spaces free of capital relations, ‘[c]apitalism has been a program for the commodification of everything’ (Wallerstein 2000, 157)” (Azzellini 2016, 4). Access to a common resource is regulated by its users with an emphasis on their responsibility for preserving, reproducing and augmenting it as well as ensuring fair use conditions for all users. Commodities are produced and sold under market conditions; therefore, access to a commodity is determined by its owner with an emphasis on exploiting the resource in order to gain maximum profitability. The transformation of a common good into a commodity is called enclosure (Linebaugh 2008, 145ff; Helfrich 2012, 67-68).

2.2 Public space - a common?

Public space is a central element in European notions of urbanity. A crucial criterion is the separation between the public and the private sphere (Klamt 2012). A core element constituting public space is free, equal and uncontrolled access for all city dwellers (Wehrheim 2011, 167). It can be described as the basis and core of civilized urban societies. Sociologists regard it as a cultural pattern of interpretation – public space is seen as shaped by interaction and communication, facilitating social intermixing and furthering processes of opinion making (Löw/ Steets/ Stotzer 2008, 22). Thus, the concept of public space includes people and things, as it is constituted through their relations, behaviour and actions (Frey 2004, 220).

Public space is subject to processes of social transformation and hegemonic interpretation. Due to the transformation of Fordism – starting in the 1970s –, the constellations of growth and power in public space have changed according to Hamedinger. Shifts in politics have diminished the role of the state in building, retaining and taking care of public space while forwarding the notion that those tasks are best taken care of by private companies or individuals (Ha-

medinger 2005, 553). The transformation of public space takes place through institutionalization processes, which are planned by central stakeholders and are absorbed into capitalist exploitation logic (Knierbein 2010). According to Selle, the different aspects in this transformation of public space are: “[...] an increased usage by individual motor car traffic, selling entities of public space to private corporations, an increased usage by trade and gastronomy, relocating tasks of public spaces in private-owned but public-used spaces like shopping malls and the increase of surveillance and security strategies in public spaces [...]” (Selle 2004, 125, translated by the authors).

Even if most discussions on the commons focus on rural areas - for common resources like grazing, fishing or forestry - recent research has broadened the concept to include urban areas (Harvey 2012, Hardt/ Negri 2009). In this notion, cities constitute “[...] a vast common produced by collective labour [...]”, and consequently “[...] the right to use that common must be accorded to all those who have had a part in producing it” (Harvey 2012, 78). Commoning in urban areas needs a mixture of regulations, standards and public investments as well as private individuals and initiatives (Harvey 2012, 78ff). Urban commons usually refer to public space, which makes them an important element of innovation and transformation. “Scholarly work on the urban commons usually focuses on public space and the attempts to counteract its increasing commodification” (Azzellini 2016, 1). The privatization of public space has been crucial in driving the process of commodification. Examples of how people counteract the commodification of public space include collective (temporal) appropriation like occupation, protests or publicly accessible festivities and the reappropriation of formerly commodified public space, like urban gardens or collective housing (Dellenbaugh et al., 2015, quoted from Azzellini 2016, 2).

The commons are seen as a form of production that interacts with both spheres, state and private. “The commons is neither state nor market: it is not a public good administered or regulated by the state, and it is not private property or a source of surplus value extracted by outsiders offering ‘participation’” (Mattei, 2012, quoted from Azzellini 2016, 3). Public space is also not defined as solely assigned by the state (or private individuals) but is constituted by means of human relations, behaviour and actions. Commoning within public space addresses the social assignments between the inhabitants regarding collective production.

However, it should be noted that the concept of the commons falls short on the question of inclusion and exclusion. Although human relationships play a central role within the commons, as common goods are supposed to be governed by the rules created, managed and used by a group of users, it is not clear how those groups constitute themselves. Who can take part in governing a common,

and who cannot? Are common goods equally available to all social groups? As the absence of individual ownership does not automatically imply the absence of an inclusion and exclusion mechanism, it remains unclear who is affected by those mechanisms and how they function. Free, equal and uncontrolled access is a core element of public space, so aspects of inclusion and exclusion become even more important. If we wish to examine the shaping of public space within the framework of the commons, we need to broaden the concept of the commons by integrating the perspective of inclusion and exclusion mechanisms.

With respect to a commons framework, the Grätzloase program fulfils an important function in reinterpreting and reusing public space. It aims to enliven public space and foster citizens’ participation by supporting collectively organized projects that e.g. turn parking lots into seating areas or revitalize public squares through festivities. Grätzloase projects are organized under non-market conditions, meaning they are not supposed to make a profit but rely on the commoning principles of utilizing, cooperating, sharing and contributing. The program represents a political attempt to shape public space by motivating citizens to participate in the organization of projects for and within their neighbourhoods. The Grätzloase initiative thereby aims to counteract tendencies of enclosure and despairing of public space. Within this paper we take a close look at the commons characteristics of the Grätzloase program by considering inclusion and exclusion dynamics; this approach reflects power structures within public spaces that are of vast importance when investigating them.

3 Methodology

Our research is based on data from the official online presentation of the Grätzloase program.¹ The website names and describes 27 Grätzloase projects in the year 2015 and 43 Grätzloase projects in 2016.² The online overview offers information about the location of the projects, the chosen topics, activities and the organizational characteristics. In some cases we also found photo-documentation of Grätzloase projects and further information like separate web documentation of specific projects, the associations involved etc.

For our analysis of the Grätzloase program and their commons character, we focus on the following dimensions.

- » Organizational or institutional unit: We clustered the units into five categories (1) government entities, like municipal departments (Magistratsabteilungen), and related institutions, such as publicly

¹ <http://www.grätzloase.at/>.

² Data collected on 22 September 2016. Subsequent amendments are not considered.

financed associations, (2) associations, citizens' initiatives and/or individuals, (3) mixed non-commercial entities, (4) mixed commercial entities and (5) commercial entities.

- » Spatial formation: address, specific public space area (such as parks, parking space etc.) and physical structure of the projects.
- » Temporal formation: one-off, temporary or recurring.
- » Economic formation: In which way do commercial entities participate in the program, and what are the possible consequences?
- » Commons character: utilizing, sharing, cooperating and contributing.
- » Activity profile: main activities and aims of the projects.

Based on the online information available, all 70 Grätzloase projects of 2015 and 2016 were analyzed using the criteria outlined above. The resulting overview allowed us to take a glance at the underlying requirements and procedures.

We examined and characterized the main activities of the Grätzloase projects based on the online presentation of the projects on the website (www.grätzloase.at) and, for some projects, on further online information provided by the project organizers. After describing the activities, as well as the organizational, spatial and temporal dimensions of the projects, we build abstract overview categories using elements of the Grounded Theory Methodology based on a complex analysis approach developed by Corbin and Strauss. This method can be applied to different types of data material (interviews, visual material, articles, etc.). An essential element is the open coding process that allows grouping data into concepts and then into categories (Corbin/ Strauss 1996, 44).

Our analysis focused on specified dimensions and entailed an open coding process. The main intention was generating an overview of the field. While the material was openly coded, only codes with a connection to public space were developed. Our detailed investigation of the activities resulted in an overview of the main categories of activities. Furthermore, we reconstructed the most important aims of the projects in connection to public space to show their underlying ideas of shaping public space.

We analyzed the spatial location of the projects using cartography; the map gives a geographic overview of the projects. In addition, we interviewed one person responsible from the Viennese city administration. It was a guideline-based interview to address open questions after the first step of the examination. The interview questions focused on organizational and procedural details of acceptance of, accounting of, and criteria for the submissions.

We decided to integrate all documented and realized Grätzloase projects to give an overview of the entire field.

The analysis gives an accurate and detailed account of the specific characteristics of the program, the projects' main activities and underlying intentions as well as their spatial, economic and temporal formation.

4 The Viennese Grätzloase: dimensions of the program and projects

The Grätzloase program aims to recover and liven up public space in Vienna, to create liveable urban environments and shared socially mixed public spaces, which requires active citizens who plan and realize all activities and initiatives.

The program is affiliated to the Lokale Agenda 21 Wien (LA21) association, which coordinates and organizes processes fostering sustainable urban development at the district level in Vienna. The program was launched in 2015 and is set to run until 2017. One person is employed for 30 hours a week and works exclusively for the Grätzloase program. However, further human resources of LA21 are also used.

The program has an annual budget of EUR 200,000 including personnel costs and public relations. Of this, EUR 125,000 are earmarked for funding specific projects. The maximum funding amount is EUR 4,000 Euro for regular projects and up to EUR 8,000 for special cases. The actual amount paid out depends on the respective costs.

Anyone who has an idea to revitalize public space can submit a project. The criteria for acceptance are: a creative project to liven up public space, strengthening social cohesion in the neighbourhood, encouraging other inhabitants to participate and non-profit orientation. After positive evaluation of the submissions and processing for further application steps by LA21, the projects are selected by a jury composed of representatives of several municipal departments (Municipal Department (MD) 19- Architecture and Urban Design, MD 21- District Planning and Land Use, MD 28 - Road Management and Construction, MD 46- Traffic Management and Organisation), the office of the policy group for urban planning, traffic & transport, climate protection, energy and public participation and Vienna's Mobility Agency.

LA21 then draws up a cooperation agreement together with the applicant. The agreement contract includes the budget, accounting details as well as liability insurance details and has to be signed by the applicant. If the applicant has advanced any money for the project, he/she is refunded. There is no fixed refund date; experience has shown that it normally takes place after the project has been completed. Applicants are only refunded for invoices they can produce; lump-sum payments are not permitted. Alterna-

tively, invoices can also be paid directly to vendors, which is the preferred mode of those responsible at the LA21.

Projects approved by the jury become official Grätzloase projects, but that does not imply an official permission to take action. Therefore, the next step is to get approvals from the regulatory authorities and other supervisory agencies, which has to be done by the applicant but is supported by LA21 staff. In summary, the Grätzloase program supports projects and activities in public space with (small amounts of) money and organizational help.

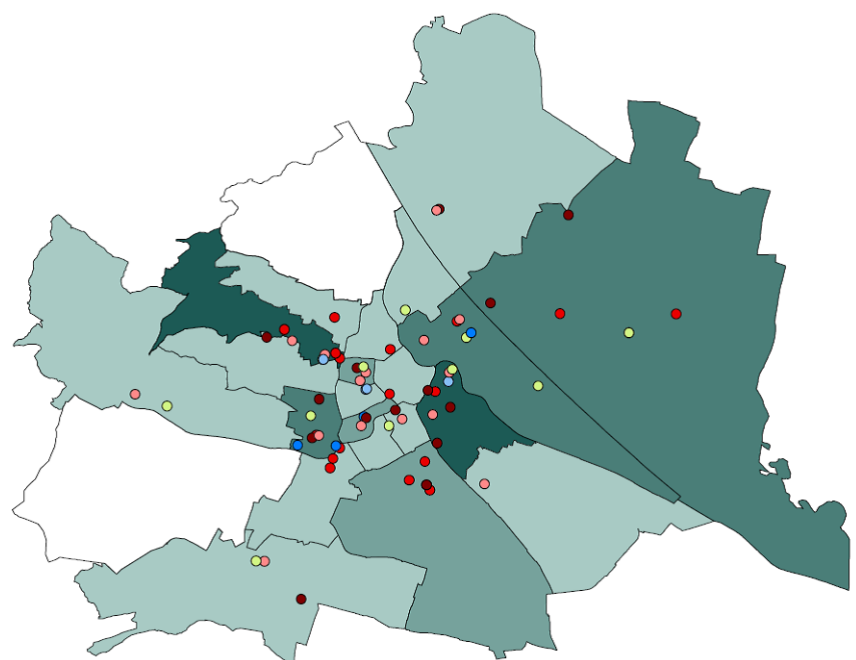
4.1 Organizational framework and spatial formation

The vast majority of Grätzloase projects are planned and organized by groups. Therefore, the program depends on organizational units that plan and realize the activities. Our analysis shows that there are five main types of organizational units: (1) government entities and related institutions which are financed by tax money and directly or indirectly belong to the governmental body (e.g. Municipal Departments, association JU-VIVO or LA21), (2) associations, citizens' initiatives and/or individuals, (3) mixed non-commercial types of organizations and institutions, (4) mixed commercial entities and (5) commercial entities like local companies.

The map shows the absolute number and location of projects in each district as well as a breakdown by the organizational units involved. We included the spatial distribution of the projects to show possible biases or limitations of the Grätzloase program in reshaping public space. As the total number of projects is rather small, the map depicts all projects of 2015 and 2016, so there is only one dot for projects implemented in both years at the same location.

Existing organizational structures play an important role in the realization of Grätzloase projects. These are often institutions already anchored in the (local) environment (e.g. associations or citizens' initiatives) or (semi-)public institutions that work in similar fields. Many Grätzloase projects are organized and/or supported by them.

A detailed investigation of the individual projects shows that determining their common character is not always easy, since the activities vary quite a lot. While some garden projects, such as "Eine Insel und Blumen zum Essen - Schwendergarten 2015", include moments of contributing (gardening, planting, care), sharing (garden, green, fruits), cooperating (community garden) and utilizing (prolonged use of the garden), others have a less pronounced common character. An example is "Spicy Vienna", where people could sample and mix spices and learn about their possible uses. In this case, the dimensions of contribution and cooperation are far less distinct.



The spatial distribution of the dots shows a concentration of projects in densely built central areas and fewer projects and activities in the peripheral districts, which means that spatial access to the projects is not equally distributed. This seems to be even more so for projects with a commercial or mixed commercial organization structure - commercial organizers are more market oriented and prefer a better-off environment.



Figure 1: Grätzloase projects in Vienna 2015/2016, classified by organizational entities
 Source: Own research

Revitalization, robust design and the involvement of city inhabitants are important constants of the Grätzloase program. Utilizing and sharing, which are more prevalent in the projects than contributing and cooperating, are typical features of public urban space. Equipment and furnishings are intended for collective use. Grätzloase projects often also include joint activities.

4.2 Main activities, intentions and dimensions of meaning

The recovery, preservation and revitalization of public space is central to Grätzloase projects, as they aim to create a liveable city with shared socially mixed public spaces. The projects implemented in 2015 and 2016 cover a wide range of initiatives including e.g. Christmas festivities, community gardens and street festivals. While the design and character of each Grätzloase project is different, frequent dimensions are music, food and entertainment programs. In addition, the projects are constituted on the basis of meetings in public space to pursue a common activity, such as playing sports, making furniture or coming together for a community breakfast.

Table 1 gives an overview of the main initiatives implemented as part of the Grätzloase program.

The Grätzloase program includes both temporary and continuous projects. Nearly all projects are of a temporary, almost elusive nature- some of them last for only one day. While all projects are of limited duration, continuation tendencies have become apparent as some 2015 projects were again implemented at the same location and/or by the same organizers in 2016.

The underlying intentions of Grätzloase projects vary just like their organizers: People wish to relax and spend time together, communicate, create tight-knit neighbourhoods and green their surroundings, while the organizers include government units, associations, local enterprises as well as private individuals. We also observe a trend of increasing commercial interconnection in that e.g. parklets appear in close proximity to businesses involved in the organization of the project.

Within the organizational framing the projects and activities manifest themselves in recurrent intentions. The Grätzloase program fosters the revitalization of public space by means of common activities, meetings, festivities as well as the creation of community gardens or parklets. Strengthening neighbourhood relations is of central concern. Thus, the program attempts to reshape and reinterpret public space. People’s ideas and wishes for shaping public spaces often show the following dimensions:

Activity	Description
Sports	Public space functions as a meeting point for joint sports activities including football, yoga, qigong or walking.
Food and cooking	Preparing and having a meal together turned out to be of great importance. People form cooking clubs or meet up to bake bread. Dining together is often an important part of festivals, and the public breakfast is an occasion to meet people from the neighbourhood. Shared cooking and tasting unknown dishes can also help initiate encounters with foreign cultures.
Music	Music has been a unifying aspect of Grätzloase activities. People make music or sing together, and bands perform at festivals.
Games	The element of play is important, too. People create space for children to play and have fun, e.g. by temporarily transforming a parking lot into a playground but also by organizing kids programs for festivals or a MicroSoccer tournament.
Creating public space furniture	Several projects focus on creating and/or building furniture for public space, e.g. sculptures, or they convert parking lots into parklets equipped with seating, tables and greenery. Also the infrastructure of community gardens, such as beds, troughs, etc., is often produced together.
Gardening	Community gardens are important Grätzloase sites. They can include the joint production of infrastructure, construction and planting of the community garden (e.g. “Erna Poppersgarten”) or the improvement and transformation of existing infrastructure, by painting adjacent walls etc. (e.g. “Gartenfest Längenfeld”). The gardens vary in size and form; they can be small plots and greening in densely populated residential areas as well as large-scale projects intended for self-supply (e.g. “Freiluftsupermarkt Atzgersdorf”).
Creative activities	The program also covers creative activities, such as cinema shows or workshops where people can learn different things from how to paint graffiti to architectural knowledge or musical singing and dancing.
Bartering	Every once in a while, bartering emerges as an activity, too, with people mostly exchanging plants and clothes.
Consumption and buying	Some Grätzloase projects have strong commercial ties in that the (mostly local) companies that helped create a project use it to sell their products.

Table 1: Grätzloase program
Source: Own research

Revitalization of public space

Public space is often revitalized through joint activities such as sports and exercise (“Gemeinsam Aktiv im und um den Bednarpark”), a community breakfast (“Frühstück am Rauscherplatz”) or festive activities. The arts and culture also play an important role in this respect: Grätzloase projects are often realized by art institutions or cultural associations.

Reinterpretation and conversion of public spaces

We also observe a tendency to convert public spaces. A good example is the “Parkplatz? ... Spielplatz!” project, which turns the parking lot of a retail chain into a playground on Sundays. Parking spaces are transformed into parklets, i.e. traffic areas are converted into recreation and leisure time areas. This may be interpreted as a temporary reappropriation of public space, which has declined due to increasing private transport. Hence, this transformation tendency reflects the reconquest of public space for new or recurring forms of use.

Accentuation of public space

Some Grätzloase projects aim to accentuate and shape public space, for example by creating a public space where consumption is non-compulsory (e.g. “Places for People”), promoting girls in public space (“reuMÄDCHENplatz”) or including people with disabilities (“Grätzfest am Kalvarienberg”).

Strengthening neighbourhoods

Strengthening neighbourly relations is central to Grätzloase projects, but people’s understanding of the concept of neighbourhood differs. On the one hand, it has a strong social and cultural connotation in terms of the living environment. Grätzloase projects aim to connect the neighbourhood internally, counteract the anonymity of the big city, help people get to know each other, dismantle prejudices and develop ideas for the close neighbourhood (e.g. “Bankerl Tag”, “Pink Pong”, “Dernjagasse”, “Lebendiges Frauenfeld”).

On the other hand, the concept of neighbourhood also implies a second dimension of interpretation, which also occurs frequently. The term “neighbourhood” is associated with local consumption structures, so markets and shops in the close neighbourhood as well as the inhabitants belong to it. This conceptual difference is also reflected along the Grätzloase activities. In some cases, the revitalization of neighbourhoods goes hand in hand with commercial activities (e.g. “Fünftes Esterhazy-Gassen-Fest”, “Pop-Up Messe im Stuwerviertel”).

Case study: the parklet

Parklets are specific spatial and physical formations that are typically installed in (former) parking spots. These parking spots are designed and furnished by the project submitters, whereas the furniture is owned by the Grätzloase initiative. While the 2015 submissions included only a few parklets, far more parklets were realized in 2016.

