The p*ublic* appropriation of the commons: local *civism* as enclosure

Marco Aparicio Wilhelmi and Ana Méndez de Andés Aldama

The plundering of collective goods and services by the neoliberal management of the crisis that has primarily affected countries in the South of Europe, has taken place not only through a direct transfer of public assets and wealth into the private domain but, paradoxically, the public has also become a plundering tool with the activation of different mechanism that restrain the collective use and control of spaces, goods and services that belong to the public sphere. One of the normative devices applied in urban environments in order to proceed to such plundering are the municipal by-laws designed to distinguish between the proper civic behaviour and the unsocial attitudes, deserving repudiation and penalties.

This enclosure of the public space has been put in place lately, in different Spanish towns and cities that have incorporated to their regulations the so-called "civic ordinance" through which, in the name of the social coexistence and tranquility, there has been an important restriction of the use of the public space and its access by the inhabitants, specially those with less income. In this paper, we will analyse how this public space enclosure, or expropriation, operation has been put in place by the very instances in charge of representing the public interest. And the potential of a restitution of the public character of the public space through its consideration as urban commons, or collective resource, as a concept that allows to dislocate and transform the traditional dichotomy between public and private, one of the foundations of the liberal capitalist project.

<1>

The role of public space as urban shaping device

Popular mobilizations, instruments of state control, imaginary production, advertising invasions, appropriation of common resources, unfolding socialization... From Haussmann to the 15M encampments, the dispute over the appropriation of urban public space is one of the most important political axes of the current phase of production of collective action mechanisms. A new cycle of planetary urban struggles shaped through and because of struggles around the control and development parks, streets and squares.

In Spain, between the 10th and 17th of January 2014,[1] a country in shock witnessed the unlikely images of construction equipment burning and windows smashed in a popular and quite neighbourhood in the outskirts of the city of Burgos. In the first day, a massive mobilization crossed the area under the motto: "The street is ours". A slogan that resounded strongly against the statement made in 1976 by the vice-president and minister of the Interior Manuel Fraga Iribarne, and thousands of times repeated afterwards as a symbol and criticism to the Franco regime: "The street is mine." In the first case, the neighbourhood of Gamonal took the streets in protest against the construction of a new boulevard with underground parking but, above all, for the citizen's right to decide on public and collective space, for the defence of their identity as a community and against the privatization of public resources at the hands of construction companies (Erro and Medina, 2017). In the second, the new-borne Spanish Transition reaffirmed the control of the state over the political space against the pretension of the labour unions to celebrate the first May 1st without the presence of dictator Francisco Franco.

1The protests ended on the 17th with the withdraw of the project.

<2>

This struggle over the appropriation and re-appropriation of the public space as a way of answering the global neoliberal project took a global scale years back. The so-called "Battle of Seattle" in 1999, during the protests against the World Trade Organization summit, began to reveal different tactics that re-territorialized the space of globalization and deployed different spatial tactics through the whole city.[2] That same summer, the Carnival Against Capitalism took place in London as part of Reclaim the Streets, whose first action in 1995 against the occupation of public space by cars as a metaphor for the occupation of capitalist production in lives. The slogan of their first poster read: "If you want to change the city, you have to control the streets".[3]

Although this cycle of mobilizations would end abruptly with the attack on the towers of the World Trade Centre in September 2001 and the siege to the Red Zone in Genoa in July 2001,[4] in the short experience of the XXI century different protests directly related to the public space have shaped social mobilizations that continue to link this dispossession of public space by the market and capital. In Turkey, the construction of a shopping centre and the disappearance of Gezi Park, one of the smallest in the city, triggered a series of protests between May and June 2013, that confronted the megalomaniac projects of the Mayor's Office. The wave of protests spread throughout the whole country, as a collective demand on "the ability to decide on general issues that concern everybody because they affect everyone" (Gutierrez Aguilar, 2015). According to the Turkish Interior Min-

2Direct Action Network WTO blockade map by David Silnot "Seattle WTO Collapsed 14 Years Ago: Lessons For Today". https://www.popularresistance.org/seattle-wto-collapsed-14-years-ago-lessons-for-today/. Accessed 20/07/2017.

