

Revisiting the Commons - Symposium

The Persistence of the Positive: Reflections on Research into the Commons

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Abstract

This review-essay deliberately brackets the analysis of Veronica Pecile's book, *Law, Social Movement and the Politics of the Commons* in its empirical or thematic content, in order to focus instead on what might be called its 'form of content'. The book thus becomes the occasion for a reflection on the modes of research on the commons, on the ethos of the researcher, and on the political and affective investments that this kind of research, in the current global legal and political conjuncture, inevitably involves. Pecile's work and stance are put into dialogue with a wide range of authors who, like her, are concerned with thinking through the difficult – and not always harmonious – entanglement of affects and concepts, of mediation (through law) and immediacy (of life). 'Life in common(s)' appears, therefore, not merely as an object of study, but as a genuine standpoint from which to think.

*And there are real forces at work in the popular, I acknowledge that now, I am seeking out
forms
of acknowledgment, this is one, let me know if it counts for you, brother
That's a great word, like 'bread' or 'death,' let's add it to the list of things to recover for the
noncommercial
floating city I'm building out of trash and hair, the car alarms that follow thunder,
out of rain and thunder and bread and sex, this is a model, not sure if it scales
Like Sei Shōnagon, I am making a list of things that quicken the heart, and you can be on it
I am having a frank conversation regarding the permissibility of violence during the long
transition
to reenchantment, and you can leave comments
Out of the bright, perpetual midnight of the truck stop, I saw a man emerge barefoot
Out of the empirical fact of contingency I saw a relation of great delicacy grow, trellis and
vine
and thunder and work, I acknowledge that now
I acknowledge that dark and light as modeling tools must cede to warm and cool*

Ben Lerner, *The Lights: Poems*

I. Style of Analysis

Veronica Pecile's latest work¹ presents a meticulously detailed and deeply

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¹ V. Pecile, *Law, Social Movements and the Politics of the Commons: Cases from the Italian*

attentive examination of the commons, social movements, and law. While the book itself offers a rich empirical and legal account, this review does not aim to retrace its content exhaustively. Rather, it foregrounds the reflective and affective dimensions that permeate the study, highlighting the intricate interplay between relational attachment, legal mediation, and the precarious possibilities of collective life. At first glance, one might expect a conventional review to begin with a systematic summary of the book's contents, outlining chapters, topics, and arguments in a neutral, descriptive register. Yet such an approach would obscure, rather than illuminate, the most distinctive qualities of Pecile's project. This essay, therefore, deliberately abstains from retracing the book exhaustively, choosing instead to bring to the fore its reflective, relational, and affective dimensions – the very aspects that render the study so compelling and generative for both scholarship and praxis. By stepping away from a purely content-focused account, we gain access to the subtleties of the analysis: the gestures of care, the attentiveness to human and legal relations, the negotiation of ambiguity and constraint, and the patient cultivation of provisional possibilities. In other words, this essay engages less with the cataloging of topics than with the subtle orchestration of affects, attentiveness, and interpretive patience through which Pecile's analysis illuminates the moral, social, and political stakes of communal practice.

Pecile's book situates itself at the intersection of empirical ethnography, legal analysis, and theoretical reflection, yet its strength lies not merely in the accumulation of data or in legal exegesis. Rather, Pecile's work exemplifies what one might call an ethics of attentiveness, a mode of research in which the researcher's engagement with context – its contradictions, pressures, and affective textures – is inseparable from the interpretive and speculative gestures through which the study is articulated. The book demonstrates, in concrete and nuanced ways, how legal instruments, social norms, and communal practices operate in concert to mediate the dispersed, fragile, and often contested relations and forms of collective life. In doing so, it invites the reader to consider the ethics, politics, and aesthetics of both research and communal engagement: how attachment, care, and relational labor are enacted, interpreted, and sometimes prefigured in the legal and social fabric of the commons.

This orientation toward affects and mediation(s) allows the book to operate simultaneously on multiple registers. It is a study that can be read as ethnography, legal analysis, political theory, and moral reflection, with each mode informing and sustaining the others without collapsing them into a singular methodology or argument. Importantly, this approach mirrors the very subject it investigates: the commons themselves are neither fully legible nor entirely controllable; they are contingent, relational, and affectively charged. Just as Pecile's research practices require careful calibration of attention, patience, and methodological rigor, so too do the social and legal arrangements she studies demand ongoing negotiation, interpretation, and imaginative intervention. The book thus exemplifies a form

South (Abingdon & New York: Routledge, 2025).

