

WHO IS ENTITLED FOR THE RECOGNITION OF PUBLIC RIGHT IN THE URBAN DOMAIN? A PERSPECTIVE FROM THE SOUTHERN ITALIAN CONTEXT

Giulia Bonafede

University of Palermo, giulia.bonafede@unipa.it

Keywords: Relational public spaces, services, responsibility

Abstract

Who has the right of access to public space of the city and what are the limits depending on the circumstances: the shift between the public and private sphere, the institutional system, laws and planning tools. If many scholars focus on relational public/political spaces, the sphere of public facilities is a central issue. In Italy, by an ancient national law, aimed at ensuring minimum collective rights, the standards as mandatory quantity of areas to locate within the municipal plans of the regions of Northern Italy have satisfied and raised this standard, the southern situation of severe shortage. This lacking of equipment, during the long period of urbanization, affects mainly the disadvantaged groups of the population. Although the urban planning intercept the multiplicity of services required by the plurality of social groups, the public/private partnership does not ensure the creation of truly inclusive spaces of high quality. Even new national bill on urban regeneration appears unfair. Subjugating public interests, it raises questions of planning responsibility with respect to population groups most easily excluded, not possessing negotiable values such as property rights. New issues are arising from legislation proposal involving the equality between public and private distribution. These approaches lead to rethink on public responsibility and accountability depending on the geographical context, and economic-political and bureaucratic reference, on the basis of Arendt's thought.

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1. Introduction

Scholars have highlighted many facets of public space often in compare with (private, social and political) from really different perspectives. Among explorations, the relational nature is surely one constant feature of the public space has been highlighted, for instance and not exhaustively as an informal contact simultaneous encounter of social needs, which are motivated by individualization (Lefebvre, 1968), as speech and action among equals in political pluralism (Aronson, 1990) and reciprocal recognition of differences, which are moved by power relationships among (Young, 2000) and eventually as collaborative and communicative interactions (Hillier, 2003).

This relational nature is certainly connected to the collective mode of using public space in the double meanings of spatial and political dimension. The rights corresponding to these dimensions, which should be sustained by the free participation to the city. According to Lefebvre (1968), such rights to the city consist in a form of conflicting appropriation, in terms of property right and is based on the recognition that the social needs are not met. They interact in urban space with rhythms and different time of the daily life for economic survival and security reasons, but also because inhabitants are moved by desire for quality of welfare that the recreational and ludic dimension of creativity and festivity

Mostly untied by the exchange value, according to Lefebvre (as well as other scholars) the sphere of the game and of the festivity is the highest form of the use value that can be produced in urban space. What can be said in period of crisis when disadvantaged groups are exposed to the risk of exclusion from this dimension as well as from basic needs satisfactions

From this perspective, the right to the city does not appear only as a basic (private sphere kept privately) but also to the complementary public space of service and interactions among social groups are more evident and acquire also political sense.

According to the Arendt analysis, unlike private sphere (privately possessed and serving primary needs) public space is a place kept in common with a wider community where people through speeches and actions recognize themselves and are recognized. Public space is a space connecting people and places where different interests, not merely economic interests, to be among others in the world, appear each other under public light (Arendt, 1969). The plurality of human condition, the public space of the city because of its character is properly a political space.

With this meaning, the process of spatial planning can be considered a place where political sense (Arendt, 2005) can flourish because different social groups and interests view the same object from multiple points of view within a required frame of shared laws. When laws are not aligned with sharable values, to equality, but are only based on commodification economic principles?

Neoliberal economic principles by influencing each political, social and private sphere, arouse ethical question on political responsibility with respect to social groups who are excluded from participation to planning processes because they do not own negotiable assets as property rights or stable incomes. In a process of neoliberal development, the public space of commodification (when is not a financial space) where the exchange value is separated both the relational value and the use value of urban space. Who is entitled to this space? Who holds this responsibility?

The following paragraph argues that asymmetrical power relationships cause a shift in public space borders and manipulation of consensus in political space of planning, which neoliberalism produce ethical crisis and lack of political responsibility on the part of the state (Arendt (2003), in contrast with the dangerous and widespread preconception to neoliberalism supports individual and political responsibility to make difference between justice and injustice, mostly in public domain crisis to avoid indifference to ethics, which drive us to new principles in laws on urban planning regarding Italy and southern Italian context).

In the following subsections, the paper investigates the topic of the public space of planning which is ruled by an ancient national law for planning practice, rooted in the principle of justice. Equipment of public services were claimed and established as collective rights. This law is compared with a new bill, at national level, which raises questions about distribution equity or indifference principles, within a framework of economic development.

