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From Smart to Sharing? Present and Future of Cities (Beyond Labels)
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Giorgia Pavani

Essays and Articles

Collaborative Practices for the Co-Production of Goods and Services:
What Role Can Local Governments Play? (p. 861)

Stefania Profeti, Valeria Tarditi

In recent decades academic and political interest for local collaborative arrangements in the production of goods and services has spread across Italy and abroad. As a consequence, the concept of collaboration has been progressively stretched, hovering amidst social and political practices attributable to diverse empirical objects and theoretical perspectives, such as participatory democracy, public-private partnership, peer-to-peer relations, and the sharing economy. This success has boosted the appeal of collaborative practices, leading to institutional isomorphic tendencies and bandwagon effects without taking due account of territorial and administrative contextual features. Drawing upon these premises, and relying on an empirically based public policy approach, the article tries to identify and classify the policy instruments that local governments may use to promote and implement different kinds of collaborative practices, as a starting point to understand the role municipalities may play therein and to reflect upon the possible shortcomings of their institutional actions.

Local Self-Government and Public Policies for the Digital Economy
(p. 891)

Guido Smorto

The digital revolution has generated a significant mismatch between the impact of the new economy and the distribution of regulatory responsibilities among different agents. While deeply affected by ongoing changes, cities do not always have adequate tools to deal with these novelties and to manage the ongoing transformations in accordance

with their own needs. Against this backdrop, the article analyses the effects of digital technologies on the urban fabric and reflects on the contrast between the need for policies tailored to local peculiarities and the necessity of harmonised rules for a global market. In fact, the tension between market uniformity and city experimentation is the fundamental issue related to the rise of the digital economy. This is why it is essential to combine the scrutiny of the digital economy's impact on the urban environment, and the resulting need for local public policies, with an in-depth analysis of the crisis of market regulation. Only by doing so, can we tackle the challenges posed by the digital revolution to city government – safeguarding the urban environment and its community, guaranteeing the right to housing, protecting work – while, at the same time, consider the many global challenges, such as sustainable mobility and energy conversion, in which cities play a key role.

The Issue of Sharing Economy Governance in the Fields of Tourist Rentals and Bike-Sharing (p. 917)

Chiara Alvisi, Alessio Claroni

The article provides an analysis of the legal problems related to attempts to regulate and govern a set of events of the sharing economy in the tourism sector and sharing mobility. In this context, in the first part (paragraphs 1-2), a specific study is dedicated to the selling of short leases through computer platforms, via an examination of the obligations entailed by Legislative Decree no. 50/2017, as well as the appeals submitted by Airbnb to the administrative courts. The second part (paragraphs 3-5) adopts a public-law standpoint to explore bike-sharing, as a form of sustainable mobility based on the phenomenon of sharing economy and relevant to both the transportation and tourism sectors. Bike-sharing is a service, complementary to that of local public transport, aimed at achieving a number of virtuous goals, from improving the quality of urban life (both in environmental terms and in terms of optimizing local public transport service supply) to increasing the welfare of the community. Finally, the article focuses its attention on the infrastructural and evolutionary profiles of the phenomenon, through the examination of the emerging problems produced by so-called “free-flow” bike sharing.

Collaborative Cities: Forms, Guarantees and Limits of Horizontal Relations (p. 947)

Daniele Donati

The article explores cities as intersections of two dimensions (institutional and social) of subsidiarity, and therefore discusses how cities are an ideal venue for the flourishing of a true collaboration between local authorities and citizens. In this respect, the text highlights the need to ensure thresholds of guaranteed citizenship rights, in which citizenship is understood as an open, differentiated and evolutive concept. The essay then examines proceedings and mere participatory practices, and then highlights the risks and limitations they involve. Finally, the text turns to the subsidiary hypothesis, conceived as active collaboration, its range of application and the pertinent legal tools put in place in Italian cities.

Developing Shared Administration through the Principles of (Vertical) Subsidiarity and Loyal Collaboration: Reflections and Proposals (p. 971)

Claudia Tubertini

The essay develops a set of reflections on practices of shared administration in the perspective of the principle of subsidiarity (not only horizontal, but also vertical). The text takes into account that subsidiarity's diffusion requires a joint action by different levels of government, based on an approach combining loyal collaboration and innovative integrated decision-making. In the Italian system such an approach encounters constraints deriving from the uncertainty about the roles assigned to territorial administrations, but can also bear fruit in terms of further enlargement and generalization of the civic collaboration model, an essential tool of social cohesion.

Evolution and Development of Autonomous Polycentrism up to the Time of Asymmetric Regionalism (p. 995)

Francesco Manganaro

Starting from the studies on decentralisation and on the delegation of Prof. Roversi Monaco, this article analyses the itinerary of the central-lo-

cal relationship in Italy from a legal perspective. A particular attention will be devoted to the dichotomy between centralisation and autonomy, and to the current implementation of asymmetric regionalism reforms.

Notes and Comments

Recent Evolution of the Municipal Waste Treatment Legal Framework and Its Consequences on Regional Planning (p. 1023)

Piergiorgio Novaro

Addressing the recent evolution of the legal framework on municipal waste treatment, the text highlights its consequences on the fundamental planning mission that the Environmental Code attributes to Regions. The current legal framework is thus the starting point for a wider analysis on the legal definition of municipal waste treatment given by national legislation and, as a consequence, its compatibility with European law.

Regional Observatory

The Mutonia Theme Park in Santarcangelo di Romagna. Landscape Enhancement, Management of Common Goods and Development of Territories: an Analysis in a Legal-Managerial Perspective (p. 1045)

Carmen Vitale, Mara Cerquetti, Caterina Nanni