

# CHALLENGE OF NEW COMMONS – URBAN PUBLIC SPACES

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## ABSTRACT

New commons are shared resources that have recently evolved or have been recognized as commons (Hess 2008). Urban commons, in this case urban public spaces, can be also put into this category. Urban public spaces are important parts of urban environment creating the framework for public life. There are many types of public spaces with different functions attracting various users. They often have contradicting requirements, but certain use level balancing between the two extremes of abandoned and overcrowded spaces is inevitable (Neuts 2011).

The question that raises here is – how to manage urban spaces sustainably and to preserve their quality in long term? Quality is related to the unique conditions of each space and so it is a result of search for its optimal use and design during the planning phase and represents a challenge for the management processes and practices to preserve it. Governing of shared resources involves making not simple decisions under uncertainty, in very complex and conflicting environments and contexts, but there are numerous examples of effective management of commons, mostly the traditional ones. Ostrom and her colleagues have identified a set of design principles associated with robust institutions that have successfully governed shared resources for generations (Dietz et al. 2002, Ostrom et al. 1999, 2008). But in contrast to traditional commons they do not necessarily apply to all new commons, including urban public spaces (Hess 2008). In this paper we are critically discussing with existing literature and case studies the applicability and relevance of the design principles for urban public spaces as urban commons.

## KEYWORDS

new commons, urban commons, urban public spaces

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## INTRODUCTION

Hardin's article 'The Tragedy of the Commons' (1968) as one of the most often cited papers in the last decades has had a strong influence on the study of shared resources - the commons. 'His metaphor of peasants sharing an open access field—each acting in their own self-interest, putting as many sheep to graze in the field as possible until the land is completely degraded—has taken on the level of urban folklore' (Dietz et al. 2002, Hess 2008). Numerous empirical studies are providing evidence on solving social dilemmas of the commons and examples of efficient resource use, contrary to the prediction (Berkes 1985, 1986, Netting 1972, Acheson 2003; Acheson et al. 1998, Poteete et al. 2010 and others). In most of those cases no external authority is needed to solve the resource management problems. Self-management and self-governance increases willingness to follow the rules and monitor others in comparing to situations when an authority simply imposes rules (Fleischman et al. 2010, Ostrom and Nagendra 2006). Social dilemmas in urban environment has been studied by Kassa (2008), Pasquier Merino (2008), Steed and Fischer (2008), Neuts (2011), Herrod (2011) and others.

'For the first time in history, shortly after the millennium, the majority of global population became urban rather than rural. (...) Greater focus on the needs of the people who use cities must be a key goal for the future' (Gehl 2010). Cities are important actors in global and also local contexts. This is one of main factors, why many strategies, documents, events and initiatives are dealing with the question of sustainability of urban development and quality of human environment in the cities. Urban open spaces are essential part of urban environment. They are mostly classified as private and public spaces. Private spaces are those not accessible for public and subject of private use and maintenance. Public spaces are freely accessible for all. They are crucial elements influencing the quality of city life.

What are the quality urban public spaces? What are common quality features for all public spaces? It is a challenging question for spatial planners, architects and executive managers to deal with. Each of the spaces is of very specific quality related to the unique features of particular space resulting from interplay between search for optimal use and design during the planning phase and the way how the public occupies the space in real life. This is a challenge for the management processes and practices to safeguard their quality. How to design these processes? There are examples of successful management of commons. Based on them eight key design principles for robust governance were identified. The questions are, whether they are valid also for management of urban public spaces as commons and if they are significant in the urban context?

In this paper we are critically discussing with existing literature and case studies the applicability and relevance of those design principles for robust governance of commons and illustrating them on selected case studies from the Digital Library of Commons.

## MANAGEMENT OF URBAN PUBLIC SPACES. QUALITY OF PUBLIC SPACE

Urban public spaces are inherent parts of urban environment where the public has free access. They create dominant quality of urban structures and framework for public life - communication, free movement, production, distribution of goods, services and information, leisure activities and other social processes. All these activities and the whole scale of their actors participate at the use of urban public spaces – share them, compete, contribute with their presence in the space to their quality.

'Every public space has different uses and means different things to different people. A well-designed public space meets the needs of all the people using it without favoring one particular group of people. It is flexible enough to meet different needs now and in the future (CABE 2007).' Successful physical spaces are dependent on the performance and legitimacy of spatial management processes and practices (see figure 1). Planning and implementation are the initial phases, but public spaces are continually co-created by their users. Jan Gehl (2010) says: 'We shape the cities and they shape us'. The design concept of architects and planners is confronted in reality by users – they can accept it (if it is understandable and fits to what they need) and identify themselves with the space or reject (and this may lead to deterioration of spaces). Good space design inviting to use is one of the preconditions for the very essence of public spaces – for the public life. 'Public spaces are open to all (...). When properly designed and cared for, they bring communities together, provide meeting places and foster social ties of a kind that have been disappearing in many urban areas. These spaces shape the cultural identity of an area, are part of its unique character and provide a sense of place for local communities (CABE 2004).'