3Lothar Blissant "Do-It-Yourself Geopolitics. Global Protest and Artistic Process. https://brian-holmes.wordpress.com/2007/04/27/do-it-yourself-geopolitics/

4Map of the segmentation of the city of Genoa during the G6 summit in July 2011: https://es.wikipedia.org/wiki/Contracumbre_de_G%C3%A9nova#/media/File:G8_genova_map.jpg

<3>

istry, the protests spread to 80 cities, and it is estimated that more than half a million people participated in the nearly five thousand demonstrations that called for their ability to decide on public affairs, Ie on their political role In democracy (Deniz, 2013). In Zagreb, Croatia, it was also the redevelopment of a square that mobilized the protests of the Pravo na Grad (Right to the City) movement during 2008. The protest was not only against the construction of the fifth commercial centre of the city with built-in luxury apartments, but against the conception of the city as a commercial space sold in the market, and the total absence of room for self-organizing spaces.

The wave of protests that begun in the Arab Spring made an appropriation of old and new forms of organization and protest around an essential element of democracy: the plaza as agora, as an ideal public space that allows all kinds of social exchanges, epicentre of political action. A brief genealogy of the so-called "movement of the squares" begins in Egypt in January 2011, continues with the occupation of the squares in Spain during May and June, travels a few days to Syntagma Square in Athens, multiplies exponentially with Occupy Wall Street and its derivatives in the United States[5], and later with the appeal to the European plazas that extended the "acampadas" to cities of all Europe. In 2013, the spark of protest rebuked the occupation of Taksim Square in Istanbul and a year later the demand for democracy comes to Hong Kong with the "umbrella movement." This movement of the squares appears as a series of *blitz-kriegs*, brief moments of extraordinary intensity happened during a little less than a year and where the

5Wikipedia lists 309 Occupies in USA:
http://en.wikipedia.org/wiki/List_of_Occupy_movement_protest_locations_in_the_United_States

<4>

occupations more emblematic lasted only a few weeks.[6] Camps of relative short duration and high concentration of Impact in dozens of countries, with hundreds of occupations in cities and towns and millions of participants.[7]

Order and disorder in the ideal public space

The over-determination of space and the cultural construction of the "ideal public space" that is ordered and regulated contrasts with the democratic need to have flexible and indeterminate spaces (often read as "disordered") that allow unforeseen things to happen. The regulatory eagerness to define all permitted activities contrasts with its nature as a gathering and deliberation site, which must be recognized as a space for political representation. Morphologically, it highlights the vacuum as an element of construction of the political nature of public space. In order for the place to be filled with content, it must be empty of buildings. Already from the Greek agora, the Roman empire destroys the space of the Athenian Agora filling it with buildings.: where in the s. IV a.C. Formed a large empty space surrounded by civil and religious buildings, crossed by the road that led to the Parthenon, towards the s. II AD, in the lower Roman Empire, space is filled with constructions.[8]

6 Tahrir: 18 days (January 24th – February 12th 2011); Puerta del Sol (May 15th - June11th 2011) and Occupy Wall Street (October 17th - November 15th 2011): bith 28 days; Syntagma: almos two months (May 25th – July 30th 2011); Taksim: 17 days (May 28th – June 15th 2013).

715Mpedia lists 139 camps in Sapin and 49 in the rest of Europe: http://wiki.15m.cc/wiki/Lista_de_acampadas. There is also a map: http://www.ikimap.com/map/mapa-de-las-acampadas. Accessed 20/07/2017.

8It's interesting to see the transition between the IV th century b.c. structutre http://agora.ascsa.net/id/agora/image/2002.01.2641 and the II nd century a.c.: http://agora.ascsa.net/id/agora/drawing/da%203912. Accessed 20/07/2017.

<5>

A reflection on the way in which the public space is shaped and transformed as a whole, and the plaza as agora, necessarily leads us to underline the weight of the privatization and commodification processes. Not only because of the way in which the interest of private profit determines its morphological change, but because of the way in which the concept of security, linked to the need for predictability, has taken over our imaginary. The urban public space, especially that of urban dense areas, is the result and the trigger of different mechanisms of private accumulation and, at the same time, a terrain of growing social and cultural complexity, of uncertainty and disorder, and as such it must be ruled, redirected and restructured.

