

Gregorio Arena

Labsus in Ukraine for shared reconstruction

It was the evening of Monday, October 24. After several hours of travel by bus from Krakow we were crossing the border between Poland and Ukraine on foot. On the other side, minivans were waiting to take us to the Greek Catholic Seminary in Lviv, where the next day the meetings between Italian and Ukrainian mayors scheduled in the mission program in which I was participating would take place.

I realized that this was not a trip like any other when, upon entering Ukrainian territory, I was told to turn off the geolocation on my cell phone because we were in the "War Zone." And this feeling of impending danger was heightened when, soon after, they invited me to download an app that sounds when there is an air alert in the Ukrainian region where you are, so that you make it in time to go to underground shelters to escape the bombs. I still have the app on my phone, I haven't disabled it. It has been ringing a lot these past few days, and each time I thought about the people I had met in Lviv.

About the meetings that took place on October 25 in the Lviv Seminar, their proceedings and outcomes you can read the detailed reports given on the website of the European Movement for Nonviolent Action (MEAN), which played a key role, together with other associations, in organizing the mission in Lviv, the beautiful articles in *Avvenire* and *Corriere Romagna*, or see the short video-clips I recorded for Labsus in Lviv.

Why did we go to Lviv?

Instead, here I would like to try to reflect on this extraordinary experience from the perspective of Labsus. First, why did we go to Lviv, in a potentially risky situation? For many reasons, but I would say that the essential motivations were two, one altruistic and the other so to speak "scientific."

The altruistic motivation is quite obvious. Ukrainians must not be left alone in the face of aggression by the Russian Federation, and the best way not to leave them alone, as the MEAN Decalogue says, is to be "next to the Ukrainians who have been attacked and martyred for many, too many, weeks. We go there to embrace them and share their pain." The theme of sharing is also central in another respect, because the mission to Lviv, like MEAN's other initiatives, "does not come from above but is prepared, shared, discussed with Ukrainian civil society, with its organizations and institutions."

Labsus has been proposing for years a model of administration (which is at the same time also a model of society) based on the sharing of resources and responsibilities between citizens and administrations, in the general interest. Sharing has been in our DNA, as an association and as people, since our founding 17 years ago.

Therefore, it seemed natural to us to physically share with the aggrieved Ukrainians the risk of war, because we are convinced that the most effective communication comes through behavior. We had confirmation of this at the time of our departure, when the Rector of the Greek Catholic Seminary greeting me said, "Thank you for being here with bodies as well as words!"

But words are important, too, and so we shared with the Ukrainian mayors present at the Lviv meeting our expertise and experience in the area of Pacts of Cooperation, trying to make ourselves useful with what we do best. Therefore, ours was not only a "being there" physically, but also a "being there with our skills," making them available for reconstruction.

To the altruistic motivation was then added the "scientific" motivation, that is, the motivation of the scholar who, having developed many years ago a theory that has since become a concrete way of carrying out the administrative function, was interested in seeing how far the application of the theory of Shared Administration could go. Put another way, if Shared Administration can be a general model, just as the traditional model is, it must be able to be applied to any situation, including the one that arose in Ukraine as a result of Russian aggression.

Well, the experience made during the mission to Lviv with the Italian and Ukrainian mayors and its potential developments seem to confirm this hypothesis, because there was yet another proof of the extreme flexibility of the Pacts of Collaboration, which in Ukraine can be used in at least two ways (and other ways of use may, of course, emerge in the course of the work).

Pacts for nonviolent action

First of all, a first area of utilization of the Pacts for Cooperation concerned relations between Italian and Ukrainian municipalities. The mission to Lviv aimed to create channels of cooperation between local authorities in the two countries to support Ukrainian municipalities affected by the war, using the "twinning" formula. Discussions with Labsus prompted the organizers to go beyond mere twinning and instead talk about real Cooperation Pacts for nonviolent actions between Italian and Ukrainian municipalities, based on the sharing of resources and responsibilities in solving problems concerning their respective communities.

In fact, twinings are perhaps more suitable tools for ordinary situations, aimed at organizing initiatives in the field of tourism, culture, culinary, etc., while in the current situation of Ukrainian municipalities, entering into Covenants of Cooperation with Italian municipalities means creating a much stronger bond than simple twinning, going beyond simple side-by-side to give rise to forms of cooperation concerning problems of all kinds.

