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Essays and Articles

The role of cities is central in the history of European integration. The development of Europe is, in no small measure, the development of its cities: cities that have been the focus of the processes of modernization and construction of a common identity. Cities that are now called upon to again play a central role in the more recent perspective of "sustainable development" and in the context of the transformation dynamics affecting all the major urban centers. The new European policy, focusing on cities and the metropolitan areas, is linked to the development of a new idea of "city of the future", qualified through the documents that have defined the "urban acquis". What emerges is an idea of smart cities (cities inclusive, sustainable, factor of development of the territories), which is supported by European policies. The numerous sectoral lines of action and financing related to the city are gradually integrated into an overall "European Urban Agenda" approach. An Agenda, nearing completion, reflected on the specific "urban agenda" that many Italian cities have the opportunity, and the challenge, to develop within the framework of the new season of European funding.

The all-pervasive nature of digital information and technological interaction affects all levels – from our bodies to the larger urban contexts we occupy and the infrastructures that support them as regards cities, recent models of conception and evolution – branded under the "smart city" concept – point towards performance – and efficiency-driven sy-

stems, spaces, and processes that, making use of sensors and big-data technologies, aim to optimize operations and be aware of the whole urban dynamics framework. Putting the human experience at the forefront, the paper questions this technology-centric view by extending the "smart" concept to the active engagement of citizens, claiming that technology can only augment what specific communities and places have to offer. Through the introduction of the "landscape contracts" model, this research employs strategies of "responsive environments" and "smart landscapes" to go beyond the limits of technology-driven urban systems. Established as agreements between citizens and local administrations for the development of integrated design solutions to foster the inner intelligence of territories, landscape contracts are presented as case studies of this paradigm shift from smart cities to intelligent places and communities.

At the beginning, the idea of a "smart city" designated the technological infrastructure available to make more innovative cities really modern and competitive in the organization of services and individuals. Recently, criticism of the techno-determinist and dominant vision of smart cities has led to the acknowledgement of its multidimensional character. Acceptance and incorporation of social and political dimensions shed light on citizens instead of sensors, shifting from commercial and technological policies to urban and inclusive ones. This paper focuses on the arena and the role of citizens – a still missing piece of the puzzle – in order to facilitate the transition from a "smart city" to a "smart community", where people, not sensors, dwell. Thus, processes of spatial isolation, social closure, technological lock-in and mass surveillance could be limited. Lastly, the text reflects on the "smart citizenship" concept as a new social right between provisions and entitlements. This updated version might fully realize the general idea of citizenship through new forms of participation, once the social and political complexity of the urban context – in which the implications of the digital revolution reveal themselves – is taken into account.

The article proposes a legal analysis of smart cities from their necessary (but not sufficient) requirement that consists in connectivity and widespread digitization of communication and services. Even national law, which eschews a precise definition of smart cities and prefers to evoke the concept of "intelligent communities", places their implementation within the initiatives of the National Digital Agenda, thus outlining a system of competences that does not facilitate essential coordination among the various institutional actors involved.

The article presents the French approach to smart cities. Unlike other countries (members of the European Union and other nations, such as the United States, India...) that prefer an approach that could be defined "interventionist", in France there is currently no specific regulatory framework for smart cities, perhaps because local administration is undergoing an extensive reorganization and the role of inter-municipal structures and metropolitan areas (métropoles) is growing. The specificity of the French approach can be identified in the tendency to experiment permanently new forms of collaboration between the public and private sectors. This is certainly due to the centralized industrial fabric and the fact that large companies are holders of the majority of public contracts. Such companies are therefore privileged, long-time partners of local authorities and, on the latter's behalf manage local public services. Two examples (Lyon and Issy-les-Moulineaux) and the success of their experiments seem to confirm this interpretation.

The development of projects aiming to provide innovative services for smart cities generates multiple challenges in the field of public procurement. On the one hand, it raises the question of adequacy of existing contract types as regards the nature of services required by local authorities, which demand almost constant technological advances, flexible cooperation tools and ceaseless improvements of the state of the art. In this regard, this paper reflects on the adequacy of such projects for traditional public procurement (especially as concerns public-private partnerships) and pre-commercial public procurement, even if we have also carried out a reflection on the new type of innovation partnership, established by the EC 2014 legal framework; we conclude that the latter two tools are more suitable than traditional methods. On the other hand, we have selected a set of problems arising from the performance of these contracts relating to the acquisition, ownership and use of massive amounts of qualified data that they can involve. Regarding these problems we have reached some conclusions, in light of the European and Spanish legal systems, concerning the transparency of public administration and the reuse of public sector information.

Smart cities have become one of the main tools for enhancing the modernization of administrative management, particularly in the local sphere. The design of these projects entails a greater availability of citizens' information not only for public administrations but for other private bodies involved in supplying public services as well. Moreover, the demand of a more extensive level of transparency in the field of public sector information according to open data standards implies an additional challenge for protecting the personal data of end users. This work aims to analyze the consequences of this approach for the authentic respect of this fundamental right from the perspective of the Spanish legal framework, in order to safeguard its compatibility with the requirements of innovation and greater efficiency pursued by this kind of project.

The spread of smart grids still hinges on some experiments taking place in different areas of the country. Initial implementations clearly display a "demand" for new forms of public administration. Firstly, local government is no longer based on the unity between territory and local authorities. Secondly, economic incentive policies have been changing: the EU has widened the field of application of State aid to include smart grids; price caps are no longer the only method for defining fees. Lastly, the role of administration is changing as regards public utilities: a task of mediation among different organizational models is increasing, given that smart grids involve the development of "self-energy communities". At the organizational level, smart grids are accompanied by further growth of new administrative structures.