

A pact for the territory: towards a collaborative governance of transformation processes

Paola Cannavò* and Massimo Zupi**

* Associate Professor in Urban and Regional Planning, University of Calabria, DIATIC.

** PhD, Research Fellow in Urban and Regional Planning, University of Calabria, DIATIC.

Premise

In accordance with one of the objects of this Open Book, i.e. the development of a shared frame of knowledge and comprehension of Urban Commons Transitions, in the following pages we intend to make a theoretical remark divided in two phases.

The first part centers around the key terms that can define a new vocabulary of contemporary urban actions, and mostly on the relations that the latter establish. The interactions between complexity and conflict, conflict and social cohesion, social cohesion and commons, commons and creative communities, creative communities and collaborative organizations are simultaneously potential dichotomies and evolutionary sequences (from complexity towards the establishment of collaborative organizations).

Starting from these premises, the second part of the contribution investigates some of the ways through which urban planning is trying to take possess of the terms of this new discussion, in both an endogenous way, by innovating its technical instruments and criteria, and an exogenous way, by opening up to the comparison with other disciplines and knowledge.

The keywords

Beyond the obvious assonance, the binomial contemporaneity-complexity, represents the indispensable starting point for every line of thought around urban dynamics. Turning to the notion of complexity represents indeed the main *refugium peccatorum*, the universal reason to explain most of urban issues. On the extreme opposite of these standardised thoughts stands the concept of social cohesion. Besides complexity being used to explain the inadequacy of traditional approaches, the inefficacy of planning techniques, the obsolescence of regulatory instruments, social cohesion is seen as a panacea for every issue of society (generally) and of the city (more in particular).

In these simplified visions, however, social cohesion is perceived as the ultimate utopian state of harmony.

Realistically, instead, it is more like a temporary and irretentive balance made by the composition of conflicts, negotiations, compromises and reciprocal commitment¹.

If simplifying the complexity of the city is something unimaginable, at the same time it is pointless to eliminate or resolve the conflicts within the city.

What we can do is manage urban conflicts, while aiming to forms of social cohesion able to guarantee “city rights” universally. This is what Diamond refers to when talking of the disintegration of social cohesion as one of the causes leading to the “break down” of a culture²: the progressive denial of “city rights” to a growing part of population, which represents the tragedy of commons and their indiscriminate withdrawal to their impoverishment and exhaustion³.

By following this reasoning thread, another keyword has been identified: commons, and in particular social commons intended as the cluster of shared elements around which social cohesion can be built. In another part of this Open Book, Manzini identifies the generation of new social goods as the virtuous result of spontaneous reactions to the complexity and contradiction of contemporary societies. New ways of being, doing, living and using space; the rediscovering of collaboration; the reinvention of places are the result of “social innovation” initiatives fostered by a growing number of spontaneously self-organized people.

Manzini calls “creative communities” (a group of people who were able to imagine, develop and manage a new way of being and making) the starting phase of this process, while he uses the expression “collaborative organizations” to stress the moment of evolution essential for the success of these initiatives. A further reflection around this interesting distinction can be useful.

The concept of “creativity” applied to the city and to urban communities is characterized by the will to model one’s spaces independently, the capability to adapt oneself, the disposition to doubt, uncertainty and unpredictable⁴. As a result, there is the generation of an attitude aimed to innovation, to promoting different lifestyles and ways of consumption, to reducing environmental impact,

¹ Blecic I, Cecchini A. (2016). Verso una pianificazione antifrangibile. Come pensare al futuro senza prevederlo, Franco Angeli, Milano.

² Diamond J. (2005). Collapse: How Societies Choose to Fail or Succeed, Viking Press, New York (ed. it. (2005) Collasso. Come le società scelgono di morire o vivere, Einaudi, Torino).

³ Hardin G. (1968), “The tragedy of the Commons” in Science Vol. 162, issue 3859, pp. 1243-1248.

⁴ Landry C. (2006), City Making. L’arte di fare la città, Codice Edizioni, Torino.

organizing different urban schedules, all preferring quality to quantity⁵. A creative community is nothing more than a group of normal citizens that do all types of things and originate a certain type of innovation that experts and planners are not able to predict. A creative town is able to fulfil its daily chords in remarkable ways⁶. Creativity does not need time, energy, money and other resources usually implicit in traditional investments. It rather expresses itself effectively by triggering actions and micro-actions on different scales and involving small groups of people that are usually left out from decision-making processes⁷.

From all these different shades of the notion of creativity comes up an extemporary character, both intentional and prideful, irrational, ephemeral, that refuses regulation and standardization that could meddle with the free choice of each subject and community. This approach, while presenting undeniable virtues in the ability to trigger actions and processes, to spark attention and interest, to bring together and share, suffers from a tidal and transitional nature⁸ due to the fact that the existence of these creative climates are not fixed and immutable, rather than variable and usually time limited.

Therefore, to make sure that the energies triggered by the creative practices can eventually develop, an action of reinforcement and structuring is needed to lead to more organized forms. Collaborative organizations represent one of these possible forms, characterized by the fact that the final result (the reason why the collaboration is started) and the way to pursue it (the collaboration itself), are equally important, because the people who cooperate are interested in the result, but also because they enjoy the way of pursuing it⁹.

