'Legal', Obnoxious and Unfair:
Eroded Legitimacy of Governance in Naples

Italo Pardo
(University of Kent)
i.pardo@kent.ac.uk

The increasing gap between rulers and the ruled is, of course, especially resented in democratic systems. Its very serious ramifications stand on a conundrum that may not be easy to solve but can and should be addressed, with urgency. And yet, to complicate this vexed problem, few rulers seem interested in recognizing its nature, which combines with a dearth of empirical knowledge on the legitimacy of dominant groups' management of power.

My interest in legitimacy and processes of legitimation and de-legitimation (Pardo 1995, 2000) arose in the early 1990s, as I reflected on the sharp contrast between my ethnography of ordinary Neapolitans and the combination of their misrepresentation in the literature and their corresponding mistreatment by their distrusting rulers, who, in turn, enjoyed no trust or legitimacy among most of my informants (Pardo 1995; 2017: 37-43). Then, as now (Pardo 2006: 26-28; 2017), a large proportion of Neapolitans were treated *de facto* as second-class citizens oppressed by adverse policies that impacted heavily on their lives and informed their growing distance from what they described as 'predatory powers-that-be' who 'ruled by double-standards' (Pardo 2012: 68-73). A committed ethnographer (Pardo 2017: 35-36), I believed that an in-depth understanding of the moral complexity and social value of individual action would help to gain a better view of key dynamics of legitimacy and legality in the relationship between citizenship and governance in the fields of social policy, legislation, integration and access to rights (Pardo 2018). Hence my decision to conduct an anthropological study of how power operates; meaning, in short, that I went to live in Naples and engaged in long-term participant observation among the élite and the construction of case-studies of significant individuals and events. While updating regularly my ethnography on ordinary Neapolitans and extending my empirical interest to immigrants, over the past 28 years I have researched in this fashion key élite groups' management of power and authority (Pardo 2012: 61-65; 2017: 44-47).[1]

As this long-term research programme progressed, my sense of the relationship between rulers and the ruled slowly became clearer, contributing to an understanding of the forces that are shaping contemporary Italy. Over time, I have grown aware that 'the establishment' is no longer coherent or collective or competent. Its failings are causing more than schisms, inequalities and precariousness; they threaten the very foundations of democracy. Many years ago, I worried about the danger that the combination of legally established powers that failed to achieve legitimacy in the broader society and ordinary people's informed distrust of those who manned the institutions of the state and, locally, of governance could coalesce in the de-

---

[1] For more detailed information on these fieldworks and the methods and methodology, see Pardo (1996: Ch1, 2012 and 2017) and Prato and Pardo (2013).

legitimation of those institutions (Pardo 2000). In Italy and very clearly elsewhere this is now a reality, as is graphically brought out by the Greek case (Spyridakis 2018), and perhaps less painfully but equally problematically across the democratic world.

Italy is, of course, an established democracy. But here democracy is not healthy, weakened as it is by broken trust *between* rulers and the ruled and a deep crisis of legitimacy in public life. The democratic contract has been substantially harmed by an entrenched commitment to the grubby trade of legitimacy for power that has left rulers' actions exposed to a demeaning lack of authority. To magnify the problem, this distortion of political responsibility in the exercise of power, in many cases the slanted wielding of official power, has marked political action across the board. There is more.

Critical anomalies have progressively disfigured democracy as a succession of unelected prime ministers and governments have been appointed through a procedure that may be constitutionally correct, therefore entirely legal, but has made Italians feel that they have no say in the matter of who rules them, that they are not citizens but subjects, of barely disguised authoritarianism. Adding scorn to injury, a *cross-party* majority of MPs have repeatedly appeased these choices. As 'the establishment' has consequently lost credibility among the public, a large proportion of Italians have withdrawn from the democratic process. This is significant in a country where, in the past, turnout at the polls was over 80%. When at the last general election (March 2018) electors did exercise their democratic right (the turnout was 73%), they voted overwhelmingly (50% nationally, up to 75% in the South) for protest parties of the left and the right that are not associated with 'the establishment' and whose rhetoric addresses key popular instances. It is unhelpful that, in Italy as elsewhere, these 'alternative' parties have been simplistically — some argue, conveniently — labelled populist.