Parklets seem to be a spatial formation which are suited to different places and activities. While some initiators plant grass and create seating areas for passers-by, parklets can also be found near schools that have no suitable forecourts. Some parklets aim to create spaces where consumption is not mandatory whereas others are tied to businesses. In other words, different parklets show different intentions, but they share three main characteristics: They are temporary (like all Grätzloase projects), the majority is located in former parking spaces and most of them rely on (self-designed) furniture. As mentioned earlier, the number of parklet projects increased in 2016. The second year of the Grätzloase program saw the institutionalization of spatially manifested forms of which the parklet is an important example.

At this point we can formulate the following hypothesis: Continued spatial conversion within the Grätzloase projects appears over time through the parklets. Further, parklets represent a form of spatial institutionalization of the Grätzloase. They reinterpret existing areas - parking spots - and convert them into newly used spaces. The creators’ intentions may differ but the form is structurally, physically similar. Consequently, the following factors support the reshaping of public space: recognized activities (like seating areas in public space, greening etc.), temporary appropriation (lasting appropriation could be more conflicting) and the physical manifestation of new forms of use.

4.3 Commercial enclosure and aspects of commodification

A strong boundary line of the Grätzloase program as a commons is formed by the commercial ties of some projects. “While the commons tend to build spaces free of capital relations, ‘[c]apitalism has been a program for the commodification of everything’ (Wallerstein 2000, 157)” (Azzellini 2016, 4). Some projects show aspects of commercial enclosure, which is not necessarily astonishing as local enterprises are explicitly invited to participate. Nevertheless, it means that in some Grätzloase projects, public money is used to strengthen commercial organizations.

Among the Grätzloase projects involving one or more local companies, a parklet may be located in front of a business. In this way, the business area is allowed to expand into public space and to draw the attention of pedestrians. Such projects include capital-based relations and a busi-

ness-based logic of advertizing. There are also street festivals where commercial products are sold at stands or fair-like events where goods cannot only be exchanged but also purchased (Selle 2004). Giving shops and restaurants increased access to public space advances the commodification of public space, which is what those Grätzloase projects do.

Also, Grätzloase projects allow the placement of products or companies, in a marketing context. That means that initiators of Grätzloase projects (which can also be local companies) presented themselves with beach flags, business cards etc. in the projects. For example, the football field required for a MicroSoccer tournament can be borrowed from a company, which is then presented at the event. Following Azzellini's assumption that the commons build "spaces free of capital relations", the program does not really counter the market-based transformation of the city.

Instead, the support for market-based companies as part of the Grätzloase program means that it fosters the commodification of public space. First, the program opens up an opportunity for companies to use public resources in order to extend their business. In addition, it remains unclear whether they compete with private individuals or non-profit associations when applying for Grätzloase funding, as the annual budget for the program is limited. In this context, companies are in an advanced position as they tend to have more resources than individuals or non-profit associations and can also expect a monetary return. Second, the involvement of companies changes the character of the projects: Whereas commoning relies on the principles of utilizing, cooperating, sharing and contributing, companies rely on the market-based principles of profitable production and consumption. Therefore, Grätzloase projects involving companies are at risk of being dominated by saleability, consumption and profitability.

4.4 Access barriers: inclusion and exclusion

The degree of institutional and bureaucratic enclosure is relatively high in the Grätzloase program. The application procedure is rather complicated and can be a hurdle. First of all, potential participants must be aware of the program. It was only established in 2015, so many people do not even know it exists. Second, participants must be confident they can implement such a project and have the necessary skills (developing an idea, writing a project application, integrating and/or motivating other institutions or people in the immediate neighbourhood, and perhaps ensuring pre-financing). After the project application, the initiators have to overcome another hurdle: Once their project has been approved by the jury, they still need the official approval from the city administration.

Education and income as well as social and cultural resources (e.g. expression and communication skills, access to networks, knowledge of formal and political processes and rights, available capital, time) significantly influence the degree of political participation. These factors have a particularly strong impact on more recent forms of participation. In the context of citizens' involvement, Breitfuss speaks of "hard to reach" groups, which include "migrants, young people and people on the margins of society" (Breitfuss 2013, 62, translated by the authors), but also people with scarce time resources. Deliberative participatory procedures tend to favour higher-income and well-educated people, whereas the unemployed, migrants, people with disabilities, low-income and low-education groups are usually not represented. As these social groups are underrepresented in political and participatory processes, their interests get less public and political attention. This misalignment can lead to an increasingly uneven distribution of resources and at the same time entails the risk of intensifying the participatory gap. When governments try to implement a renewal of democracy with measures that systematically exclude weaker population groups, they do not contribute to democratization but to division. This is why the design and implementation of new participation procedures must be carefully considered and must focus on ensuring equal participation and solutions for broad-based and equitable participation (Hammer/ Ritt 2013, 44ff).

The extent of institutional and bureaucratic enclosure is limited by the bridge-building function that is central to the Grätzloase program, which was created to provide assistance to citizens who wish to redefine and shape public space. The program can also be viewed as a test and a first step in institutionalizing new ways of cooperation between citizens and the administration concerning the co-creation of public space.³

According to Mattei (2012) and Azzellini (2016, 3), "The commons is neither state nor market: it is not a public good administered or regulated by the state, and it is not private property or a source of surplus value extracted by outsiders offering 'participation'. Commoning is the alternative to the supposed dualism of state vs. private [...]". It should be emphasized at this point that the Grätzloase program cannot fully be described as a common because of the high degree of institutional and bureaucratic enclosure. However, at the same time, it is important to notice that the program aims to revitalize and reconquer public space. The program itself is characterized by its temporary experimental character (it is set to run and has a budget only until 2017), its participatory requirements (urban residents invent, plan and realize the projects) as well as its relative openness (various project ideas can be submitted).⁴

³ According to a person responsible at LA21, all jury-approved submissions were also approved by the city administration.

⁴ This relative openness is limited by the jury decision. We were unable to determine how many submitted projects were rejected by the jury.

The framework of Grätzloase projects seems to be relatively tight, as they include essentially conflict-free, approved activities in public space as well as tried-and-tested forms. For example, sports or festive events in the public space are typical features of today's European urbanity. The Swiss sociologist Reutlinger refuses to speak of one single important characteristic of public space. Public space in his notion must be described as "[...] temporary, locally specific and dependent on interpretation [...]" (Reutlinger 2015, translated by the authors). Public space is produced over and over again, while certain notions become accepted as the norm and other distracting elements are excluded. Accordingly public space is always a "matter of arrangement and negotiation" (Fritsche/ Reutlinger 2015, 201, quoted from Reutlinger 2015, translated by the authors). This process of negotiation is subject to hegemony; it has a tendency to conceal conflicts and entail mechanisms of exclusion. Certain forms of use and groups of people are stigmatized as inappropriate (Reutlinger 2015). Acknowledged forms of use of public space often follow the idea of a typical work biography: It is a space for recreation and leisure activities such as "sports, consumption, strolling, idleness, being among people, enjoying oneself [...]" (Reutlinger 2015, translated by the authors).

This way of interpreting public space is also reflected in the Grätzloase program and its activities. Homeless people, who are more dependent on public space and also use public space more extensively than all other groups, are unthinkable as a target audience or as potential organizers of Grätzloase projects. But also young people, who claim public space in ways that deviate from recognized forms of use, are structurally excluded from participation. Thus, despite the proclaimed relative openness of the program, the projects carried out remain limited to recognized forms of use and organizers. This leads to the exclusion of less recognized groups and controversial issues. However, limitations and extensions emerge, too, e.g. when explicit reinterpretations of space and new forms of space (like the parklet) are being tested within the scope of the program.

We identify three dimensions of exclusion in the structure and implementation of the Grätzloase program. First, there is no participation of stigmatized groups, and second, controversial subjects (e.g. drug use in public space, lack of public toilets) do not play a role in the projects. The third dimension is based on the following hypothesis: Bureaucratic hurdles and the complicated application and implementation process lead to socioeconomic exclusion. Still, in light of tendencies of enclosure and despairing of public space as well as the fact that city inhabitants do not have too many opportunities to take action (red tape etc.) the program has an important function. The Grätzloase team fosters communication between applicants and the city administration and thus helps combine and reconcile the different ideas for public space. Besides the financial support of the Grätzloase projects, this bridge-building function is probably the most important function of the program.

5 Conclusion

The Grätzloase program was first implemented in 2015 in order to reshape and enliven public space by fostering citizens' participation. The program reached a growing number of people: In 2016, the program funded almost twice as many projects as a year earlier.

People who wish to organize activities in public space have to overcome numerous bureaucratic, social and economic hurdles, and they have to ensure compliance with regulations. In this context, the Grätzloase program fulfils two important functions: First, it helps people realize their ideas by supporting their projects with small amounts of money, and second, it helps applicants overcome bureaucratic hurdles.

However, the integrative approach of the Grätzloase program is limited by several dimensions of exclusion: First, the institutional arrangement of the program is characterized by a relative high degree of bureaucratic and institutional enclosure. If we consider the definition of the commons as human relationships based on shared responsibilities and self-administration, the bureaucratic hurdles show the limits of the Grätzloase program functioning as a common. The program relies considerably on existing structures such as associations, citizens' initiatives or local enterprises. The hurdles also imply a form of socioeconomic exclusion, as applicants who have access to well-developed socioeconomic resources (networks, communication skills, knowledge of formal processes, time etc.) find themselves in an advanced position.

Second, the Grätzloase projects belong to a spectrum of conflict-free, approved activities (community gardens, parklets, festivities etc.) and thereby represent a more or less conventional understanding of public space. The program does not reach out to marginalized groups or include controversial issues. A concrete example is the exclusion of homeless people, a group that makes extensive use of public space. The formal process involved also functions as an exclusion mechanism, as applicants must invest quite a lot of time, knowledge and effort to meet all requirements. Spatial access to Grätzloase projects is not equally distributed, either, as they are concentrated in densely built central city areas. This is even more true for projects realized by commercial or mixed-commercial organizations.

The commercial ties of some Grätzloase projects stand in contrast to the idea of the commons as a way to counteract the commodification of public space. The inclusion of local enterprises introduces the logic of market production and marketing, and in some cases, the principles of utilizing, sharing, cooperating and contributing become secondary to the market-based principles of profitable production and consumption. The expansion of business areas through Grätzloase projects fosters the commodifi-

cation of public space and in some cases even implies a redistribution of public money and resources to businesses.

Our empirical examination of the common's framework revealed that the principles of utilizing, sharing, cooperating and contributing can not be easily detected. A clearer elaboration of the terms would help to make them more suitable for empirical purposes. Also, reflecting on mechanisms of inclusion and exclusion is indispensable in a society permeated by power and domination.

In light of the wide range of projects implemented, the commons character differs among the projects. All of them show aspects of commoning. The characteristics of

utilizing and sharing, which are typical features of public urban spaces, are more distinctly present than contributing and cooperating.

In spite of the limitations mentioned earlier, the Grätzloase program represents a novel approach of political and administrative stakeholders to fostering citizens' participation. It is a new attempt to include the city's inhabitants in the shaping of public space. Its limited duration until 2017 suggests that new forms of politics still cause uncertainty. While an extension of the program would certainly be worthwhile, exclusion mechanisms should be reduced and commercial ties should be suspended.

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Urban Spaces' Commoning and its Impact on Planning

A Case Study of the Former Slaughterhouse Exchange Building in Milan

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Thanks to several foundational contributions (De Angelis 2010; Hardt and Negri 2009; Harvey 2012; Ostrom 1990), the topic of urban commons has recently gained much interest, even if there is room to further investigate the relationship between urban commons and planning (Dellenbaugh et al., 2015; Muller 2015). On 5 May 2012, the artists' collective M^AC^AO (henceforth Macao) drew public attention by squatting in the iconic Galfa Tower in Milan, a private property abandoned since 1996. Symbolically, it served to shine a light on the need for a radical change in urban policies regarding the reuse of abandoned sites in town (Valli 2015). In opposition to the current planning tools and resolutions adopted by the City Council of Milan, Macao's activists developed and proposed the Constituent City manifesto (Macao 2015).

Starting from these premises, the paper interrogates the issue of how urban commoning can challenge conventional planning procedures and seeks to identify the mutual influences between these practices, local governance and planning tools. It draws on Macao's commoning actions and particularly on the case study of the former Slaughterhouse Exchange Building (henceforth SEB) in Milan, interpreted as a potential urban common. We conclude by offering a reflection on the roles that urban commoning practices and urban commons may have in defining innovative governance and planning processes.

1 Introduction

The notion of the commons has recently gained renewed attention thanks to Ostrom's foundational 1990s work, which ended a period in which the commons had been forgotten after Hardin's "The Tragedy of the Commons" (1968). Several scholars have investigated commons from different perspectives, including their theoretical framework and their social, economic and political dimensions (De Angelis 2010; Hardt and Negri 2009; Harvey 2012). The commons has been deeply investigated through its constituent components (Roggero 2010) and through its particular forms of governance; the latter facilitate the functioning and sustainability of the commons over time (Bollier and Helfrich 2012; Ostrom 1990).

More recently, some scholars have focused on the relationship between the commons and the city (Ramos 2016; Stavrides 2014, 2016), demonstrating their specific conditions in urban environments (Dellenbaugh et al. 2015) or the establishment of collective practices within the urban sphere as a means of capital reproduction (Brenner 2004; Lefebvre 2003; Negri 2009). A number of case studies and social or spatial practices have been developed and interpreted within the framework provided by this research, as an alternative means of urban transformations of the state-market dichotomy.

As commoning practices reveal a relational attitude within urban spaces (Chatterton 2010), they may actively contribute to redefining spatial entities such as urban islands (Ungers and Vieths 1999) or enclosures in the urban archipelago (Hertweck and Marot 1997; Hodgkinson 2012; Jeffrey et al. 2011) with its internal thresholds (Aureli 2011; Stavrides 2010). Urban transformations interpreted through the lens of the commons reveal the role of social practices in modifying the spatial dimensions of the city. This connection reveals the potential for further investigating the commons and the related practices of commoning, through or in relationship with disciplines including architecture, urban design and planning (Müller 2015). Even if commons have been already investigated in terms of their urban governance and management (Foster 2011; Parker and Johansson 2011), the relationship between commons, planning and local governance is extremely complex (Moroni 2015). First, commons are typically intimately connected to specific contexts, usually at the neighbourhood or city-wide levels, but also regionally, with several implications in terms of national laws and regulations (including constitutions, where applicable). This condition limits the scope for comparative analysis without an overarching theoretical and normative framework. Moreover, commons are invisible to planning processes, as they do not define any property rights (Moroni 2015; Porter 2011). There are, however, significant areas of overlapping and relationships, as for example with participatory processes (Radywyl and Biggs 2013), especially if they involve public spaces.

In fact, there is room for further research into the relationship between commoning practices, local governance and urban planning, especially in terms of empowering participatory processes or embedding social practices in the process of spatial transformations. Appropriate case studies may help better define a theoretical framework that accommodates local conditions and place-specific features.

2 Aim and methodology

The paper questions how urban commoning practices can challenge conventional planning procedures. Starting from the Macao collective case study in Milan and its proposal for a community-led re-appropriation of vacant urban spaces, we investigate the possible mutual influences between spatial practices, local governance and planning policies.

Drawing on these insights, we structure a reflection on the roles that urban commons may have in planning processes, in particular about the need for hindering top-down planning and enabling participatory and empowering practices. As a fundamental premise, we first question if and to what extent Macao's actions could even be defined as "commoning" practices; to do so, we retrace the key

moments of its history and the ideals underpinning the rise of this cultural movement.

A key challenge in conducting this research was that the scarcity of pre-existing relevant literature and the lack of a sample frame from which to draw a rigorous analysis of Macao and its possible influences on the urban policies recently released by the Milan City Council. Thus, an innovative, multistage research design was developed by the authors and implemented to address the complexity of factors (theoretical, political organisational and spatial) determining the nature and structure of Macao.

The paper employs qualitative research methods. The case study is first introduced through a critical literature review that permits framing the Milanese experience within a broader theoretical framework about urban commoning. In particular, Ostrom's and Bollier's principles of the commons have been mapped against Macao's key actions and resources. The paper draws on data collected during a residency period, which took place in February 2016, and following meetings, visits and interviews held in April 2017. On these occasions, the authors had the opportunity to conduct fieldwork aimed at investigating the linkages between spatial appropriation and the community's governance model. The fieldwork included both interactive and non-interactive methods of data collection: ethnographic participant observation, spatial mapping, informal interviews with members of the collective and active participation in the weekly general assembly.

The following sections of the paper explore the ideals and key moments of Macao as a social movement, based on the outcomes of interviews and a review of the relevant contemporary newspapers and magazines, then map Macao's practices and resources against the principles of the commons and the related contemporary theoretical debate. The third part analyses the current stage in greater detail, mutual influences, and the strengths and shortcomings of planning policies and local governance for the former SEB, the surrounding area and the wider context of Milan.

3 Discussion

3.1 Macao's development from the itinerant phase to settlement in the former SEB

As Macao's activities can best be viewed as a dynamic and ongoing process to enact social practices of broad participation (Valli 2015), commoning as a dynamic social practice (Chatterton 2010) applies to a number of the initiatives developed by Macao. Moreover, to provide better insight into Macao's actions over time, we argue that it is



Figure 1: The Macao open assembly takes place every Tuesday night in the central space of the former Slaughterhouse Exchange Building.

Source: <http://zero.eu/persona/macao-intervista-a-emanuele-braga/> (15.04.2016).

possible to recognise at least two fundamental stages in its development. The first is the birth of the movement and its becoming public through online platforms and other initiatives, followed by temporary squatting in urban spaces and the constitution of small gatherings across the city.

The second stage dates from squatting in the former SEB and the subsequent settlement of the movement into this facility, which has now been used continuously since June 2012. These two phases, seen through the lens of the theory of the commons, are obviously characterised by different spatial strategies and by a shift in the self-governance process (see Figure 1). Furthermore, the meaning of the occupying agency shifted from being “a spectacular provocation to a more stable base for cultural proposals” (Valli 2015, 650).

3.2 Macao’s history and evolution through actions and stages

On 5 May 2012, Macao drew the public’s attention to the massive amount of unused and underused spaces in Milan by squatting in the Galfa Tower, an iconic building in the city that had been abandoned since 1996. This event, recalling ideals and actions of the social centres that flourished during the 1980s and 1990s in Italy, represented the first public demonstration of the complex and hidden social movements animating the cultural life of Milan. The occupation of the Galfa Tower represented the very first public manifestation of the insurgent cultural move-

ment called The Art Workers (henceforth LdA, “Laboratori dell’Arte”), which officially began in July 2011.

From January 2012, LdA began planning what would eventually be called Macao, the New Centre for Art, Culture and Research, in Milan. These plans came to fruition in May 2012, when hundreds of people occupied the iconic skyscraper in the heart of the city. During ten days of occupation, the space hosted free events such as concerts, theatre pieces, workshops and training courses.

Due to its intimate awareness of urban spaces (Molinari 2012), this artist-led movement has been able to stand opposite to globally oriented political choices, acting as a symbol of community values and local resistance. Squatting in the Galfa Tower symbolically shone a light on the need for radical change in urban policies to enable the re-appropriation and re-use of the massive patrimony of abandoned sites that could accommodate unrevealed spatial and social needs (Valli 2015).

The Galfa Tower is a private property owned by the Ligresti Group and widely considered one of the masterpieces of Modernist architecture in Italy. The Italian architect Giò Ponti made clear in 1961 that the Galfa Tower was the symbol of Milan’s post-war renaissance: for him, the tower was “a totally frank reflection on a human condition: the industry, enterprise and positive courage of the Milanese people” (1961, 4). The slow but incessant process of the functional and material emptying of the building started 20 years ago. After being home first to an oil company and later a bank, the tower, designed by Melchiorre Bega in 1956, was purchased in 2006 by the Ligresti Group (Fondaria Sai); only very recently has it been undergoing a refurbishment project to turn it into a luxury hotel.