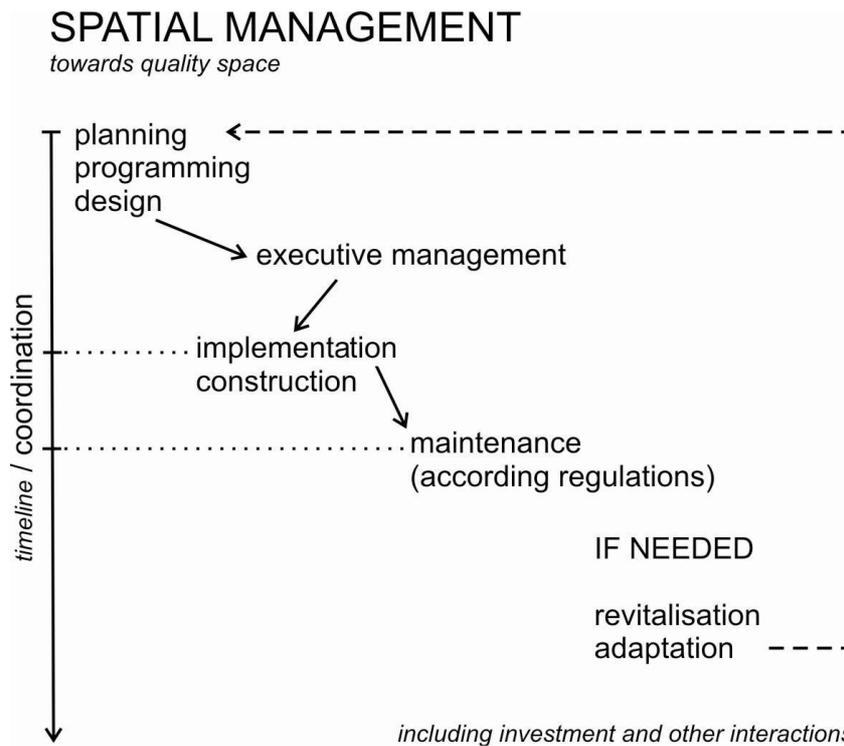


Figure 1: Spatial management and its key dimensions. Source: authors

Various users and actors with different rights and duties are involved in planning, implementation of planning measures and use of public spaces. Who benefits and who contributes? Benefits are what the space offers to its users. They are confronted with demands (expectations and preferences). Positive impact on property price represents a benefit for the group of property owners, on the other hand, benefits such as improved air quality, reduction of stress and enhancement of mental health and venues for social events are beneficial for the whole community (see Carmona et al. 2008). How are the users contributing to the (quality) public space?

Relationship between public space, its benefits and users in wider spatial context of the urban environment and institutional context is illustrated below (figure 2).

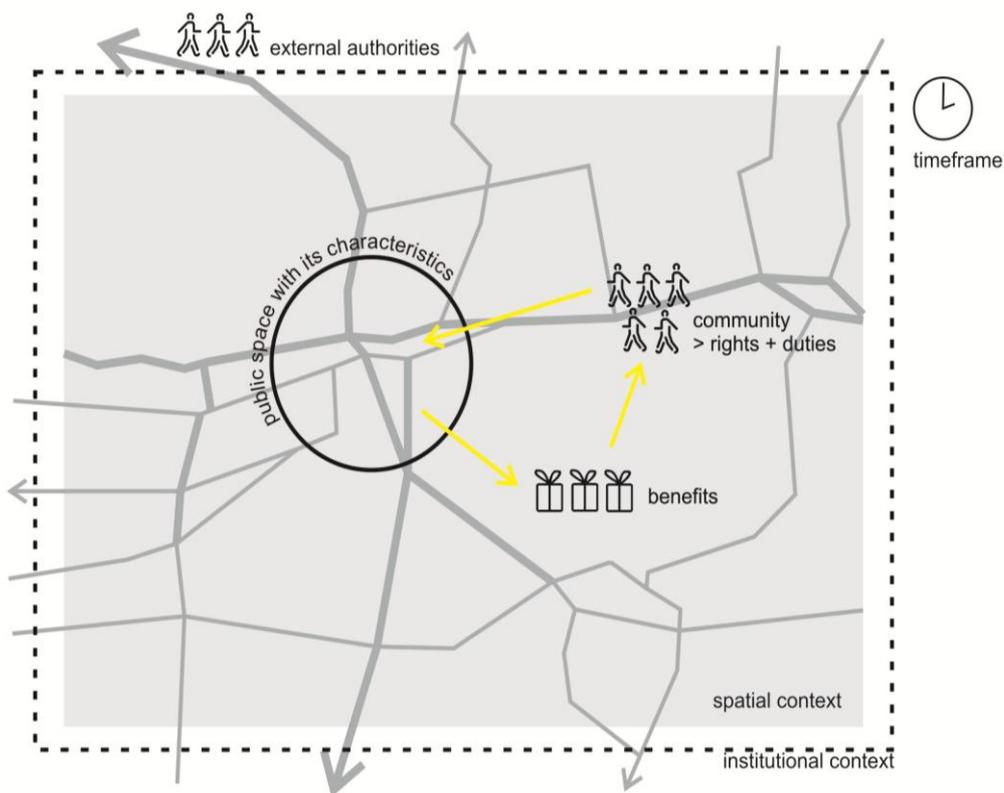


Figure 2: Spatial management in context, users and benefits. Source: authors

#### DEFINITION OF COMMONS

Theory of the commons is dealing with governance of shared natural and human-constructed resources. The research on commons is mostly focused on the common-pool resources, common goods, common property regimes or the tragedy of the commons. Scholars and representatives of various disciplines offer plenty of different explanations. According Walljasper (2010) commons are all what we share - creations of nature and society that belong to all and should be preserved and maintained for future generations. Cheria and Edwin (2011) are stating that 'commons are the gifts of nature, managed and shared by a community, which the community is willing and able to defend.' Hess (2008) posits that, the term 'commons' is full of ambiguity and rarely defined.' Former IASC president, Erling Berge is saying (2004)<sup>iv</sup> the term 'commons' refers to a basic concept with a strong core speaking to and being understandable for most people, but without clear conceptual boundaries. While most people will be able to point to a commons they readily recognize, any two persons from different institutional contexts may have to discuss at some length to agree on similarities and differences in the classification of their favourite commons. It would seem reasonable to call it a fuzzy concept.'