In Naples, the turnout at the last local election (June 2016) was 50.37%. Against weak traditional parties (of the centre-right *and* the centre-left), the mayor was elected by 65% of those who voted, accounting for 33% of the local electorate. The genesis of this anomaly is seeded in another anomaly, whereby since the *tangentopoli* scandals of the 1990s politically-committed sections of the judiciary have repeatedly taken over a key aspect of the political process, selectively emasculating political competition. Notoriously, while judicial inquiries encourage scandal but often fail to deliver the convictions of accused, many 'new brooms' become involved in abuse of power, bribery and corruption (Pardo 2018). Some avoid jail on technicalities. In Naples I have been asked to note that 'while in office the mayor received a 15-month suspended jail sentence for abuse of office and a hefty fine for libel. He was subsequently suspended from office, appealed and one month later was reinstated on a technicality'. Similarly, his deputy received a 1-year suspended jail sentence for having assaulted a policewoman. He, too, is still in office.

Leading intellectuals and most of the media hailed the 1990s as an age of enlightenment for Naples, the third largest city in Italy. Ethnographic investigation revealed, instead, a problematic relationship between ideology, policy, civil society and the law. I have discussed that unfortunate time for Naples' inhabitants, culminating in the infamous rubbish crisis and

the consequent pulmonary and infective diseases and deaths (Pardo 2010). Today, as throughout the past 30 years (Pardo 2012), a legal style of governance meets the interests of select groups linked to who is in power. This at once engenders and thrives on a blurring of the dividing line between what is legal and legitimate and what is legal and not legitimate in public life (Pardo 2018);[2] particularly, as actions that are conveniently made to be legal through ad hoc municipal decrees and legislation deeply affect local life.

It may be useful to summarize some ramifications of a governance that my informants from all walks of life who live and operate in central Naples, describe as legal but obnoxious, unfair and illegitimate.

For a while, local rulers' ideological fantasy of a largely unspecified 'orange revolution' was electorally convenient. In time, however, their inefficiency and pandering to the interests of extremists have given the game away. Under their watch, urban life has become notable for three, connected, reasons. It is dangerous; polluted by administrative double-standards, rubbish and vermin; and marred by a bread, circus and gallows approach to rule (Pardo 2012, 2018).

Municipal finances and patrimonial resources continue to be mismanaged as close to financial insolvency as it can possibly be without actually going bankrupt (Lo Cicero 2017, Pollice 2018). Much of what is under municipal responsibility, I have been repeatedly asked to note, is in critical conditions. The City Council is responsible for the upkeep of roads, pavements and public buildings, and for most of the local public transport system. The urban road surface is hazardous, pocked with potholes (many very large and deep) that are procuring huge business opportunities for local garages and headaches to insurance companies. Public health is hazardous. Local ER departments report daily occurrences of broken bones and other serious injuries resulting from accidents in badly maintained public property — broken or uneven walkways; large and deep potholes; pieces of public buildings that fall on pedestrians, and so on. Public space continues to yield medieval visions of filth, rubbish strewn across roads and pavements, rats, cockroaches, stray cats and feral packs of dogs. The public transport system not only is marred by inefficiency, redundancies and strikes; it is perilously near total collapse (Del Tufo 2018). As the local leader of the Centre-left Democratic Party recently noted, 'in 1997 there were 800 buses, now there are 300 and they are 17-years-old, and often out of action'.[3] Interestingly, in this situation EU funds meant to contribute to the development of an 'integrated urban transport system' have been used to draw bicycle pictograms on unlikely roads, walk-sides, under outdoors restaurant and bar tables and even on stairs across the city.

There is more. For instance, one thinks of the rich ethnography of mismanagement of power that fosters difficult relationships between the autochthonous population and the ever-

---

[2] For lack of space, I cannot discuss actions that take place at the grassroots and that are officially illegal but are seen as legitimate by the actors and their significant others. I refer the interested reader to my separate works (for example, Pardo 1995, 1996, 2009, 2017).

[3] See *Il Mattino,* 2 April 2016. https://www.ilmattino.it/napoli/politica/nuovo_item-1643478.html

growing number of immigrants,[4] which strongly contributes to turning the autochthonous population's natural *tolerance* into *toleration* and, then, as citizens' instances remain unaddressed and problems unsolved, into *intolerance* (Pardo 2009: 122-14; Prato 2009). Take the case of local authorities turning a blind eye over the scavenging and sale of rubbish that has been going on in Naples for many years. Residents must put their rubbish in plastic bags and then deposit these bags overnight in dumpsters permanently placed by the walk-side; the dumpsters are emptied early in the morning. Immigrants are regularly seen extracting from these dumpsters objects (mainly shoes and clothes) that they then proceed to display and sell from rugs thrown on the pavement. This phenomenon takes place daily across central Naples. Local residents and traders resent that 'despite the legal and health issues involved, this kind of trade goes on unchallenged, including in the very hot Summer time'. Shopkeepers and their associations have lodged detailed complains. Exemplifying their grievances, one of them said, 'since these people started doing this, sales have dropped by 50% because the street is always dirty and unhealthy'. In the face of the authorities' failure to act, extremist groups have mounted organized attacks against the rubbish traders and, on some occasions, have been joined by local residents. Eventually, in a show of action, the local administration decreed that anyone caught rummaging in dumpsters would be fined €500.00 on the spot.[5] For a few days this new decree was zealously enforced. Within 24 hours from its publication, fines were issued (*La Repubblica Napoli*, 27 November 2014) and left unpaid, because the transgressors were officially destitute or could not be identified because they had no documents. As this phenomenon continues, the protests and violence have evolved into a semi-permanent vigilantism that makes more unfriendly a city that, in the experience of my informants and, as noted by the radical leftist regional governor,[6] is marred by increasing street violence and inefficiency.