Figure 2: „Piazza Macao“: Public assembly in front of the Galfa Tower, Milan, 5 May 2012.

Source: <http://zero.eu/persona/macao-intervista-a-emanuele-braga/> (15.04.2016).

After being evicted from the Galfa Tower, Macao kept organising events and holding its public assembly in the square at the entrance to the tower, asserting that “Macao was not simply a space” Day after day, an increasing number of long-term supporters and new members joined the movement (Figure 2). An initial attempt to begin a dialogue with political parties occurred in this phase, when the Mayor of Milan, Giuliano Pisapia, attended the public assembly to seek mediation, which was not successful.

The Macao movement grew enormously when it moved from the square to occupy Palazzo Citterio, a historical palace in the Brera neighbourhood, the heart of the creative industry in Milan. This time, the occupation awakened the public’s attention to a valuable 18th-century masterpiece that had been the object of a forty-year project of restoration and reuse that was never completed: Palazzo Citterio, an empty and decaying aristocratic estate, connected to the Botanical Gardens. The National Government paid 1.148 billion Italian lire, in 1972, to gain access to the palace. The director of the operation was the superintendent Franco Russoli, the initial ideologist of the Great Brera vision, which would have run along a theoretical axis from Palazzo Citterio to the Academy up to the Gallery. Ten years later, in 1982, the renovation, led by the architects Ortelli and Senesi, was still not completed, but the public funds to support the project had been exhausted (Stella 2012). Aldo Bassetti, President of the Friends of Brera Association, said: “Palazzo Citterio is a symbol of ineptitude and inability of the public administration to make decisions” (2012). Since 1982, sporadic cultural events have taken place within the Palazzo, but without reference to the original Great Brera

project and without allowing unfettered access to the public. Nothing else happened until the attempted re-appropriation by the Macao movement, which again brought the Palazzo Citterio situation into the spotlight. The collective, along with many supporters from the local community, were violently evicted from the building after three days.

Even more nomadic actions followed, during which Macao activists and their increasing number of supporters met all around the city, organising thematic focus groups and open assemblies in subway stations or other public spaces in the city. It is important to note that, despite not having a stable place for its community, Macao was able to continue the public discussion started in the Galfa Tower, even reinforcing its structural model.

It was during this phase that the collective agreed to occupy what would eventually become its signature location until spring 2017: the Art Nouveau SEB. This building lies within the former communal market area of Milan, which today is the largest abandoned area in Europe¹ (Mazzitelli 2016). The SEB has been abandoned for over thirty years, as a result of the slow decline of the public market area². After an intensive effort to make the space liveable, Macao has slowly started setting up a complex cultural project of everyday activities. It is currently using the SEB to host a lively cross-sector programme of performing arts,

¹ The former market area was included within the itinerary curated by the artist and Macao founder Ferdinando Mazzitelli, which he called “Absent Territories”. It is a provocative walk through some key places in Milan that were once considered places of vitality and sociality. These now stand empty and abandoned, for multiple reasons, and - according to Mazzitelli - represent the greatest potential today for setting up new models of bottom-up spatial regeneration.

² A contextual narrative regarding the former communal market area is discussed in section 3.5.

cinema, visual arts, design, photography, literature, new media, hacking and meetings of citizens committees.

3.3 Macao's actions through the lens of the commons

Macao's activities across its various stages share most of the constituent features of the commons. First, they have consistently involved "some sort of common pool resources" (De Angelis 2010); in light of the focus of this

paper and its link with planning policies, these are meant in terms of spatial resources (e.g. vacant spaces, squares or buildings) even if a wider debate should include other forms of tangible and intangible commons like forms of cultural and peer production that, incidentally, do apply consistently to Macao.

Moreover, Macao itself stands as a "self-defined social group" (Harvey 2012) and as a community that "share(s) these resources and who define for themselves the rules through which they are accessed and used" (De Angelis 2010).

Ostrom's institutional design principles	The "Itinerant Phase" and the commoning of various places in town July 2011- May 2012	The SEB as a common June 2012 - Present
<i>Clearly defined boundaries (e.g., boundaries of resources, community of users)</i>	<p>The community is extremely dynamic and permeable to new users, despite having very few members in the beginning.</p> <p>Lack of clearly defined boundaries, at least in terms of resources: the aim is to re-appropriate vacant spaces in Milan and foreground the discussion of creative sector working conditions.</p> <p>Actions target public spaces and private or public buildings (meant to be common-pool resources).</p>	<p>The community rapidly attracts large number of new members, facing new challenges. Other challenges arise while dealing with the local neighbourhood (e.g. residents, tenants).</p> <p>Even if Macao regularly engages with a wide range of vacant spaces in Milan, it settles in one building, a common-pool resource with its physical boundaries.</p>
<p><i>Match rules governing use of common goods to local needs and conditions.</i></p> <p><i>Ensure that those affected by the rules can participate in modifying the rules.</i></p> <p><i>Make sure that the rule-making rights of community members are respected by outside authorities.</i></p>	<p>One of Macao's goals is to reclaim vacant and under-used spaces to be used by citizens through bottom-up initiatives. In this respect, Macao highlighted a partially unexpressed need among the wider community in Milan.</p> <p>The community is self-managed through open assemblies, with ideas and issues discussed before being voted upon.</p> <p>Several conflicts arise with local authorities, including the City Council and the national government.</p>	<p>Macao progressively structures its activities in collaboration with city-wide partners or stakeholders (e.g., the Comeln initiative). However, its agenda does not appear to be fitting specifically local needs (at the neighbourhood scale).</p> <p>The relationship with local authorities in the neighbourhood and other stakeholders, like the owner of the building, is challenging and often conflicted.</p> <p>The community is self-managed through a weekly open assembly, in which ideas, new projects and issues are discussed before being voted upon. There is no clear evidence that self-defined rules have been accepted by outside authorities.</p> <p>There is evidence of "cultural production" governance (including fees and income re-distribution), but there is no evidence of specific rules for space governance (access, right to use).</p>
<p><i>Develop a system, carried out by community members, to monitor member behaviour.</i></p> <p><i>Use graduated sanctions for rule violators.</i></p> <p><i>Provide accessible, low-cost means for dispute resolution.</i></p> <p><i>Build responsibility for governing the common resource in nested tiers from the lowest level up to the entire interconnected system.</i></p>	<p>[There is no clear evidence of rules for governing member behaviour and potential disputes between members. However, everyone is informally invited to look after the occupied spaces, which are considered common goods].</p>	<p>There is a set of self-defined rules to monitor access to space and member behaviour. These are not fully communicated to the larger audience.</p> <p>The responsibility for governing the commons is entirely with Macao's members, but it is not clear how potential disputes are addressed.</p> <p>Lack of institutionalised procedures to sanction rule violators and resolve disputes.</p>

Table 1: Ostrom's principles applied to Macao's commoning practices³

Source: Authors' original work 2016.

³ The contents of Table 1 rely mainly on data collected during the residency period in Macao, which were gathered through informal interviews, the analysis of spatial use and participation in the assembly.

Even if in its earliest days the Macao community was not settled in one particular place, we should take into consideration that “communities, however, do not necessarily have to be bound to a locality, they could also operate through trans-local spaces” (De Angelis 2010).

However, it is more complex to assess how Macao in its different stages fits into the institutional element of the commons and “the social process that creates and reproduces the commons” (De Angelis 2010). In this respect, Harvey has highlighted how commons are based on unstable and malleable social relations between the community and the social and physical environment. By mapping Macao’s different stages according to the institutional design principles of the commons as defined by Ostrom (1990), this paper investigates both the potential and the shortcomings of the commoning actions undertaken by Macao (Table 1).

Having highlighted some specific shortcomings in terms of governance, it is worth analysing the former SEB through specific criteria in terms of resources: the commons’ depletability, excludability, competition over scarce resources (“rivalrous use”) and regulation (Bollier 2012) (See Table 2)

Drawing on these premises, we sustain that in the beginning Macao’s boundaries in terms of governance were extremely loose and that there was a lack of institutionalised rules for governing the commons. However, the circumstance that the squatting agencies did not last much does not mean that the institutional side of the commons should be ignored.

Macao’s settlement in the former SEB was an opportunity to challenge the community’s original organisation (Lefebvre 2003), even if it can be argued that the SEB’s physical boundaries may have limited its potential actions in other places.

Criterion	Features and uses of the former SEB
Depletability	This resource (vacant or unused spaces) cannot be depleted through overuse (at this point in time). Over the last six years, Macao has self-funded major work on the restoration of the building (e.g., asbestos removal from the basement, extensive roof repair, bathroom renovations, window and door maintenance, etc.).
Excludability	Day-to-day access to the former SEB is restricted to members* and external guests (only during residency programmes, as approved by the assembly); however an open-door policy is in place during events and during the open assembly on Tuesday nights.
Rivalrous use	It is likely that the simple presence of Macao’s members can prevent others from using the space. However, it is important to note that most events, workshops and courses are open and co-organised with other agencies and stakeholders.
Regulation	The resource is self-regulated through open assemblies, on a weekly basis. Specific governance applies to cultural production, with income redistribution to members who act as volunteers. No formal organisation between members has yet been established. Macao does not have a written charter and is not formally constituted, although these issues have been on the agenda since February 2017. The community’s “rules” are not accessible to the wider public. The external community perceives Macao as an institutionalised system** lacking the necessary level of self-regulation that could allow a higher level of permeability vis-à-vis the neighbourhood.

Table 2 - Bollier’s criteria applied to the former SEB

Source: Authors’ original work, 2016

* It is important to recall that the building has been illegally occupied through a squatting action, so that controlling access represents a mechanism of defence against possible evictions.

** Information gathered during two interviews with Ms. Franca Caffa, Coordinator of the Residents Committee of the Molise-Calvairate-Ponti neighbourhood (interviews conducted on 09.02.2016 and 19.04.2017).

New challenges arose in terms of Macao’s relationship with local institutions and other stakeholders like the neighbourhood authorities, the City Council and the property owner.

In the most recent phase of their activities, even though they are planned and shared with both the local and the

broader community⁴, there is still a lack of an appropriate institutional framework. This is not merely an issue of the use or occasional accessibility of the space or to the governance of cultural production, but to the self-regulation of the community, both between its members and in relationship to external actors.

Without questioning the original intentions or political aims of the actions, it is understood that, since its earliest days, Macao's community has delivered commoning actions in different places and spaces in Milan. Following the commoning actions that focused on the former SEB, the building itself became the resource of a potential commons, but that has yet to be fully implemented.

Whatever the features (and weaknesses) of Macao's activities, they challenge the current planning policies and governance of unused or vacant spaces in town. The following sections of the paper investigate the relationship between Macao's spatial practices and local planning.

3.4 Urban development and planning overview in Milan

Throughout the 20th century, the development of Milan has been directly linked to urban planning through the "Piano Regolatore Generale" (PRG), the city's master plan. The first such plan was designed in 1884, with others following until 1975. The post-World War II master plans accorded with the demands of national laws but were severely and increasingly criticised. They were initially regarded as ineffective in facing the emerging challenges of managing the existing city and later in regenerating the post-industrial one.

Indeed, the most recent PRG is now more than four decades old; it has since largely been amended by so-called planning "variants" that allow large-scale transformations to occur without updating the broader vision. Since the 1980s various strategic plans, such as 2001's Nine Parks for Milan, and planning implementation tools focused on delivering urban regeneration in moribund industrial sites have emerged thanks to a partially "deregulated planning attitude" (Oliva 2002, 96). As a result, since the 1990s, the total surface area of moribund industrial areas in Milan has decreased significantly.

However, there are still large portions of vacant areas within the city's administrative borders, including former barracks and large railway yards: these include the SEB area as well as a railway yard that was supposed to host the European Library for Culture, which was designed but not completed.

3.5 The former slaughterhouse area: History and current planning status

The former SEB occupied by Macao is part of a much broader area known as the former municipal slaughterhouse area (Comune di Milano 2010). With a total area of about 1,000 square meters, the SEB has fifteen rooms on two levels facing a covered central courtyard. The whole complex of buildings and infrastructures was designed by the City Council engineers Ferrini and Filippini as a food supply district close to the Porta Vittoria rail station and built between 1912 and 1929. The morphology of the site is composed by various types of pavilions, similar to other contemporary European examples; it includes five substantial office buildings and three smaller ones facing Viale Molise, a north-south urban axis built according to the Beruto master plan (1884).

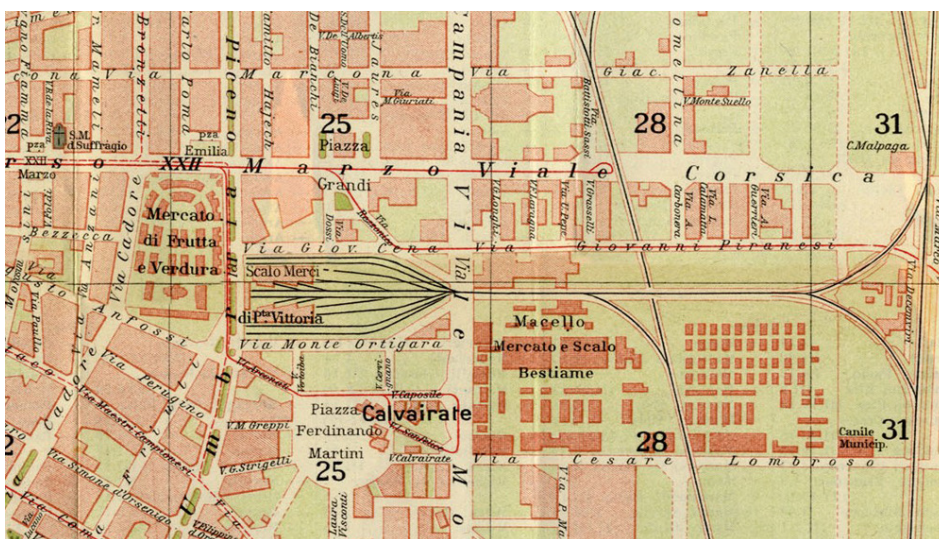


Figure 3: The former slaughterhouse area in a map from the early 1900s.

Source: http://www.turismo.milano.it/wps/portal/tur/it/scoprilacitta/itinerari/ex_macello_comunale (30.07.2015)

⁴ The idea of engaging with the local community is a hotly debated topic within the Macao movement. However, very recently some initiatives have been established, such as Comeln (during which proposals for new projects to take place in Macao, using its spaces and facilities for free, are discussed) or the local community market of self-made products.

The whole area is owned today by So.Ge.MI, a private company in which the Milan City Council holds a major stake. Apart from fish and flower markets, the area has been unused since the 1980s. Looking at current planning policies (known as the PGT, and approved in 2010), the entire former 16-ha slaughterhouse site is included in the pool of “urban transformation areas”; it is intended to act as the “epicentre” for broader transformations that go beyond the edges of the site. It is close to densely populated districts and at the heart of potential networks of public and green areas. The urban transformation areas are planned with specific indications in terms of both densities and services and public spaces, in an ostensible effort to balance the ambitions of private developers and public sector needs. The Milan candidacy dossier for its Expo 2015 bid proposed that the site would host a new Citadel for Taste and Health. The plan included educational and research facilities, restaurants and public services, but offered no details on post-Expo use. The ongoing conversation on the functions to be hosted in the area reinforces the idea of planning as making calculations about “what should be done”, not just about “how it is done” (Fincher and Iveson 2008). Against this background, Macao spotted both the inadequacy of the planning purposes and the inefficacy of urban planning in delivering the expected changes.

We can assume that planning can be justified in various circumstances (Evans 2004; Mills and Hamilton 1984), as for example in dealing with market imperfections by providing crucial elements of urban development that are difficult or impossible for the market to provide. As Couch puts it, “merit goods may be provided by the state because political judgement has been made that certain groups of people should have these goods or services regardless of their ability to pay or indeed their own personal desires in the matter” (2016, 14).

In this respect, Macao (2012) has stated that “a political movement of citizens has the right to take charge of private property in case of clear misuse of the space and proven damage to the community related to that misuse”⁵. With this claim, Macao deliberately challenged not only the status quo but also the existing set of planning policies and their attendant regulations. Strikingly, Macao did not dispute the notion of property rights per se, as it claimed the right to take charge of and manage common-pool resources for the “common good”. Since Macao has squatted in the building in a claim to take the space back for the city, its status is un-sanctioned and it has not been further clarified with either the owner or the City Council.

⁵ The occupying action had a legal foundation, according to Macao’s interpretation of Articles 3, 9 and 43 of the Italian Constitution.

3.6 Urban planning and governance tools for the reallocation of unused spaces in Milan

When Macao first squatted in the Galfa Tower and Palazzo Citterio, it was evicted within days in both cases. Following a substantial political debate, the City Council was able to provide Macao access to some other vacant spaces in the former Ansaldo factory, in a central part of the city. The City Council proposal implied the need to follow the standard public procedure: a call for proposals followed by formal assignment. Macao refused to adhere to the entire process, as it suggested that Macao would have to constitute itself as a non-profit organisation⁶.

In the meantime (March 2012) the City Council signed a collaboration agreement⁷ with Politecnico di Milano and an organisation called Temporiuso.net. The offer and availability of spaces (both private and public) were mapped, together with the requirements, which were partly determined through public consultations in city districts. This initiative provided the ground to the City Council to develop additional planning policies: on 28 September 2012 a resolution listing a set of criteria for the “re-use of vacant spaces” was approved. It is focused on the “development of artistic, social and economic activities”, and calls for the non-profit sector to contribute by delivering elements of urban quality and well-being. An essential component is the reuse of unused buildings, private and public, including the transformation areas listed in the PGT. Even if previous City Council regulations already provided a framework for assigning public properties to non-profit organisations and public companies, the resolution defines four categories of spaces: those “vacant and to be refurbished”; those “assigned to specific projects” led by the non-profit sector; those dedicated to social or innovative entrepreneurship and those within social housing contexts.

“Vacant and to be refurbished” spaces can be assigned through public tender, sometimes free of charge and for a maximum of 30 years. The assignees can be non-profit organisations or public or private companies, if based in Milan⁸. Allowing private companies to manage vacant spaces and earn some profit is aimed at stimulating the

⁶ Significantly, the City Council later decided to initiate a similar procedure and assigned the former Ansaldo spaces, called Officine Creative Ansaldo (henceforth OCA). The initiative was not fully successful. In the first instance there was a lack of hygienic standards, as spotted by an investigation led by the municipality’s technical office. The City Council has recently (2015) found some private investors to provide the necessary investment to complete a refurbishment project, after which the space will be managed following specific procedures (explained in this paper).

⁷ P.G. 205399/2012, 30.5.2012

⁸ The assignees can provide access to parts of the spaces to third parties, with or without a fee, as long as their activities fit into the original proposal. To foster participatory processes, the municipality encourages competition of ideas among the applicants.

competition in the market⁹: in reality, this is likely to exclude non-profit organisations, as this sector that does not have the capacity to take on large initiatives from scratch.

Another type of procedure defined by the resolution refers to “spaces [...] for the realization of specific projects by non-profit organisations”. The City Council has identified on an “experimental basis” a list of spaces that can be assigned through public procedure on the basis of proposals¹⁰ that must be in the public interest and addressed to all citizens; ultimately, the neighbourhood authorities must also approve. These assignments are made free of charge for a maximum of three years with the possibility of renewal, but the assignees must cover operating expenses like utilities and ordinary maintenance. The aim is to develop “social and cultural activities in the broader sense”; in this respect, the City Council bypasses the profitability principle in managing its own properties by acknowledging that profit does not perfectly match the “needs and necessities of the City”.