of scholarship that does not shy away from ambiguity, but rather embraces it as the generative medium through which both understanding and prefiguration become possible. We might then say that the book takes the very style of analysis – its mode of inquiry – as one of its central problems. There is no space here to discuss, as would be necessary, the relation between ascetic practice and research, reflexivity and critique; yet it should be clear that I would like this theme to serve as the general background to my specific argument.²

Thus, rather than beginning with a conventional synopsis, we approach Pecile's work as a study in attentiveness and relational reasoning, where each empirical vignette, legal discussion, and theoretical reflection is a gesture toward sustaining, repairing, and imagining the commons. It is precisely this orientation – toward careful observation, ethical mediation, and imaginative prefiguration – that will guide our reading in the subsequent sections. We will explore below the theoretical opportunities the book offers, the affective and ethical implications of its methodology, and the ways in which it illuminates the interplay between law, social relations, and collective attachment, all while maintaining fidelity to the complex and sometimes dissonant realities of the contexts it investigates.

II. Tender Pessimism

This reflective orientation naturally raises a central question: what theoretical opportunity does Pecile's book afford? It is easy, perhaps even tempting, to categorize it simply as another contribution to the already extensive – and, by now, rather self-replicating – literature on the commons. Yet such a reduction would overlook its subtler ambitions. What makes this study particularly compelling is its reflective stance, the almost tacit attention to the theater of affects and relational ties that any research on commons, set against the ruins of contemporary capitalism, must inevitably confront.³ The book does not merely document or analyze; it enacts a form of theoretical attentiveness, a sustained engagement with both the fragility of social bonds and the conceptual apparatus that can illuminate them. It is precisely this interplay between the exhaustion, difficulty, or disempowering weight of a hostile context and the speculative, mediating gestures of the researcher that frames both the object and the actor of inquiry.

² Therefore, and only as a first and allusive indication, let us keep broadly in view the two volumes by A.G. Gargani, *Il sapere senza fondamenti. La condotta intellettuale come strutturazione dell'esperienza comune* (Torino: Einaudi, 1975); and Id, *Stili di analisi. L'unità perduta del metodo filosofico* (Milano: Feltrinelli, 1993).

³ I suggest here a hypothesis that I will not be able to verify in my essay, namely that Pecile's work – although she neither declares nor, much less, claims it – is a feminist book. Two important books by Sara Ahmed could be fruitfully brought into play in the discussion that follows (and this note has no other purpose than to introduce them, albeit only in spectral form, into the already well-nourished conversation taking place upstairs): S. Ahmed, *The Cultural Politics of Emotion* (New York & London: Routledge, 2004) and Id, *Willful Subjects* (Durham & London: Duke University Press, 2014).

Thus, we are confronted with a dual perspective: the commons themselves, imperiled and ambivalent, and the scholarly work of engaging them – attentive, reflective, and ethically oriented. This tension sets the stage for the analysis that follows, where we can ask: What is the nature of Pecile’s speculative gesture, and how does it illuminate the relational, affective, and legal dimensions of commons, not in abstraction, but in their lived, contested, and sometimes fragile reality?

This effort only makes sense if the context – the ruins of capitalism⁴ – is understood not merely as the backdrop to the commons and their experience, but above all as the frame within which the speculative gesture of the researcher unfolds. That is, the choice to engage with the commons, despite the adversities of the surrounding social, economic, and legal landscape, is itself a gesture that needs to be historicized and appreciated in its full relational weight.

It seems, therefore, that the relationship between the exhaustion or the difficulty of discourse under the pressure of a hostile and disempowering context pertains both to the object of study and to the actor conducting the research. In Pecile’s work, the commons are never simply presented as abstract entities or policy issues; they are, instead, situated within a web of social, affective, and legal relations, each of which shapes and constrains the possibilities for action and reflection. The book thus performs a delicate balancing act: it documents and theorizes the commons, while simultaneously attending to the reflective labor and affective engagement required of the scholar who chooses to study them.

I would like to try to bring Pecile’s inquiry into dialogue with the recent work of Benjamin Noys⁵ and that of the late Lauren Berlant. It is true that one could legitimately understand Noys’s work as a ‘regional’ critique of the affect theory practiced by Berlant (which, not by chance, eventually came to encompass the question of the commons as well).⁶ Yet I think it is meaningful to try to have them work together, one as an antidote to the other: a critique of vitalism coupled with a necessary engagement with the vital within theoretical practice; an explicit, non-casual treatment of the implication between negativity and possibility, of the exhaustion of the ‘project’ and the survival of forms of building alternatives to the status quo and living differently. It seems to me that Pecile’s theoretical work situates

⁴ The phrase is taken from the now-celebrated book A.L. Tsing, *The Mushroom at the End of the World: On the Possibility of Life in Capitalist Ruins* (Princeton, NJ: Princeton University Press, 2015). I have already reflected on the relation that binds the quality of investigation to that of the object of investigation, namely the matter of *style of analysis*, in regard to the work of Tsing and Saba Mahmood. I therefore allow myself – in the sole self-citation of this contribution – to refer to two of my writings that are in dialogue with what I write here starting from Pecile’s work: M. Spanò, ‘Funghi del capitale’ *Politica & Società*, 443-448 (2016); Id, ‘Contro il soggetto sovrano. Sull’antropologia di Saba Mahmood’ *Politica & Società*, 131-138 (2012).