Public space as a commons

The decade of the 90s starts and ends with two moments especially relevant for the analysis of the public space as a an operational and political commons. In 1990, Elinor Ostrom's seminal work, *Governing the Commons*, was published in parallel with the "New Enclosures" by the USA-based collective *Midnightnotes*. In her work, Ostrom seeks to identify and structure shared rules, rules and strategies of common-pool resources (Crawford and Ostrom, 1995). Midnightnotes, wich included, among others, historians Silvia Federici, George Caffentzis and Peter Linebaugh, presented a series of considerations on the new cycle of primitive accumulation deployed by transnational financial capital through the continuing enclosure of traditional communal resources throughout the planet, but also with mechanisms such as the production of debt, precariousness, instability, poverty and ecological crises of a different nature.

<6>

Since then, there has been a growing interest to identify how these New Enclosures could operate through different aspects of contemporary production and reproduction, and how to apply the technical and scientific knowledge produced by the study of traditional collective resources into other kinds of terrains. In this sense, the use of the term "urban commons" has tried to delimit the field of certain types of spaces of organization and management, halfway between material and immaterial, traditional production and care communities and emerging knowledge and socialization, self-organization and institutionalization.

In his book about the past and future of the 1215 Magna Carta, Peter Linebaugh (2008) outlines some possible modern amplifications of the English commons: urban occupations could be seen as modern *assarts* (*bewar* in India), where formerly parts of the forested land were converted into cropland, now empty buildings subject to speculation processes become housing or social centers. Both the *cardboard* (the wood to build cars) and the *chiminage* (the right of way) would translate into an accessible and non-commodified public transport service. Access, through controlled market prices, cooperatives or public operators, to different kinds of energy would be the equivalent of *firebite* and *turbary* (wood and peat for fire). Social housing would be the equivalent of the *housebote*, the right to take timber from the forest to build or repair the house. In the case of housing, the enclosure is established by the sale of public property, the conversion of cooperatives into companies operating in the private market, the modification of rental laws or extension of mortgages and the rise of personal debt, to name just a few examples of the incorporation to the housing market. Self-repair workshops (bicycles and cars) would be the amplified modality of the *ploughbot*, the right to pick wood to repair the plows.

<7>

Urban commons include the most obvious public goods: the air we breathe, parks and public spaces, public transport, sanitary systems and public schools, canals, etc., but they also include the not-so-obvious ones: municipal garbage that allows for the garbage collectors and garbage collectors, marshes, water and river beds that support fishing communities, laundresses and urban growers, respectively. The streets as arteries of movement, but also as places where people work, live, love, dream and express dissent, and the local markets, which are places of commerce and popular invention (Gidwani and Baviskar, 2010).

Among all the fields of possible application of a common-becoming, public space stands out in the collective imagination as the common (collective) space par excellence. Place of celebration and protest, of social, economic, and cultural exchange. The idea of the commons is easily identified with the public space as a political, relationship and productivity space (Garnett, 2011). In fact, at least in the United Kingdom, most of the surviving communal assets have done so in the form of parks and recreation sites (Bowden, Brown and Smith, 2009) and urban communities were more able to protect social dimension of the commons, coming to grips with the nobility (Thompson, 1995). In recent years, the already mentioned "movement of the squares" would be the more clearly represent of the ability to generate self-organize common public space without a central authority to control it, the political potential of threshold spaces that are not restrain by a precise identity, but remain open in hybrid zones of negotiable securities (Stavrides, 2010). As urban anthropologist Manuel Delgado (2008) would say: "modern public space, at least as a project, is a space of and for generalized exchange, where communication is produced and reproduced by a community without stable morphology, whose members agree to conclude their actions based on minimum but sufficient agreements. The result should be a sort of machine of

<8>

coexistence, which does not aspire to be congruent since it assumes that the individuals and segments that compose it are or may be very different from each other, and even incompatible."

This practical knowledge and understanding of the public space as a collective resource where self-organization can be deployed, is confronted by, at least, two characteristics of the institutional governance of public resources: the first is the realization that, in opposition to the general assumption, the public is not managed as a commons. The hierarchical, segmented, binary and restrictive nature of the public institutions doesn't very well qualify for many of the core characteristics of the commons modes of governance. As Elisabeth Balckmar (2006) explains in relation to the construction of public space, the Anglo-Saxon legal tradition distinguishes three kinds of property: private property, which protects the right of individuals to exclude others from gaining or having access to Certain resources, public ownership, held by governments, allows public officials to determine who has access to resources corresponding to a wider constituency; lastly, common property, where no individual can deny the use or benefit of resources. According to this distinction, the management of public resources would be more similar to a private mode of governance than to communal management, with the commons opposing, at the same time and in a radical way, the state and private property since both spheres.