Since judgment and responsibility are framed by institutional, economic, and political context, the case study from a southern Italian context, where unbalancing in provision of public services is exacerbated, will show to what extent these collective rights to the city are reflected in planning practice, which of them are ascribable to previous government and which to the current political government.

2. From relational values to responsibility for public space

2.1 Power relationships and implications in planning

Lefebvre's idea that the city is a continuous and complex oeuvre, worked by the citizens, leads to consider urban space as a social product of a collective activity. Value and perceived significations that should not be converted in tradable goods and exchange value. The same participation to oeuvre is recognized as a right and a responsibility, as a right of responsible self-government of urban space.

Although the relational values and use of public space are socially produced, they are gained without explicit or latent struggles among different social groups and power relationships, which are not habitually symmetrical (Young, 1990), neither in the public arena of planning process.

Who has the right to the public space and what are the boundaries to have access and rights, as several authors pointed out (Mitchell, 1995; Harvey, 2013), vary because of different situations, the shift between public and private sphere, the political-institutional and economic system, the norms and the plans. The public space in itself cannot be considered as neutral and fixed over time, this idea should be demystified, because of the result of impermanent conflicting interests and power relationships.

For instance, when the private space of house increases for wealthy people, it usually out from this sphere (like places for encounter, gyms and fitness, gardens) and for disadvantaged people in terms of areas dedicated to common activities, the public services takes a compensation function (Ricci, 1999). Also, when the rules establish the time to use specific public spaces, like parks and gardens for instance, it means that some will be included while some other will be explicitly excluded (Mitchell, 1995).

The spatial plan, in particular, as a political representation of the conceived city (Lefebvre, 1968) can reshape power relationship among social groups, by affecting the resources and the rights to the city, when it do not become just a cultural mediator for economic interests. It is well known from Gramsci analysis that the hegemony is not necessarily imposed from the top of an ideology, can be instituted also through the civic society, through consensus. This latter interpreted as common sense and traditional values and interests, contributes to the continuation of a certain order, whether it is not permeated by original cultural processes, also imported by culture. It is not rooted therefore on the development of ethical principles (Chambers, 1990).

Such a process of consensus building despite being deeply decentralized is not free from manipulation of neoliberal hegemonic social groups. Strategies of expropriation of some concepts on equality principles in urban regeneration and participative planning are typically displayed from southern areas of the world (Holston, 2008; Mirafteb, 2008; Lo Piccolo, 2010).

They are habitually based on economic domination and on the ability to produce a persuasive discourse, by influencing for personal advantage the public arena. Participative planning practices, which rely on citizens inclusion perceptively, are utilized for strengthening the pre-constituted economic interests. The common interpretation is though interpreted as a result of conflicting interactions among social groups.

automatic sum of private interests), is realistically driven by hegemonic cultural crisis of ethical principles, without a real perception of political responsibility.

2.2 Arendt thought on political responsibility and faculty of judgment

With this regard to ethical principles during period of crisis, Arendt (2003) distinguishes between individual and collective responsibility as well as the judgment faculty as a dynamic process of the thought, an apparently less political activity since it is a soundless dialogue with themselves and staying in company with themselves.

While the responsibility in face of the law is always individual, the collective responsibility is intrinsically political, both when an entire community or a government takes the responsibility for its past actions, even of only one of its members, and when a community is deemed responsible for what has been made in its past (Arendt, 2003, p. 129). This latter case is the most interesting for Arendt because concerns any kind of political community (beside revolutionary and totalitarian regimes) that takes the responsibility of its past and of its predecessors, and benefits of their merits as well as being aware of the disadvantages caused by them.

However, the political community is not guilty for the misdeeds of its predecessors at the ethical level nor at juridical level, as well as political community cannot atone for its predecessors. Supporting, unlike obeying to, the speeches and the actions of the past is understood as an equal among equals, for initiating new political processes and to redeem the past with unpredictable results anyway.

The political responsibility does not however exclude the individual responsibility and the faculty of judgment whether political actions, laws and orders are not aligned with ethical principles. In this case the not-participation (that can be a choice in democracy) can develop in active resistance. The faculty of judgement, which is founded on self-reliance, not, or not only, discern the lesser evil, which in particular circumstances is able to distinguish good from evil, justice from unfairness.

The Arendt reflections are framed in a period of political balances reconstruction after totalitarian regimes, caused by a severe crisis of common ethic, resulting in the violation of fundamental ethical laws with the complicity of a wide section of well-educated and a system of thoughtless bureaucrats. That period for its example of limit case, circumstances of crises in which the thought faculty missing and therefore the lack of an own judgment causes negative consequences in the arena of public domain.