Traditional research on commons is dealing with natural commons such as fisheries, forestry, marine ecosystems, ozone layer etc. and human-constructed commons represented by irrigation systems, internet etc. 'Nearly all environmental issues have

<sup>iv</sup> See Hess, 2008

aspects of commons in them'. (Dietz et al. 2002) Dyer-Witheford (2001) argues that commons' is today emerging as a crucial concept for activists and thinkers involved in myriad mobilizations around the planet'. Collective actions of citizens, neighbourhoods and NGOs and bottom-up initiatives are natural feature of democracy. Recent examples involve the occupy movement<sup>v</sup>, critical mass<sup>vi</sup>, guerilla gardening<sup>vii</sup>, etc. which are all expressing demands for change in governing of commons. 'While property rights and the nature of the good may still important, there is a growing emphasis on questions of governance, participatory processes, and trust; and there is a groundswell of interest in shared values and moral responsibility' (Hess 2008).

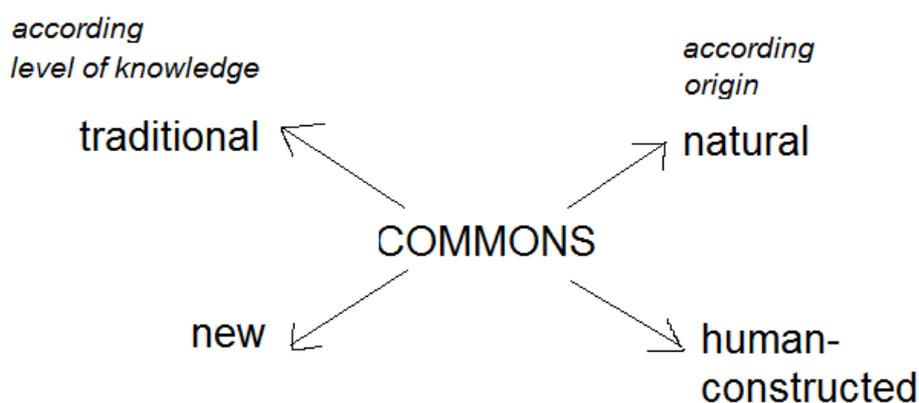


Figure 3.:  
Basic

typology of the commons. Source: authors

Dietz (2002) argues that it is very important to distinguish between 'the characteristics of the resource (common-pool resource) and the regime that manages the resource (common-property regime or other)'. The management approaches to governing the resources include public property (government), private property (private parties), and common property (local communities), that are different from the open access regime described by Hardin (Steins and Edwards 1999).

The general term of commons covers also the common goods as subtractable and non-excludable benefits of common-pool resources, which are in traditional economic theory defined as open-access goods. 'When an individual uses a common good, he or she subtracts from the total amount of this good available for others to use (Kassa 2008).' Non-excludability and subtractability are seen as the key characteristics of common goods and also common-pool resources as such.

### THE STRUGGLE TO GOVERN THE COMMONS<sup>viii</sup>

Why a struggle? Governing of shared resources involves making not simple

<sup>v</sup> e.g. <http://occupywallst.org/>  
<sup>vi</sup> [http://en.wikipedia.org/wiki/Critical\\_Mass](http://en.wikipedia.org/wiki/Critical_Mass)  
<sup>vii</sup> <http://guerillagardening.org>  
<sup>viii</sup> Originally title of paper by Dietz (2003)

decisions under uncertainty, in very complex and conflicting environments and contexts. Social dilemmas involve a conflict between individual rationality and optimal outcomes for a group (Poteete et al. 2010). Hardin (1968) in his influential 'Tragedy of Commons' argues that no one is independently motivated to cooperate on managing of resources which often leads to open access and that only centralized government and private property can overcome this. The tragedy of the commons' arises when it is difficult and costly to exclude potential users from common-pool resources that yield finite flows of benefits, as a result of which those resources will be exhausted by rational, utility-maximizing individuals rather than conserved for the benefit of all' (Ostrom 2008b). This statement is a reference point for many scholars discussing its validity. Dietz, Ostrom and Stern (2003) argue, that Hardin missed the point that many social groups struggled successfully against threats of resource degradation by developing and maintaining self-governing institutions. Case studies<sup>ix</sup> illustrated that some resource users did self-organize and succeeded in preventing overharvesting of the resources they depended on. 'Hundreds of documented examples exist of long-term sustainable resource use in such communities as well as in more economically advanced communities with effective, local, self-governing rights, but there are also many failures' (Dietz et al. 2002).