Even if there is evidence of proposals that meet social and cultural activities in the broader sense (one is called “Palazzina P7” and involves the slaughterhouse area in the same neighbourhood¹¹; various selected spaces are set in other neighbourhoods), it is too early to assess either their successes or their shortcomings¹². In the case of Palazzina P7, the previously vacant building hosted a variety of activities and non-profit organisations (including artists and children’s educational classes). A number of initiatives have been organised together with the local neighbourhood, but, so far, most of the activities and assignees have used the spaces for quite short periods¹³: this circumstance may affect the idea of developing a community with an identity and a sense of belonging over the long term.

As a concluding remark, we note that even if planning policies and resolutions do not make explicit reference to the idea of the commons, the City Council implicitly calls for the idea of the “common good” (Iaione 2013) when it cites the concept of citizens’ well-being and bypasses profitabili-

ty principles in managing (at least some) public properties. Nevertheless, the implementation that followed reveals some shortcomings such as long procedures and cumbersome bureaucracy, excessively short periods of time to use resources and a lack of certainty on future perspectives, potential conflicts of interest of some stakeholders, potential competition between the non-profit sector and private companies and spaces that are too large or too small and thus do not fit the needs or purposes of the assignees.

3.7 The Constituent City: An alternative model proposed by Macao

As part of its political and social agenda, and consistent with the campaigns and actions undertaken since the group’s very first stages, Macao activists have designed and developed an alternative urban model called the Constituent City to institutionalise bottom-up practices for the reuse of vacant spaces in Milan.

The overarching purpose of the Constituent City is to guarantee that vacant and abandoned properties within the Milan metropolitan area (including buildings and open spaces, whether privately or publicly owned), could be directly managed by self-organised groups of what it calls “active citizens”, “through processes of participatory democracy” (Macao 2015). Consistent with the idea of the common good (Iaione 2013), Macao aims to promote a dialogue with institutions to recognize the process by which an abandoned space could be considered a common-pool resource and thus be made available to the community. The experience of Macao itself¹⁴ demonstrates how a self-organised community can establish commoning practices in order to make common-pool resources available, on the basis of the principle that the “full legitimacy of the constituent process is based on participation and active citizenship” (Macao 2015).

According to Macao’s proposal, there is thus no need for self-organised groups to adhere to planning or administrative procedures, which usually caused extended time frames and - in some cases - end without effective implementation. Eliminating these bureaucratic features would smoothen and shorten the process, increasing the possibilities of success management of available spaces by self-organised non-profit communities. In this respect, even if the outcome of the relationship with local institutions and stakeholders may be positive (Prujit 2013), in the case of Macao it is “entirely undefined”; “Macao’s mere participation is per se very important, because the Municipality recognizes Macao not as the (usual) squatted cultural centre, to be normalized or even evicted, but as a partner to work with in a project about the future of the city”. (D’Ovidio and Cossu 2016, 6).

⁹ This is what had already occurred in the OCA case.

¹⁰ Any assignee must be constituted as a non-profit organisation when submitting the proposal or to obtain such status within three months after adjudication.

¹¹ A similar initiative has been led by the organisation Temporiuso.net together with Municipio 4 on another building of in the former slaughterhouse area, identified as Palazzina P7 (Liberty Hospitality and Exchange). Temporiuso.net coordinated a competition of ideas for “services and other activities” to be allocated to the ground floor of the building, while on the floor above would house students from public universities on an annual basis. The call requires assignees to pay the bills and dedicate some time each month to the maintenance and other activities dedicated to the local community.

¹² It should be noted that the resolution was approved in 2012 for a period of three years: recent elections and a change of Mayor may affect future resolutions or their implementation.

¹³ It is not clear how and for how long Temporiuso.net has been identified as coordinator of the entire initiative.

¹⁴ It is important to highlight that Macao (and other social movements similar to it) cannot be institutionalised according to the current traditional criteria (e.g. for the absence of a hierarchical organization, for the adoption of the “method of consent”, etc.).

4 Conclusions

With reference to the Macao case study in Milan, this paper has sought to deepen our understanding of the direct and indirect relations between urban commoning practices and local governance and planning procedures. At the same time, it has highlighted shortcomings and potential contradictions in the broad context of commoning.

First, the data gathered provide evidence of how Macao's activities affected the political agenda in Milan. By identifying and highlighting the inadequacy of planning aims and tools, Macao indirectly called for a renewal of the urban governance and planning agenda. By disseminating the Constituent City proposal, it engaged directly with the political debate: "we can argue that Macao has indeed a political voice that is recognized at the local level. Macao sits at a negotiating table with the municipality in order to define the future of empty and squatted places in the city" (D'Ovidio and Cossu 2016, 6).

It is also important to emphasise how planning policies and resolutions have been informed by the commoning practices existing in Milan since 2012. The City Council has fully recognised the need to use urban resources more effectively in light of the common good: common-pool resources, whether public or privately owned, may be allocated for temporary uses for free, bypassing the principle of profitability. Furthermore, these resources must be accessible and fully usable by both immediately adjacent communities and the broader public.

Nevertheless, the paper questions the effectiveness and the sustainability of both commoning and the planning processes in Milan. In terms of the latter, the City Council resolutions do not allow unsanctioned initiatives - squatting - to be legally acknowledged¹⁵. Moreover, public

¹⁵ It is interesting to note that other Italian cities (Naples, Bologna)

procedures still require the formal legal constitution of citizens into non-profit organisations without taking into consideration a range of looser social connections. Planning policies are not yet flexible enough to accommodate the malleable and unstable relationships that characterise common-pool resources. Furthermore, the by definition temporary nature of assignments does not support the process of the formation and self-governance of communities.

As to commoning practices, Macao's activities also show some contradictions. These are not related to the aims of commoning actions, but rather to the governance of the common-pool resources that Macao has identified. If such resources are to be considered truly common, they should be appropriately self-governed and regulated, by creating a charter for the community or by legally establishing a non-profit organisation to avoid the risks of rivalrous use and excludability¹⁶.

In the end, we recognise that the ongoing process of negotiation on how to define and manage common-pool resources between self-defined communities and the Milan City Council is far from being settled. Its complexity is also linked to the presence of multiple stakeholders. By mapping how the Macao case study matches the essential elements of the commons during the various stages of its experience, the paper has traced the trajectory of its relationship with local institutions, through the latter's planning policies and resolutions. Rigorous and critical studies of this kind may be a fruitful pathway to further research on the relationships between commons, local governance and planning.

have recently amended their planning regulations in order to legalise, eventually, unsanctioned initiatives including commoning actions.

¹⁶ As potentially highlighted in the case of the SEB.

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Cities: To Whom, by Whom?

The Minhocão Elevated Highway Case Study in São Paulo/ Brazil

Laura Belik

Cities are a reflection of capital. People claiming the “commons” is, in a way, an attitude towards a shift in this capitalist discourse. But it can also be understood as a reflection of it. In a neoliberal society, the fundamental question we should ask ourselves is not how to claim the commons, but truly what the commons are, and what it means to claim public spaces. This is a recurrent discussion that I am interested in exploring also through the perspective of certain individual and particular behaviors within urban spaces. The “ephemeral” (transient/ temporary actions) and the informal can be seen as a transitional tool, and analyzing it can help us interpret some of the issues related to alternative uses of spaces. In order to illustrate this discussion, I pretend to resort on some case studies that are currently/ recently happening, analyzing its development and consequences. For this paper, my focus should concern one example within São Paulo (Brazil): The Minhocão soon-to-be deactivated elevated highway.

According to Henri Lefebvre, the ephemeral is one important characteristic to generate multiplicity and active urban spaces (Lefebvre, 1970). I understand the ephemeral as something that can play an important role when it comes to “claiming spaces.” In this matter, I’m particularly interested in design and art activism and their direct relation to political and social issues used to empower the population, generating awareness and engagement. As mentioned, although these actions represent an alternative to the dominant power of capital within the city space, it can also be a reflection of a determinate social group as well as towards individual interests. Despite the fact that they are not directly related to privatization, the consequences that can reverberate from certain actions can be in themselves very contradictory.

From another perspective, looking at the ephemeral within its informal approaches (such as informal occupation, informal businesses, etc.), the question we should ask is what is the value of actually claiming a space, and if we shouldn’t consider a more democratic and “organic”¹ approach to this matter actually being made through free occupation of the land? But this also comes with a contradiction of its own, once the “informal” already is a form of claiming spaces, even if not official, and we can also directly correlate its ideal of spatial use to power. Considering land as a commodity, the difficulty is to separate the uses of any spaces without understanding them as a repercussion of the power of capital.

¹ “Organic” here is posed as something in contrast to tabula rasa city planning. It questions the idea of planning, once it relates to it as an imposed perspective over land occupation and the use of spaces by people.



Image 1: Minhocão highway during weekend. January 2016
Source: Laura Belik

Introduction: Overview

The São Paulo of the 20th century was a city built for cars. Its urban landscape was a repercussion of the power of capital and governing influences, mostly pushed by the auto-industry. The Avenue Plan ruled how the city would grow, and consequently, how its population would live. By the turn of the century, this reality started to change: the palimpsest of an era prevails, but its uses have shifted. Today, cities and urban spaces come to life through their use and everyday practices. The population that was once limited by the forms imposed on them have started dictating their needs over the land.

To illustrate my point of view, I will give an overview of São Paulo's Urban History and road formations, and more specifically, I will examine one case-study of the Minhocão Elevated Highway and the discussions this piece of infrastructure brings regarding its uses as a road as well as a public space for leisure.

The Minhocão is targeted as a site around which debates over democracy, rights and the urban public space are ongoing. Built in the 1970's in São Paulo's city center, this concrete expressway cuts through the city's dense landscape, producing an incarnation of the modernist view of progress: individual auto mobility offered through ground infrastructure. While still used by about eighty-nine thousand commuters daily (in private vehicles or public transportation) during rush hour, the Minhocão is unpopular amongst

neighbors that suffer from its noise, pollution and lack of privacy. The structure is also seen as the main catalyst for the degradation of the area that it traverses and for the drastic drop in the real estate value of surrounding properties. It is relevant to return to this now because of the recent announcement of the permanent deactivation of the Minhocão over the course of the next fifteen years, as part of São Paulo's new Strategic Plan².

This research uses the example of the Minhocão Elevated Highway and the current debates and interventions in this public space to raise the idea of a new perspective on Urban Commons as a practice directly in conversation with counter politics and the social production of spaces. The collective action promoting debates over possible future outcomes for this structure indicate the empowerment of the users through participation. The highway, thus, here represents a shift in people's understanding of their city's spaces, considering the multiple voices and viewpoints around this particular element of infrastructure that now is also seen as a symbol to attendant claims of use-rights.

From a different perspective, these new practices and the understanding of the Minhocão as a Common can also

² Por que o Minhocão pode ser fechado e não precisa de alternativa rodoviária, *Diário da Mobilidade*, Last accessed April 21, 2017. <https://diariodamobilidade.wordpress.com/2015/06/03/por-que-o-minhocao-pode-ser-fechado-e-nao-precisa-de-alternativa-rodoviaria/>

be seen as very contradictory. While the basic concept of Commoning is to be portrayed as mechanism of mutual support and negotiation to shared resources, thus a way to improve and empower the collective, it can also be portrayed as a neoliberal tool of control over the land. Debates over the commons in relation to spatial development add this multifaceted reality. For instance, if we consider an Urban Common something that is neither public nor private (Blackmar, 2006), the idea of claiming it adds value to it, therefore, is a “service for privatization” (Federici 2010), and not anymore a “common”.

1 Historical Overview

1.1 São Paulo’s sprawling

São Paulo’s growth is directly connected to its industrial history. The first significant and successful industrialization period happened in the early 1900’s, attracting waves of (mostly) European immigrants. The initial great investment in the industrial sector came from an Italian immigrant in the beginning of the 20th century: Francisco Matarazzo started with a mill in São Paulo to produce wheat flour, and in just a few years managed to raise the largest industrial complex in Latin America³.

From there, the city started to grow at a fast pace. Brazil’s massive industrial investment from the 1950’s onwards specifically affected the Paulista capital as the main location of the automobile industry, which constituted the core economic activity for the city during that period. This industry also guided the way the city would be planned, according to the logic of the vehicles that would cross it.

São Paulo’s automobile industrial complex was the main pole of attraction for workers from other states, and this flow of people represented Brazil’s major internal migratory wave in the 1950’s. The subsequent decades represented the fastest the city grew. In the 1960’s and 1970’s the city experienced an increase of 55% in its population.⁴ “As expected, industrial growth was associated with intense urbanization” (Caldeira 2001).

With this rapid population growth came the need for new spatial models and organization methods of urban space. The São Paulo government continued to privatize transportation and with that, roads contributed to an uncontrolled urban sprawl reflecting extensively on land speculation, causing a drastic expansion of the urbanized area (Barbosa 2012). These interventions in the city influenced

a series of other road works implemented between 1960 and 1970, among them the Minhocão elevated expressway (Rolnik 2011).

The physical expansion of the city was unfolded through a fragmented process that would emphasize private interests in land speculation. Land and resources were not just spaces shared by the community, but resources for developing businesses (Camargo 1976). As Maria Ruth Amaral de Sampaio argues, São Paulo’s uneven growth is a result of the public bus-line routes formation and their relationship to land speculation (Sampaio 1994). As the population grew, (especially the ratio of blue-collar workers) so did the city in order to support this new housing demand. But the newcomers would only live where there was easy access to the city’s facilities and their work place. The demand for land was attached to the demand of accessibility. Since the same people who owned the bus lines were the ones who established the bus routes, they would buy the land according to the new routes they were establishing, therefore making their land as well as the demand for their own transportation system more valuable. This ultimately led to an uneven territorial expansion and sectorization of the city, as well as, of course, uneven wealth distribution. This growth pattern not only changed its residential and commercial landscapes, but also affected the creation of open public spaces for the population.

After the 1970’s the industrial sector started to slowly move out of São Paulo city, replacing their plants in the city to other areas in Greater São Paulo. São Paulo city then became a city of services, an informational complex. Nevertheless, the palimpsest of its industrial period prevails in the urban spaces.

1.2 São Paulo’s public spaces

São Paulo’s city center was conceptualized at first with a colonial mentality, and was highly influenced by the power of the church and the state. As in many other Portuguese colonies, São Paulo’s radial streets converged in largos (enlargements) or plazas, which housed the church and administrative buildings (Caldeira 2010).

With the city’s fast paced sprawl during the industrial growth, investments in parks or open free areas were not as common. Although the city center was built according to a colonial plan, the extended city had not followed the same (or any) ordering logic. The difficulty of access to parks and open recreational areas led to the formation and emphasis on other kinds of public spaces through the city. Some of them are private public spaces like sports clubs, shopping malls and private condominiums. But there are also commercial areas and public transportation nodes where there is a constant high influx of people, that started to be re-interpreted and re-designed accordingly, envisioned as public spaces as well. These

³ Abrindo os trilhos para a locomotiva, Prefeitura de São Paulo, Last accessed April 21, 2017. http://www.prefeitura.sp.gov.br/portal/a_cidade/historia/index.php?p=4827

⁴ Population growth in major capitals (per decade). Skyscraper city. Last accessed April 21, 2017. <http://www.skyscrapercity.com/showthread.php?t=638799>

open areas gained enlargements of their sidewalks and pedestrian areas, being used no longer exclusively as a passageway, but also as an area of leisure. This represented an interesting combination between transitional spaces and spaces of permanence (Calliari 2014).

From these discussions, we can understand why a growing organization of people reclaiming more public spaces of usage are focusing their demands exactly on this particular object: the high-speed, large-scale avenues and streets. In a city like São Paulo, the claim for public space is the claim for the uses of the streets. And due to its scale, this action demands a broader civic organization. Popularly driven initiatives towards rethinking public spaces and the uses of São Paulo city are not a particularity of the Minhocão structure per se. We can identify a series of events that have been confirming this idea of reclaiming the streets in the past few years. Through the recognition of popular demand, the city embraced punctual events that are now testing the ground for possible radical change in the way the population use their spaces. Some of them are the Virada Cultural,⁵ a 24h cultural festival that started in 2005, making the entire city center closed for vehicles, and more recently (2015), the program Rua Aberta⁶ (open street) that has been closing some of the city's main arterial roads such as Avenida Paulista on Sundays, making a pedestrian-only space open for sports and leisure activities.

1.3 The Minhocão

The Minhocão was a controversial structure even before its idealization. Conceptualized and commissioned in the 1960's during the Brazilian military dictatorship period (1964-1985), the road opened in January 24th, 1970 by the former mayor Paulo Maluf (1969-1971). The Minhocão stretches for 3.4 km (2.2 miles) with extension roads connecting the city center to the western part of the town, from Praça Roosevelt (city center) until the Largo Padre Péricles, in the Perdizes neighborhood. The road sits 5 meters (16 feet) above ground, and its distance from the surrounding buildings varies between 0.5 meters to 4.6 meters (1.6 to 15 feet). The Minhocão was the "largest structure of reinforced concrete of Latin America" (author's translation)⁷ by the time it was built. It used 300,000 bags of cement, 60,000 cubic meters (15850323 US Liquid gallon) of concrete and 2000 tons of steel cables (Comolatti 2014).

Although originally located in a middle-class neighborhood, the Minhocão's arrival negatively changed its population's social status drastically. Nevertheless, the neighborhoods around the structure are still wealthy or commercially important. Even though the Minhocão area was an "unwanted" space, it continued to be used as it was an unavoidable passageway. The potential of the region around the highway maintained a certain interest of the real estate market in the area (Comolatti 2014).

The negative reaction to the structure started before the Minhocão was even implemented. From the beginning the media constantly criticized Maluf's engineering attempts. The Minhocão's role as an expressway was threatened and ridiculed after having a massive traffic jam on the day of its inauguration. Another major issue was related to the massive investment in the elevated highway, taking the focus away from the (then) growing subway system. Maluf would then refute those criticisms, arguing that the subway could not change the growing volume of automobile use and their impact on the city center. As for the Minhocão's repercussion on its surrounding area, in less than a year almost all the apartments and commercial venues on the first floor of the buildings right near the structure were emptied out, as O Estado de São Paulo newspaper described:

«Selling this property: The selling signage does not make any sense anymore. Almost all the buildings are empty, abandoned. Who would like to live here?»⁸

The remaining inhabitants would represent the resistance. Suffering from noise, pollution and safety issues on a daily basis, they were the first ones who clamored for improvements in the area, and who received, as a result from their demands, the hours of closure during the nighttime and the entire day on Sundays, which later expanded to Saturdays as well.

Gradually, the Minhocão gained adherents that started to use the space in a variety of ways. First, the neighbors themselves began to use the structure for sport activities and recreation, and eventually other people started to pay more attention to the potential the area had. A notable increase of users since the 2000's was the starting point for some neighborhood associations and activist groups to be more organized and get involved with the Minhocão space, introducing social and artistic interventions, and contributing for the structure to be used more actively by the general public.