This ability to form an own judgment is independent from intellectual capacities and cultural background, rather rests on the habit to think, to doubt and to wonder in order to make flourish the conscience, which is interpreted in the double meaning of to examine opinions ~~or~~ ^{and} ~~is~~ ⁱⁿ their validity. Unlike prejudice, the faculty of judgment is applied to particular cases, which cannot subsume to general rules (Arendt, 2003, p.163). In thinking, people cling to the rules of already prescribed behaviour and get used to the rules content as to not take a decision (Arendt, 2003, p.154).

Nonetheless, Arendt wonders to what extent the faculty of thought, exercised in the public sphere, into political sphere, hoping for an answer by political philosophy, considers the maieutic, as one of the most political activities during period of crisis of thought. The purifying and invisible activity of the wind of thought frees the judgment faculty.

product (Arendt, 2003, p.163). The thought does not create values or discovers good because rather disperses the consolidated rules of behaviour; however its relevance leaps in the foreground during emergency periods and finishes of being a political field (Arendt, 2003, pp.162–163).

As highlighted by other authors (Davoudi and Brook, 2012) responsibility and ability are strictly linked to political participation (or not participation) in public decisions, to establish norms, laws and plans. In a period of economic crisis as well as of political representation, I wonder who is entitled for the acknowledgment of rights in urban space. Who holds this responsibility? I try to answer by exploring the case of southern context, framed by Italian debate on new bill on urban planning proposed erasing of norms on public space of services.

2.3 Law principles on the right to the public services equipment in Italy

In Italy the public space of services is ruled by a national law enacted at the end of the last century (n. 767/1967) and in particular by a related ministerial decree (MD 1470/1967) the decree on urban standards. Unlike other European nations, these law and decree allocate through municipal urban plans of a minimum of areas per person dedicated to public services, the so-called urban standards.

According to the decree, in particular, the municipal urban plans distribute in each neighbourhood the minimum need of areas per person of four main groups of public services (urban standards): public schools; public parks for game, sport and leisure; public areas for other collective facilities like those for culture, health, security, etc. While at general level of urban scale, municipal urban plans allocate minimum thresholds of areas per person dedicated to public urban parks, hospitals and high school facilities (urban standards). Additional typology of local and general facilities can be obviously defined by the standard without any predetermined quantity of areas.

These minimum needs, expressed in square metres per capita, were appraised on the basis of several researches, professional handbooks and planning practice, mainly focusing on the technique, in a period of great expansion of the cities. The cultural debate on how to decode social needs through the sizes of areas for services came also from other urban architectural projects of specific buildings and facilities like schools, playground etc. (Falco, 1987).

Consequently to widespread demands raised by civic society and by radical planning movements, social needs and democratizing planning, the left-wing political parties have forced at that time to improve and modify the entire body of laws that had ruled urban planning in the post-war world. The reformer law and related decree were indeed obtained through social and political mobilizations for claiming collective right to the city, in order to counteract the process of urbanization and unequal decisions in planning practice, mostly influenced by the needs of southern regions also by criminal groups, like mafia, with the complicity of some politicians. Nevertheless, the decree on urban standards has interrupted fertile researches on the use of the public space for services and currently it fails to intercept the multiple demands claimed by the plurality of social groups inhabiting the city.

Waiting for an updated national law on the principles for urban planning, many urban officials and planners, however have interpreted over the time these urban standards

flexible approach, by including private facilities within urban plans. This process of privatization has involved both northern and southern regions, although minimum public space has been previously ensured in the northern regions (also because of laws), while a severe shortage has been usually recorded in the south.

As some scholars have pointed out from the point of view of the distributive justice, the private sector can be more efficient than the public sector, nothing hinders competition with full tariff for wealthy people provided that ensure free services for low-income groups, therefore means to maintain minimum standard of public space for services in the urban environment (Falco, 1987; Ricci, 1999). Consequent to the development of neoliberal economy and public sector shrinkage, even the private provision (sometime even inconsistent with municipal laws) is not definitely sufficient to balance the great lack of urban services, which is particularly acute in the southern regions.

Mostly in great cities like Palermo, the public/private partnerships (the so-called "partnership programs") focus their attention on the multiplier effect of the real estate investment to improve the urban quality of neighbourhoods at high risk of social exclusion, using a variety of these kinds of interventions. Unlike the partial success recorded in northern regions, in these areas these programs substantially favour the creation of private facilities, which are accessible to medium-high income population groups, leaving practically unchanged the public services and the deprived social context (Bonafede and Lo Piccolo, 2007).