⁵ This is the moment to acknowledge (or ‘confess,’ as it were) the debt of my title to B. Noys, *The Persistence of the Negative: A Critique of Contemporary Continental Theory* (Edinburgh: Edinburgh University Press, 2010).

⁶ L. Berlant, *On the Inconvenience of Other People* (Durham & London: Duke University Press, 2022).

itself precisely at this point of articulation: far from any vitalist romanticism, yet committed to giving due weight to the affective dimensions of commoning practices; far from any voluptuousness of the negative, yet allergic to every unconditioned or merely aspirational enthusiasm.

In engaging with Noys' reflections on contemporary vitalism,⁷ one finds oneself inevitably drawn into a meditation on the very modes of research. His work provokes questions about method, scope, and the persistent tension between optimism and deflationism – what one might term, following Lauren Berlant, a form of 'cruel optimism':⁸ the stubborn insistence on thinking that even corrupted forms of communal engagement can prefigure something better, and that relations – however imperfect – are always preferable to their absence.

What, then, of law in this landscape? Perhaps it is less a question of legal doctrine than of a stance against the declared 'end of law'. Pecile's reflections are, above all, methodological: they interrogate the limits and instruments of critique, the very position of law within broader social and affective assemblages, and the role of moral and political imagination. Law appears not as an endpoint, nor as a rigid framework, but as a medium – a possibility – within which projects can be sustained, and relations nurtured.

With an only apparent paradox, we could say that the book practices a kind of 'tender pessimism'. Anthropology, attention to microstructures, and the granular rendering of social relations all combine to allow a view of law and justice as embedded in lived experience. Here, the pursuit of a larger good – a form of non-dialectical totalization – is never abstracted from the particular, nor is the ideal of justice treated as pristine or fully realizable. It is precisely through attention to these smaller scales, to the textures and frictions of relational life, that Pecile explores what law can be.

In this context, law is at once instrument and interlocutor: a space in which frustrated ideals are enacted and tested, where the dialectic between specific harms and broader moral or social goods is enacted in practice. It is an understanding of law that refuses moralism – a point reminiscent of Saba Mahmood⁹ – privileging observation, engagement, and affective attunement over prescriptive judgment.

Ultimately, the book invites the researcher to consider optimism and critique as problematically (or perversely) intertwined, to sustain projects in the knowledge of their incompleteness, and to embrace both the potentials and the limits of communal, legal, and social experimentation. It is a work that models a reflective engagement with the world: attentive to imperfection, grounded in relationality, and yet persistent in the pursuit of what might be possible. Where Berlant explores the 'cruel optimism' of sustaining projects in a world that seems perversely hostile to

⁷ B. Noys, *Envisioning the Good Life: The Limits of Contemporary Vitalism* (Edinburgh: Edinburgh University Press, 2025).

⁸ L. Berlant, *Cruel Optimism* (Durham & London: Duke University Press, 2011).

⁹ S. Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton, NJ: Princeton University Press, 2005, paperback edition with new preface 2012).

their realization, Pecile demonstrates how communal initiatives in Southern Italy operate within – and against – the ruins of neoliberal capitalism, where law, social movements, and local practices intersect in complex ways.¹⁰

In both cases, the challenge is not merely to describe or theorize a social phenomenon, but to inhabit it reflexively: to recognize that research itself is a gesture shaped by the conditions under which it takes place. For Pecile, studying the commons is inseparable from understanding the historical and structural pressures that constrain them; the ruins of capitalism provide both the backdrop and the frame for evaluating what can be done, and what can be imagined, within these spaces of collective action. Similarly, Berlant's emphasis on the interplay or the interruptions between optimism and 'lateral agency' resonates with Pecile's attentiveness to the persistent, if imperfect, efforts of communities to reconfigure property relations, resist commodification, and cultivate social bonds.