These dynamics tally with illegal immigrant dealers being allowed, by default, literally to monopolise walk-sides, gardens and squares, while the autochthonous licensed traders are heavily fined for exceeding the space allocated on their trading licenses. They are identified and must pay — 'unlike', as one of them noted, 'the illegal peddlers who operate here, run from the police just to reappear when it is safe, and if caught cannot be made to pay because officially they've no income and often no identity documents'. A young man who was forced by the municipal police to close his stall because he could not pay the fine was, 'sorely aware that unlicensed illegal immigrants can sell what they want where they want'. He remarked, 'why I can't sell my wares but they can sell my rubbish?'

Analytically, the violent actions of local extremist groups and their ideology of the state as the enemy make an interesting contrast with the kind of lawful protest enjoying legitimacy

---

[4] *Officially*, in 2015 there were 48.565 foreign residents in Naples, accounting for 5% of the population. They were Sri Lankans 25.4%; Ukrainians 16.9%; Africans 11.4%; Chinese 10.2%. (Comune di Napoli 2014 and 2015).

[5] See *NapoliTime*, 28/11/2014, http://www.napolitime.it/59631-mercato-abusivo-dei-rifiuti-napoli-il-sindaco-ferma-questa-pratica.html

[6] See *Il Mattino,* 16/03/ 2018, http://ilmattino.it/napoli/politica/de_luca_liberare_napoli_da_violenza-3610897.html

at the grassroots in the Canadian (Boucher 2018), South Korean (Sarfati 2018) and US (Krase and Krase 2018) cases discussed in this Special Issue. Local commentators denounce today's governance as deeply embroiled with these groups. Antonio Polito (2018), the deputy editor of an authoritative centre-left newspaper, describes how these malcontents 'have become his [the mayor's] party' and 'his militant guardians'. They, he adds, operate in the name and on behalf of the mayor, often engaging in violent clashes with the police. In turn, they have been allowed to settle in publicly owned buildings, as in the case of the Asilo Filangieri. This building of important historical value was restored at public expense to be used as a venue for international cultural events. Like several similar buildings in the city, it was illegally occupied by radical groups, who were later turned into legal occupants through *ad hoc* Municipal Decrees (of 25/05/2012, 29/12/2015 and 01/06/2016); now local rulers are under investigation for abuse of office and damage to the public purse (Postiglione 2017). Adding to this political and legal chaos, as noted by Polito and other commentators, Naples councilors in power, who argue a Venezuela-style future for the city, have recently led protest marches to block the visit of a prime minister and several leading politicians whom they do not like. Local leftist intellectuals point out that the season of violent demonstrations geared up in 2017 (Macry 2018), when the mayor proclaimed that the leader of a centre-right party committed to prosecuting and expelling illegal immigrants from the country must not speak in Naples. Macry goes on to remind us of the furious urban guerrilla that ensued, as iron-bar-armed demonstrators, their faces covered, threw Molotov cocktails, stones and other missiles at the police, badly injuring thirty policemen. Similar actions continue to take place.

From Naples, as from the rest of Italy, the view is dire:

The gulf between the ruling élite and the rest widens.

Authoritative governance appears ever more chimerical.

The crisis of legitimacy in public life deepens.

References

Boucher, N. 2018. Legitimacy and Symbolic Politics in a Neoliberal City. *Urbanities-Journal of Urban Ethnography*, 8 (suppl. 1): 49-54.

Comune di Napoli. 2014 and 2015. *Bollettino di Statistica*. Naples: Sistan Sistema Statistico Nazionale.