These interventions represented a great development towards a new perspective on the uses that the Minhocão

⁵ Virada Cultural. Prefeitura de São Paulo, Last accessed April 21, 2017. <http://viradacultural.prefeitura.sp.gov.br/2015/>

⁶ Prefeitura promove audiencias publicas para abertura de ruas aos domingos. Prefeitura de São Paulo, Last accessed April 21, 2017. <http://www.capital.sp.gov.br/portal/noticia/6021>

⁷ "[...]Será a maior obra em concreto armado de toda América Latina", famous phrase by mayor Paulo when announcing the Minhocão's construction, in 1969. Last accessed April 21, 2017. Video of the announcement at: <https://www.youtube.com/watch?v=j44cTNnDHps>

⁸ Author's translation. Headlines from major newspaper about the elevated highway region in the 1970's. Elevado: O triste futuro da Avenida. Acervo Estadão. Last accessed April 21, 2017. <http://acervo.estadao.com.br/pagina/#!/19701201-29342-nac-23-999-23-not/busca/Minhocão>



Image 2: View from the elevated highway during weekday.
January 2016

Source: Laura Belik

structure could have- not only as a highway and infrastructural piece, but, ultimately bringing to light discussions on the idea of portraying a public space as an urban common, socially produced by the aims and needs of the collective. But a closer look at these interventions and the actions on the Minhocão space since the 2000's reveals that those active participants claiming the space today are a different group of actors than the ones who initially organized and intervened to protest about the structure.

2 Present situation

Because of the high cost of the structure's demolition, estimated in R\$ 80 million (around US\$30 million), different mayors throughout the years leaned towards different ideas and outcomes for the structure's future, but none were actually implemented.⁹ Today this discussion is still open ended, but with Mayor Fernando Haddad's (2013-2016) announcement

⁹ It is important to mention Mayor Jose Serra (2005-2006) launched a contest for ideas for the Minhocão launched in 2006. The contest "Prestes Maia de Urbanismo" intended to get the attention of architects and engineers to create proposals for the space. The City Hall's intention from the beginning was not to put the ideas in practice, but just to foment the discussion around the structure. By that time, the mayor was actually in favor of the demolition of the Elevated highway. More information can be found at Prefeitura de SP lança concurso do Minhocão. Last accessed April 21, 2017. <http://brasil.estadao.com.br/noticias/geral,prefeitura-de-sp-lanca-concurso-do-minhocao,20060202p24880>

of the Minhocão's deactivation, there is a greater expectation of coming to a consensus. Nevertheless, the users themselves have increasingly shown discontentment and voiced their opinions regarding what they believe should be the best use of the space. Popular demand has grown, but continues to show polarized points of view and lack of consensus.

Amongst other actors, there are two major groups that are actively discussing the Minhocão's future today: the ones clamoring to transform the structure into a linear park, called "Associação Amigos do Parque Minhocão" (Friends of the Minhocão Park Association)¹⁰ and the ones that want the elevated highway to be demolished, called "Movimento Desmonte Minhocão" (Dissemble the Minhocão Movement)¹¹. It is important to mention that despite the fact that those two groups have been presented as having the main opposing ideas about what to do with the Minhocão, there are several of other minor (or less organized) groups that believe in other alternatives besides those two, and that are rarely mentioned by the media or social networks. On top of that, when paying closer attention to each one of the two main groups, we also need to recall that they too are composed of a multiplicity of voices that don't necessarily think exactly alike.

¹⁰ Minhocão Association official website. Last accessed April 21, 2017. <http://minhocao.org>

¹¹ Movimento Desmonte Minhocão website. Last accessed April 21, 2017. <http://www.minhocao.net.br/?p=1562>



Image 3: Minhocão elevated highway entrance from Consolação Avenue. January 2016

Source: Laura Belik

The group advocating for a Park, “Friends of the Minhocão Park Association”, are more media savvy and politically influential. They are also constantly promoting events, press releases and activities related to the structure. They affirm that the “Park already exists when it comes to its uses”,¹² and they count on the support of many leading actors that work or live in the Minhocão’s surroundings and/or correlate with the cause. This group started with engineer Athos Comolatti, back in the 1980’s, inspired by a design proposal created by Architect Pitanga do Amparo for the Minhocão during the Jânio Quadros administration as Mayor of São Paulo (1986-1988). Even though the project never got to be constructed, Comolatti believed there was a space for change, and gathered together some close friends and personal connections to advocate for the space. The High Line case in New York City was also a great influence for the group.¹³ Today the association has grown exponentially, and is composed mainly of intellectuals, artists, architects and activists that use the space of the highway, but not necessarily live or work by the structure.

The “Dissemble the Minhocão Movement”, the group that is fighting for Minhocão to be taken down, are a loose coalition, not as large or active, but are constantly present raising their voice in opposition to the linear park. They are mainly composed of residents who live directly by the

structure, and that were, in some capacity, already involved with neighborhood associations or administrative causes of this particular region of São Paulo. They complain about problems related to noise, pollution and lack of security caused by the presence of the elevated highway. The group officially started their activities in September, 2014¹⁴, when they showed up for the first time as an oppositional voice to the “Friends of the Minhocão Park Association” during a public hearing about the Minhocão.¹⁵

Despite this dichotomy of opinions when it comes to the future outcomes of the structure, it is important to highlight the civic initiatives towards the possibility of change, and its interpretation as a potential example of an urban common, giving power to the city’s inhabitants in shaping urban space (Lefebvre 1968). This emancipatory discourse exemplifies both how our cities have been a reflection of the measure of civility and sustainability of their society, as well as the recognition and common understanding of the modern city as disruptive and open for change (Lees

¹² Minhocão Association. Last accessed April 21, 2017. <http://minhocao.org>

¹³ Information from author’s interview with Athos Comolatti on December 8th, 2015.

¹⁴ MDM Completa um ano de atividade em defesa da comunidade. Movimento Desmonte o Minhocão- MDM, last accessed May 12th, 2017. <http://www.minhocao.net.br/?p=1567>

¹⁵ Ala do contra surpreende grupo que defende parque Minhocão. Folha de São Paulo, last accessed May 12th, 2017. <http://www1.folha.uol.com.br/cotidiano/2014/09/1513648-ala-do-contra-surpreende-grupo-que-defende-parque-no-minhocao.shtml>

2004). Nevertheless, as David Harvey reminds us, the difficulty of this emancipation is that it can only be made by reconciling both utopias of form and social processes (Harvey 2000), thus the problems of coming to a consensus. Not only that, but this potentially democratic action often brings up deeper social considerations regarding class struggles and power dynamics.

3 Minhocão: A commodified common

The Minhocão and the discussion around it does not represent an isolated case, neither formally nor ideologically. The concerns this object raises can be seen in many other situations around the globe. Locally, the Minhocão is a reflection on how São Paulo's spaces were built as commodities from the beginning. The city's economic growth has been led by the power of industry, which neglected any ideals of publicness and always supported private interests.

In a context where the power of the capital prevails, who gets to be represented, and how? When considering land as a commodity, there is a difficulty in separating the uses of any spaces without understanding them as a repercussion and representation of the logics of the market. The ideal of the common, thus, is disrupted by the consideration of the effects of real estate market.

São Paulo's sprawl in the 1950's onwards was a result of its exponential economic growth and industrial investments. The physical expansion of the city was a fragmented process that emphasized private interests in land speculation. The Minhocão structure is a result of this historical context. Its construction was justified because of the need of an expressway as a facilitator to the traffic of vehicles in the city. Although the structure is ultimately a road, thus, a piece of infrastructure that represents the common needs and interests of the city and the public/users, it also had a value of its own, and reflected the commodified city and the power of capital behind it. The roads under the Minhocão, and the highway itself belong to the city and (as roads) are administrated by the Companhia de Engenharia de Tráfego (Department of transit).¹⁶ As an urban structure, they are classified as a Via Estrutural (Structural Road) by the zoning laws from the Regional Planning legislation of São Paulo.¹⁷

¹⁶ CET- Companhia de Engenharia de Tráfego. Last accessed April 21, 2017: <http://www.cetsp.com.br>

¹⁷ Secretaria Municipal do Desenvolvimento Urbano. - Zoneamento da cidade de São Paulo. Prefeitura de São Paulo. Last accessed April 21, 2017: http://www.prefeitura.sp.gov.br/cidade/secretarias/desenvolvimento_urbano/legislacao/planos_regionais/index.php?p=1902

Mayor Paulo Maluf, when building the road, justified it as an indispensable construction for São Paulo - a piece of infrastructure that would facilitate the traffic flow of vehicles in a city where the car fleet was growing exponentially. Nevertheless, different people held different visions for the uses of that space. Cities are a reflection of the constant negotiations between different social groups that inhabit their spaces. In this sense, they reflect directly on power dynamics, and therefore, are designed accordingly, satisfying and echoing such political and economic values, and not necessarily representing truly democratic outcomes from these dynamics. As David Harvey states, for neoliberal cities, the urban is essentially a result of a capitalist mode of production. The morality intrinsic in its construction is a political statement (Harvey 1978). Thus, the discussion over the commons, or idealized public spaces and their truly democratic aspects are ultimately conditioned by the dynamics of power in that determined society. The Common, then, becomes compromised by the real estate market around it.

4 Public spaces vs. commons

To rethink the Minhocão elevated highway from its use as an infrastructural piece and as a public space does not automatically mean reclaiming it as a common. Considering Elizabeth Blackmar's definition of the urban common as something that is neither public nor private (Blackmar 2006); public spaces are not necessarily urban commons, and they can be privatized and continue to be considered a public area for use. Harvey explains that, saying that public spaces are not public property, but an amenity provided by the State (Harvey 2013). Historically the Minhocão elevated highway was a state-constructed outcome of private interests, and even today the many actors who organize around the ethos of civil engagement cannot promise democratic outcomes - this is wherein lies the problem.

The Minhocão space already demonstrates its market value from the moment it was claimed. Even if the players involved introduce a democratic discourse about the outcomes and improvements in the area, the idea of claiming the commons represent one of the biggest contradictions within contemporary neoliberal cities. According to Harvey, by creating urban commons one ends up creating good desirable spaces- unconsciously adding value to that land and resulting in a commodity or one more possibility for real-estate speculation (Harvey 2013). Therefore, by claiming the Minhocão, one is automatically commodifying it.

It is important to differentiate these terms in the Minhocão case so we understand from the beginning that the area will always be a reflection on the market influences in the first place, and that the current discussions around it refer to the instance of its uses. But one should

keep in mind that in a commodified space, the power of influence also dominates the agency of the space. Influential groups, more than just mere users, end up having a stronger voice in the future outcomes of the structure (and the city in general), as we can see happening today. Our challenge is to try to maintain its “publicness” aspect when it comes to a democratic way for using the space despite its status (Low 2006).

These discussions engage directly with ideals between the differentiation of public and private spaces. People tend to create this differentiation referring to aspects of accessibility, control and behavior, but beyond that I argue that the contrast is ultimately a reflection of the modern capitalist society (in São Paulo’s case, the neoliberal society), and the spaces don’t need to be privatized per se, but can be a reflection of private interests. In the Minhocão’s public space discussions, the publicness of the space is much more related to the free access to the structure than to its role in decision making, but, nevertheless, it ends up reflecting those aspects as well. By being a public and contested space, - a common- the Minhocão automatically engages with ideals of urban democracy, but this does not necessarily mean its outcomes are those of a democratic space.

As mentioned before, the people who are claiming the Minhocão as a public space today, especially the ones advocating for a linear park, reveal a broader spectrum of participants than just the direct neighbors who live adjacent to the structure. Although activist groups and engaged militants may coexist within the spatial borders of the elevated highway, they unveil an influential role with the authorities that previous groups did not have before. Nevertheless, their contributions will work towards an improvement of the area, and by that, this will ultimately add value to it. The subsequent results and consequences are predictable: a rise of property value (this has already begun) and gentrification.

In conclusion, those who ultimately were aiming for a more just and democratic city, thus a city for its population, a city with commons as public spaces, - end up working for a specific publicness that will not affect the totality, but rather, once again be exclusionary. The democratic aspect of those actions should not just lie on the fact that the attempt to transform this space was a civil initiative. Margaret Crawford reminds us of the argument Nancy Fraser first exposed that our society is characterized by its multiplicity, and with that, it generates new political arenas of democratic action (Crawford 1995; Fraser 1990). But we must pay attention to the fact that this same multiplicity can also generate exclusion. The Minhocão ideally could be a common, a space to be used and shared by the community. Nevertheless, the concept of “community” is itself already exclusionary, and it must be taken into consideration.

5 Public spaces and urban democracy

The Publicness of public spaces is characterized by how open they are when it comes to engaging with the plurality of people that inhabits them. Nancy Fraser’s concept of the public sphere relies on its multiplicity. To understand the complexity of our society we should understand that there is no homogeneity when it comes to its population, and that our public spaces should not be created only for the bourgeoisie, but to emphasize that multiple spheres of our societies have always existed (Fraser 1990). Thus, public spaces should be understood as, ideally, an arena of discursive relations. This conceptualizes Public Spaces as a space for multiplicity¹⁸. But in order to do that, public spaces should constantly be changing and being reinterpreted by their users.¹⁹ The challenge raised goes beyond the uses of the spaces, but into a question of democracy, and the need for a reformulation of the existing idea regarding economic and social participation in our cities.

As it was built during a dictatorial context, the Minhocão project did not have any consciousness in being a representation of its society, let alone to represent its multiplicity. Nevertheless, the city was always a diverse space. Even today private interests continue to dictate how the cities spaces are being built or used, only reinforcing and perpetuating the idea of the power dynamics behind them.

Despite varying definitions of public spaces, the Minhocão space acts as a contested object in the city, representing the dispute of the society towards the urban form. Regardless of who has a stronger say or more influential voice, the elevated highway opens the space for this conversation, encompassing its multiple players, thus being democratic in this sense. As mentioned by Margaret Crawford, public spaces are the key mediators of democracy, and need to be constantly redefined by their practice through experience. The public sphere is not unity of equality, but a collection of counter-publics (Crawford 1995). In this sense, to come to a democratic consensus, we have to take into consideration the multiple and its diversity, and by doing that we are starting to create a more inclusive environment. The Minhocão space, by opening the series of discussions over its possible futures engaging with multiple

¹⁸ Is there a way to understand the totality of society’s multiplicity? Russel Jacoby also poses this questions when talking about multiculturalism, and how not everybody’s ideal society will be the same (Jacoby 1999).

¹⁹ David Harvey also discusses the constant change of spaces in “A Brief History of Neoliberalism” (2005), when arguing about Utopic societies and spaces, he explains that that society advances through contradictions and confrontations. The idea of achieving the perfect state, therefore, is impossible. Utopia could only be achieved in a static situation, but society is constantly changing. Utopia should then be seen as a process. We have to get away from a static idea of a society, meaning, getting rid of a specific geometry. The ideal city is not fixed in space, is malleable.

publics, is already making a stand for these new democratic possibilities. Nevertheless, as Crawford reminds us, the same multiplicity that generated a “new arena for democratic action” also can be the basis for tensions between different groups of people (the multiple counter-publics). Still, its recognition can also be considered the germ towards urban democracy (Crawford 1995). This is clearly exemplified by the current discussions in our case study.

As the current debate over the Minhocão’s future shows, once we identify two distinguished groups of users aiming for opposite outcomes for the same space, we identify different publics and a battle over who has more power in the decision-making process. That is, in addition to other possible minor oppositional groups that were not even taken into account. How can a space represent the societies multiple voices in a way that satisfies the majority of its population? Even though the Minhocão opens up this arena for democratic debate, it also reveals a mixed group of users with conflicting opinions.

Therefore, once the power of influence prevails, what would be the advantage of presenting the multiple voices that compose our complex and heterogeneous societies? I argue that it is precisely by highlighting this multiplicity that we are creating a new vision of what democracy can be, and how it can encompass a bigger audience regardless of who has the final say. Presenting the multiple is already a move towards change. The role of the Minhocão in this case, is to be the public site for contestation. And it is important to acknowledge these contestations going beyond the physicality of the highway.

6 Top down, bottom up, top down

I now return to some initial concerns: If the land is a commodity, its use will always be a repercussion of the power of the capital, a reflection of the power of influence.

The gradual change of people’s mindset over the use of the Minhocão as a public space instead of a high-speed road is the result of a collective ideal being incarnated and it also represents a lively city that is always reinventing itself. But to officially change the space’s purpose reveals an influential shift. In this case, once created in favor of the auto industry and to inspire a certain modern image of São Paulo, today the highway use must attend to a new ordering logic: the claims and needs of its users. This shift, from a top-down tabula-rasa approach to the city’s design, to a bottom up perspective over the usage of the city’s already imposed form (Manzini 2014), seems utopian and democratic. On further interrogation, that evaluation also appears to be not very convincing.

The question one should consider is the nature of bottom-up strategies, and how much they are truly popularly

driven. Are there any approaches to the urban environment or to our communities that are free from the aims of power? Miguel Robles-Duran considers this question as guiding the “new activism” process that will always result in a banalization of larger political struggles (Robles-Duran 2014). In light of this, I revisit some of the initial questions posed in this paper: Who are the agents claiming the Minhocão space, and who do they truly represent? In order to answer this, I put myself in an ambivalent position: Influential “outsiders” or struggling residents, the debates, tensions, arguments among these groups and the ideas that underpin them ultimately give us an understanding of democratic and participatory actions. This is because they represent civil engagement in order to claim for the city’s space, an engagement that is not done on equal terms. Nevertheless, they are democratic.

7 Conclusion

«What is the city but its people?»

This paper used a case-study of the Minhocão and the debates over the possible futures for this infrastructure to engage in a larger conversation around public spaces, urban democracy and our society. The goal was to present a story about urban transformation and the reflections around it; to understand new perspectives on the highway and the interventions in this particular public space as an urban common. Through the analysis of the Minhocão, I considered a range of many different layers and aspects that compose the discussions and debates around the uses of our city spaces and how the built environment can both reflect on our society’s dynamics, but can also represent an apparatus for change.

Considering the city’s multiple voices as an important tool towards democracy, I came to understand the need for recognition of the plurality of users in the democratization of our spaces, but also the considerations one should make about who actually gets to be heard or represented. In this sense, there is a need for the recognition that the urban spaces are not only a reflection of our society, but by understanding the society’s multiplicity we can also see it as an arena for multiple exclusions.

In this sense, the paradox we face today is that, even though we can celebrate the urban spaces as an apparatus for democratic action, having the Minhocão as an example of a spatial aperture for these multiple conversations when understood as an urban common, this public space also can be recognized as a reflection on the power of influence and private interests around it. Nevertheless, by recognizing the plurality of voices and giving them space to expose themselves we find an inclusionary opportunity in itself, admitting new democratic possibilities.

The Minhocão represents this dichotomy between being a public site for contestation, an arena for potential dialogue encompassing the multiple voices as visions of a society, an urban infrastructure that is now seen as a space for an open conversation and debate as a democratic space, and yet, also another example of how this democracy can be limited.

This research, thus, presents the Minhocão case study as an instrument of awareness over the democratic aspects

around the social production of our public spaces as urban commons. Not only have I raised the idea of the need for public spaces to be used as democratic arenas of contestation engaging with the multiplicity of their users, but to engage with the questioning of democracy in itself and the need to structure this democratic process properly so that our city spaces are not just one more outcome of neoliberal urban planning.

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Commoning in Times of Finance Capitalism

Or: How to Think Housing

Sabine Gruber

This paper discusses the commons in the context of contemporary society and its capitalist mainstream. In order to explore the potential of the commons as an alternative to existing structures, I look at housing to compare the governing principles of the commons (co-housing projects) with that of market solutions (investment-based projects). While co-housing projects build enduring structures within certain boundaries, investment-based projects push growth without limits and thus do not foster stable structures. The decision-making processes used in co-housing projects would need to be adapted in order to work at the urban level. Therefore, the paper concludes that commoning is a partial alternative only- while it provides a sustainable lifestyle on a small scale and has potential for transforming the dominant financing system, further integrative steering strategies are required on a medium or large scale.