Law, in this reading, occupies a liminal space between possibility and constraint. It is neither wholly enabling nor entirely obstructive; it is an instrument through which collective aspirations are articulated, contested, and sometimes realized. Pecile's ethnography of commons initiatives shows how legal frameworks can be both a site of tension and a resource, exploring the suggestion that law exists amid and through relational dynamics, ethical imagination, and practical engagement. The affective dimensions – the theater of affects so central to Pecile's work – underscore that both research and social action are suffused with attachment, hope, and frustration, mirroring affect scholars' reflections on the emotional and ethical stakes of engagement in imperfect yet meaningful endeavors.

Finally, bringing these perspectives together highlights a shared concern for the fragile yet persistent gestures through which human and social potential is realized. Pecile's methodological meditation and empirical investigation converge in their insistence on the importance of relational detail, the recognition of structural adversity, and the cultivation of both theoretical insight and practical hope. In this sense, the study of the commons becomes not just an object of analysis, but a space in which research, law, and communal life mutually inform and shape each other, demonstrating that even amidst adversity, the pursuit of social, legal, and moral possibilities remains both necessary and generative.

III. The Senses of Law

To make these connections more concrete, one can look at the specific cases

¹⁰ It is worth highlighting – without being able to follow this thread in the development of our discussion – the 'southern' context of Pecile's study. A context particularly amenable to a reading in terms of *moral economy*. It is no coincidence that the author declares herself inspired by the ethnography of A. Muelbach, *The Moral Neoliberal: Welfare and Citizenship in Italy* (Chicago: University of Chicago Press, 2012). A line of research developed – needless to say! – with regard to commons in the subsequent work: Id, *A Vital Frontier: Water Insurgencies in Europe* (Durham & London: Duke University Press, 2023).

Pecile documents in Southern Italy. For instance, her analysis of communal gardens, co-housing initiatives, and local associations in Palermo highlights how residents negotiate the legal framework, informal practices, and social norms to sustain collective resources. These cases reveal both the fragility and the resilience of commons projects: legal recognition is often partial, contested, or ambiguous, yet communities continue to act, improvise, and create spaces of collective agency. The interplay of law, social movement practices, and affective commitment demonstrates that even imperfect forms of communal engagement have significant social and ethical value. In this sense, Pecile's work translates Berlant's 'cruel optimism' into what I have been calling 'tender pessimism': participants persist in the face of structural adversity, believing in the possibility of better forms of commoning, even when outcomes are uncertain.

Law, within these empirical examples, emerges as a site of negotiation and potential rather than merely a set of constraints. Regulatory frameworks, property codes, and municipal ordinances simultaneously enable and restrict community action, providing channels through which collective initiatives can gain legitimacy while also presenting obstacles that demand creativity and resilience. Pecile's careful ethnographic attention shows that legal rules are not inert; they are embedded in social relations, interpreted through local knowledge, and mobilized strategically by actors committed to communal life. In other words, law functions as a medium of possibility: it can structure, enable, and sometimes amplify the efforts of social actors, while remaining intimately tied to the affective and practical dimensions of everyday engagement.

This perspective underscores the broader methodological point Pecile emphasizes, which is that the researcher cannot separate observation from participation, nor abstract ideals from the realities of relational and institutional pressures. The commons are not simply objects to be theorized; they are instead lived spaces where the affective, the social, and the legal intersect. Pecile's granular attention to microstructures – such as neighborhood associations negotiating access to urban land, or informal agreements among residents to manage shared resources – illustrates how law, ethics, and social practice are co-constituted. Each case becomes a lens to understand both the limits and possibilities of legal intervention, the endurance of community practices, and the role of imagination and attachment in sustaining social life.

IV. Economies of Endurance

A central – though perhaps tacit – argument emerging from Pecile's work is that any analysis of social relations under capitalism cannot be separated from the emotional textures and affective tones that envelop and color them. This insight resonates with Anna Tsing's notion of 'dwelling in the ruins of capitalism', which emphasizes the necessity of careful mediation in contexts marked by fragility and

incompleteness. In Pecile's cases, such as the community initiatives in Palermo, these affective dynamics are not merely background conditions, but integral components of social practice: the very persistence of collective projects depends on attention to attachment, care, and relational negotiation.

The question then arises: what role does law play in shaping, animating, or stabilizing these affective entanglements? Beth Povinelli's earlier work, including her reflections on the forms of affect and their legal articulation, provides a useful lens. Law, in this context, does not function as an idealized guarantor of outcomes but as a set of provisional tools which mediate relationships and enable forms of endurance. Pecile's study exemplifies this through her ethnography of communal action, showing how legal instruments – whether formal property rules or regulatory frameworks – are deployed not to achieve perfection or to bring about revolution, but to sustain processes, mend relational rifts, and extend social practice beyond its immediate limits.