#### MAPPING THE NEW COMMONS<sup>x</sup>. URBAN COMMONS

There are plenty of cases representing traditional commons listed in the Digital Library of Commons, which is an online resource for the commons research. But also the number of cases presenting new commons stories is continually increasing (see figure 4). Why 'new'? In contrast to traditional commons Ostrom's design principles (1990) do not necessarily apply to new commons and because of the recent emergence of the awareness of those commons. Simply put, new commons are various types of shared resources that have recently evolved or have been recognized as commons'. (Hess 2008) Thus new commons are challenging issue.

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ix see / <http://dlc.dlib.indiana.edu/dlc/>  
x Originally title of paper by Hess (2008)

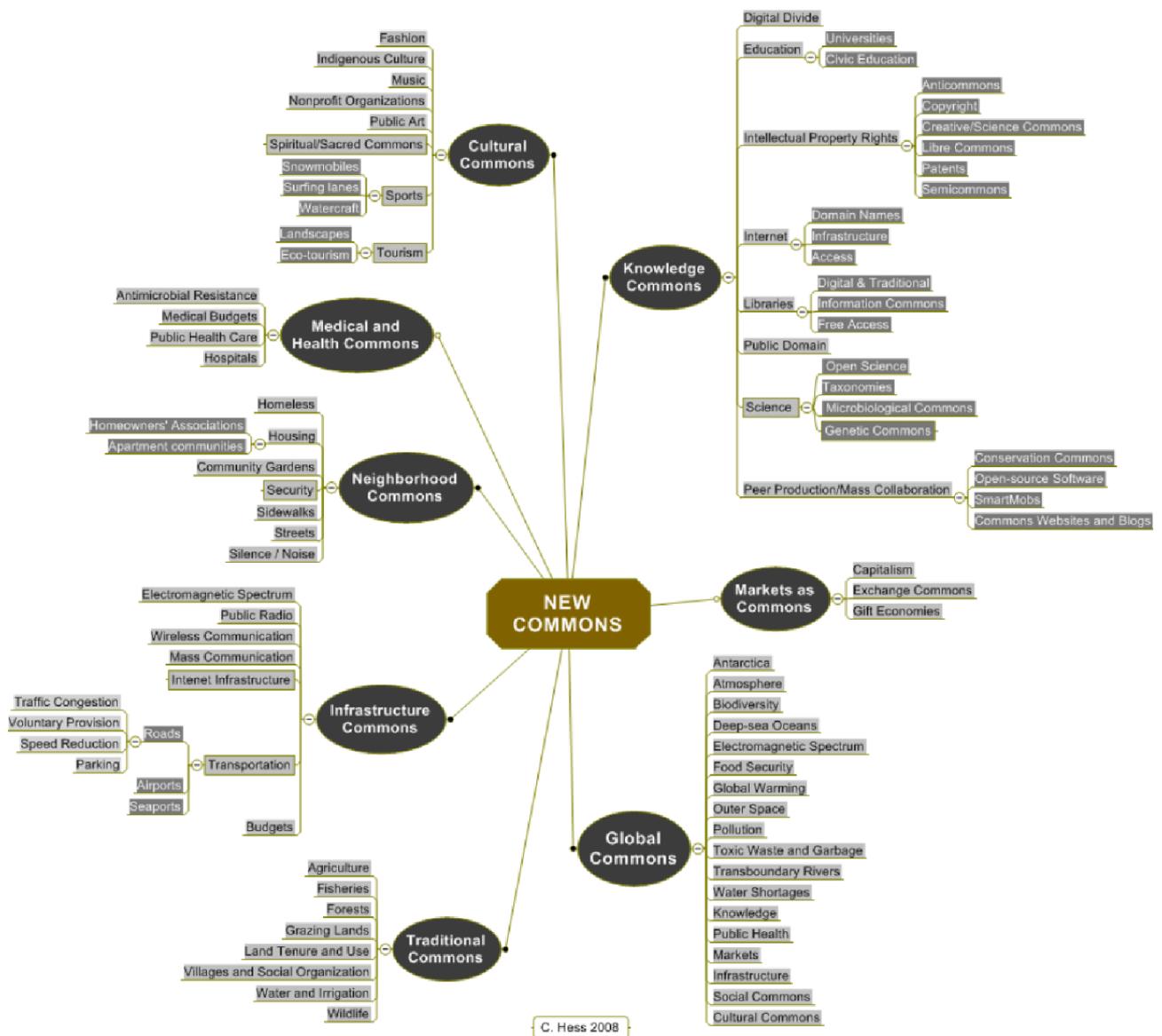


Figure 4: A map of new commons (Hess, 2008)

'Other types of new commons are publicly shared resources that have been reconceptualized as commons, such as street trees, sidewalks, playgrounds, urban gardens, hospitals, and tourist areas' (Hess 2008). Urban commons also belong to the so called 'new commons' group. They are representing all shared, mostly human-constructed, parts of urban environment (Maco 2012).