We could consider that the debate that opposes the public to the private presents a fallacious dichotomy, as from it's inception the state is as much a representation of an aggregate of individuals as a market actor. As we have seen in recent times, the collusion between state and private interests place business interests in both places of the equation. It is not, therefore, a calculation of zero sum where (more State equals less market) and such a reduction would actually hide the very struc-

<9>

ture of property (the market) and sovereignty (the state) based on the concentration of power. The political hypothesis od the commons could be used to reintroducing social justice at the heart of legal and economic discourse, providing the people with a direct action mechanism of action (Mattei, 2011).

Public-common domain

The second problematic aspect is the way by whch the public institutions of the nation-state stablish what can and can not be done in the public space. From the legal point of view, in Spain public space is considered as public domain, or *demanial*, one of the customary modes of collective management of collective resources remain, more or less distorted, through various legal figures. Both public domain property and communal property are included in the Spanish Constitution of 1978, which in its art. 132 establishes that: "The Law shall regulate the legal regime of public domain property and communal property, inspired by the principles of inalienability, imprescriptibility and non-liability, as well as its disaffection."[9] The *demanio* can be classified, according to its affectation or destiny, in goods of public or general use that are available to all citizens for their common use (such as roads, highways, squares, streets, fountains, bridges, etc.) or public service (such as markets, hospitals, museums, etc.). Law 33/2003, of November 2, on Public Administration Patrimony establishes the principles governing the man-

---

9 Article 132 of the Spanish Constitution:
http://www.congreso.es/consti/constitucion/indice/sinopsis/sinopsis.jsp?art=132&tipo=2

<10>

agement of these goods, distinguishes between the need to adapt to general use or to public service and rules that there is only a "preferred" dedication to common use versus private use, so they can be (and often are) subject of concessions.

Therefore, the public space shares a legal consideration similar to the coast, the rivers, the underground soil, of the cultural assets under public domain. On practical terms, however, the capacity to decide over the main characteristics of the urban public space lays in the hands of the local government, that are in charge of its administration. These administrative rules are deployed as Ordinances of different nature that regulate the maintenance and conservation of public spaces, the characteristics of urban landscape elements (such as benches, lighting, etc.), or the regulation of commercial activities. In the last ten years, however, there has been a surge of the so-called Civic Ordinances, as instruments that shape what is acceptable, and convenient, turning the public space into a contested political sphere where the core idea of who builds and who access the public space is in dispute. The institutional response to the unruly and conflictual public space is the concept of "civism" that would respond, in the regulation of the use of urban public space, to a certain nostalgia for cohesive (orderly) societies. And where citizenship and coexistence appear as axes in the construction of identity within the framework of liberal democracies (Escobar and Vargas, 2007).

Institutional enclosures in Madrid and Barcelona

Beyond its legal nature (as public domain under public ownership), what defines the urban space is its socio-economic dimension and the conditions of access and use. In the regulation of these conditions of access we can find the way in which the conception of order, and its parallel disorder, is inserted in and through public

<11>

institutions. It is, therefore, particularly expressive the way in which the document initially approved by the Presidency Committee reflected the motivations behind the adoption of the Civic Ordinance now in force in the city of Barcelona[10]: "It is unnecessary to remember here that Barcelona [...] is undergoing a process of change as a consequence of the alteration of the premises in which its growth was traditionally based. We do not live in a traditional or homogeneous society where the established norms were known and shared [...] but we need to renew the consensus regarding a concept of civility that is shared by the whole world." In fact, the same introduction declares that the "loss of a consciousness of belonging to a community contributes to dilute the sense of coexistence". The importance of the notion of "community" in liberal societies is highlighted, but this is a notion based not so much on the existence or construction of shared expectations through the generation of mutual trust, but on the establishment of a pattern of a normal, acceptable behaviour that, moreover, is constructed as opposed to a certain idea or, rather, perception of disorder and unpredictability.