This ethic of repair and endurance is vividly illustrated in Pecile's discussion of what we might call the moral economy¹¹ of the Palermo commons. Here, the 'stubbornness' of participants, their commitment to repair and continue despite partial success or systemic obstacles, exemplifies the production of instruments – sometimes juridical, sometimes informal – that are shaped to fit the minimal, compromised, yet meaningful quality of the events they seek to enable.¹² These are not grandiose or abstract legal tools, but modest, context-sensitive devices that respond to the granular texture of relational life. This attention to scale and affect represents one of the book's major contributions. It articulates a practice of law and collective action attentive to both material and emotional exigencies, capable of sustaining projects through adversity.

Pecile's work thus invites a reflection on the interplay of solidarity, stubbornness, and moral indexing of concepts. As in Povinelli and Berlant's conversation 'Holding Up the World',¹³ affect is not ancillary but constitutive and shapes the very possibilities for action, interpretation, and ethical engagement. Ethnography, in this sense, becomes an ethnography of affect: of moral discomfort, of compromise, of precarious persistence. Law is inseparable from this dimension; it is the medium through which these compromises and efforts at repair are realized. The 'art' of law, as Pecile's ethnography suggests, lies not in achieving ideal outcomes, but in navigating and sustaining imperfect, relationally embedded processes –

¹¹ The reference here is to E.P. Thompson's classic essay 'The Moral Economy of the English Crowd in the Eighteenth Century' 50 *Past & Present*, 76-136 (1971), which has become a foundational point of departure for debates around moral economy.

¹² This worldly, active idea of 'stubbornness' is taken from E.A. Povinelli, *Between Gaia and Ground: Four Axioms of Existence and the Ancestral Catastrophe of Late Liberalism* (Durham & London: Duke University Press, 2021).

¹³ L. Berlant and E.A. Povinelli, 'Holding Up the World, Part III: In the Event of Precarity ... A Conversation' 58 *e-flux Journal* (2014), available at <https://tinyurl.com/59h3537m> (last visited 31 January 2026).

an art of the ‘best failure’ rather than a bourgeois, idealized resolution or a petty-bourgeois mysticism of rebellion.

By attending to these entangled affective and legal dimensions, Pecile demonstrates that communal projects are at once fragile and resilient, constrained and inventive. The challenge she identifies – and one that speaks to both theorists and practitioners of the commons – is to create forms, tools, and interventions that are commensurate with the minimal yet significant quality of the social and affective events they aim to sustain. It is a vision of law and collective life that emphasizes endurance, repair, and the ethical and affective labor required to hold communal worlds together, illustrating the potential of relationally informed legal practice in contexts of structural adversity.

Ultimately, the conjunction of affective attention, legal mediation, and the ethics of persistence situates Pecile’s analysis within a broader theoretical conversation about the endurance of social forms under conditions of structural constraint. Optimism in this sense is not a general or abstract hope, but a measured, affectively grounded practice. It is a stubborn insistence that communal life, however fragile and partial, is worth sustaining. The book therefore demonstrates that the endurance of collective projects, the careful calibration of law to relational contexts, and the cultivation of affective and ethical awareness are mutually reinforcing. Together, they illuminate how pessimism and optimism, despair and attachment, critique and persistence, coexist in the lived practices of commoning – providing a model for thinking about the intertwined moral, legal, and social dimensions of collective life in the ruins of capitalism.

V. Eros and Nomos

Building on the reflections developed in Pecile’s study, one can fruitfully relate her analysis of the commons to Demet Dinler’s most recent work.¹⁴ Dinler explores

¹⁴ D.S. Dinler, ‘Uncaptured Desires: What Affirms Our Political Imaginaries?’ 209 *Radical Philosophy*, 55, 55-68 (2020). A – long! – quotation from the first page of the essay seems to me capable of explaining, far beyond any effort of mine to clarify or paraphrase it in various ways, the reason for the deep solidarity I recognize between Pecile’s démarche and Dinler’s: ‘As a younger activist I used to find it puzzling that some people who suffer the most from inequalities in capitalist society had little interest in radical egalitarian imaginaries, in the form of, for example, communal solidarity economies. Certain individuals were attracted to groups defending those ideas only temporarily in crisis situations, when their access to jobs, land, housing, resources was at risk. Others found them unrealistic or unattractive. Given their frequency, I also found it odd that interpersonal rejections and break-ups in the mundane life of organising did not receive more attention. The risks of ascribing a romanticised homogenous agency to subaltern groups who might have different priorities and preferences were perhaps revealed, but reflections on these differences and their implications for activism and critical theory were limited. The poor reception of egalitarian ideas could be attributed to the hegemony of neoliberalism that prevents people from imagining a life beyond it or to the failure of social movements to make those ideas palpable to broader audiences. Therefore, one should work harder and wait for the right political and social conditions to make radical visions heard and seen. But this attitude put these visions in a privileged position, offering