Despite the effort of the third sector (voluntary services and associations) to improve the conditions of disadvantaged groups of population continue to be affected by the public equipment remaining in urban condition of overall hardship mostly in marginal neighbourhoods in the southern regions. In addition, during periods of economic crisis, the segment of population with the greatest needs of the public services like health, school, culture and sport, increases rapidly.

In this situation, the right to minimum equipment per person of public services is being discredited by neoliberal positions instrumentally, when not utilized as persuasive tool for business. Actually, the decree on urban standard does not appear adequate for the different demands expressed by the flows of socio-cultural groups, which are moving through the body of the city, like the migrants for instance. However, the current debate on the Principles on matter of public spatial policies and urban regeneration is rarely focalized on the enhancement of public services equipment in urban domain.

The new national bill does not regard the development of policy for recognizing the need of redistributions of the rights to the city, the quality of services and their environmental protection and of the number of population compared to morphological and typological aspects within the urban fabric (rather than the old zoning). The bill aims to ensure indifference of owners positions principle with respect to the planning process.

Such indifference principle implies the rights for owners to build on the empty spaces in the city through the free exchange and transfer of such building rights from one owner to another depending on negotiation with municipal officers on distribution of the services and their indexes, probably equalized, which are established for urban and rural zones with different characteristics.

As some scholars highlight from this perspective, the development of financial instruments for building rights will explicitly imply the growth of private buildings unlinked from demographic dynamic and soil consumption concerns. Despite volatilization of financial instruments,

fact the capital has always the need to invest in tangible goods as the urban (2013). While, it seems that municipal technicians and planners need to become s in order to acquire areas for services for free, by exchanging with private owners in other areas or by increasing the building index in built-up areas.

Though, this indifference principle does not ensure that public action can be fr influence of the individual owners and of the great financial capital. On the giving to the private owners more contractual power with respect to the public expressly requests only the owners as included subjects in processes of pla regeneration.

While the bill considers the building rights freely tradable as a precondition treatment of the property, the previous national decree on the urban standards the minimum equipment of public services per person is simply eliminated by the Decisions on the issue are devolved to the regional levels of legislation, whe allowed to establish criteria for planning public equipment. However, the region a weak role in the absence of national principles to which the regions should Moreover, regional laws cannot refer to national norms abolished, unless local new laws more restrictively.

In this background, the only recognized form of equality is incorporated commodification. When the inhabitants do not possess negotiable values, like p steady incomes, how do they access the rights to the city? Does the minimum equ services per person continue to be a form of equity? Who is not involved by e among owners, has the right to participate at the democratic processes of p relational values of public space yet significant?

These questions are linked to concepts of political responsibility and faculty o period of economic crisis and ethical values, which in their turn are reflect planning practice. To start answering the above questions, a particular case of within Italian south regions. It clarifies how much the political responsibility governments is really hard to bear for the political community in terms of publ and urban low quality. The analyses illustrated in the following subsection are to appraise how much these law rights on public space endowment have been overwh initiatives and principles are implemented by current government, taking respons in the terms clarified by Arendt.

2.4 Public space of services in the Italian southern context: the case of Palermo

In the last year, the new municipal government of Palermo (in charge since 2 update the urban plan, since urban constraints had expired. In addition to oth infrastructures, these constraints regard the public areas dedicated to se. Therefore, the debate on the new urban plan was the occasion to revise the goal of uncertainty regarding national and regional laws on urban planning and a equipment of public services per capita.

The municipal directives for the plan, a sort of technical/political guidelines of technical department of urban planning, illustrates existing public serv prevision, by describing typologies and areas occupied or still to be emp neighbourhood except for historical centre because is ruled by a different pl

indications, these data on areas are not linked to the number of inhabitants, just as public services are not distinguished from the private ones. While the population is known, data between public and private services are not therefore available.

By using data provided by municipal offices, the analysis is therefore addressed to: 1) the existent and in prevision amount of services per person within the entire municipality by aggregating 23 neighbourhoods; 2) the distribution of existent services per typology and for each of the 23 neighbourhoods; 3) the existent and in prevision amount of services on the urban level per person; 4) the consequent soil consumption, measured as percentage of areas designed to services on the entire area of Palermo (except historical centre) on the urban level. The first three analyses use instead the index of square metres per person ($m^2/inhabitant$).

