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Success and failures in policy implementation – Methodological questions and sharing goals with commoners

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Abstract

Short-sighted reductionist policies aimed at solving problems in complex settings are bound to fail. There is an increasing interest in how to strengthen policy implementation (instead of learning by failure) by using complex systems thinking to understand the multi-faceted nature of public policy issues. Solutions are envisaged also as complex and needing adjustment to local contexts. Here we argue that, while considering complexity is fundamental, policies will continue failing unless greater consideration is given to the specific problems linked to local self-organization and the governance of the commons. We argue that the commons perspective must contribute to influence policy generally, but also that we must first define what does that mean. Keywords such as “commons” in a regulatory text does not mean anything by itself, and in some cases can even be misleading or represent a case of “commons washing”. A sign of policy success is its ability to enable and strengthen experiences (potential or ongoing) of commons use and management, and that those are done in a sustainable way. We would like to organize the discussion around the following questions: what are successful cases in which the commons perspective has influenced policy and how and why? What does it mean to investigate and remove the legal and political obstacles that commoners face in the different complex governance frameworks? Which are the implications of such complexity for top-down policy making? These questions are related to two ongoing research programs operating at two different levels that always intersect. On the one hand, from a grassroots level, we will present a methodology of “legal hacking”, which is not a lobbying strategy, but oriented towards imposing regulatory changes creatively using law—in this way both influencing concrete commons governance and democratizing democracy. On the other hand, from a top down level, we will present a recent effort to develop essential variables, partly informed by a commons perspective, to understand long-term governance problems in specific European areas and support environmental policies.

Reading material

- Micciarelli, G. (2021). Path for New Institutions and Urban Commons. Legal and political acts for the recognition of Urban Civic and Collective Use starting from Naples. Available at [URL](#).
- Micciarelli, G., & D'Andrea, M. (2020). Music, Art, the Power and the Capital. A theoretical proposal for an income of creativity and care. Available at [URL](#).
- Ferrari, T., Scardaci, D., & Andreozzi, S. (2018). The Open Science Commons for the European Research Area. Earth Observation Open Science and Innovation. ISSI Scientific Report Series, 15, 43-68. Available at [URL](#).
- Holzer, J. M., Adamescu, C. M., Cazacu, C., Díaz-Delgado, R., Dick, J., Méndez, P. F., ... & Orenstein, D. E. (2019). Evaluating transdisciplinary science to open research-implementation spaces in European social-ecological systems. *Biological Conservation*, 238, 108228. [DOI](#).



[Giuseppe Micciarelli](#) is a political philosopher and legal sociologist at the University of Salerno and IUAV, Venice. He focuses on the commons, participatory democracy, and transformation of public and private institutions in contemporary governmentality. He consults for several local administrations and supports different political experiences to enable their action with innovative tools, through a political-legal hacking methodology on governance frameworks. In 2019, he was awarded the [Elinor Ostrom Award](#).



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