### URBAN PUBLIC SPACES AS COMMONS. THREE ILLUSTRATIVE EXAMPLES

Urban public spaces as human-constructed commons are subtractable and they lost their quality excluding users from access to them (Dietz et al. 2002). They 'need a certain use level in order to function efficiently and negative congestion effects on

space utility will only set in after certain use levels. Congestible goods which are not subtractable<sup>xi</sup> at use levels between zero and a certain positive amount, yet become rival when this number of users or the intensity of use is exceeded' (Neuts 2011). When the use is too low and the public space is neglected it is becoming abandoned space, an urban void, on the other hand overcrowded spaces (as city centers with tourists) are also under a hard pressure. At the same time they are representing different values for various users (often very contradicting) it is a real challenge to sustain their quality and fulfil the needs of their users in optimal way. 'The different functions of public space can be contradictory at times which, combined with the inherent spatial restrictedness of space, could lead to a possible rivalry in resource use. Question arises whether the utility loss of some users as a result of the activities of others is acceptable. Adaptability and potential to serve many users, the writer believes, makes urban public spaces very similar to that of the commons (Neuts 2011).' These are some of the reasons why public spaces are often facing problems very similar to those of natural commons, where absence of proper institutionalized or not institutionalized management rules, contradicting requirements and conflicts among actors in their development processes often results in their deterioration. 'Nevertheless, in contrast with environmental resources, this overconsumption will generally not result in a tragedy of the commons where the resource ultimately gets destroyed. Herein lays the major difference between public space and other sorts of common goods: public space is simultaneously subtractable and reproducible (Neuts 2011).'

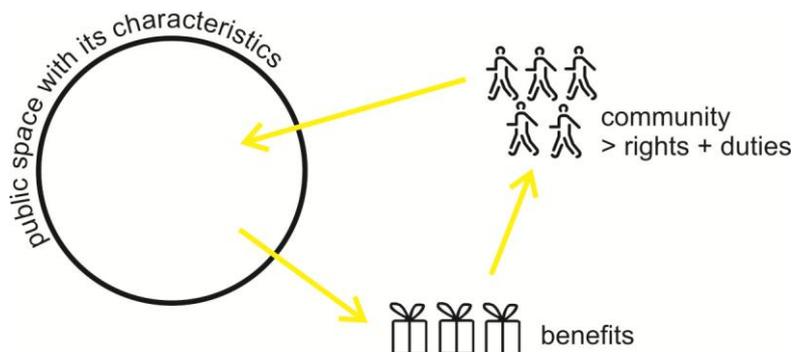


Figure 5: Public spaces as common-pool resource and its benefits (goods). Source: authors

How to prevent this to happen? There are many issues that need to be discussed and questions that need to be answered or at least to be taken into the account when discovering public spaces from the commons perspective. It is possible to show on case studies of commons situations (more or less successful management) in context of urban public spaces from Digital Library of Commons. Here we are trying to trace the conditions of each of them and analyze according the eight design principles (8DP). These examples help us to illustrate and discuss possibility of application of 8DP in management of urban public spaces towards sustainable quality.

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xi Originally non-rival

### La Piazzola, Bologna, Italy<sup>xii</sup>

La Piazzola is a weekly market at the Piazza VIII Agosto square with almost 600 years of history. It is space of economic, social and cultural inter-exchange, traditional value and cosmopolitan encounter with its certain position in the self-image of the city. In last decades due to migration movement traditional distribution among the market community (stand owners, sellers, etc.) has changed rapidly. Former homogenous group of Italians has shifted towards heterogeneity of sub-groups divided by national origin, function and power at the market. Increasing heterogeneity demands more social and group investment on communication and consensus building. Bologna case represents an example of challenging situation to adapt to changes in the market community and institutional context and to prevent decreasing of prestige of the market as a whole (Pasquier Merino 2008).

### Luzerne/Glover alley, Baltimore, US<sup>xiii</sup>

In recent years Baltimore has experienced major population decrease, decline of economic prosperity and of quality of living environment. To solve this problem in 2002 municipality announced plan to redevelop certain amount of vacant city homes. At that time Ashoka Community Green, NGO focused on community planning and activities, approached developers and residents with the idea of revitalization of deteriorated urban spaces – alleys – by greening and gating. This was supposed to solve serious crime issues and health risks that were bothering the residents for a long time. Baltimore case is example of creating new urban commons by local community in cooperation with NGOs, municipality and other stakeholders. Along with running the pilot project of beautifying alley of Luzerne/Glover they had to overcome legal/political obstacles – all the actors were negotiating and working to prepare city-wide ordinance to allow and create better conditions for replication of the pilot project city wide. The alley-gating project was community driven and funded with the help of the city council (e.g. consultations) and according the certain rules (residents' consents, traffic conditions, etc.) as approved in the ordinance. 'Baltimore alley gating and greening ordinance is a civil means of asserting community rights and interests. It leads to the collective creation of cleaner and greener spaces(Herrod 2011).'

### Jan Meda, Addis Ababa, Ethiopia<sup>xiv</sup>

'Jan Meda has been playing a pivotal role in the modern history of Ethiopia staging religious festivals, coronations, military reviews and campaign inaugurals. In trying times of crisis and transition, Jan Meda has also served as the place of refuge and

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<sup>xii</sup> Photo for illustration: <http://www.flickr.com/photos/pg63/5065887968/>

<sup>xiii</sup> Photos for illustration available here:: <http://www.washingtonpost.com/wp-dyn/content/gallery/2010/05/26/GA2010052602989.html?sid=ST2010052805148>

<sup>xiv</sup> Photos here:: <http://addisgreenspace.org/category/parks-unofficial/jan-meda/>

temporary settlement.' Nowadays this biggest multipurpose ground in Addis Ababa is experiencing serious problem of decreasing quality because of deficiencies in its management. 'There is a lot of institutional wrangling about how this huge and multipurpose public space should be managed. It was after 1991 that the city government of Addis Ababa delegated the management of Jan Meda to Addis Ababa Sports Commission. Following this decision, the Ethiopian Equestrian Association which is one of the veteran associations housed in Jan Meda filed a legal case against the Sports Commission.' These and other actors do not have any forum for discussion and there is no division of labour between the stakeholders in the management. There is a lack of definite rules regulating access and use (Kassa 2008).