The typology of services and the quantity per capita are compared with the standards of 1968 as described in the subsection above. The data of population per neighbourhood is provided by municipal office for the year 2010. The total population is 655,380 inhabitants, while the total area of Palermo (except historical centre) is 157,433,036 square metres.

Table 1. Local Services Palermo 2010

Typology	Urban Standard ($m^2/inhabitant$)	Existent ($m^2/inhabitant$)	Prevision ($m^2/inhabitant$)
School	4.5	1.9	3.3
Common Interest	0	2.	1.4
Park	9.0	2.3	6.0
Parking	2.5	0.7	2.4
Total	18.0	6.2	14.4

Table 2. Local Services Soil consumption Palermo 2010

Typology	Theoretic by Standard (%)	Existent (%)	Prevision (%)
School	1.9	0.8	1.4
Common Interest	8	0.	0.6
Park	3.7	1.0	2.5
Parking	1.0	0.3	1.0
Total	7.5	2.6	6.0

The analysis on the entire area of Palermo (except historical centre) illustrates that the public service equipment is equal to about a third of the minimum established by law. The shortage is mostly recorded for parks (equipped for game and sport) and for public buildings (primary, secondary, kindergartens and nursery).

Furthermore, the supplementary areas in prevision for the public equipment do not reach the minimum established by law, mostly regard to the situation (Table 1). Also by adding these new areas foreseen by the directive, the amount of services does not reach the minimum established by law, mostly regard to public parks.

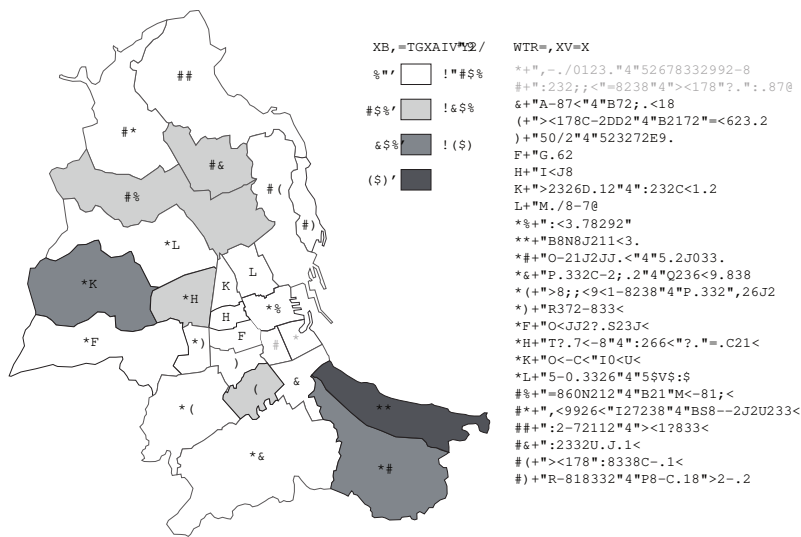


Figure 1. Schools per neighbourhood (unit of measurement) Palermo (m)

In particular, the distribution of services per-neighbourhood shows that in the cases, the areas for schools are minus or equal to two squared metres per inhabitant. Only four neighbourhoods, Montegrappa-Santa Rosalia (n.4), Uditore-Passo di Resuttana - San Lorenzo (n.20) and Pallavicino (n.23), have an endowment of educational facilities between two and three square metres per capita. Two neighbourhoods, Brancaccio and Borgo Nuovo (n.18), exceed three square metres per person and only one, Settemaria, has equipment above standard, probably resulting from a high concentration of schools which should be more correctly included in urban facilities level.

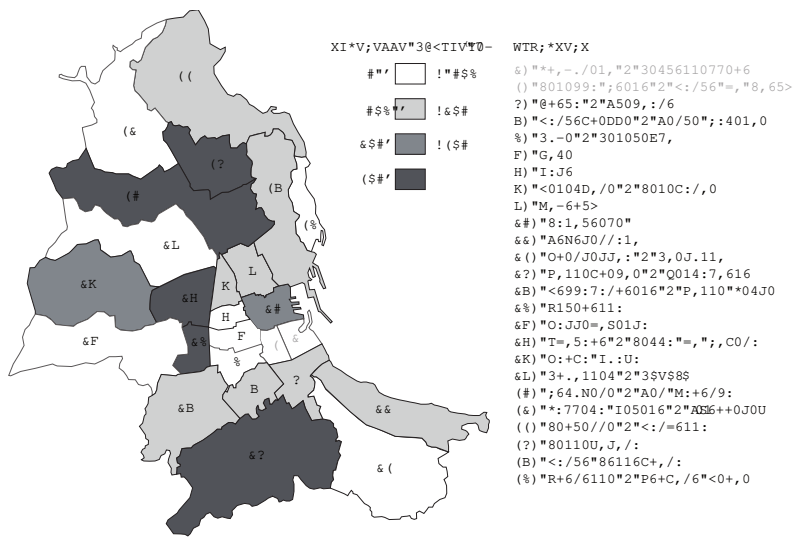


Figure 2. Common interests facilities per neighbourhood (unit of measurement) Palermo (m)