Therefore, from now on, all actions to support Ukrainian municipalities envisaged by MEAN will take place within the framework of Cooperation Pacts for non-violent actions between Italian and Ukrainian municipalities. This is a totally new application of Shared Administration, because until now in Italy Pacts have been concluded between citizens and administrations, not between administrations. Since there are no precedents, it will be a matter of experimenting with new solutions, taking into account that Ukrainian municipalities are at war and first need help to repair the damage caused by enemy aggression.

Pacts for shared reconstruction

The other possible area of use of Pacts for Collaboration by Ukrainian municipalities is the traditional one of covenants made for the care of common goods between active citizens and administrations. In this case there is our very rich database to draw on, again, however, keeping in mind that the Italian experiences concern interventions by active citizens supplementary to public ones in a situation of normality, in which life flows more or less smoothly. The Ukrainian municipalities, on the other hand, are at war and, therefore, at this stage it is likely that Collaborative Pacts will have to be used in innovative ways, not so much to take care of the commons on a day-to-day basis, but to address together, as the war situation allows, the problem of reconstruction.

At the meeting held in Lviv on October 24, we made our expertise available to the Ukrainian mayors in attendance to help them, if they find it useful, to enter into Covenants for the shared reconstruction of towns and cities. It is clear that public entities will have to take on the reconstruction of infrastructure, public buildings, communication networks, etc., while private individuals will rebuild their homes and entrepreneurs their factories. But there remains, however,

a huge space for a shared reconstruction of public spaces, public green spaces, schools (understood as tangible and intangible commons) and in general of all commons, understood as we understand them, that is, public goods for whose care (and, in this case, whose reconstruction) citizens also take responsibility, together with public owners.

Inhabitants know their territories like no one else does

In the perspective of traditional administration based on the bipolar paradigm, reconstruction, as well as urban design, are activities strictly reserved for urban planners, designers, in a word, specialists. In the perspective, on the other hand, of Shared Administration founded on the subsidiary paradigm, the citizens, the inhabitants of the places subject to reconstruction, must also be able to participate in reconstruction and design. In fact, the positive anthropology that underlies the theory of Shared Administration recognizes in citizens subjects who are bearers of skills and abilities, as well as of needs that the administration must satisfy (Article 3, Paragraph 2 of our Constitution).

This is all the more true with regard to knowledge of the places and territories where people live. Urban planners and designers obviously have valuable and refined specialized skills, but inhabitants know their territories as no one else can know them. Of course, those who live in a place often do not have the big picture, but that is precisely what specialists and administrators should have. Integrating these different ways of knowing the territories within the framework of a shared reconstruction project, in which specialists and inhabitants dialogue in an atmosphere of mutual respect, would lead to much better results than those in which reconstruction and planning have been totally delegated to specialists. With all due respect to specialists, of course ... but we all know examples of unlivable neighborhoods designed without any consideration of the real needs of the inhabitants.

The shared reconstruction of Ukrainian towns and cities should cover both the design phase and the implementation phase, just as the Collaborative Pacts for the Care of the Commons that we promote in Italy cover both the "saying" and the "doing." There should therefore be provision for the participation of inhabitants in the design, using both the methodologies of deliberative and participatory democracy and those of active listening promoted by Marianella Sclavi. And then the inhabitants should be able to participate in the actual reconstruction, together with the local government, of course. Because, as we have been saying for years, Shared Administration in no way legitimizes a "retreat" of public actors, but rather urges, if anything, a different way of playing their role.

Shared reconstruction and democracy

As is the case with all pacts in general, in the case of Shared Reconstruction Pacts the benefits would not only be material (due to the sharing of valuable resources such as the time, skills, experiences, relationships, etc. of the active citizens involved in reconstruction), but also (if not especially) immaterial. Indeed, our experience teaches us that taking care of the commons means taking care of people, both those who are activated within the framework of the covenants and those who use the commons.

First and foremost, rebuilding together with the future in mind greatly strengthens community ties and a sense of belonging, helping to heal together the wounds that the war is producing especially in small communities. Basing reconstruction on collaboration (which is the opposite of competition) and sharing (which is the opposite of selfishness) will make Ukrainian communities stronger and more resilient.

In addition, towns and cities rebuilt together will probably continue to be cared for by the inhabitants long after the reconstruction is over. In a sense, it will be as if the reconstruction continues forever through daily care activities.