1 Introduction

Housing is a basic need, however from a historical point of view we know that an equal supply of housing is not realistic. At present we are witnessing an increase in inequality which is down to the advance of economic strategies in housing policy (Heeg/Pütz 2009). We are used to a polarised dispute on whether the market or the state should provide housing, and when the market fails to deliver acceptable results we expect the state to step in. But the current debt crisis has weakened the position of the state (Volkman 2010) and has also affected municipalities (Greißler 2013). Politics of deregulation, financialisation and globalisation have led to an unequal supply of housing, spatial segregation, and the return of the housing question (Hodkinson 2012a, Madden/Marcuse 2016). Hence, the new urban commons are discussed as an alternative beyond state and market (Hodkinson 2012a, Dellenbaugh et al. 2015).

The general questions are: Who can solve the problem of uneven supply? Who can solve the housing question? And (how) can commoning guarantee a more equal supply?

The remainder of this paper is organised as follows: I describe market-based housing provision and its governing principles in section 2 and look at the development of financial markets and their influence on housing markets in section 3. In sections 4 and 5, I show that the commons run counter to our general understanding of governance and are based on different values and decision-making processes as exemplified by cooperative housing projects. Section 6 reviews alternative financing strategies adopted by co-housing projects, section 7 summarises the potential of the commons and highlights the structures missing for the creation of an alternative on an urban level, and section 8 concludes.

2 Market-based Housing Provision

Dwellings provided by the market are houses, flats or apartments which people can rent or buy. These private properties are owned by individuals or companies. To sharpen the principles underlying the housing market I assume a free market in the following, but with the caveat that a truly free market never existed. In a free market system, decisions are made by anonymous individuals - landlords and tenants, sellers and buyers. In (neo-)classical theory, it is assumed that people's decisions are based on rational choices and freedom of choice. The leading idea is that free competition between providers leads to the best price, and price is, after all, the decision criterion for buyers. Furthermore, it is assumed that the price mechanism helps balance supply and demand on a free market and that in this manner everybody is served by the market. It is an abstract mechanism, though, and balanced markets have never been proven to be real. In this line of thinking, control is delegated to market mechanisms. But if we delegate the distribution of housing (or any other basic need) to an abstract mechanism, we can never really control supply or guarantee that it is fair.

The emergence of this model is not self-evident but the result of a long political process interlinked with industrialisation, technological progress and a number of social preconditions. Regardless of its problematic assumption, the market mechanism has become highly influential, even as it has been criticised by political economists as commodification: "Commodification is the name for the general process by which the economic value of a thing comes to dominate other uses" (Madden/Marcuse 2016, 17). Madden and Marcuse base their analysis on Karl Marx's distinction between use and exchange value, which characterises the double nature of a commodity: "The commodification of housing means that a structure's function as real estate takes precedence over its usefulness as a place to live" (ibid., 17). Landlords tend to focus less on offering useful, affordable dwellings than on making a profit and reinvesting. Such a system is bound to be dysfunctional and may lead to serious social crises. To remedy the situation, the state took responsibility for protecting social interests and implemented reform measures to counteract failures in the housing market. "In the first decade of the twentieth century, it became clear that the commodification of dwelling space had proven to be a social disaster. Many governments moved to contain or neutralize the resulting unrest. Reforms created new rent regulations and building standards, and social housing was developed on a large scale" (ibid., 23). Hence the state compensated for the missing or misdirected steering function of the market in order to ensure social cohesion. The state's different interests and governing strategies in housing policy are outlined below.

The period of regulated housing markets in combination with public housing lasted from the early 20th century until the post-war era. Today, we are again experiencing

housing deregulation. The history of housing in Europe is characterised by a struggle for the hegemony of either market-based or public housing provision, and countries differ in their approaches (Dorner 2000). Even though studies confirm a positive correlation between public housing development and social inclusion (Häußermann/Siebel 1996, Dangschat 1999), public support for housing has often been revoked. Generally, rent regulations have been cut back, which is also true for Austria to some extent (AK Wien 2004). Some countries have even privatised a significant share of their public housing stock (Heinz 2014, Holm 2009). But current destabilisation concerns are not just down to deregulation, as a new phenomenon is also present: the financialisation of the economy. Financialisation can be understood as a further step in disconnecting the use and exchange value of a good, which widens the distance between providers and users. The real estate sector and the development of real estate investment products are a very typical example of this change, which Madden and Marcuse call hyper-commodification (Madden/Marcuse 2016, 26-35).

3 From Housing Production to Capital Production

Housing construction is very cost-intensive and generally cannot be financed by equity alone. Hence, financing is a central question, however there are considerable differences in which manner it is solved. There is a crucial difference between traditional loans and new financial products. Although money creation is an ambivalent issue, loans are at least regulated by national law and subject to taxation. They are subject to a control system as well as a legal framework for interest rates. Under these preconditions they enable private and institutional housing developers to build new homes. Housing loans still have the aim of producing dwellings. In contrast, real estate investment funds generally do not aim to promote the construction of buildings but to mobilise money and earn returns on investment. In this respect, financial markets have become disconnected from the real economy. Their primary function is the production of capital not goods - a development that has been called a new stage of capitalism (Windolf 2005, Hedtke 20014, 206-239). For the housing sector, this means that we delegate decisions to a highly unlinked mechanism which we cannot (or at least do not) control. Private middle-class shareholders delegate their investment decisions to fund managers, who do not have detailed knowledge of the real estate project they invest in. Quality, needs or affordability are not relevant criteria to them given the cliché that real estate is a safe and profitable investment. However such agents do not take into account that this approach undermines the stability of the real estate market. The effects are highly ambivalent: On the one hand money is mobilised, but on the other hand

the disconnect means that what is built is not necessarily what is really needed but what promises high yields (Heeg 2015). If supply and demand do not match, the buildings may be not rented out or even finished, and as a consequence the companies or real estate funds involved may collapse.

On an urban level, this financing strategy also causes an increase in high-end real estate development and spatial gentrification (ibid.) Moreover, the housing sector experiences more instability because it is interlinked with volatile financial markets (Heeg 2009). Generally, unrealistic growth expectations (10-15%) can lead to crises like the subprime crisis experienced in the USA in 2007, when companies (put under pressure by funds) could not fulfil growth expectations, leading to mass sackings of workers who, in turn, could no longer pay back their loans (e.g. currency loans based on limited securities). This created a vicious circle that made the whole system implode like a bubble, and made people homeless (Mayer 2011, Forrest/Yip 2011).

In Europe however the situation is different, as not all countries allow all financial products. Efforts to permit more risky products via financial system harmonisation within the European Union were ceased after the subprime crisis (Voigtländer et al. 2010), which spread to Europe because of the global integration of financial markets. However, the legalisation of real estate investment trusts (REITs) is still being considered in Austria (Rathman 2016). REITs belong to a set of new financial products which differ in detail but not in their general intent and risk. Some of them are legal in Austria and some are not; in general they are available to companies and individuals alike. Schindler (2009) distinguishes between (a) direct investments (buying the building), (b) indirect investments and (c) currency investments. Indirect investments include closed real estate funds, open real estate funds, REITs, real estate private equity and derivatives. Closed funds are limited to a few projects and therefore the risk of failure is limited, as is the chance to make a profit compared with open funds. REITs are special stock companies, which are not taxed. They are not legal in Austria, but have been in Germany since 2007 (Schindler 2009, 16-50). Even though investment funds are not as common as in the USA, they are increasingly used in Europe by both the middle and the upper class (Deutschmann 2008, 190), and with an increasing investment volume (Heeg 2015).

This shift also means that financial capitalism has had an impact on legal structures and has led to a shift of the sphere of influence from the public sphere to the market, which weakens the standing of the state. Once started, the dynamic of money-driven growth is ambivalent (Deutschmann 2008) and interlinked. On the one hand, the state, being involved in the financing system and yet lacking money and the opportunity to build housing itself (Geißler 2013), allows new investment to occur by pruning

existing laws. However at the same time these products, many of which avoid taxation, undermine the financing of government services and thereby the authority of the state. This means that regulation is needed more than ever, because a radical free market cannot take responsibility for a fair distribution of resources.

4 Housing as a Commons

Although market-based housing appears dominant, there are also other, contrasting approaches to the supply of living space. There is a range of perspectives on what the notion of commons could mean for housing, ranging from public housing to co-housing projects. Such concepts have generally held anti-capitalist connotations and have been more a matter of theoretical discourse (Pusey/Chatterton 2016) than of self-description (Rogojanu 2015). Hodgkinson coined the expression “housing-as-common” (2012b, 438) to refer not just to collectiveness but also to protection against the market. The idea of “living-in-commons” he uses for housing is “non-hierarchical, small-scaled, directly democratic, egalitarian and collective” (ibid., 438). Balmer and Bernet suggest two main criteria to characterise housing as a commons: de-commodification and self-organisation (Balmer/Bernet 2015). While public housing is de-commodified, cooperative housing is self-organised as well. Therefore, co-housing mostly refers to an alternative option beyond market and state. I look at co-housing projects as an example, as they are the most self-determined form, but I will also partly refer to the public sphere, because for a system alternative we have to consider society as a whole and not just single groups. The key question when examining co-housing projects is what we can learn from their governing strategies to apply at a universal level.

In cooperative housing projects, decisions are made by the collective. Ideally there is no difference between landlords and tenants, as they are all members- everyone is an owner and a dweller at the same time. The relations between the members are structured by democratic tools and determined by values of solidarity and sharing. Serving all members with a high standard of individual and shared living space is the central criterion for decision making. This standard is maintained with a certain amount of money, which can be agreed upon by all members. If producers and consumers form an entity, there is no gap between people’s needs and how they are served. The dwelling has no double nature in the sense of use and exchange value, because dwellers do not have an interest in exchange but only in use. Decisions are made by and for people who know each other personally. In this ideal form, there is a maximum of self-determination and, thanks to the tools of direct democracy, control over what is built and how spaces are accessible.

Co-housing projects differ from public housing in scale and representation. Public housing is based on what we call the public interest rather than solidarity or sharing. This public interest is focused on supporting disadvantaged groups by supplying them with public housing. Moreover, it has to be interpreted within the context of society, where local governance has to balance the needs and interests of different groups and ensure redistribution. From the dwellers' perspective there is indirect control over which dwellings are offered, because decisions are made by representatives. The relationship between dwellers and representatives is not very close, but in principle, citizens have a right to affordable housing.

That being said, the governing principles of commoning differ from the market system in terms of immediacy. In commoning, all stakeholders are more or less personally linked by social rules - rules on the decision-making process or maximum cost. Social rules structure societies on all levels, from small groups to international relations, and interactions depend on the norms underlying these rules, which may in turn be based more on social values or more on economic values. The rules and norms themselves are decisive in that they influence politics and the legal framework. But decision-making in commoning is based on a direct interrelation process and thus subject to less uncertainty and more stability than in a system that is based on an abstract mechanism. I am not saying that full control is possible or even a goal; I just wish to point out that it is possible, and desirable, to take more direct responsibility and make more conscious decisions about what we build.

5 From Discontent to Self-Organisation

Self-organisation has a long tradition in housing. Illegal settlements built during the economic crisis of the 1920s, which were legalised later on, and the cooperative movement are examples of self-help and self-organisation movements founded to prevent actual misery (Szypulski 2008, 109-144, Karonitsch 2010; Novy 1983). In Austria today, we are hardly talking about misery in the sense of people living in unhealthy homes or suffering from poverty. People who join a co-housing project are generally quite well-off and middle-class; they are just not satisfied with the living standards available in the postmodern city (Rogojanu 2015). Many feel that the anonymous housing market makes them isolated consumers, and they feel deep discontent about this living pattern.¹ While many suffer from discontent, some do not remain inactive but start taking self-responsibility.

¹ Jacobs was one of the first academics who expressed this discontent in her 1961 work "The Death and Life of Great American Cities" (Jacobs 2014).

What they aim to achieve may be called a village in the city. One of the first co-housing projects of this kind is the Sargfabrik project in Vienna, which was completed in 1996. The Sargfabrik initiators wished to build more than just flats; what they wished to create - against the trend of the functional city - was an integrated living space like a village. "The non-profit association (...) built a residential project that is like a village in the city: children's house, event hall, seminar room, bath house, restaurant, playground, communal yards, roof garden..."². In order to realise the vision, the initiators had to create a structure and a legal framework which enabled the residents to act as creators. The key to their success was self-determination, not just self-organisation. Founding a non-profit association was appropriate - it enabled the occupants to handle external communications (borrowing money, ordering construction works etc.) as well as internal communications (organising daily life). The Sargfabrik occupants planned and built the project, and they own and manage it. Today, they manage the residential area, the shared spaces, as well as community social and cultural events.

Twenty years later, there are a number of housing projects in Vienna, with considerable experience and a number of methods used (Verein Initiative für gemeinschaftliches Bauen und Wohnen 2015). All projects have decision-making processes in place which rely on maximum involvement of all members. While they are inspired by the ideas of direct or deliberative democracy, they are adopted for small groups where people know each other personally. The principle of consensus is very important to most projects, because the needs and wishes of all members should be considered and decisions must be supported by all members. Reaching consensus is possible because of the small scale but not necessary. Projects where people have known each other for years usually work with majorities because a basis of trust has been established, but people keep holding assemblies with all occupants twice a year, which allows them to take decisions on the project's future orientation and values at the grassroots level. For the most recent projects, a steering group in combination with several thematic working groups has proven fruitful - especially for the period before moving in. The principle of delegation is applied to facilitate collaboration between the steering group and the working groups, and the principle of consensus is applied to the decision-making process of all groups. This method is called sociocracy (ibid., 87). The ideal of direct participation in decision-making is fulfilled the most if the association itself is in charge of construction, though. It is fulfilled more indirectly if the association cooperates with a construction company and all members of the co-housing project participate in the decision-making process.³

² <http://sargfabrik.at/Home/Die-Sargfabrik/Verein> (2016-12-05, translation by the author).

³ The history of the commons suggests that use might be more important than ownership. The findings put forward by Ostrom seem to prove this assumption (Ostrom 2005), which differs from the

Participation is a constitutive moment that requires social skills and time (Szypulski 2008, 138-140). Because creating housing together is not common, we are not experienced and practiced in participating in group processes or in taking responsibility to this extent. Hence, these projects represent important learning platforms of how to empower ourselves in political decision-making processes (Gruber 2007, 87-119) and how to solve conflicts as a basic social competence that is required not just for co-housing projects (Verein Initiative für Gemeinschaftliches Bauen und Wohnen 2015, 80-83) but any collective process.

Co-housing projects use decision-making processes that are only appropriate and functional for projects of a certain size. If they were to provide a system alternative at the urban level, however, they would have to be more inclusive as there are many more people and different interests involved. The tools used in co-housing projects today are not made for mediation between diverse groups. Although solidarity is important in such projects, it has a limited range. For instance, one project developed a special structure to make it accessible to handicapped people⁴, and most other projects have a solidarity fund for low-income members (ibid., 64-68). But in general, they focus on the interest of a homogeneous constitutive group. Sharing similar visions of living is an important precondition for the success of a co-housing project, because otherwise it would be impossible to take consensual action and to satisfy all members to a high degree. Members of co-housing projects are quite conscious of this and set up entrance rules and procedures for new occupants (Rogojanu 2015, 190).

6 Financing Alternatives

One can assert that co-housing projects are able to claim their interests to a very high extent. But how about their financing? There is always a financing gap and never enough equity so the projects rely on a mixed financing strategy (Szypulski 2008, 221-236, Verein Initiative für gemeinschaftliches Bauen und Wohnen 2015, 44-50). Co-housing projects typically do not have enough equity so they depend on external sources of finance and have to accept one of the existing financing offers or invent new strategies. Members of co-housing projects are usually quite aware of (and do not accept) the uncontrollable risks of financing products like investment funds and derivatives. As a compromise they consume regulated financial products like loans, which cover most of the construction costs. In addition, members of co-housing projects tend to be interested in independent financing options. Con-

sequently, some of them are involved in think-tanks and pilot projects that work out new instruments. One rather traditional approach is the foundation of an ethical bank⁵ which offers more strictly regulated products. This option is already available in Germany, and the GLS Bank⁶ has been on the market since 1974. Another, much more creative idea is that of an asset pool, which has been used by Wohnprojekt Wien⁷, a project completed in 2013. An asset pool brings together investors and users. It is created for one particular project and allows the developers to complete the project, but without making a profit. The pool does not charge interest as such, only rates to cover inflation, and there are no professional institutions in between which would cause additional costs. Hence, the money goes directly to the land or construction work. The legal framework is a contract between the investors and the association. Asset pools work independently from the financial market, can be realised within the existing legal framework and enable people to control financial flows. The vision is to become self-determined, while funds and derivatives are still regulated by national governments (which obviously remains an important task).

What can we learn from this approach? Asset pools do not aim to make a profit - which also means that there is no need to generate growth. If investing money generates money, the financed project has to make a profit. Projects financed by asset pools do not have to generate growth; instead, the money is provided to cover production costs. Co-housing projects explicitly prohibit making a profit from selling flats (Verein Initiative für Gemeinschaftliches Bauen und Wohnen 2015, 46). Members are not allowed to sell their flat; the community forms an association that owns the whole house, and the community takes the decision to whom a flat is transferred. This means that co-housing projects establish rules and governing strategies to produce and use a dwelling within existing resources. To them, a house has use alone but no exchange value, which would push growth. They make a living within financial boundaries for a limited number of people. Therefore, asset pools and co-housing projects in general show an interesting parallel to common pool resources.

Common pool resources have a longer history than and differ from public goods (like public housing developed by the modern state) or the new commons (including knowledge-based open source projects such as open source software organised by activists). The most well-known examples of common pool resources are pastoral meadows or general natural pool resources like water resources. Starting with a discussion of limited natural resources being exploited by economic growth, the question of overuse vs. sustainability became an important issue, and a controversial academic debate was launched. In 1968,

Marxist discourse that focuses on property right as a moment of self-determination in this context (Hodkinson 2012b, Pusey/Chatterton 2016).

⁴ E.g. Gemeinschaft B.R.O.T. - Kalksburg (see <http://www.brot-kalksburg.at/> B.R.O.T. (2016-12-05) and Rogojanu 2015).

⁵ Bank für Gemeinwohl: www.mitgruenden.at (2016-12-05).

⁶ www.gls.de (2016-12-05).

⁷ www.wohnprojekt-wien.at/en/was-und-wer/das-wp-abc/vermoegenspool.html (2016-12-05).

Hardin published an influential article called “The Tragedy of the Commons”. He argued that access to the meadow is open and most people try to maximise their profits. Therefore, in his modern Western mindset, they put more and more cows on the meadow until it becomes overgrazed (Hardin 1968). His line of thought was used by advocates of both regulation and the free market. But the findings of ethnologists disprove Hardin’s argument, as they show a variety of modes for self-organised commons (Runge 1981, Schultz 1996, 73-79). The ethnologists’ point is that collectives do find rules to limit access and establish norms for acceptance. Meanwhile it has become clear that following the logic of a self-interested individual may lead to the opposite conclusion: that individuals do have a strong interest in not destroying their livelihood. This finding highlights one of the most central contradictions of capitalist markets, which tend to destroy their only basis due to their growth requirement. Elinor Ostrom’s Nobel prize-winning studies “Governing the Commons” (2005, orig. 1990) marked a turning point in public opinion. She ranks clearly-defined boundaries as the first of eight principles for governing long-enduring common pool resources⁸ (Ostrom 2005, 90). Ostrom cited numerous examples of commons that were able to govern themselves and to endure for hundreds of years. Co-housing projects follow the same idea in that they develop dwellings and make a living within boundaries. In their common-like perspective, living space and money are limited resources for a limited number of users, which cannot be extended and be unlimited. Hence, they give some impression of a lifestyle without growth as the dominant economic principle. The decisive characteristics of the commons challenge the capitalist mainstream and give us an alternative perspective.