how political imaginaries are shaped and sustained in contexts that are simultaneously constraining and generative – what she calls ‘uncaptured desires’. Similarly, Pecile’s ethnography of Southern Italian communities highlights how communal initiatives operate within structurally adverse, or ‘bad’ contexts, yet retain openings for imaginative, collective action. Both works emphasize that the quality of the social and political imagination is inseparable from the material, legal, and affective conditions in which it is embedded.

In Pecile’s cases, residents and organizers navigate precarious legal frameworks, contested property regimes, and municipal regulations, yet the very persistence of these projects attests to their potential for transformation. Here one encounters a tension reminiscent of Ben Lerner’s ‘world to come’: the commons are both shaped by existing constraints and oriented toward a future that is not yet realized, a horizon of possibility that informs practice in the present.¹⁵ The ambiguity and ambivalence of the commons – their mixture of constraint, failure, and hope – mirrors Dinler’s notion that political imaginaries are never fully captured by the structures that contain them, and that desire, attachment, and speculative engagement sustain action even in imperfect conditions.

At the same time, both works emphasize the dialectical nature of social and political experimentation. The commons, like political imaginaries, are spaces of contradiction, where utopian prefiguration and pragmatic negotiation coexist. The pursuit of shared goods does not erase conflict or ambivalence; it enacts a careful balance between aspiration and constraint, desire and compromise. This tension renders the commons generative: it allows collective action to be both imaginative and grounded, affectively charged yet responsive to material and legal realities.

Beyond any utopianism, romanticism, or wishful thinking, the friction between legalistic discourse and the informal uses of commons in Palermo attests to the essential impurity and non-innocence of the subjects and practices involved. Yet this kind of symbolic collusion and structural ambivalence, far from providing the premise for a moralistic judgment, constitutes the raw material for thinking and constructing the possible, and perhaps above all, for remaining faithful to the

them exemption from critical scrutiny. (...) I take seriously the moments of mismatch between political ideals and the people they appeal to for change. Rather than reading such moments as another notch on the long list of defeats feeding our left-wing melancholia or as missed opportunities to be seized again under correct circumstances, I propose to analyse them on their own terms, as a reality to acknowledge with humility, whose investigation can speak back to the very roots of radical imaginaries. I examine various groups’ engagements and dis-engagements with particular visions and practices by using ethnographic, historical evidence from secondary literature as well as my past experience as an activist and engaged researcher. Experiments on collective property and cooperatives serve as ethnographic vignettes opening up to broader issues on the contradictions of political imaginaries, whose desirability is often taken for granted. I pay self-reflexive attention to my own failures in grasping the complexity of life forms, with the hope that the lessons I derive go beyond my immediate experience and become relatable for others. The overarching question which I attempt to answer is this: When people who are invited to defend and implement a political ideal have little interest in its promises, how should the ideal cope with refusal?’

¹⁵ B. Lerner, *10:04: A Novel* (New York: Farrar, Straus & Giroux, 2014).

contexts and their inescapable mixture of conformity and creativity.

The research thus engages with actors who, in the name of the commons, act according to registers, motives, and rationales that we would be morally inclined to regard as being in stark opposition to the – presumptively virtuous – discourse of the commons. Yet it is precisely this encounter – often frustrating, and at times genuinely difficult to bear from a moral standpoint – between the researcher and her ‘object’ of study (an object which, as we have seen, is in fact a dense and entangled network of heterogeneous relations and aspirations) that compels her to recalibrate her analytic instruments. In other words, it is this provisional disappointment – the inability to see one’s virtuous prejudices confirmed, one’s idea of the good and the just reaffirmed – that allows not only for the production of a more robust research, less tinted by moralism, but above all for the forging of the heuristic tools needed to describe that very confusion that is at stake in the relation between law and the commons. A situated inquiry thus becomes an occasion to reflect on one’s analytic style and the morally oriented preconceptions that often pre-determine its outcomes. This is not an easy scene, for it entails political frustration, moral disorientation, and a kind of symbolic solitude. But it is precisely in the reflective treatment of these moods of research that the most significant political, epistemic, and affective gain is to be found. It is worth insisting on this point: it is precisely because we are predisposed to attribute a morally virtuous character to the commons that placing them in a context which puts this moral intuition at risk can turn out to be extraordinarily rich in political and speculative implications.

