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The crisis in Campania waste. A short reconstruction of the story

Giovanni Laino

This article retraces the major stages of the complex refuse crisis in the Campania Region which wasn't granted sufficient disciplinary action, especially as relates to the requested and implemented measures meant to address its ensuing problems. Since the establishment of the first Emergency commission in 1994, there have been nine commissioners. Four of them resigned, while three were the elected presidents of the Region (Rastrelli, Losco, Bassolino). Although Bassolino held the post for a much longer period of time, even the first two took important decisions, which were to affect the development of the whole situation. This issue took on a much greater symbolical value as relates to 'public image damage', and increasingly lowered the credibility of the local public authorities who were unable to find a solution to a crisis which elsewhere had always been solved. The crisis cast a shadow over the credibility and the trust in institutional interlocutors while leading to a greater crisis affecting the principle of authority, social dialogue, and representativity. By proposing a necessary disciplinary framework, this paper highlights the major causes for the measures' ineffectiveness:

- the underestimated importance of differentiated refuse collection in all major townships by setting up plants, organisation models and providing enterprises with the necessary know-how to decrease the amount of disposal waste at source;
- the serious commingling of illegal industrial and often toxic, waste in dumps, or within the factory's premises, for the offload of

the entire cycle of urban refuse with an active presence of organized crime in the purchasing operations of areas meant to be used as dumping and stockpiling grounds. These facts, added to the outburst of pathologies, interventions by the judiciary leading to the seizing of the sites and of the illegal dumps along with the execution of epidemiologic investigations, triggered the opposition of the local population towards the Commissioners' identification of waste disposal sites;

- the legitimate concern expressed by political powers, by politicians from various parties, and by Church personalities regarding the related health risks was often confused and misleading, fuelled by institutional mistrust and ideological instances;
- the plan and management of the two tenders selecting enterprises in charge of handling the erection of waste disposal plants and the identification of the sites, was one of the major flaws. This resulted in a poorly designed project motivated by private interests and worsened by the blatant incapacity of those who planned the specification;
- the overall management of the situation was marked by seriously imprecise deadline predictions.

The plan envisaged erroneously optimistic timing relating to the realization of the refuse incinerator in Acerra, and to the localization of eco ball stockpiling areas;

- the Emergency commission has represented, since the very beginning, the occasion to inadequately address the requests of labour income by the unemployed, along with squandering on consultancies and the implementation of useless and ineffective measures, as substantiated by the Audit court.

According to the author, these juxtaposed factors led to the missed closure of the cycle due to: the basic ineffectiveness of differentiated refuse collection; the lack of at least one refuse-to-energy incinerator; the progressive lack of dumps for the offloading of waste and the ever-greater difficulty in identifying more dumping grounds; the difficulty in identifying areas for the treatment of the eco balls. Lastly, this situation shed new light upon the increasingly thorny issue regarding the widespread presence of polluted sites in the districts of Naples and Caserta due to the ongoing illegal and irregular dumping of toxic waste which triggered public concern related to the risks of environmental pollution and solicited the enactment of polluted lands' clearance which will need to be addressed with conspicuous funds in the forthcoming decades.

Those in charge of territorial governance have come to view the Campania region's refusal crisis as a significant workshop, since after forty years of misgovernment a largely polluted landscape emerged, necessitating reclamation and protection measures which current regulations on land use make very hard to implement. Indeed, the refuse crisis brought to the fore an amazingly widespread diffusion of polluted sites, worsened by the presence of pits, farm grounds and recycling plants used as, more or less illegal, dumping grounds. Official data, published by the Campania's regional agency for environmental protection, point to a very large area that needs to undergo reclamation. Some experts have identified it as the largest in the world, where are located as many as 226 (out of 556) regional townships. There is widespread and increased awareness of this

serious state of affairs, which has become all the more evident with the countless amount of literature produced on this subject establishing a link between stockpiling and dumping grounds; serious and equally mysterious pollution; exposition to serious health risks and the onset of serious pathologies affecting inhabitants who have been living in these areas even for short periods of time. The fears triggered by this interpretation has fomented public mistrusts along with the belief that authorities have been hiding and underestimating this serious state of things, worsened by the frequent interventions by the judiciary which effected investigations, suspended the works, and seized refuse dumps and sites. Once again, this led to the discovery that often the figures given by the authorities in charge didn't comply with the truth. In this framework, which includes governmental provisions (decree law 23/5, n. 90) this issue was appropriately defined, for different reasons, as a 'state of exception', describing the overall amount of means employed to address a situation of extreme danger. In fact this event, besides its time duration, points to other aspects as well: the margin separating the constraints marking European and national legislation and the actual possibility of setting up sites (used as dumping grounds and for the stockpiling of ecoballs) in a short amount of time, should induce decision-makers to intervene, as much as possible, with a 'free zone' approach to the constraints of environmental regulations. The appointment of apposite commissioners is viewed as a solution aimed at simplifying the situation at stake and at fostering greater effectiveness of the decision-making process by