7 The Commons as a System Alternative?

From the above, we may conclude that housing as commons is successful on a small scale- such projects can well manage their inner steering processes and they are able to position their alternative vision of a sustainable lifestyle against the mainstream. But can their model be up-scaled to an urban level, where the task is to mediate between diverse groups and distribute limited resources equally? Normally, this task is done by local governments, but governments have lost power because of their entanglement with the financial industry. Another reason is discontent

with the available housing options. Affordable housing - both public and private - is rather uniform in style and design, while more individual solutions are expensive. There are several reasons why it appears difficult for local governments to transform their structure and housing offerings, although this function is still needed. Sociologist Martina Löw draws attention to the fact that modern societies have become diverse and a governing strategy has to meet this requirement. “Under conditions of diversity, acting in the public interest and managing urban commons must include the task to make visible and clearly profile the interrelations and interconnectedness between different groups and periods, and to symbolically and materially represent the social fabric as a multi-layered, heterogeneous ensemble composed of a multitude of differences” (Löw 2015, 123). In her theoretical approach to the commons, she posits that an interconnected representation of all urban dimensions would be appropriate. While interconnected representation appears to be a logical concept, it remains an abstract one. Nevertheless, other theorists also search for interrelated governing strategies.

Harvey discusses the commons as an urban strategy against the capitalist mainstream. He clearly underlines its advantages and also points out the missing links, which he identifies as the scale and complexity of urban societies: “There is, clearly, an analytical difficult “scale problem at work here that needs (but does not receive) careful evaluation. (...) What looks like a good way to resolve problems at one scale does not hold at another scale” (Harvey 2013, 69). He refers to Ostrom, who describes the commons as nested in complex societies and the required governance system as polycentric. Harvey follows the idea of polycentric governance, but because cities are configured differently than natural pool resources, he argues for more clarification. “The crucial problem here is to figure out how a polycentric governance system (...) might actually work, and to make sure that it does not mask something very different. The question is one that bedevils not only Ostrom’s arguments, but a very wide range of radical left communalist proposals to address the problem of the commons” (ibid., 81). Harvey points to the development of the city of El Alto as an example of interrelatedness, but does not provide a general model (ibid., 79).

Neither co-housing projects nor public housing offer a ready-made answer to the challenges of urban governance. Still, there are many things we can learn from co-housing projects. We can learn that immediacy, close relationships and direct decisions are beneficial for the quality of housing. It follows that we have to develop advanced governing strategies. On an urban level, decision-making cannot be small-scale but has to be some combination of consensus and delegation or even representation in order to cover all residents of a city. Furthermore, it is not just about the structure, but also about the content. We can learn from the commons, on every level, that producing housing has to be the priority, not producing capital, and this applies even on

⁸ The principles of long-enduring common pool resources are (1) clearly defined boundaries, (2) congruence between appropriation on provision rules and local conditions, (3) collective-choice arrangements, (4) monitoring, (5) graduated sanctions, (6) a conflict-resolution mechanism, (7) minimal recognition of rights to organize, and (8) (for larger systems) nested enterprises (Ostrom 2005: 90).

a global scale. The legal framework should support housing and financing in the sense of the commons instead of hindering it.⁹

8 Conclusion

Summing up the outcomes of the comparison of market-based solutions and commoning, we can learn a lot from the commons. Traditional meadows as well as co-housing projects exemplify a sustainable lifestyle, while market-based products and real-estate investment trusts destroy their own basis. At the same time, people involved in commoning understand that sharing resources and participating in collective processes is crucial for satisfying their needs in the long run. This insight represents the key to sustainability. Transferring the self-concept of making

a living within boundaries to other areas of life can be very fruitful, e.g. in co-housing projects and asset-pools. Expanding the governing principles of the commons to a macroeconomic scale would help us overcome concepts of radical capitalism, as pools are non-profit oriented. While the commons idea does have transformative potential, a number of questions remain unanswered. Once it is clear that there are limits to production, we still have to resolve the issue of equal distribution. Agreements can be reached for rather small or homogeneous groups; however a gradual approach is still needed for distribution and mediation between different groups on a larger scale. We still have to work out system alternatives for both norms (like limited production) and process rules (like fair decision-making). Therefore, the commons are a partial alternative only - they provide the principles of a sustainable lifestyle on a small scale as well as potential ideas for transforming the financial system. On a medium or large scale, the development of advanced steering strategies between market, state and civil society is still required.

⁹ That a legal framework is needed on all levels in an interconnected globalised economy can also be shown by other topics like energy supply (Gruber 2013).

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Legal Aspects of Management of Commons within Residential Urban Space

Comparative Review of Western European and Former Socialist Experiences

Astghik Grigoryan, Jenny Paulsson

A main reason for problems with property units in close connection within multi-owned buildings is ineffective management and maintenance of these buildings. The article aims to address legal problems related to proper management and maintenance of common ownership property within multi-owned housing. Case studies were conducted in two types of countries: 1) sustainable and diverse system of condominium and long-term management experience of multi-owned buildings (Sweden, the Netherlands); 2) relatively recent system of condominium and developing system of management of multi-owned buildings (Bulgaria, Armenia). A comparative analysis was made with a special focus on common ownership right.

The results show that there are various ways of defining common property and arranging the management and several obstacles preventing successful management and maintenance of multi-owned buildings, especially in post socialist countries. A well-designed legal framework is required in order to provide functional management and maintenance of the commons.

1 Introduction

1.1 Background

The tragedy of the commons, where resources that are open-to-all will lead to degradation, was mentioned as a problem already by Hardin (1968). Even though this situation often refers to management of natural common-pool resources, also man-made such resources, e.g. the common parts of multi-owned buildings, face collective action problems (Ho and Gao 2013, 10). Even though the owners of such buildings share a common interest in creating a good living environment, they are often not willing to take part in the management of the buildings. This can create a situation of free riders where the owners only want to maximize the use of the common parts of the buildings, which leads to poor maintenance and deterioration of these buildings.

Behind the following discussion on legal aspects of management of common residential property, in particular related to multi-owned building and surrounding land, stands the objective to improve the management of common property within residential urban space since we suppose that both apartment buildings and attached land are an indelible part of the latter.

The management and maintenance of common ownership property within multi-owned buildings are essential to achieve housing sustainability and thus contribute to urban quality. Common ownership property is an indivisible part of the ownership structure which refers to multi-owned apartment buildings and/or single-family residences within privately bounded urban spaces (Harris 2011). During recent decades the multi-owned hous-

ing has been extensively spread out all over the world. In Western Europe this form of housing is used in many countries since many years back (see e.g. van der Merwe 1994), and in U.S. and Australia the number of people living in multi-owned housing (or, in other words, common interest housing) has gradually increased from 1970 (Meltzer and Cheung 2014) and 1960 (Randolph and Tice 2013) accordingly. In China condominium has become predominant in the housing stock since the 1978's housing reforms (Wang 2013). In former socialist countries condominium has become popular from the beginning of the 1990s, after massive privatization of the public rental stock (UN/ECE 2002, 5). However, many potential problems are connected with owning property units in close connection with each other, such as management and the responsibility for it. Especially in many former socialist countries uncertainty in private and common ownership parts within residential urban space as well as imperfect management schemes resulted in gradual depreciation of common parts of apartment buildings and surrounding land, which has led to decline of urban quality.

Thus there is an urgent need for major repairs and energy efficiency improvements that must be managed and financed in some way (Lujanen 2010, 190). That is why it seems relevant to study the current situation in a few selected post-socialist countries and as a reference to some more experienced practices. Even though the context can vary to a large extent when it comes to legal, social, institutional etc., aspects, the existing challenges in balancing competing demands of management and regulation of multi-owned housing seem to be the same for all countries (Blandy et al. 2010, 2).

If considering that the most fundamental idea of sustainable development determined in the World Commission on Environment and Development (WCED) Report is "development which meets the needs of the present without compromising the ability of future generations to meet their own needs" (WCED 1987,16), yet, building deterioration will inevitably result in higher economic loss, more environmental waste and poorer social living conditions, in other words in decrease of urban quality. Similar to environmental protection, building maintenance requires the efforts and resources of the present generation, but the benefits will only be realised by future generations (Yim Yiu 2007).

Alterman (2010) claims that the issue regarding sustainable legal-financial mechanisms to ensure the long-term maintenance of condominium buildings has received very limited attention so far. She points out several factors that make multi-owned tower buildings particularly vulnerable to deterioration and decreased property values, e.g. that they are more complex and therefore create higher maintenance costs and less possibilities of structural modifications, which causes a greater risk for a diminished relative value and faster deterioration, that large investments are

needed for large scale repair, upgrading and renovation, and that because the costs are not consistent over time makes it more difficult to find a mechanism for financing the long-term maintenance.

Discussing an example of Vancouver, Harris (2011) reflects on the capacity of condominium as a certain form of residential property ownership and its contribution to the transformation of the urban landscape. According to Lippert and Steckle (2016) the inner governance of condominiums profoundly matters for understanding urban governance and life but has so far been neglected in urban studies.

A study of different systems of apartment ownership identified some basic legal challenges related to maintenance and repairs (Lujanen 2010), including obstacles in the decision-making process, securing financing of major repairs, means to enforce the collection of payments, and transparent and comprehensible structures. Before the apartment buildings were privatized in socialist countries, there were municipal service companies that took care of the maintenance of the common parts, but it seems that the former tenants have not fully understood that they themselves as owners now are required to do this (Lujanen 2010, 192). Lujanen therefore stresses the challenge of legislation that works in practice, but even more the challenge to change the attitude of the apartment owners to understand that they own not only their own apartment but also the common parts of the building and attached land. This challenge is relevant not only for former socialist countries, but for countries in most parts of the world where some form of apartment ownership exists.

In many countries, such as Russia, Balkan, Central Asia and China, there is lack of well-functioning legal ownership (Lujanen 2010, 178). There is a legal basis for the ownership and management, but the establishment of owners' associations has been slow and difficult (UN/ECE 2002, 5)¹. The Economic Commission for Europe within the UN claims that the obstacles include financial arrangements, as well as organizational and institutional aspects (UN/ECE 2002, 5). They claim, for example, that it is essential to establish an owners' association to safeguard the interests of the individual owners, the common ownership, as well as national and municipal interests. Like Lujanen (2010) and Easthope et al. (2009) they also stress the importance of educating the owners of the nature of condominium, and the rights and responsibilities that the owners have, and assisting them in the management of it.

¹ Only Poland and Hungary were exceptions in this regard since in these countries the privatization of apartment buildings was preconditioned with establishment of owners' associations (Rabenhörst and Ignatova 2009).

1.2 Aim and method

For the purpose of the current discussion it is assumed that the urban residential space is the mixture of residential and public space within certain boundaries and the multi-owned buildings and attached land are considered as certain parts of this residential urban space.

The aim of this article is to identify and analyze legal issues of management of common ownership within multi-owned buildings and attached land that are found from case studies of some Western European and former socialist countries and to propose general recommendations for improvement of existing systems. For the purpose of case studies the authors have classified two types of countries, in particular:

- i.* Countries with relatively recent system of condominium and developing system of management of multi-owned buildings, namely Armenia and Bulgaria. These countries are selected as representatives of the most common situation relevant to the post socialist region,
- ii.* Countries with sustainable and in the meantime diverse system of condominium and long-term experience in management of multi-owned buildings, namely Sweden and the Netherlands.

The case studies present mainly the legal framework, in particular regarding ownership rights, common ownership, management and maintenance of multi-owned buildings. A comparative analysis is made of legal aspects of common property management, based on the experience of the selected countries. Finally, identification is made of the main problems and development of basic solutions for improvement of existing systems.

The article contains only brief general descriptions of the condominium systems in the selected countries and their forms of management. The purpose is only to give an overview of the regulations in order to understand the specific management issues and solutions. Comparative studies were used for the comparison of selected countries. The comparison is not intended to be comprehensive, but rather to point out areas relevant to the topic of management and maintenance of commons within multi-owned buildings and attached land. The analysis in this study was made from a static perspective, looking at systems for 3D property rights mainly with the rules and legislation currently in force. However, it is difficult to keep the static perspective in the comparison due to the fact that legislation and practice is constantly changing. There are also many other difficulties that are connected with making comparative studies of different legal systems, and they should also be taken into account when the results of such studies are interpreted (See e.g. Bogdan 1993; Bogdan 2004; Zweigert and Kötz 1998; Van Hoecke 2004; David et al. 1974; von Bar 2004). To avoid problems with

direct rule-comparison in this study, the focus has been on comparing functions and describing different possible solutions for successful management and maintenance of condominium.

2 Theoretical framework

2.1 Condominium

Condominium (apartment ownership) can be considered as a form of three-dimensional (3D) property right. It includes the use of a three-dimensionally delimited part of a building. Condominium is a common and wide-spread form of 3D property utilization and exists all over the world in e.g. Australia, Canada and South America (van der Merwe 1994; Paulsson 2007). Apartment ownership is sometimes considered to consist of three components, which are the ownership to a part of the building, a share in the common property and membership in an association for the management of the building. The apartment building normally consists of privately used spaces and common parts, where different parts of the building such as roof, stairs, facilities and main service pipes, as well as land attached to the building, can be included. According to Harris (2011, 697) the condominium is a particular bundle of property rights which facilitates increasing the density of private ownership in urban land through vertical subdivision of land and thereby becomes an indivisible part of the city.

There are two main forms of condominium, namely the condominium ownership type, or the dualistic form, and the condominium user right type, or the monistic form (Paulsson 2007, 36). In the condominium ownership type each apartment owner owns the certain private space he or she occupies, and the common parts of the building and surrounding land usually are owned jointly by all the owners of the building. This type can be found, for example, in most of the former Soviet countries, including Armenia, and was recently also introduced in Sweden (Paulsson 2007, 36; Paulsson 2013). The condominium user right, on the other hand, is a type where the apartment occupants jointly own the entire building and surrounding land together, including private and the common parts, but the share of the property each owner has gives the right to occupy a specific private space in the building. This type exists, for instance, in the Netherlands (Paulsson 2007, 37).

There are also more indirect forms of condominium where a legal person stands between the resident and the property as the formal owner (Nordisk Ministerråd 1997, 22). The legal person could be e.g. a co-operative, an association or a limited company (Lilleholt et al. 2002, 29). An example is the tenant-ownership form in Sweden where a tenant-owner association owns the building in which the members live. Connected to the membership of the association is the right to use a specific space.

2.2 Common ownership

The normal situation is that each private owner has got a share of the common property of the building and surrounding land and other facilities that the private owners own or control in common. This share can be based on e.g. equality, relative size or relative value of each private space, or a combination of such. The ownership fraction can determine the responsibility each owner has for the costs of management of the building and association, as well as for maintaining and repairing the common parts of the property.

There are differences in ownership and the consequences stemming from it between the individual ownership of the private space and the co-ownership of the common parts of the building. The owners have exclusive ownership or right to occupy the private space, but only a collective right to use the common parts. Normally, the responsibility for maintaining the private property lies with the owner, and the association is responsible for the management and maintenance of the common parts. The right for the owners to use the common property is usually determined by statute, by-laws and general neighbour law principles. The general meeting of the owners can also adopt special rules for this.

In some countries' statutes there are lists providing specifically everything that is included in the common property. Other countries have more general regulations on this, stating e.g. that the parts that are not included in the private space are common property, i.e. defined exclusively. In former socialist countries common property can be defined as the parts of an apartment ownership scheme that according to their nature are destined for the common use of the owners, such as the land, façade, foundations, roof, entrances to the building and common installations (Merwe 1994, 51-53).

The land that exists below and around the apartment building is usually included in the common property. This land becomes common property if the building is not surrounded by municipal or state land. In those cases easements are granted for the owners to use the land for access to their building, such as roads or pavements (Rabenhorst 2001). However, in former socialist countries this may cause difficulties. When buildings and surrounding land went from public to private ownership, how much land to include was fixed to the "footprint" of the building, i.e. the land under it, which creates difficulties for the apartment owners as to getting a right to use the surrounding land. Solutions that are applied are to include the land just under the building, or including the land to one meter around the building as well, although it might still be unclear to whom the land beyond this belongs. Another solution has been to let the municipality keep the ownership of the land and to grant long term user rights to the association, by which the owners will be responsible

for maintaining the land (Rabenhorst 2001). In Armenia, for instance, this type of solution was applied to the existing (inherited from soviet period) privatized housing stock, (RA Government Decree No 1855-N dated 30.11.2006). If more than one condominium building would like to use the land between the buildings, the owners in these buildings will jointly have to decide how to use and manage this land.

2.3 Management and maintenance of apartment buildings

The management of multi-owned housing mainly refers to management of various activities arisen from the use or occupation of this type of housing (Gao and Ho 2016). In management of multi-owned buildings are included several different aspects, e.g. work and organization of administrative bodies, decisions about extensive renovations, level of maintenance, level of investment, rules of behaviour in common areas, and mechanisms for resolving conflicts. All these aspects are sources of potential problems and conflicts if not regulated properly. When studying condominium internationally, there are several factors that seem to have created problems and that can be considered as important for creating a successful and lasting system for apartment ownership (Paulsson 2007, 320). Many of these factors relate in fact to management aspects, such as common property and what is included in it, co-operation between property units, responsibilities of management and settlement of disputes.

In all communal ownership it is of importance to deal with problems related to all forms of co-ownership, with external consequences. Thus, a factor that seems to create problems is management, which in general is important when dealing with individuals sharing the same resources (Ostrom 1990). A structured and efficient organisation for management is crucial for the commons and the community of owners to function properly, as well as for financial institutions with an interest in the property. This becomes more difficult when a large number of co-owners are involved, where there is also a need for enforcement mechanisms to promote cooperation and efforts from the co-owners (Tracht 2000, 85-86).

Good management will also reduce the risk of disputes, e.g. when deciding on more extensive renovations, as well as increase the availability of financial mechanisms necessary for major repairs. As to Lujanen (2010, 181-182), there are four basic options for financing major repairs:

- » the use of reserve funds of the owners' association;
- » a cash contribution of the owners;
- » a grant provided by national or local authorities;
- » loan finance from financial markets or from public authorities.

Thus, it is obvious that for the above mentioned financing mechanisms to be available a transparent housing management system in parallel with a properly functioning regulatory framework is required.

Usually there are provisions that all owners are to participate jointly in the management or, normally, an owners' association where all owners are members is created for this purpose (Merwe 1994, 141). The general meeting of the owners makes decisions on administration, and a manager or executive board, elected by the owners, implements the decisions on the day-to-day running of the association (Merwe 1994, 141). The complexity and increasing size of apartment complexes today put higher demands on the managers and therefore a need for professional managers has emerged. The board can engage professional management to assist the association. The managers are appointed by the owners for a fixed period, and can be either a natural or legal person and may be chosen amongst the owners (Merwe 1994, 148-150).

There are different models available for the management of the owners' association. The owners can take care of the management, or they will contract a professional person or company to carry out the work. Volunteer management by owners is only recommended for small apartment buildings with up to ten units due to the amount of work needed for larger apartment buildings. A managing agent might be needed for a larger development, although this places a lot of power to the external management. Even though the collective management of the co-owners together might be easier in smaller developments, it can, however, often lead to disputes between the owners (Blandy 2010, 32). An alternative to this are the state or municipal maintenance companies. However, this should normally be used only as a short-term solution, such as within countries in transition (UN/ECE 2002, 30-31).

By-laws are used for the apartment building to establish the rights and duties of the owners and to provide mechanisms for enforcing and monitoring these rules. Fundamental decisions and decisions on changes of the rules are normally made by the owners by vote and the day-to-day decisions on management issues are made by a board elected by the owners.