Building on the conceptual threads already explored, the figures of *eros* and *nomos* offer a powerful lens through which to understand the complex, ambivalent relations between the commons, social movements, and law. In Pecile’s ethnography, desire and attachment – what we might call *eros* – animate collective projects, imbuing communal practices with affective and ethical significance. *Nomos*, by contrast, evokes the structuring and mediating role of law. Legal frameworks, property regimes, and municipal ordinances are neither neutral nor fully determinate; they articulate the boundaries of collective action, provide resources for negotiation, and shape the possibilities for prefiguration and utopian experimentation. Yet, as Pecile shows, law is deeply interwoven with affective and social life: it is interpreted, adapted, and sometimes transformed in relation to the desires, commitments, and attachments of community members. The interplay of *eros* and *nomos*, *norm* and *form* of life, then, captures the simultaneous generativity and constraint of communal practice: desire drives persistence, while law provides the framework within which such persistence can take form, be recognized, and sustain itself.

This lens also illuminates the inherent ambiguity of the commons. They are neither entirely autonomous nor fully determined by legal and social structures. As Dinler emphasizes, political imaginaries operate in spaces of partial capture: desires are neither fully realized nor fully constrained, and this tension enables imaginative and ethical experimentation. In Pecile’s work, the commons emerge as sites where

social movements, law, and affective engagement converge, producing outcomes that are provisional, contingent, and ethically charged. The ambivalence of the commons – the coexistence of constraint and possibility, failure and attachment, fragility and endurance – reflects the broader dynamics of relational life under conditions of structural adversity. The theater of affects, previously highlighted, finds here its conceptual anchor: an erotics of law, prepared to weather repeated disappointments and those rare, flickering moments of enthusiasm.

VI. Holding Up the World

In sum, reading Pecile alongside Dinler and the theoretical perspectives of Noys, Tsing, Berlant, and Povinelli, one perceives a recurring theme: collective action is always entangled with ambivalence and contradiction, yet these very tensions generate space for imagination, repair, and ethical engagement. The commons are not idealized or fixed; they are provisional, relational, and affectively charged, existing at the intersection of desire, law, and social movement. This perspective foregrounds the enduring challenge and potential of communal life: to act, imagine, and sustain connections within a framework that is always simultaneously enabling and constraining, hopeful and fragile – a testament to the productive ambiguity at the heart of social, legal, and affective practice. This is truly a dialectical mode of thought: one capable of seeing, in the morally most degraded and complicit form of the collective, the figure and image of its emancipation. It would be enough to think of the masterful – and far more confident – dialectical exercise carried out by Frederic Jameson on Wal-Mart to understand the speculative power that can be achieved through such theoretical-political exercises.¹⁶ Yet it is a dialectical thought that applies to the technique and discourse that, more than any other in the West, endures this ambivalence, embodying it: law.

At a moment when the image of the extinction of law is invoked with such ease, and when every form of mediation seems to disintegrate into a general condition of disintermediation – one that rewards nothing but force and violence – Pecile offers a sober and reasoned plea for the practices that sustain social endurance. Her work emphasizes the importance of mediation, connection, and relational nodes: the names, frameworks, and spaces that can ‘hold together’ and ‘support’ the dispersion of social ties, providing a gentle counterweight to the unprecedented pressures of interest-driven forces and the erosion of the common.

Pecile’s ethnography illustrates that law, far from being obsolete or merely repressive, can function as a stabilizing and enabling medium in contexts of structural adversity. It is through careful attention to legal instruments, communal norms, and procedural mechanisms that relationships are sustained, repaired, and occasionally extended beyond their immediate constraints. The commons,

¹⁶ F. Jameson, *Valences of the Dialectic* (London: Verso, 2009).

in this sense, are both materially fragile and relationally dynamic. Their endurance depends not only on the tenacity and commitment of participants but also on the availability of tools, legal and social, that can mediate conflicts, coordinate actions, and preserve collective projects from complete disintegration.

In this perspective, mediation is more than a technical or procedural concern; it is a fundamentally ethical and political practice. By sustaining relational networks, enabling negotiation, and offering provisional frameworks for action, law and social coordination together create conditions under which collective life, however precarious, can persist. Pecile's sobering reminder is that the work of keeping communities and commons intact requires patience, attentiveness, and a commitment to the subtle arts of connection and repair: a civil practice that both counters the destructive tendencies of disintermediation and preserves the fragile possibilities of shared life.