With regard to facilities of common interest (Figure 2), five neighbourhoods exceed the standard (two square metres per person) and the central Politeama neighbourhood is near to mandatory minimum, while eight neighbourhoods reach no more than one square metre per inhabitant and eight others have values less than or equal to 0.5. In addition,

analyses could probably show a large incidence of the religious facilities co services for collective activities.

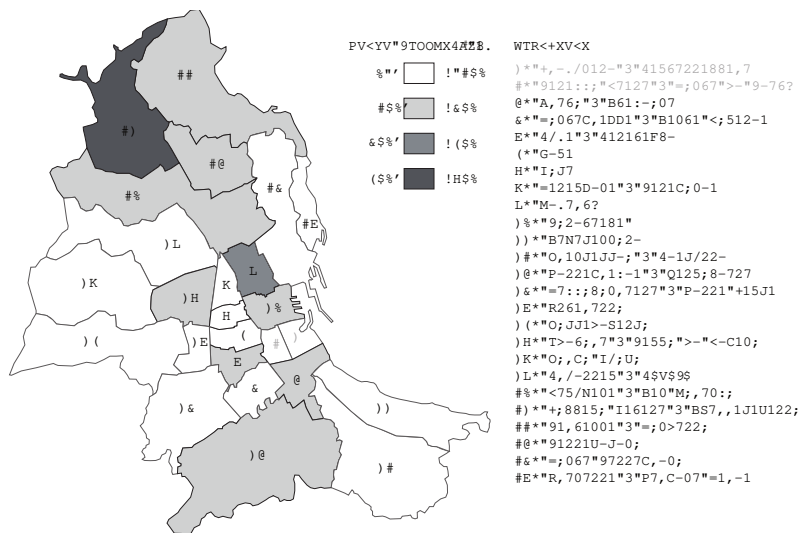


Figure 3. Public parks per neighbourhood (inhabitants) (m

The public parks for games and sport (Figure 3) only in Tommaso Natale-Sferravalle reaches values between six to seven square metres per person, while in the neighbourhood (n.9) the values are between four to six square metres per person. In other neighbourhoods the values are between two to four square metres per person, while in the thirteen neighbourhoods the equipment of public parks is not over two square metres per person.

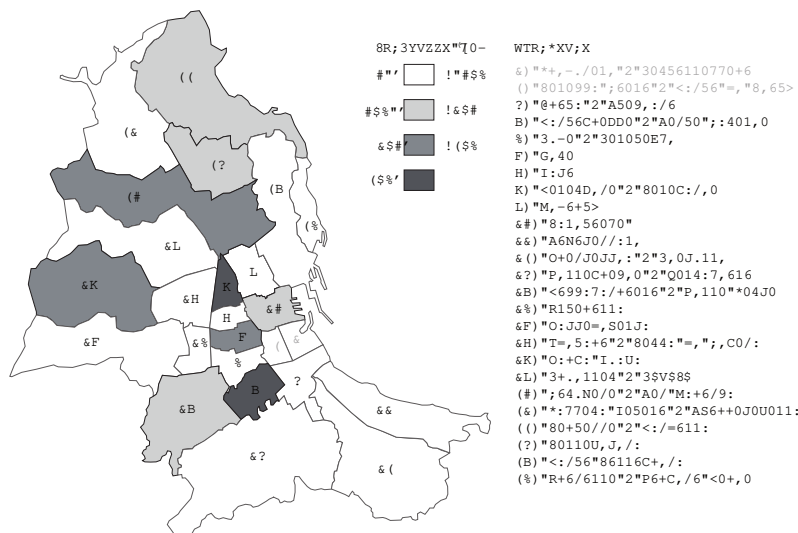


Figure 4. Parking areas per neighbourhood (inhabitants) (m

With regard to parking areas (Figure 4), the highest values are recorded in Zisa (n.18) and Resuttana-San Lorenzo (n.20) that exceed the standard in Montegrappa, Santa Rosalia (n.4) and Malaspina-Palagonia (n.8) because of computation of green

should more correctly be included in services at urban scale. For four neighbourhoods (n.22, n.23), the equipment of parking areas is between 0.5 and 1.0 square meter per inhabitant, while in all other neighbourhoods the recorded values do not exceed the 0.5 square meters per inhabitant.