#### CHALLENGES OF SOLUTIONS FOR URBAN COMMONS. 8 DESIGN PRINCIPLES

'(N)o single type of property regime works efficiently, fairly and sustainably in relation to all CPRs (common-pool resources)', but it is possible to 'identify design principles associated with robust institutions that have successfully governed CPRs for generations.' (Dietz 2003)

Based on numerous empirical cases Elinor Ostrom with the help of other scholars has identified a set of design principles (the 8 design principles) associated with robust institutions that have successfully governed shared resources in long-term. Here we are critically discussing with existing case studies the applicability and relevance of those design principles for urban public spaces as urban commons.

##### *1. Clearly defined boundaries*

'The boundaries of the resource system and the individuals or households with rights to harvest resource units are clearly defined (Ostrom 1990).'

Piazzola market	Baltimore alleys	Jan Meda
temporal use of the space, regularly informal rules imposed authority on behalf of the community historical regime now changed subgroups – heterogeneous community	gated communities new ordinance → rules for collective action and self-governance	various authorities in conflict, discontinuity in management and use, multipurpose field

How can we define boundaries of urban public space as commons? Or better, what defines the public spaces? It is not only physical boundaries like surrounding structures, fencing or marking of the pedestrian zone, but also their context - unique characteristics/conditions and function –activities they are designed and used for. Physical definition of public spaces is often very fuzzy. Urban development processes and so changes in urban environment are very dynamic and intense nowadays. Planning documents such as strategies, guidelines, plans, regulations set

in legal context are what determines current and future development of these spaces. Unlike physical boundaries they cannot be visible in the public space, but as an institutional framework they have strong impact on the planning, management and development of particular spaces and on the whole matrix of public spaces in the cities. In fact, they are representing 'rules of the game' for spatial development. Spatial and institutional boundaries are necessary to prevent free-riding and open-access towards managed access.

And so clear user rights are inevitable. It is obvious that not all users and actors have the same rights. Who may access and use, manage, exclude others or decide upon the public space? There are diverse types of public spaces having varied importance (e.g. central square and neighbourhood space) and so attracting different people (residents, student, employees of local companies, tourists, etc.). The question is how to define the community of users. In many cases it would be hard to define it because of high mobility of people using public spaces but at least core group of users (local community) with significant ties to the space and with strongest sense of belonging/identity should be identifiable. Issue of users and property rights would be worth of particular analysis and discussion.

'Using this principle enables participants to know who is in and who is out of the defined set of relationships and, thus with whom to cooperate. Just defining the boundaries carefully, however, may not be sufficient in and of itself, especially when the boundaries are drawn by external officials (Ostrom 2008a).'

## 2. Proportional equivalence between benefits and costs

'Rules specifying the amount of resource products that a user is allocated are related to local conditions and to rules requiring labor, materials, and/or money inputs (Ostrom 1990).'

Piazzola market	Baltimore alleys	Jan Meda
members following the rules vs. free-riders → proper stands vs. street vendors prestige of the market as a whole is decreasing	fundraising and funding → community everybody has to contribute safe environment social capital → strengthening the community	many actors willing to benefit from the space, unclear responsibilities regarding maintenance of the space

The second principle is dealing with justified distribution of benefits among group sharing the resource, also with responsibilities and user rights. What are the benefits of urban public spaces or when comparing to natural commons - what is to be 'harvested' from public spaces as common-pool resources (what is the product)? Neuts (2011) writes that 'the utility it provides for its users. Hardin's production function is thus transformed into a utility function.' Public spaces are potential spaces for activities. It means we are sharing the spaces by using their potential. 'Potential and realized (real) urban public spaces- both as potential or effective environments-

are 'relatively adaptable and can accommodate a variety of users.' Effective environment as the realized potential environment i.e. the social environment 'created and determined by what people actually do within it (Golicnik 2004)'. Public spaces create framework for public life - communication, free movement, production, distribution of goods, services and information, leisure activities and other social processes. All these activities and the whole scale of their actors participate at the use of urban public spaces – share them, compete, contribute with their presence in the space to their quality. Interesting distinction between traditional commons and public spaces as commons is the fact that urban public spaces would loose their quality excluding users from access to them. So the presence of people and their activities in the public space is inevitable and can be seen as a kind of 'investment'.

### 3. Collective-choice arrangements

'Most individuals affected by harvesting and protection rules are included in the group who can modify these rules. (Ostrom 1990).

Piazzola market	Baltimore alleys	Jan Meda
eroded institutions (used for many years) heterogeneity in the community is increasing no legitimate authority local consortium substituted by a self-appointed body	participation collective action of the communities (cooperation with municipality, NGOs and other stakeholders)	no collective-choice arrangements – unclear responsibilities cooperation of actors is difficult

In context of urban public spaces, communities are often very heterogeneous (depending on the type of public space and the scale). Here fits the Ostrom's question (2008a): 'How can we enhance the participation of those involved in making key decisions about this system?' The third design principle is related to adaptiveness to change by the means of participation in decision-making ( not only conceptual but also spontaneous decisions of users) and rule-crafting. Decisions upon necessary changes or improvements, rules for coordinating activities in the space and regime how it can be used. Having direct and regular contact with the resource – in this context with public space (and community of other users) is crucial for evolving the sense of belonging/identity (which is similar to the dependence upon the common-pool resource in the case of traditional commons).