Pecile's research stands light-years away from the peculiar 'political unconscious' that has framed so many past studies – and debates – on the commons and law. In those works, ideological battles often played out 'upstream' of analysis, as if every investigation were obliged to pronounce in advance on the function – or even the essence – of law. Reform or revolution became a farcical recapitulation of broader debates, purely self-consolatory: the supposedly correct answer was taken as a guarantor of research quality, even when the investigation itself was rarely conducted rigorously. Pecile's work, by contrast, undertakes a context-sensitive analysis that illuminates the quality of the debate itself, accomplishing two critical operations simultaneously.

On one hand, it exposes the vanity, and perhaps the irresponsibility, of a discussion entirely centered on choosing between a palingenetic (and ultimately self-destructive) vision of law and a gray, administrative alternative, blamed for complicity with dominant discourses. On the other hand, it demonstrates that the very horns of this dilemma emerge within the friction produced by the interaction between contexts and the discourses surrounding them. Concepts such as 'resistance', 'persistence', 'endurance', 'survival', 'reproduction', 'solidarity', and 'metamorphosis' thus become the grammar of a moral economy, rather than a prescriptive or abstract moral code – producing political intensity not in spite of, but because of, their contextual genesis.

Pecile's approach allows these locally rooted, context-sensitive concepts to be carried forward and projected onto broader theoretical debates, enriching them with empirical grounding and relational nuance. The intensity and color of these notions emerge from the friction and negotiation of lived experience, rather than from preordained ideological positions. In this sense, her analysis offers a politically robust alternative to earlier tendencies in the field: one that privileges context, relationality, and the ethical stakes of collective action over dogmatic prescriptions about what law 'should' or 'ought' to be. By attending carefully to the interplay of social, legal, and affective dimensions, Pecile demonstrates that rigorous analysis

and political relevance are not mutually exclusive; on the contrary, they reinforce each other when the researcher is attuned to the contingencies and pressures shaping communal life.

This is a profoundly purgatorial vision, both of the object of study and of the research process itself. Yet this judgment is neither aesthetic nor evaluative; it reflects a commitment to adhere, with maximum patience and rigor, to the nature of the context, producing an analysis that – without losing its prefigurative character – does not betray the impasse that drives (albeit inertly or stagnantly) the very environment it seeks to describe. Here, the ‘fieldwork’ and the speculative gesture communicate without coinciding, each maintaining its distinct orientation while mutually informing the other.

The exploratory concepts developed by Pecile function as tools to access a context that is literally confused, morally opaque, and affectively ambivalent. These conceptual instruments are not abstract prescriptions; they must translate, endure, and support the very confusion they aim to illuminate. In doing so, they reveal that even apparent disorder is structured – governed by rules, principles, and norms – and that understanding such contexts requires attention to both visible and hidden forms of organization. The research process itself, finely granular and attentive, becomes an exercise in translating lived ambiguity into coherent theoretical insight, sustaining the tension between empirical fidelity and speculative interpretation.

In this respect, Pecile’s work offers a lesson in the reading and articulation of law and politics today. By holding closely to the textures, contradictions, and partial orderings of the social and legal landscape, the analysis demonstrates how careful attention, relational sensitivity, and methodological rigor can render complex realities intelligible without oversimplifying or idealizing them. The study exemplifies a mode of scholarly engagement that respects the inertia, the impasses, and the partiality inherent in communal life while still producing meaningful conceptual insight. The fieldwork and the speculative move coexist in productive tension: one anchors the work in empirical reality, the other extends its implications, prefiguring possibilities and tracing the ethical and legal structures that sustain social and political life even in conditions of fragility, ambivalence, and uncertainty.

As a final note, one might evoke the contemplative resonance of Ben Lerner in *The Lights*,¹⁷ where his meditations on unlearned, yet indispensable forms, echo the same attentive, patient engagement with context and possibility that Pecile cultivates in her study. Lerner’s poetry, like Pecile’s ethnography, contemplates what is not fully grasped or fully articulated, illuminating the fragile, intricate, and affectively charged patterns of human and communal life. Both works remind us that careful observation, subtle mediation, and imaginative prefiguration are necessary to navigate ambiguity, sustain relationality, and preserve the provisional possibilities of social and political worlds even in the harshest of circumstances, even in the most trying moments. For both, disillusionment – or, in light of adverse circumstances, a

¹⁷ B. Lerner, *The Lights: Poems* (New York: Farrar, Straus & Giroux, 2023).

more measured engagement with the possibilities of change – is not a prelude to cynicism, but a stubborn, careful, and demanding apprenticeship in a new art of reading and enacting what does not yet exist with what exists now, as it exists now:

(...)
We learned
all about night in college,
how it applies,
night college under the stars where we
made love
a subject. I completed my study of form
and forgot it
(...)
Poems about you, prose
poems.

Ben Lerner, *The Lights: Poems*