If we look into the set of activities prohibited by the Ordinance and the description of those that should be sanctioned in order to "deal with the new situations that may affect or alter the coexistence in an increasingly globalized world", we will see that in its varied typology there are mixed expression of social exclusion situations (poverty, begging of homelessness), with behaviours that can be considered criminal (such as sexual harassment) through various kinds of inconveni-

10 The "Ordinance of measures to promote and guarantee civic coexistence in the public space of Barcelona" was, approved in 2005 and entered into force on June 25th 2006. Since its approval, this Civic Ordinance has served as a model for the Model of Ordinance of Security and Citizen Coexistence approved in 2009 by the Executive Committee of the Spanish Federation of Municipalities and Peoples (FEMP) as a regulatory model "of recommended implementation in all municipalities." This model gathers the main features and approaches of the Barcelona Ordinance.

<12>

ent activities (sexual work, skaters, streets games). A partial list includes: graffiti (art. 19); games and bets (art. 26); sports competitions with skates and skate-boards (art. 30); begging or offering services or goods to persons inside their vehicles (art. 34); sexual services (art. 38); physiological needs on public roads (art. 43); consumption of alcohol (art. 46); street vending, tarot, tattoos (art. 54); improper use of public services such as washing in fountains or use of soap in beach showers (art. 58) and vandalism or negligence with urban furniture (art. 62). A good civic behaviour would, therefore, avoid to perform, or even use, con-sume or collaborate with, such activities and attitudes that are understood, as a whole, as "disturbing acts of neighbourly tranquility" (Article 10.3 of the Barcelona Civic Ordinance). This idea tranquility would point to a public space free from con-flicts, or from which they pretend to expel or to make invisible what in reality are social processes: demands, informal commerce, begging, prostitution, etc. An authentic aesthetic of public order is thus configured (Mitchell, 2007).

The pattern, in any case, bears the mark of the urban middle class which, on the one hand, demands access to both public and private spaces with the right conditions to develop their activities and, at the same time, is exposed to the contact with "uncivil" sectors (something that strangely happens to the upper classes, usually away from the most crowded spaces). These are the so-called "anguished middle classes" (Garland, 2001), that seek to increase their personal security without having to address the causes. The ones that show their displeasure by the uncivilized performances but don't question, even cheer, a market system that validates and reproduces such culture. Those that think that the ambivalence would be solved through the control of the poor and the exclusion of the marginalized. Therefore, it is not surprising that there is a close

<13>

relationship between civic ordinances and regulations on citizen security. If the ordinances speak of "tranquility of the neighbourhood," the so-called Gag Law (Citizens' Security Act) speaks of "citizen tranquility" as a legal right to protect and would justify the set of offences and sanctions envisaged. Thus, after having mentioned this concept up to six times in the explanatory memorandum, in its article 2 the Law defines its object referring to "protection of citizen security through the protection of property and persons through the maintenance of the citizen tranquility".

A precedent for this type of regulation can be found in Great Britain in the late 1990s. The Labour government opted in that year to promote the Crime and Disorder Act (1998) and its Anti-Social Behaviour Order (ASBO) whose aim is to "punish any person who acts in an antisocial way, capable of causing harassment, alarm or restlessness". Specifically, behaviours that cause "alarm or fear", such as noisy neighbours, drunkenness, vandalism, graffiti and other property damage, are prohibited. Under the ASBO, it is up to the civil courts to impose sanctions of up to two years, to restrain from certain urban areas or to carry out certain activities, as well as to withdraw social protection aids. It is understood that such offences are not considered criminal offences, and therefore the sanctions are not imposed by criminal courts. However, non-compliance with them is classified as a criminal offence with up to four years imprisonment. (Larrauri, 2007).

It should be emphasized that the regulation of the use of public space is aimed to to act rather on the perception of disorder or insecurity, and therefore it doesn't intervene, or is does so very weakly, on the causes. This is also reflected in the General Security Plan of Catalonia for 2014/2015 where "the concept of security also includes issues related to coexistence and civility, which are often the cause

<14>

of the perception of insecurity among the population, and affect the use of public space and the image of their environment".

If, according to Limón (2012), there is a need to understand public space "as an Institutional sphere of formal representation that would come to connect with a legal dimension that makes other social spaces impossible, silenced and hidden behind the fallacious liberal universalism", the implementation of a critical analysis of the spatial implications of the implementation of these regulations, would allow us to denouncing the supposed separation between Law, space and society to reveal how the Law shapes spatial relations and space modifies or conforms the effects of the Law. Such a critical geography of law would shed light on the forms of political production that structure the ways of segregating the city (Johnson et al., 2000).