Role of communication is crucial in here. Communication in the space and about the space. Growing importance of virtual communication can be perceived – communication is no longer limited to certain time and space, all those who interested can participate. But who will facilitate this communication?

To ensure legitimacy, all actors involved must have justified rights and clearly distributed. As in the case of traditional commons, here is the risk of influence and power of local elite. Ostrom (2008a) is listing five core groups of users and actors according to their rights - authorized viewer, authorized user, claimant (with

management rights), proprietor (with right of exclusion) and owner (with right of alienation).

If most of users could possess at least the three rights (access, withdrawal, and management), hypothesis is that capabilities to self-organize would increase (compare Schlager 1994).

#### 4. Monitoring

'Monitors, who actively audit biophysical conditions and user behavior, are at least partially accountable to the users and/or are the users themselves (Ostrom 1990).'

Piazzola market	Baltimore alleys	Jan Meda
not public space itself, but activity (use of the space) eroded social capital increasing heterogeneity – need for more investment in trust building	by neighbours – closed gated community condition for maintaining the space	unclear situation legal case between two actors of (regarding management)

'Few long-surviving resource regimes rely only on levels of trust and reciprocity among appropriators to keep rule-breaking levels down (Ostrom 2008a).' Evidence of importance of this design principle is presented in numerous case studies listed in Digital Library of the Commons. Only external monitors are not sufficient, internal (self-organized) monitoring was proven crucial in the context of traditional commons and is evidence of high trust (Ostrom, personal communication, Potete et al. 2010).

Question of monitoring is very delicate. Surveillance systems today more often present in urban space are adding to the feeling of being controlled everywhere. What kind of monitoring it should be (if) helping to sustain quality of the space (or to prevent unwanted behaviour) and at the same time not affecting the pleasant feeling of using the public space freely? Relationships among users and space and users (community) themselves are the key stones for ensuring internal control (or rather awareness) and feedback. Strengthening local community identity might be one of the possible ways how to foster informal internal monitoring – e.g. in the form of 'friendly warning' or announcement to executive bodies (vandalism, wrong parking). Of course, understanding and legitimacy of the rules are inevitable. As another effect, higher awareness of what is going on in the public space may be helpful for continuous up-to-date improving of the existing quality of spaces.

#### 5. Graduated Sanctions

'Users who violate rules-in-use are likely to receive graduated sanctions (depending on the seriousness and context of the offense) from other users, from officials accountable to these users, or from both (Ostrom 1990).'

Piazzola market	Baltimore alleys	Jan Meda
street vendors – freeriders	non-responsive owners do	

but no internal sanctioning	not have the right to block the process of alley greening	
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Fifth design principle is related to graduated sanctions – which means, that first one is more of warning and information for the community, next steps are more serious. How should they look like? Public works, no benefits from using the space - limited access or just announcing publicly who have broken the rules. Who should execute this? There are sanctions in the wider public space context – for vandalism, fines for wrong parking, etc. - but if they are not executed properly or not used at all, they are losing their impact. In the case of natural commons, temporary exclusion of user is possible as a form of sanction – limited access or reduction of rights. Is this possible in case of urban public spaces? Would not it be in conflict with the very essence of public space – accessibility for all? Reducing conscious damages to public space (combined with proper maintenance) is inevitable. It is used as one of the very common arguments for not engaging in participatory planning and against the regeneration of public spaces – that it is not worth of investing time, money and energy, because as it is always, somebody will come and destroy it again.

It may be helpful also to switch the perspective and not to take it just from the negative point of view (how to avoid unwanted scenarios) but rewarding and exhibiting positive examples (or pilot projects) and behaviour in the public space. There is a strong need for creative and valid solutions to overcome these problems and to adapt to unexpected changes in future.

'When the users of resource design their own rules (DP3) that are enforced by local users or accountable to them (DP4) using graduated sanctions (DP5) that clearly define who has rights to withdraw from a well-defined resource (DP1) and that effectively assign costs proportionate to benefits (DP2), collective action and monitoring problems tend to be solved in a reinforcing manner (Ostrom 2005).

#### 6. Conflict-resolution mechanisms

'Users and their officials have rapid access to low-cost, local arenas to resolve conflict among users or between users and officials(...)What local and regional mechanisms exist to resolve conflicts arising over the use of a resource? (Ostrom 1990, 2008a). '

Piazzola market	Baltimore alleys	Jan Meda
no arena for solving conflicts self-appointed body of low legitimacy (members mostly Italians)	residents are motivated to solve conflict during the process of planning and use of common spaces – success or failure of gating initiative	who is the authority? legal case

This principle is dealing with simple local mechanisms (low cost and rapid access) helping to get conflict aired immediately. Are there any examples of platform for

meeting and solving the conflicts in the context of public spaces? Public meetings, public hearings, deliberative forums, web discussion groups. Conflicts mostly appear when changing the quality of space (e.g. cutting trees in park, changes of places with strong cultural identity) or among actors having different preferences in use or designing phase of the public space. Participatory planning, when properly performed, might be a helpful tool in the local scale and also on the city level to prevent this. But very often it does not help. Public meetings during participatory planning process are often opportunity for unsatisfied citizens complaining about many other issues, which are not related to what they should be discussing. This is complicating the process and it is hard to solve as many problems at once. Question is 'why'? It is probably an evidence, that such arenas for discussing current topics are needed but missing. On the city scale but on the local too. Who should organize it? It is important to ensure that everybody (every group) involved would have the possibility to explain her/his point. It is impossible to 100% satisfy the needs (or rather wishes) of all involved, but better understanding through communication could help the negotiation later on.