Form observing regulations to the choice of new rules

From time to time urban planning discipline investigates the efficacy of its traditional planning instruments, emphasizing in particular the reasons why these tools work better when planning to avoid rather than planning to achieve. This attitude, that has its daily application in municipal urban plans, has had the indirect result of giving to citizens the belief that urban planning is just an ensemble of rules to be observed and that usually limit the possibility to operate at the urban scale. While this type of regulation has been useful in contrasting speculation during urban expansion, nowadays, in the age of urban requalification and regeneration, it seems unable to give right direction and incentives to those forms of active citizenry that are spreading out.

The reaction to the inability of urban planning instruments to address effectively urban transformation has

originated a series of experiences¹⁰ that can be ascribable to the topics of informal, spontaneous, temporary use of urban spaces and territory, which outline innovative forms of “appropriation”, transformation, use and management of commons. At the beginning, this type of activities have been identified as episodic, spontaneous and ephemeral phenomena; only later it has been made clear that it was an alternative way to give structure to contemporary urban space.

It is evident that we need to rethink the instruments and techniques, but also management and governance models of resources and commons, to achieve a new system of rules that should be proactive (more than just observed) and based on the collaboration between citizens and institutions.

In this way, we will be able to move on from the traditional planning logic, made of objectives (that include the results of participation processes often just made to gain consent) that appear blurry, unspecific and comprehensive, often too far from concrete situations, towards the direct practice on compromised and degraded fields, under pressure or undergoing transformation, through which to concentrate resources that can actually foster the “commons”.

It's not about building collaborative organizations. It consists in defining a favourable environment in which they can live and act concretely on the territory.

Pacts and contracts

To foster the transition from a regulative form to a more interventionist one and to overtake the separation between planning instruments and planning levels, collaborative methods of territory management are becoming more influential. These methods are able to give sense of responsibility about the execution (efficacy) to the different actors and generate a diffused sense of belonging. Consent is reached through agreements that are voluntary or through real contracts, which finds in urban planning several examples, different for their application fields and objectives.

A first example, mostly performed in the Anglo-Saxon area, is represented by the forms of Public-Private Partnership (PPP) that substitute the traditional approach based on public investment, mostly in those fields able to give direct compensation to private investment (energy, transportation, health care, information and communication technologies, construction and local infrastructures). Although

¹⁰ In particular, we refer to temporary projects that improve public space promoted by young urban planners all over North America between 2010 and 2011, recalling the tactical urbanism methodology (temporary and low cost interventions at the scale of the quarter). These ideas have also had a good response in Europe. Among the most representative experiences: the baL project (acronym for “buone azioni per Librino”, literally good actions for Librino) promoted by the G124 group under the lead of Renzo Piano, in which a local Crowdfunding operation of administration, smaller and bigger enterprises, artisans, category associations, university and the research world and citizens made concrete a “collaborative pact”. The Re-Gen Huesca project proposes a regeneration process of the historic quarter of Huesca by engaging citizens in the project of punctual and temporary interventions with a minimum impact on four empty and unused areas. The Stalled Spaces project in Glasgow considers a temporary usage of an area of about 22 hectares, but above all it creates a network of 200 volunteers to take care of these recovered spaces.

5 Franz G. (2012), *Smart City vs Città Creativa? Una via italiana all'innovazione della città*, Lulu press, New York.

6 Thackara J. (2005), *In the Bubble. Designing in a complex world*, MIT Press; ed. it. (2008) *In the Bubble. Design per un futuro sostenibile*, Hoepli, Milano.

7 Yunus M. (2010), *Si può fare. Come il business sociale può creare un capitalismo più umano*, Feltrinelli, Milano.

8 Hall P. (1998), *Cities in Civilization: Culture, Technology, and Urban Order*, Weidenfeld & Nicolson, London.

9 Sennett R. (2012), *Together: The Rituals, Pleasures, and Politics of Cooperation*, Yale University Press, New Haven.

diffused mostly in the Anglo-Saxon world, where by tradition public intervention is less important and law system is more pragmatic, other Western Countries are enlarging these collaboration forms and also some developing Countries appreciate how these methods are able to fill the infrastructure gap more quickly and efficiently than the public could do on its own. In the United States for example these experiences of partnerships have different shapes and dimensions, built by tools continuously evolving and represent the starting point of many urban development and transformation initiatives¹. What pools together all these experiences of public-private partnership devoted to urban planning is the position held by public initiative. Institutions orientate their investments, sometimes paltry, to arrange the best conditions for private investments, guaranteeing the realization and management of the intervention and of the sharing of responsibilities and benefits with a domino effect². In the American scenario, a certain level of flexibility and versatility due to the different contexts, the selection of the actors and the balance between their different roles characterize these planning tools. In fact, application fields are several and go from the construction of infrastructures and entire new quarters (as predominantly happens in Europe) to the regeneration of degraded urban contexts in economic, physical and social terms, paying particular attention to employment growth³.