Institutional enclosures (II): productivity and reappropriation

In the case of Madrid, the City Council presented a draft Ordinance for Citizen Coexistence in February 2014, following the wake of Barcelona, but failed to. The criticism of both the opposition parties and the citizenry made it impossible to approve it, and at the moment is still in force the Municipal Ordinance of Urban Police and Government of the Villa approved in 1948, under the Franco regime.[11]

---

11 Una ordenanza que ha sido modificada en 24 ocasiones entre 1961 y 1990 con modificación y derogación de y, más recientemente, parte de su articulado derogado y actualizado en 2001 y 2013, por la Ordenanza de Protección contra la Contaminación Acústica y Térmica y la Ordenanza reguladora de la denominación y rotulación de vías, espacios urbanos, así como edificios y monumentos de titularidad municipal y de la numeración de fincas y edificios, respectivamente.

<15>

Given the difficulty of generating the necessary consensus and creating a climate favourable to the institutional regulation of collective activities in the public space, as was, por example the case of Granada (Sánchez Cota, García García and Rodríguez Medela, 2013), some of the most relevant aspects of this civic sense are included in other ordinances, such as the Public Spaces Cleaning and Waste Management Ordinance (2009), the Regulatory Tax Ordinance for the Privative Use or Special Use of the Local Public Domain (2016) or the Protection Against Acoustic and Thermal Pollution Ordinance (2011). In these regulations, one can observe how the criterion, expressed in the explanatory memorandum of all this type of ordinances approved in the last ten years, continues to prevail, and the public space is deployed as a place of leisure activities that must be accessible and navigable, without taking into account its capacity to support exchange activities (commercial or otherwise), its distinctly political nature, the fundamental role that plays in the economy of care, as a support for the proliferation of product images, but also of cultural expressions, or even as a space connected to the digital map and provider of geolocalized data that are being increasingly used by companies and public bodies.

The identification and analysis of the different types of resources offered by public space, the potential communities that can enjoy them and the modes of management that can be developed around these resources and collectivities is crucial to expand the conception of the public space beyond the restricted vision that considers it as a mere place of leisure, consumption and circulation, and to propose regulations that would allow them to display all their capacity to support the life of cities. However, and without making it explicit, both the unapproved project

<16>

in Madrid and the Barcelona Ordinance, active since 2005, regulate and limit different types of activities and attitudes that can be included in some of these aspects.

Some of the unexpressed (but regulated) aspects of the urban public spaces include its capacity to act as a space for the exchange of goods and services, where terraces and markets would be encompassed, but also street music and vending, jugglers and living statues, private access events (such as paid concerts, Ice rinks, etc.) or begging. An access to an economic resource that is, by default and without discussion, reserved to certain kind of economic agents in detriment of others.

Other important part of commercial activity in the public space has to do with the ability to attract attention to images and products. An economy of the attention that depends not only on the location more or less central messages and the flow of people who access it, but also on the specific environment in which they are located and certain areas of the city enjoy more prestige than others, precisely the space where the more fragil are often excluded. As a political space, citizen activity is not limited to attending calls by parties, trade unions or groups, overflowing the streets and squares in movements such as those encamped in Spain, but also in the practice of civil disobedience Deploy movements such as PAH, requests for signatures, information desks, etc.

Generally, municipal ordinances regulating the use of public space privilege private use of a commercial character, or with economic values (in the case of certain authorizations for graffitis), has great difficulties in differentiating between the lucrative use and the Use by groups and groups, and are unable to establish norms and measures that distinguish between, for example, placing a promotion

<17>

post for a new model of mobile phone or a table requesting signatures for a neighbourhood demand which, in the case of Madrid, for example, are both sub- ject to a local tax.

If we apply to the public space the four main characteristics of the commons: universality, democracy, sustainability and inalienability, then it becomes necessary to, first. rethink the modality of access to this resource, either as economic exchange, political expression, Or in its capacity of imaginary production; second, implement new forms of management of the public that allow to deepen democratic procedures of co-production; third, protect against mono-functionality and loss of social and cultural diversity by giving preference to the subjects and groups that effectively produce the life and urban character of the city; fourth and lats, to reverse the increasing and widespread modes of privatization.