*7. Minimal recognition of rights to organize*

'The rights of users to devise their own institutions are not challenged by external governmental authorities, and users have long-term tenure rights to the resource (Ostrom 1990). '

Piazzola market	Baltimore alleys	Jan Meda
heterogeneity formal conditions for collective action are worse now	thanks to the new ordinance + NGO and grassroots movement – opportunity for residents to to run gating initiatives on their own (supported by municipality)	no willingness reason heterogeneous community (place of national importance!

Community of users and actors in the context of public spaces is very heterogeneous - people commuting to the city - working or studying here, tourists, authorities and planners, investors and developers. Characteristics of the community (its size and distribution) are linked to size, function and importance of the particular public space. There are examples of successful spaces managed by communities (e.g. gated communities). But is the same approach applicable for all public spaces?

How to organize self-organization? It is something we cannot plan, but we can improve conditions for it. For example offering deteriorating spaces for community use, for groups or individuals to make up their own projects and ideas how to cultivate and use these spaces better. While still allowing free access for all. And to give more space and support for public initiatives (request-based planning). 'When external governmental officials presume that only they can make authoritative rules, then sustaining a self-organized regime is very difficult (Johnson and Libecap 1982,

Ostrom 2008a).'

8. *Nested enterprises*

'Appropriation, provision, monitoring, enforcement, conflict resolution, and governance activities are organized in multiple layers of nested enterprises. How do we create a multiple-layer, polycentric system that can be dynamic, adaptive, and effective over time? (Ostrom 1990, 2008a).'

Piazzola market	Baltimore alleys	Jan Meda
market as a part of self-image of the city subgroups in market community	hybrid ordinance context of US and the state of Maryland legislation inspiration for many other initiatives and cities in US	change in responsibilities, but low legitimacy responsibilities moved to subcities – discontinuity in management practice

Each urban public space is a part of urban environment, connected with other public spaces in a form of matrix, complementary in function and quality (or at least they should be) and influencing surrounding structures in horizontal and vertical (cross-scale) relationships. There are examples of urban public spaces 'commons situations' on the level of particular public spaces (car parking invasion, massive advertising in public space, expansion of outdoor café/bar seating in historical city cores etc.), but urban public spaces are facing challenges also on the level of the whole cities, where they are under the pressure of urban development and exposed to more complex relationships. Each scale has specific problems. Regions networking and cooperating on projects funded by EU, cross-borders partnerships of cities. And as there are many initiatives on urban environment (climate change and cities, sustainable cities, green cities etc.) there is a significant link to the global scale.

Is it possible to apply the same approach to urban public spaces across all the scales - beginning from the public spaces of city-wide or regional importance (historical city centres) through spaces of communication and transport (crossroads, transport nodes, streets) to local scale of community spaces (neighbourhoods)? Question of scale is strongly related to characteristics of the group of users (heterogeneity, identity, size, relationships, etc.). 'As we 'jump scales' (as geographers like to put it), the whole nature of the common- property problem and the prospects of finding a solution change dramatically. Even worse, good solutions at one scale (say, the local) do not necessarily aggregate up, or cascade down, to make for good solutions at another scale (say, the global) (Harvey 2010).'

Scaling up local governance processes to larger areas is challenging.

CONCLUSION

Urban public spaces are inherent parts of urban environment where the public has free access. As a spaces that are shared by their users in accordance with the theory we can call them commons. Based on numerous empirical cases Elinor Ostrom (...) has identified a set of design principles associated with robust institutions that have successfully (sustainably and effectively) governed shared resources for generations.

This seems as a promising concept to be applied in the spatial management processes.

'A core aspect of panaceas is the action or tendency to apply a single solution to many problems. In the governance of human–environment interactions, a panacea refers to recommendations that a single governance-system blueprint should be applied to all environmental problems.' (Ostrom et al. 2007) This fits also for urban commons solutions.

To what extent it is possible to apply commons solutions for public spaces – to establish common-property regime? In this paper we wanted to introduce this concept in the public space context (illustrating on selected case studies) and were focusing on the critical issues for application.

There are many types of urban spaces with different functions attracting various users. Is it possible to apply the same approach to urban public spaces across all the scales? Question of scale is strongly related to characteristics of the group of users (heterogeneity, identity, size, relationships, etc.). As mentioned above (see 3rd design principle) Ostrom (2008a) is listing five core groups of users according to their rights. Schlager (1994) said that hat possessing at least the three rights (access, withdrawal, and management) did affect the capabilities of some resources to self-organize. But how to organize self-organization? It cannot be planned. Could application of these principles help to improve conditions for it and so to add to the quality of public spaces?

This paper was aimed to initiate interdisciplinary discussion on the management of public spaces as commons in particular how principles of robust governance (Ostrom 1990, 2008a) can contribute to effective management of public spaces in open economies. Future analysis will focus on empirical evidence from Europe and will be subject to separate paper.

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