Del Tufo, V. 2018. Napoli, trasporti lacrime e sangue ma nessuno pensa ai cittadini. *Il Mattino*, 20 March, http://ilmattino.it/napoli/politica/napoli_trasporti_nessuno_pensa_cittadini_commento_vittorio_del_tufo -3618197.html

Krase, J and Krase, K. 2018. Undermining Governmental Legitimacy: Failed Expectations of Community Accountability. *Urbanities-Journal of Urban Ethnography*, 8 (suppl. 1): 42-48.

Lo Cicero, M. 2017. Conti in rosso al Comune di Napoli. *Il Mattino*, 7 July,

https://www.ilmattino.it/napoli/politica/conti_in_rosso_al_comune_di_napoli_il_purg atorio_del_predissesto_e_l_inferno_che_si_e_spalancato-2561960.html

Macry, P. 2018. Se il fascismo è violenza chi sono i veri fascisti? *Il Mattino*, 24 February. http://ilmattino.it/primopiano/cronaca/se_il_fascismo_e_violenza_chi_sono_i_veri_fas cisti-3567685.html.

Pardo, I. 1995. Morals of legitimacy in Naples: Streetwise about legality, semi-legality, and crime. *European Journal of Sociology*, 36 (1): 44-71.

Pardo, I. 1996. *Managing Existence in Naples: Morality, Action, and Structure.* Cambridge: Cambridge University Press.

Pardo, I. ed. 2000. *Morals of Legitimacy: Between Agency and System*. Oxford: Berghahn.

Pardo, I. 2006. Political Expediency and Mismanagement of Responsibility: An Italian Case. In G. B. Prato (ed.), *Political Ideology, Citizenship, Identity: Anthropological Approaches*. Special issue of *Global Bioethics*, 19 (1): 21-29. Florence: University of Florence Press. https://www.tandfonline.com/doi/abs/10.1080/11287462.2006.10800882

Pardo, I. 2009. Dynamics of Exclusion and Integration: A Sobering View from Italy. In G. B. Prato (ed.).

Pardo, I. 2010. Italian Rubbish: Elemental Issues of Citizenship and Governance. In I. Pardo and G. B. Prato (eds).

Pardo, I. and Prato, G. B. eds. 2010. *Citizenship and the Legitimacy of Governance: Anthropology in the Mediterranean Region*. Farnham: Ashgate (now published by Routledge).

Pardo, I. 2012. Exercising Power without Authority: Elite Groups Implode in Urban Italy. In I. Pardo and G. B. Prato (eds).

Pardo, I. and Prato, G. B. eds. 2012. *Anthropology in the City: Methodology and Theory*. Farnham: Ashgate (now published by Routledge).

Pardo, I. 2017. Between Stereotype and Bad Governance: An Italian Ethnography. In I. Pardo and G. B. Prato (eds), *Palgrave Handbook on Urban Ethnography*. New York: Palgrave Macmillan.

Pardo, I. 2018. Corrupt, Abusive and Legal: Italian Breaches of the Democratic Contract. *Current Anthropology*, 59 (Suppl. 18): 17-22 https://www.journals.uchicago.edu/doi/full/10.1086/695804

Polito, A. 2018. Centri sociali in Parlamento? Sogno politico 'made in Naples'. *Corriere del Mezzogiorno*, 25 February. http://corrieredelmezzogiorno.corriere.it/napoli/politica/18_febbraio_25/centri-sociali-parlamento-sogno-politico-made-naples-f551cb0c-1a05-11e8-b031-504dc3801aba.shtml

Pollice, A. 2018. Napoli a rischio dissesto. *Il Manifesto*, 8 March. https://ilmanifesto.it/napoli-a-rischio-dissesto-de-magistris-lo-impediremo/

Postiglione, F. 2017. Dall'ex Asilo Filangieri all'Opg, doppia inchiesta sui beni comuni: Indagine sugli affidamenti del Comune di Napoli ad associazioni e centri sociali. *Corriere del Mezzogiorno*, 18 September.

Prato, G. B. 2009. Introduction – Beyond Multiculturalism: Anthropology at the Intersections between the Local, the National and the Global. In G. B. Prato (ed.).

Prato, G. B. ed. 2009. *Beyond Multiculturalism: Views from Anthropology*. Farnham: Ashgate (now published by Routledge).

Prato, G. B. and Pardo, I. 2013. 'Urban Anthropology'. *Urbanities-Journal of Urban Ethnography*, 3 (2): 80-110.

Sarfati, L. 2018. Morality and Legitimacy in the Sewŏl Protest in South Korea *Urbanities-Journal of Urban Ethnography*, 8 (suppl. 1): 70-73.

Spyridakis, M. 2018. Legitimacy at Stake: A Short Comment. *Urbanities-Journal of Urban Ethnography*, 8 (suppl. 1): 23-26.