In France next to traditional regulatory devices, **chartes paysagères** are used to promote agreement-based approaches in the fields of landscape safeguard and planning and are characterized by a more operative and contractual nature. **Chartes paysagères** aim at creating a local project to safeguard and enhance the landscape that is shared between all the actors involved in its management, therefore institutions but also other non-institutional actors. These procedures are voluntary and their editing depends on the strict collaboration between the initiative of a group of municipalities or regional natural parks with local communities, above all the farmers. From the operative point of view, once the key-objectives of the landscape enhancement have been defined, all the parts involved – for example local administrations (individually or as a group), the departments (similar to Italian Provinces), public or private supplier societies, farmers cooperatives – sign a contract with which they commit to respecting its contents, each one in its own field.

Above all the concrete actions in which the chartes paysagères translate into, the contrats d'agriculture durable (Cda) are conventions stipulated between State government and farmers who benefit from economic incentives to realize actions of landscape and environmental valorisation of a territory⁴.

A direct offshoot of the French experiences is the River

1 Reuschke D. (2001), Public Private Partnership in urban development in the United States, NEURUS – Network of European and US Regional and Urban Studies.

2 Peirce N.R., Steinbach C.F. (1990), Enterprising communities: community based development in America, Council for Community Based Development, Washington DC.

3 Mariani M. (2015), Soluzioni contrattuali nella Pa tra vincoli di bilancio ed esigenze di crescita, Edizioni Il Sole24ore.

4 Gisotti M. R. (2008), "L'esperienza francese per il miglioramento (anche estetico) del paesaggio" in Contesti, vol. 3, pp. 78-84.

Contracts (**Contratti di Fiume, CdF**). Although not originated from a real law, River Contracts are gaining more solidity both in methodology and operatively in the Italian context. It is a tool to enhance the river's territory and landscape in a multidisciplinary way, by defining strategies at the scale of the whole basin but also through punctual project actions, all aiming to the fulfilment of the Basin's Plan. The River Contract has to be the outcome of a decision process shared between the different actors and integrated by the different topics that it pacts with⁵. In this way, it is possible to demolish traditional management forms based on hierarchic top-down relationships, and allows overtaking its strictly technical and sectorial character⁶. Starting from a voluntary agreement, RC allows the deployment of participation of all the principal actors involved in the river area to define and carry out a shared strategic framework. Therefore, the decision process should involve a heterogeneous group of participants, in social and economic terms of but also in their significance in decision-making arenas⁷.

The objective is achieving an integrated territorial planning in terms of wide contents (safeguard of ground and water, environmental improvement, landscape enhancement, territorial development) and in funding forms (the PSE-Ecosystem Services Payments are mechanisms based on networks between private and public actors that express great potential), to address both the planning and programming processes.

Collaboration pacts, as defined by the Commons guidelines of the city of Bologna, are an instrument through which municipality and active citizens agree upon what is necessary to achieve operations of regeneration and looking after commons. Content of the Pacts vary according to the complexity of the arranged interventions and on the duration of the collaboration, defining in particular: the objectives of the collaboration and the planned actions; the duration of the collaboration; the intervention methods, roles and commitments of the parts involved; the ways the community can benefit of the common in question.

In particular, the collaborative pacts are used in operations of taking care of and regeneration of urban spaces, according to the following cases of point: shared management (timing, interventions and activities are predetermined in the pact), shared management of private spaces used by the public (by denying activities and interventions that contrasting with the public use or private property of the good), regeneration (only case that includes a partly or total economic contribution from citizens).

Conclusions

As a discipline, urban planning has started the transition from an exclusively regulative approach (based on the arrogance of predicting the transformation of the complex system city is) to a structural approach (based

5 Carter J, Howe J. (2006), "Stakeholder participation and the Water Framework Directive: the case of the Ribble Pilot" in Local Environment, 11(2).

6 Eckerberg K, Joas M. (2004), "Multi-level Environmental Governance: a concept under stress?" in Local Environment, 9(5).

7 Bastiani M. (2011) (ed.), Contratti di fiume. Pianificazione strategica e partecipata dei bacini idrografici, Flaccovio Editore

on soft predictions, broadly and on the long term, able to create the conditions for the achievement of all the proposed objectives). By dismissing the role of decision makers and actuators, Public Administrations become facilitators of processes (transformations, regenerations, requalification, safeguard operations, valorisations, etc.) including a growing part of citizens. The contract forms (i.e. pacts) represent a management method that is effectual in the rationalization of these processes, defining time by time the engagement rules and above all identifying the responsibilities of the different parts involved. As evident by the examples quoted above, the contract, in its different forms and declinations, can easily be adapted to different scales (from the urban spaces of a quarter to the territorial and landscape level) and easily achieves different types of objectives (from regeneration, to safeguard and valorisation). The spread of governance forms based on the subscription of different types of “contracts” could represent the trigger to promote the birth of collaborative organizations (with different shapes) that can also overtake the specific purpose and become permanent structures of the dialogue in the development of a territory.