The above mentioned factors of importance for management and maintenance of apartment buildings can be related to Elinor Ostrom's design principles for governing the commons. They are designed to exclude others from obtaining benefits from its use and thereby creating successful long-enduring institutions for the government of common-pool resources. These principles include e.g. clearly defined boundaries, monitoring and conflict resolution mechanisms, as well as the possibility for the owners to create and enforce their own designed set of rules which are recognised by external governmental officials.

3 Case studies from Western European and former socialist countries

3.1 Sweden

Sweden was selected as an example of the condominium ownership type and a country that rather recently introduced condominium. Sweden has an indirect form of condominium, the tenant-ownership, which has similarities with the condominium ownership form. Sweden rather recently introduced 3D property (Swedish Land Code, Chap. 3, 1a). Condominium in Sweden was added in 2009.

The Swedish apartment ownership form belongs to the dualistic condominium ownership type. Condominium is defined in the legislation as a three-dimensional property unit intended to contain nothing but one single residential apartment (Swedish Land Code, Chap. 3, 1a). It can thus only be formed for residential purposes and only in newly constructed buildings, or at least the building should not have been used for accommodation during eight years before. This is to avoid that the existing apartments are transformed into ownership apartments. In order to facilitate the management of the apartment building, there must be at least three ownership apartments closely connected to each other. The purpose is also to avoid a too complex property division, to enhance the opportunities for a good living environment and to promote the cooperation between adjoining apartments (Proposition 2008/09:91, 58-59). When forming the apartment units, necessary rights must be provided for, such as access and facilities.

The main rule is that the apartment unit contains the actual space of the apartment and the surface of the structures that are separating the apartments. What parts of the building that should be private or common is not specified in the legislation, but decided in the procedure when forming the apartments. Even though there is no compulsory form of cooperation between the apartment units, a joint facility and/or a joint property unit is usually formed, and easements can also be used.

Normally only one owners' association is recommended within a multi-owned building, but if needed, there can be several joint facilities within one multi-unit building, or separate parts within one joint facility with differentiated shares for the different parts of the building complex. An association is compulsory if joint facilities or joint property units are formed, i.e. in most cases the standard solution. The role of the owners' association is e.g. to create clear rules for management and to take action against disturbances amongst the residents. It is also possible for the association to issue house rules for the use of the common property. The law provides protection from insufficient maintenance or damage from the adjacent property. If occupants of private spaces within the building cause

disturbances to an extent that cannot be tolerated, the owner can be ordered under penalty that the disturbance should stop.

The predominant way in Sweden to obtain individual rights to a specific apartment is still the tenant-ownership. It is a type of condominium that has existed in Sweden for a longer time and is an indirect ownership type of 3D property. There are many similarities between this form and condominium, but instead of owning a physical part of the building the ownership is represented by a share in the capital of the economic association that owns the property (Brattström 1999, 83). The purpose of the association is to convey tenant-ownership rights to apartments in the building that is owned by the association. To that share is connected the right to use a specified private space in the property owned by the association. This right is not limited in time. The management of the tenant-ownership building is taken care of in a co-operative manner, where the association manages the building whereas the responsibility of maintaining the interior of the apartment lies on the tenant-owner.

An economic plan has to be drafted before any conveyance of private properties, which is a technical and economic description of the association's activities and specifies e.g. the estimated capital, operating expenses and taxes for the first few years, expenses associated with the association's loans. It includes the cost for required maintenance and reconstruction, how these costs should be financed, operating costs paid by the owners and an economic prognosis and sensitivity analysis.

The tenant-owner pays a fee each month to the association, which covers each owner's share of all common costs that the association has for the building, including e.g. interest expenses for loans, amortization payments for loans, operating costs, taxes, insurance, repairs and maintenance. It is also regulated that the association each year must put money into a fund for future maintenance of the property.

The board is the association's executive body and is appointed by the general meeting. The board's tasks are e.g. to ensure that new facilities will be constructed and that existing installations are managed. To finance the construction, maintenance and renewal of the association's facilities the association can levy charges from the members or take another mortgage. In the annual general meeting the issue of the board members' liability is examined.

3.2 The Netherlands

The Netherlands is selected as a representative of a one-tier system, in which a private space owner is allocated one title to all property involved in the division.

Regulations on condominium in the Netherlands have existed already from 1951. Before that the tenure to individual apartments was generally secured through certain contractual forms, especially cooperatives. Some of these older contractual relations are functioning till nowadays. The original law was revised in 1972 and its provisions were incorporated in the Dutch Civil Code (Paddock 2009). In 2005 the legislation was amended with introduction of obligations on the size of reserve fund and the authorities of owners on changing the division rules. In 2011 another provision was introduced in the law on the explicit role of the municipalities to interfere if owners' associations worsen the maintenance of their building to a level that danger appears for dwellers or visitors (Vegter 2012, 280).

In the Netherlands each owner of a private space is a co-owner of the whole building. The private property right gives the owner an exclusive user right to a separate unit of the building (Abrahamsson and Sjöling, 1). The co-owners jointly own the land and the building. However, each co-owner is granted an exclusive right to use a particular private space (for instance an apartment) (Schmid et al. 2005).

When the developer transfers the apartment rights to the owners of the apartments an owners' association needs to be formed in which all owners are members. The association of owners as a legal person does not own the common parts, but acts as a manager of the complex on a daily basis. The association is regulated by the law, as well as by the provisions of "division deed", or in other words, the Contract on formation of the association. The Contract should contain specific rules and regulations as well as provisions on the Statutes (charter) of the association, which should be drawn up separately. Also, the association shall determine "house rules", which can be changed by the meeting of members of the association. However, the charter can be changed only by the Contract, and has to be registered (Ploeger et al. 2005, 8). The house rules may contain provisions on the use and enjoyment of the apartments, in particular with regard to the issues such as keeping of pets. However, any significant restriction on ownership rights, such as control over the right to rent the apartment, is not relevant here. Such limitations can be established only through a notarial division contract (Paddock 2009).

In the Netherlands there are two different concepts in practice: the Community of Owners and the owners' association (or Homeowners Association). These are separate bodies but by law all apartments' owners are members of both. From the legal perspective the Community of Owners deals with the property rights and obligations, and the owners' association refers to the management and maintenance obligations. In practice, the difference between the Community of Owners and the owners' associations is not perceived as such by most individual owners. The

owners consider them as one body and during the annual meetings decisions are often taken without making distinction between these two bodies (Reinders 2015).

The legal ownership of the property itself (the ownership of the land and everything built on it) belongs to the Community of Owners and not to the individual buyers. In the Community of Owners the share is determined for the voting rights that every individual owner has. Through the shares the community regulates the relations, rights and duties between the individual owners. Within the owners' association the shares of the individual owners are used to determine the costs that every individual owner has to contribute for management and maintenance. In practice most of owners' associations contract the management of the building to the professional companies.

3.3 Armenia

Armenia represents an example of a majority of post-soviet countries which experienced massive privatization during transition from planned economy. Private apartment ownership in Armenia was formed in early 1990s after collapse of the Soviet Union when almost all state owned housing stock was transferred into private ownership of dwellers. Basic provisions on private and common ownership rights and other property rights to housing premises (RA Civil Code, chapter 14), as well as specifications on ownership rights within apartment buildings (RA Civil Code, art. 222 p.1, art. 223) were determined in the Civil Code only in 1999. Current apartment ownership type in Armenia can be determined as a condominium ownership type with a dualistic system, where apartment owners have private ownership right to the apartment and share of the right to own or to use the common property of apartment building and attached land.

The common ownership property within the multi-owned building is determined by the Civil Code of Armenia (art. 224). More detailed specification of the common ownership property is provided in the Law on Apartment Building Management (LABM, art.6).

The share of private owner in common ownership property of the apartment building shall be the ratio (expressed through percentage) between the entire floor area of the owner's privately owned property and the total floor area of the whole common ownership property of the building (LABM, art. 2).

Before the privatization of housing stock in Armenia the apartment buildings were managed by municipal enterprises called "zheks". Currently the management and maintenance of common property in apartment buildings is regulated by two basic legal acts: the Law on Apartment Building Management (LABM) and the Law on Owners' Associations (LOA), as well as by certain provisions of the Civil Code.

The LABM regulates relationship between co-owners of common ownership property in the apartment buildings regarding management and maintenance of this property, the rights and obligations of private owners towards the common ownership property, provides definition of maintenance and management of common ownership property, as well as the forms of the management body and the types of decision making on management of common property.

LOA provides mainly regulations for establishment, functioning, reorganization and/or dissolution of the associations, determines the legal status of association, relationships with state and municipal bodies and private sector.

The management of the common ownership property is conducted by the meeting of all co-owners of the apartment building (hereinafter the Meeting), which is considered to be the highest governing body of the association. The Meeting is conducted at least once a year and is authorized to make the final decision on any issue relevant to management of common property. The Meeting shall be convened by any co-owner and the governing body of the apartment building. The co-owners may vote during the meeting in accordance to their shares in the common ownership property (LABM, art. 11). According to LABM the co-owners of the apartment building elect a governing body which will be responsible for carrying out daily management and maintenance of the common ownership property. However, the law does not specify either a definition of these terms in the law, or a clear distinction of rights and obligations in relation to the owners' association.

According to LABM the management of the common ownership property may be implemented through the following legal models (art. 17):

- » An owners' association, established by the co-owners of the apartment building;
- » An authorized manager elected by the Meeting among the co-owners of the apartment building;
- » A trustee manager.

LABM also stipulates that only one governing body may be responsible for the management of common property of the apartment building (art. 17).

Notwithstanding the different management models provided by legislation, in practice the apartment buildings in the country are managed mainly by associations and local governments. After the adoption of the LOA nearly each apartment building has formed its own association. Further on, in order to sustain financially associations started to consolidate to greater units by involving more apartment buildings. However, in small towns the associations could not survive in transforming economic environment and were closed by transferring the responsibility of management and maintenance to local governments.

Like in many former Soviet countries, and in contrast to Western European experience, in Armenia, according to LOA a majority of above 50% of owners is sufficient for establishment of the association (Amann 2010, 22).

According to several surveys conducted in the field of apartment buildings management in Armenia (America Management Advisory 2012, 23; Vanyan 2014, 323-327) the owners' association is considered as the most common and applicable housing management model in Armenia, however it has still not succeeded in practice due to the following main reasons:

- » the majority of owners do not accept responsibility for the common property of their buildings which results in non-payment of management fees,
- » lack of resources leading to poor service provision,
- » lack of knowledge and information amongst residents,
- » low level of managerial skills and competency provided by the owners' associations.

With the purpose of building capacity for owners' participation in management and maintenance of common ownership property, as well as for quality improvement of continuously deteriorating housing stock in Armenia, several public-private partnership projects have been initiated and are still being implemented by both municipal governments and non-governmental organizations (NGOs).

3.4 Bulgaria

In the beginning of 1990s the same trends were followed during the transition from state to private property ownership in both former soviet and Eastern European countries, thus the housing systems and the forms of condominium are much alike for the majority of these countries (Georgiev 2012, 27). Currently about 97 % of the dwellings in Bulgaria are privately owned and owner occupied (Georgiev 2014, 1).

Regulations for condominium in Bulgaria were developed during the market oriented housing reform.

The basic legal acts regulating currently the field are the Ownership Act of the Republic of Bulgaria (OA) and the Condominium Ownership Management Act (COMA). The latter was adopted in 2009 to regulate the main discrepancies existing in the field (Trifonov 2014).

According to Georgiev (2014, 4) the biggest problem of legal framework regulating the housing field in Bulgaria is the lack of coordination between stakeholders involved at different levels of governance. Furthermore, the legal regulations required for condominium functioning still lack updating in order to respond to the current economic, political and social circumstances in Bulgaria. Also consid-

erable time shall be needed for the newly adopted COMA to be successfully implemented.

The common ownership property is determined and regulated under OA. OA provides detailed description of the common ownership property, which besides common use property within the building includes also the land under the building and the land surrounding the building (OA, art. 38). However, according to this law individual owners, such as the state, municipalities and other legal or physical persons, may have ownership right to the floors or parts thereof, together with related to them premises in the attic or basement. Also, it may be decided that the parts of the building which serve only for certain privately owned floors or parts thereof are common only for those persons who are the owners of these floors. In the meantime, the law prohibits partitioning of the common parts (OA, art. 39).

According to the OA the shares of private owners in common ownership property shall be proportional to the ratio between the values of the premises privately owned by them. The size of the shares should be calculated when the apartment ownership is being established. However, later changes in privately owned premises shall not affect the size of the shares (OA, art. 40). Each co-owner participates in the benefits and liabilities related to the common ownership property proportionally to his or her share (OA, art. 30). Only those joint owners who according to their shares own more than half of the common ownership property can make decisions on use and management of the common ownership property (OA, art. 32).

According to the COMA, homeowners from apartment buildings in Bulgaria can form Homeowners Associations (HOA) as legal bodies entitled to access the renovation funds and subsidies.

COMA allows only one type of association - that is the owners' association (or Homeowners organization) with the General Meeting of Owners (GMO) as the main management body (COMA, art. 10). According to Article 25 of the same law, the association will be formed only in case if all private owners in the apartment building vote for this.

The GMO and the Manager or Managing Council elected by it are responsible for the management of the common property of the apartment building as well as for control over performance of obligations of private owners (COMA, art. 42).

According to COMA the expenses among co-owners are divided according to the following principle:

- » Renovation or reconstruction of any part of the common property can be implemented only according to the decision made by the GMO. The expenses for renovation works are divided between

the owners according to their shares in the common property.

- » Any expenses made by private owners for common property of the building are divided equally between the owners.
- » In case if the private owner does not comply with the resolutions adopted by GMO or infringes the rules determined in the Internal Rules Order, the GMO is authorized to force such an owner to leave his or her property for a period of maximum 3 years.

(former socialist countries) the legal framework is rather common with the Swedish law according to which the condominium belongs to the dualistic form of ownership. In contrary, quite a different type of ownership is provided by the Dutch legal framework that is the one-tier system, where both the private part and the common part of the property unit belong to the owner by a single right to the “division”. However, both the Swedish and the Dutch legal frameworks contain supplementary detailed provisions to avoid incomplete execution of obligations and responsibilities, while this is still a missing point in the case of Armenia and Bulgaria. Hence, whatever system is chosen the key issue is how well it is detailed and reasoned by the law.

4 Discussion of the case studies

Table 1 below provides a brief overview of the above discussed practices. Hence, either in the dualistic or in the monistic type of condominium the land attached to the building is considered as being within the common ownership structure. Urban space is thus involved while dealing with commons within multi-owned housing.

Regulations for management and maintenance of commons within multi-owned buildings

It is apparent from the case studies that the maintenance and renewal of multi-unit buildings is an important and difficult issue not only in the former socialist countries but also in Western Europe where stable system and regulations exist for many years. As buildings are aging

Forms of condominium ownership	Condominium ownership necessarily includes common parts of the building and surrounding land	Condominium ownership may include only common parts of the building	Mandatory provision of reserve fund	Mandatory provision for creation of owners' association
Monistic	the Netherlands		the Netherlands	the Netherlands
Dualistic	Sweden, Armenia, Bulgaria	Armenia	Sweden, Bulgaria	Sweden, Bulgaria

Table 1: Summary of case studies

Source: Own elaboration

It can be seen from the case studies that there are various ways of defining common property and arranging the management within the apartment building. However, a well-designed and detailed legal framework is along with a range of others a must condition in order to provide functional management and maintenance of commons within multi-owned buildings. Especially in many former socialist countries the condominium legislation is still not successful to force the residents with regard to their obligations of taking responsibility for the common parts. According to Thomson (2015), a “wait and see culture” in these countries is still common among the homeowners, due to a history of public management organizations taking responsibility for building maintenance. The below discussion will try to reveal the main obstacles preventing successful management and maintenance of multi-owned buildings in post socialist countries and to highlight some basic tools to tackle these obstacles.

and deteriorating, the problem is that increasing and substantial funds will be needed in order to satisfy these needs. The question is just how to raise these funds or if regulations have already provided for it, such as in the Swedish system for tenant-ownership and condominium ownership, or in the Dutch model where cost sharing methods are used. With this regard a step forward is made in Bulgaria where owners’ associations are entitled to renovation funds and subsidies.

Legal framework must contain enough detailed and reasoned (or targeted) provisions

Based on the above case studies the condominium types vary in different countries. Thus, in Armenia and Bulgaria

Obligatory formation of the owners’ association

Based on the studied practice of different countries this is a key factor for successful management and maintenance of multi-owned buildings which is still missing in the legal system of Armenia. For the case of Armenia, while privatization of multi-owned housing was executed with a simple transfer of title, however, the consequences of transforming the entire public property into private and the responsibility for its further maintenance were not considered. The experts claim (Georgiev 2014) that even if the owners’ association is obligatory in Bulgaria, however the law should stipulate its creation in parallel to transferring of apartment ownership to the dwellers rather than afterwards.

Provisions on Reserve Fund for the owners' association

The absence of this regulation in the legislations of a majority of post socialist countries creates difficulties with regard to making capital repairs of the buildings. Furthermore, and as also Alterman (2010) discusses, the creation of a reserve fund and the legal regulation of defining the extent of it and letting a public body regulating and monitoring this, facilitates the possibility of acquiring sufficient funds for long-term maintenance and upgrading.

Provisions in the legislation aimed to support condominium management

This is especially crucial for countries like Armenia and Bulgaria. For instance, according to experts, the new condominium law in Bulgaria (LABM) was targeted at creation of incentives for improvement of apartment ownership management as well as at facilitating the launch of larger scale energy efficient renovation activities in apartment buildings (Georgiev 2014, 4).

Collaborative and participatory approach to management and maintenance

Apparent is that several different options for management and maintenance of apartment buildings are possible, and the forms chosen depend on several factors, such as legal system, traditions, society, etc., but, as Blandy et al. (2010) point out, several actors, such as local governments, professional advisors and developers, have to be involved and provide good and sustainable solutions. In this regard Bulgarian legal framework provides a positive approach by allowing the state, municipalities or other legal or physical bodies to have private ownership to separate parts of an apartment building.

5 Conclusions and recommendations

As we can see from the case studies, there are different solutions available for how to manage multi-owned buildings, which may function to a greater or smaller extent. The condominium systems in this study have developed and legislation has been changed to solve the emerging legal problems, with e.g. separate management laws added.

Due to difference in legislation and society it might not be possible to develop one single solution that fits all countries, but this article has at least presented some key factors to consider when creating a well-functioning system for management and maintenance of commons within residential urban space.

From the case studies we may also observe that the countries like Sweden or Netherlands should rather deal with choice of management system, while the reasons for limited efficiency of management organizations in Armenia or Bulgaria are more related to the social status of private owners and lack of awareness, deteriorated status of the existing housing stock and other institutional and financial discrepancies, in particular, certain gaps in institutional framework, lack of state subsidies and public-private partnership mechanisms. Thus, certain regulations in the existing legal framework in order to support transformation to a new housing management system, especially regarding the former socialist countries are required. Also, collaboration of public and private sectors would much support in revival and further promotion of a well-functioning management and maintenance system in most of the transitional societies. It is also important to stress the benefits that the owners will have from the proper management of the common property, including the availability of essential financial mechanisms for maintenance and energy efficiency improvement of multi-owned housing and further improved quality of urban space which they occupy and use. Ostrom's (1990) design principles for commons are clearly applicable also on the studied cases, showing that management aspects are very important when dealing with individuals sharing the same common resources.

From the studies it seems like there are certain legal issues regarding management and maintenance of commons within residential urban space that are important to deal with in order to create a robust and successful system. Further research could include additional countries for study, thus comparing more different types of housing systems and types of management.

From the discussion it is evident that condominium management schemes provide a very good example of collective action and participatory approach for dealing with commons which can be further applied as a management model for larger residential urban spaces within urban neighbourhoods.

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