Table 3. General Services Palermo 2010

Typology	Urban Standard (m ² /inhabitant)	Existent (m ² /inhabitant)	Prevision (m ² /inhabitant)
High School	1.5	0.5	1.3
Hospital	1.0	1.7	1.8
Urban Park	15.0	3.7	3.7
Total	17.5	5.9	6.8

Regarding the public equipment at the general levels as urban parks, hospitals and schools (which should overall respect the minimum quantity of 17.5 square meters per capita), the recorded total value is not better. As can be seen (Table 3), also in this case the recorded total value is below the mandatory quantity. Only hospitals have values over the required standard per inhabitant.

Table 4. General Services Soil consumption Palermo 2010

Typology	Theoretic by Standard (%)	Existent (%)	Prevision (%)
High School	0.6	0.2	0.5
Hospital	0.4	0.7	0.8
Urban Park	6.2	1.5	1.5
Total	7.3	2.5	2.8

In this background, the incidence of soil consumption of public equipment on the urban scale in Palermo is really modest both considering local services at neighbourhood scale and general facilities at urban level (Table 4).

2.5 Results

Based on data of directives for urban plan, the analyses highlight a great discrepancy in the public equipment, which is not balanced by foreseen provisions, neither in quantitative terms at general levels, nor in distributive equity and qualitative terms. The municipalities should promote the attention on efficiency in managing public/private services, although the references to the spatial and environmental qualities of these latter.

An interesting spatial analysis, which is based on a social hardship index, is a missing section of the municipal directives as an unconnected aspect from public services. Linkages between these two aspects are needed. Nothing is therefore said on the demands of multicultural city, on the inclusion of disadvantaged social groups and on environmental issue (like energy saving, alternative energy using, soil permeability, conservation and security of buildings and on sustainable mobility) as some criteria (or parameters) to consider for an equitable public provision of services.

The issue is particularly problematic since in Palermo the endowment of facilities is computed not only by including the private services, but also by referring to the total number of inhabitants. In other words, if the volumes of buildings for housing become the

100 mc per capita) to appraise corresponding number of population (as original decree on urban standards), the quantity per capita of the endowment of services further, showing instead a great wastage rate in terms of empty housings.

Furthermore, the municipal directives for the urban plan do not mention many buildings and green areas, which are derelict in the city, in order to be re services functions. A transparent appraising of convenience for their renovation increase and enhance public space of services should be taken in consideration to privates. With this purpose, exhaustive maps of public properties and their needed as well as descriptions on the use of urban space.

In a frame of severe contraction of public local finance, according to municipalities acquiring of the new areas designated for public facilities relies explicit measures among owners and consequently on the building rights freely transferable distributed on all over urban zones. Implicitly inspired to the abovementioned principle, these measures imply the same ethical questions regarding exclusion of inhabitants from the democratic process of planning.

Moreover, the public services reduction in favour of private ones has been a period of crisis and deregulation because of the contraction of local public finance. Italian northern areas where though regional laws had already increased the minimum public services compared with the quantity established by decree on urban standards.

Some private services provided that are subjected to particular conventions with the state certainly contribute to improve the urban endowment, although the public property warranties over the time, principally if the latter is recognized as a common good, is treated as a particular form of private property of local government. Such distinction in the public institutions and latent conflicts which practices of the public property which are insurgent from the city, have the merit to make manifest.

3 Conclusions

In a frame of neoliberal practices development, the value of relational use of related rights of citizenship are considered negligible compared to the value of commodification. Although neoliberal tendencies are more developing in contemporary Italy social and political concerns about the public space decline in former times minimum measures for territorial allocations of public services. These minimum measures aimed at ensuring, at least on the theoretical level, rights of citizenship, respect social needs and according to distributive equity principle.

In following periods in Italy, the deregulation practices in planning have tried principles of equity and social justice with flexibility and efficiency from a avoiding answering plurals social demands and, mostly in Italian southern cities, redistributing citizenship rights for deprived population groups. Neoliberal practices aimed at promoting privatization of public spaces removing their public relation only resulted in exclusion of weaker social groups from citizenship rights, but confusion among political ends, technical tools and ethical principles.