The appropriation of public space implies a material dispossession but above all it is a dispossession of signifiers and also of a network of relationships. The responses, therefore, must include processes of subjective reconstitution where the community is not build as an illusory entity free from disorder but as a space that involves being recognized and involved with others, in dialogue and in conflict. It is here that the practices and the demands on the need to recognize and promote the urban commons, as well as to understand the public space as common, appear strongly.

<18>

BIBLIOGRAPHY

Blackmar, Elisabeth. 2006. "Appropiating 'The Commons': The Tragedy of Property Rights Discourse" in *The Politics of Public Space,* Setha Low y Neil Smith (coord.). Nueva York: Routledge.

Bowden, Nark; Brown, Graham y Smith, Nicky. 2009. *An archeology of Town commons in England.* Swidon: English Heritage.

Crawford, Sue and Ostrom. Elinor. 1995. "A Grammar of Institutions" in *The American Political Science Review*, Vol. 89, No. 3. Sep., *1995*, pp. 582-600.

Delgado, Manel. 2008. "Lo común y lo colectivo". Presentation at the Laboratorio del Procomún de Medialab Prado, Madrid 31st January 2008.

Erro, Marcos and Medina, José. 2017. *Gamonal, La Historia desde abajo*, Burgos: Ediciones El Perdigón.Garland, David. 2001. *The Culture of Control*. Oxford, University Press.

Escobar, María Gisela and Vargas Monroy, Liliana. 2007. "Globalización y construcción de identidades en la ciudad contemporánea: un análisis de discurso de la nueva Ordenanza Cívica de Barcelona". *Universitas Psychologica* v.6 n.3 Bogotá, diciembre 2007.

Garnett, Nicole (2011) "Managing the urban commons". *University of Pennsylvania Law Review* , Vol. 160, pp. 1995-2027.

Gidwani, Vinay y Baviskar, Amita. 2010. "Short concept note on urban commons", in Urban Research and Policy Programme. National Institute of Advanced Studies, Bangalore, 18-19 August 2010.

<19>

Gutiérrez Aguilar, Raquel. 2015. *Horizonte comunitario-popular*. Antagonismo y producción de lo común en América Latina. Puebla: Benemérita Universidad de Puebla, Instituto de Ciencias Sociales y Humanidades "Alfonso Vélez Pliego".

Johanson, Magnus and Parker, Pete. 2001. "The uses and abuses of Elinor Ostrom's concept of commons in urban theorizing". Paper presented at the International Conference of the European Urban Research Association Cities Without Limits. Copenhagen, Denmark, June 23-25.

Johnston, Ronald, Gregory, Derek and Smith, David . 2000 .*Diccionario Akal de Geografía humana*. Madrid: Akal.

Larrauri, Elena. 2007. "Ayuntamientos de izquierdas y control del delito", *InDret.* 3/2007.

Limón, Pedro. 2012. "Protección jurídica e imaginación global: cartografías urbanas a través de la ley en Barcelona", in *Geopolítica(s)*, 2012, vol. 3, núm. 1, pp. 117-135.

Linebaugh, Peter (2008) T*he Carta Magna Manifesto. Liberties and Cmmons for All.* Berkeley: University of California Press.

Martin, Deborah; Scherr, Alexander and City, Christopher. 2010. "Making law, making place: lawyers and the production of space". *Progress in Human Geography*, vol. 34, nº. 2, 175-192.

Mattei, Ugo. 2011. "The State, the Market, and some Preliminary Question about the Commons" (French and English Version).

<20>

Mitchell, David. 2007. "Muerte entre la abundancia: los paisajes como sistemas de reproducción social", in J. Nogué (ed.) (2007) *La construcción social del paisaje*. Madrid: Biblioteca Nueva, 85-110.

Ostrom, Elinor. 1990*. Governing the Commons: The Evolution of Institutions for Collective Action.* Cambridge: Cambridge University Press.

Sánchez Cota, Ariana; García García, Esther; and Rodríguez Medela, Juan. 2013. *Por qué no nos dejan hacer en la calle. Prácticas de control social y privatización de los espacios en la ciudad capitalista*. Granada: Grupo de Estudios Antropológicos La Corrala.

Stavros, Stavrides. 2010. "Communities of crisis, squares in movement", en *Regards on the crisis in Europe*, Lisbon, professionaldreamers.org, en preparación.

Thompson, E. P. 1995. *Costumbres en común*. Barcelona: Editorial Crítica.

<21>