reducing the number of players or establishing a clear hierarchy and enabling the derogation of a number of regulations and procedures, in order to speed-up the implementation of the measures adopted by the single decision-maker. The adoption of such a tool is therefore aimed at reconsidering enlightened rationalism, whereby the coherence of the single decision-maker was set against the inconsistency of a compromise reached by many players. But, as already mentioned, many aspects of the Campania refuse crisis point to the fact that the appointed commissioner was unable to interpret his role and transform his authority into concrete action because of objective difficulties, but also for the attitude of political decision-makers. In identifying the topics in support of the 'state of exception', it would suffice to refer to the preliminary remarks of the Decree enforced by the Berlusconi Government which envisages the relativization of constraints pertaining to environmental regulations on waste disposal, regarding the sustainability of sites and the characteristics of existing ecoballs which need to be burned; gives the undersecretary and the Government mandate to act in this context; maximizes intervention powers also with the availability of police forces; militarises the sites chosen for the establishment of plants and dumps; provides for the appointment of an apposite judge who is called to intervene in the legal proceedings underway. Thus, there appears to be a contradiction between the urgent need for effective measures, that can be implemented only with the discretion of the decision-maker, and the effective expiration of rights that would be guaranteed in

other regions. This is an interesting topic since it goes beyond the 'Campania' issue and highlights the fact that the use of the land in the past decades has been the cause of difficulties and catastrophic situations which are also due to a regulatory system marked by a drastic separation between the rules in force and efficient prevention measures, and between the control and the enforcement of legality for the use of the common goods.

Will it be possible to link the implementation of a thorough, plural, hybrid and contingent rationality with a decisive, government-conveying approach? This is deemed crucial. The worrying relativization and/or suspension of constitutional rights triggers another question: in this framework, which includes the regulations in force in these areas, to date, were these rights guaranteed? In other words, have they truly been exigible?

The thorny issue of the refuse crisis in the Campania region solicits topical questions debated by research experts in planning theory. This experience has shown, once again, that a project grounded on unreliable forecasts, which neglected focusing on inertia sources, is doomed to ineffectiveness, not to mention the, not unexpected because predictable, consequences. The ex post analysis of the case highlights the predictability of several supposedly 'accidental' occurrences when considering technicians' superficial approach and the inappropriate measures that have been taken. The case can be included among those marked by a strong intermingling of contextual flaws, illicit conduct and a poor planning education. Starting from the first version of the plan, managed by president commissioner Rastrelli, a

series of scenarios of a supposedly final stage were envisaged, due to choices which in a deterministic and implicit manner, were expected to deliver specific results, regardless of the conditions, the sources of inertia, and of conflict. A determining factor was the lack of thoroughness and prediction skills, linked to a rarely authoritative and determined presence of state representatives. On the other hand, there was an abundance of unscrupulousness and speculation. There are reasons to believe that in the Campania region a Waste-emergency commission, viewed as the authority which enforces its decisions in spite of uncontrolled regulations, has never existed. For what may be defined as just and opportune reasons, marked by legal proceedings and seizures by the judiciary, postponed deadlines and off-course veering due to the opposition of the locals who were often mobilized by mayors, priests and local authorities, concealed but active proponents of illegal interests, inertia caused by blatant ineptitude and inexperience, commissioners' caution, central government interventions, the commissioners' bold stand aiming at implementing concrete action, regardless of existing regulations, was never heard. Furthermore, those engaged in planning theory and inefficacy sources, will identify, in the object at stake, two major issues pertaining to the complex relationship between the sources and knowledge legitimization criteria, their certification, along with issues of transparency and games marking decision-making procedures. Even when the issue was in the limelight of the media and of national authorities' attention, the Court order issued in January 2008 was the result of technical information on

sites considered as possible dumping grounds, which turned out to be inaccurate and unreliable. There had previously been evidence and quality indicator analyses of intermediate products carried out by laboratories of enterprises which had been called to guarantee for the validity of the adopted indicators. The problem is all the more clear when the question of refuse-to-energy incinerators is addressed. On the one side, the experts who worked with the government's commission, including the highest authorities of the Health ministry, criticized the relationship between the presence of refuse dumps or refuse-to-energy incinerators in given sites and the actual increase in the number of pathologies affecting residents in the sites' premises.

The complaint committees and groups, often actively supported by researchers and availing themselves of information downloaded from the Web, developed an extremely critical stand vis-à-vis refuse incineration and refuse dumping grounds, overshadowing underlying triggering factors.

The weak 'active citizens' network, attended also by the man on the street, whose claims oppose the creation of dumping or stockpiling grounds, or the erection of incinerators, solicited the widespread decision of a 'zero-refuse' approach, viewed as a concretely effective measure, regardless of the context, timing, and of the need of envisaging a sufficiently long normalization period. When looking into the case of the Waste-emergency commission in the Campania region the adoption of a 'multiplicity epistemology' (Sandercock 2004), conceiving different ways of activating know-how, becomes crucial. There is the need for a plural and compromise

approach, playful and ironic at the same time. After examining this issue at length, I am all the more convinced of the conclusions reached after previous experiences. In order to best achieve efficiency in different contexts (this is certainly true in the case of Italy's public administration), technical rationality ought to be adopted and implemented with an experienced, accurate and serious approach.

In other words, priority ought to be given to the crucial role of accurately implemented calculation and forecasting skills, avoiding what has been defined as Positive incapacity (Lanzara G. 1993).

The outcomes of the new government's interventions will need to be examined at a later stage. However, it is likely that a combined decisive and pragmatic approach will entail the solution of at least the most critical aspects of the crisis. To this regard, a number of activists, researchers and scholars should perhaps be more self-critical when considering the role played in this story by a univocal stand innervated in the self-defined progressive and enlightened environments, which have led to prejudiced and antagonistic stands.