It is not, in fact, political aim of every government (central and local) endowment of public space for services (distributive justice) expanding access to

which at certain strict conditions could be justified by means of compensatory owners. Conversely, some urban plans as representations of political space a privates real estate values and the construction volumes consistently with the rights of building inherent any privately owned land and freely tradable in the

According to a recent Italian bill, the principle of equality to have access to be replaced by indifference principle among all owners regarding public decision planning as well as, in a technical level, the building index could be indifference urban zones in the city. In other words, these urban zones are equally indifference do not have intrinsic features as well as private sphere and public sphere are mere properties. Consequently, according to bill, only owners could be enabled public spaces of services under their entitlement of properties to participate plan and to negotiate their freely tradable building rights.

In a background of political representation crises and of public local financial negative impact mostly on southern contexts, is the public actor (as local government institution) aware to represent inhabitants both owner and without property? In who is entitled for acting in the name of the public property contextually represent who are not owners, according to the national bill, the first ones will be more participation to planning process, while the second will have only the individual respect law. This mode of equality is a paradox in front of the law on urban planning arena, because it introduces a great discrimination among citizenship rights, owner and who is not an owner; between social groups, which are entitled for receive space and excluded ones.

As highlighted by Arendt, whether social sphere is governed by difference and indifference principle, regulated by uses and customs, while private sphere is governed by equality ruled by daily necessity, the public space, which is eminently political and rather instead governed by equality principle and is regulated by law. Juridical acts avoid preferences in social relations, are not however entitled of establishing discrimination or exclusion in democratic regimes (Arendt, 2003).

Even though I agree with many scholars that pointed out the unrealistic dimension of ideal public space, constantly defined and equally accessible, but rather the struggles over time, reflections on principles that inspire laws on urban planning ethical concern. In this frame of flipping of ethical principles, discrimination not only private interests of owners will certainly compromise distribution of services, but also the deprived inhabitants will be excluded from public space. Distributive equity and equality/indifference among owners are definitely conflicting

From a southern Italian perspective, national influence of such indifference principle laws has more serious consequences, since public endowment of services per person prejudiced by a severe shortage, especially in disadvantaged areas. Who takes the deprived people? Compared with insurgent claims in other geographical contexts (1998, 2003; Holston, 1998, 2008; Harvey, 2013), in southern Italian regions and Palermo disadvantaged social groups mostly occupy public property in order to while relational values of public services and their social use are usually income social groups, who implement fragmented forms of self-management.

Although occupation of abandoned public spaces in order to recover their social resistance against privatization and a rebellion against economic domination of additional questions on the distributive equity regarding low-income social groups. Are these latter groups allowed to be included in these rebel social spaces? Are goods really able to ensure inclusivism or are they in themselves new forms of social discrimination?

Scholars argue that this contradictory condition arises from neoliberalism and inclusion (manipulated) and redistribution (denied); squatter movements by their fissure are useful in order to destabilize the neoliberal hegemonic order (Mirra, consider this contradiction a way to develop claims of urban rights in urban neoliberal economy (Harvey, 2013). Urban planning therefore is able to undertake a bureaucratic process deemed functional to neoliberal principles or radical, in movements, in order to contrast unequal principles and rights.

As Fraser highlights justice today requires both redistribution and recognition sufficient (Fraser, 1998, p.5) where participation links together these principles. Revisions for new development of relational values of public space are required participative practices, which besides routine useful to depoliticizes communities enhance democracy, including deprived social groups in deciding rights to public services. This entails the reject of whatever indifference principle among urban

Although urban standards, as minimum public space per person, appear an insufficient distributive equity, appropriately integrated with social hardship index, urban parameters should be still a purpose to reach in Italian southern context in disadvantaged inhabitants to have rights to the city; reducing or delegitimizing authorization to enact undemocratic urban planning processes. Whether local automatically aligns with national economic principles, as the indifference principle focalize its judgment faculty on local context, substantially avoids of international standards on public services as a democratic finish line that should be improved extend rights rather than reduce them. When local government through urban planning space for services implicitly reinforces neoliberalism of its predecessor with responsibility for the present and future actions.

The thought of Arendt leads me to consider responsibility as a prerequisite for political initiatives. The faculty of judgement therefore helps to distinguish previous ethical principles and its political inheritance. From a southern Italian a local government, as well as the community, is politically responsible when predecessor's actions and ethical principles, and independently from national directives judge the need to change political direction.

Acknowledgement

I am grateful to Gramsci Institute of Palermo, which has promoted cultural debate on Palermo urban plan at municipal level. Analyses on the municipal directives have thanks to the work I developed within this frame in order to highlight critical services provision.