Finally, we have seen in Italy that collaborative covenants are small but very useful gyms of democracy, where citizens rediscover a taste for finding solutions to community problems together. In other words, although they may not want to hear it, active citizens are doing politics, using their citizenship rights to meet, discuss, decide, participating in public life in the first person and not only through voting. If this happens in the simple covenants for the care of the commons, all the more the Pacts for Shared Reconstruction may represent for many Ukrainian citizens a space for the re-discovery of democracy, with beneficial effects on Ukrainian society as a whole.

Pacts are impervious to corruption

Finally, there is a more general problem concerning reconstruction, because unfortunately reconstruction rhymes with corruption, everywhere in the world. When it is possible to rebuild huge amounts of money will arrive in Ukraine, there will be tenders, contracts, projects, and in all these procedures there will be room for corruption, as always when the exercise of power and the disbursement of public money is at stake.

Collaboration Pacts, on the other hand, are an institution of Administrative Law that for structural reasons do not lend themselves to be used for illicit transactions. In Pacts there is no exercise of power, no disbursement of public money, the rules are simple, the relationship between citizens and administrations is totally equal, and, most importantly, everything that happens is visible to all. The absolute transparency that governs the Cooperation Pacts is the best antidote to corruption, and in fact in the approximately 7,000 pacts signed so far in Italy, there has never been the slightest suspicion of possible illicit behavior.

For the reconstruction of infrastructure, public buildings, communication networks, etc., it is inevitable that traditional procedures will be used in Ukraine, partly because they are the only ones their bureaucracies are familiar with. It will therefore be necessary to keep a close watch on these activities, using all the tools provided by the law to keep probable illegal behavior under control.

But beyond that there is also the great space of shared reconstruction managed through Collaborative Pacts. Thanks to the structural imperviousness of Covenants to corruption, all shared reconstruction interventions could be totally free from corruption and malfeasance, an extraordinary achievement in both ethical and practical terms.

Pacts for the future

At the end of the meeting that took place on October 25 at the Greek Catholic Seminary in Lviv, representatives of Italian municipalities, Ukrainian municipalities and Italian and Ukrainian civil society present at the meeting approved a final document with the aim of "regulating mutual commitments on behalf of the aggrieved Ukrainian people and peacebuilding in Europe" (the document is available in the appendix). The document was signed by MEAN (European Nonviolent Action Movement), Act For Ukrain, the Coordination of Regional Anci, the Network of Small Welcome Municipalities, and Labsus.

Referring back to the full text for a more in-depth discussion of the issues covered and the commitments made, from Labsus' point of view, of particular interest here are Articles 2 and 4.

Article 2, entitled Covenants of Nonviolent Action, Shared Administration and Subsidiarity, provides that: "Pacts are agreements of a para-contractual nature between local authorities, through which the parties agree on everything necessary for the care of urban and local commons, the defense of

the civilian population and the securing of the main structures of municipal welfare and the local economy.

The pacts of nonviolent action have the dual purpose of creating stable bridges of fraternity and cooperation between European and Ukrainian municipalities and of defining a method of functioning of the aforementioned bridges for the purpose of nonviolently defending the Ukrainian people and improving the overall quality of life, within the limits of the ongoing attacks, of the twin cities.

Beginning with the legal and social principle of horizontal subsidiarity, the parties agree that the best form of aid to Ukrainians can be given by Ukrainian cities to their people and the displaced people they receive, even before aid arrives from international organizations."

Article 4, titled Covenants for Shared Reconstruction, provides that: "Italian municipalities and their organizations, in particular the association LABSUS, undertake to give information and training to Ukrainian municipalities that request it for the conclusion of Covenants of Collaboration by Ukrainian municipalities.

The Collaboration Pacts proposed by Labsus will be used in an innovative way and aimed at the purpose of tackling together (municipalities and citizens), as the war situation allows, the problem of reconstruction.

Labsus provides its expertise in drafting Covenants for the shared reconstruction of towns and cities. Reconstruction will need to include innovative forms of direct citizen participation both in the recovery and care of community assets (such as schools, playgrounds, cinemas, etc.) and forms of citizen collaboration in the reconstruction of private assets, such as homes and factories.

MEAN is committed together with Ukrainian civil society to an overall improvement of European democracy, globally understood, and it is our belief that this improvement can start with the revival of a Europe of the peoples alongside the already existing bureaucratic system of a Europe of state governments."

Gregorio Arena
Founder of Labsus

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