CITIES TO BE TAMED?

Standards and alternatives in the transformation of the urban South

SECTION 3

POWER, PLANNING, AND THE CITY

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CONTACT
www.contestedspaces.info
info@contestedspaces.info

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Chair: *Francesco Chiodelli*. Discussants: *Scott A. Bollens*, University of California; *Erez Tzfadia*, Sapir College

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Abstract Section 3

As Horst Rittel and Melvin Webber remind us, "Planning is a component of politics. There is no escaping that truism". Although this is true everywhere, it is made more evident in many contexts of the 'urban South', where ethnic and social conflicts are often exacerbated. In these situations, planning and urban policies often act as a 'veil of Maya' hiding by a 'technical cover' the underlying political aims pursued by the design of space.

Which are the different articulations of the relationship between spatial transformation, power, social conflicts, popular resistance in different 'urban South' contexts? How is it possible to fight back the 'dark side' of planning? Is it really feasible to empower citizens by participation in planning, urban policies, architecture?

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Unravelling Spaces of Representation through Insurgent Planning Actions

Ignacio Castillo Ulloa[1]

Building on Henri Lefebvre's triad of dialectically interconnected dimensions of space, the aim of the paper is to discuss insurgent planning actions as 'spatial practices', which make planning supersede the mere 'representation of space' and be focused on the production of 'spaces of representation'. It is here proposed that insurgent planning practices not only are counter–hegemonic (disrupting the status quo), transgressive (through place and time) and imaginative (promoting a different reality as feasible), but also spatial. Drawing on a case study of an urban community in San José, Costa Rica, it is argued that planning can also constitute an everlasting collective insurgent action that endures local realities, which means that people do produce spaces within the crannies—and even in spite—of official planning processes. Eventually, spatial insurgent planning actions increasingly unravel spaces of representation.

Keywords: Insurgent planning actions, Space, Spaces of representation, Spatial insurgent practices

[1] Ph.D. Candidate at the Institute of Urban and Regional Planning of the Berlin University of Technology.
Email: ignacio.castilloulloa@campus.tu-berlin.de.

Introduction

'WE MUST BUILD ON A CLEAR SITE!'
(Le Corbusier 1971 [1924]: 220, capitals in the original)

Planning, in broad terms, has two primary dimensions. On the one hand, there is its 'technocratic–scientific' feature, which deals with all the requirements (information availability, time frames, technical resources, etc.) that constitute the 'rational programming of planning'. On the other hand, there is its 'political' facet whose cornerstone is the ethical dilemma of legitimizing means to ends, within the convoluted process of decision–making (Mäntysalo 2005: 31, Forester 1993: 9).

Planning, too, has to do with space and its definition has, indeed, bearings on how planning is theorised and exercised. Space, by the same token, is conceived responding to the dominant dimension of planning. Thus, space may, from a general standpoint, be regarded as either 'absolute' (more technocratic–scientific like) or 'relational' (more political like). From 1950 onwards an absolute spatiality—largely influenced by the Euclidean and Newtonian thought—resounded in much of the planning ideas and praxis (Graham & Healey 1999), in such a profound way, that to have considered another planning model—which would have implied a different spatial approach—could have meant the abandonment of planning as a whole (Friedmann 1993: 482, Davoudi & Strange 2009: 13). This physical design approach in master planning, moreover, flourished mostly in Europe and North America and was soon imported to other contexts due to its alleged 'universality'.

This paper is aimed at contributing to the discussion of how, in countries of the global South, such planning conception and action have had a fairly different impact and how its aftermaths have been challenged. To that end, Henri Lefebvre's 'trialetics' of spatiality is revisited to advocate that planning can be centred around the 'spaces of representation' by means of insurgent planning actions. This implies, amid other things, that planners would have to stop seeing space as empty and ready to be modelled—as the introductory note by Le Corbusier explicitly suggests—in accordance with a centralized state or market rationality.

The paper begins with the elaboration on a more pragmatic view on space (underscoring the nexus between space and politics) and its pertinence to planning; to, next, examine Lefebvre's spatial 'trialectics' as 'dwelling as the production of space' (Stanek 2011: 128). Afterwards, some of the planning traditions—with a focus on their spatiality—that were influenced by the modernist paradigm are briefly reviewed[2]. Along with that, 'insurgent planning actions' (Miraftab 2009) and the 'spaces of insurgent citizenship' (Holston 1999) are introduced to explore the changeover from the 'representation of space' to the 'spaces of representation' in planning. Finally, the case of Paso Ancho, an urban community located in San José, Costa Rica, is presented as an 'insurgent historiography' (Sandercock, 1998a), wherefrom some lessons are drawn to encourage the permanent enhancement of planning theory and practice.

Beyond 'fixed' space and 'dwelling as the production of space'

The conceptualisation of space, as previously mentioned, responds to the prevailing dimension of planning, and this, in turn, is bound to a question of either ambiguity or uncertainty.

[2] This basically includes the 'rational–comprehensive' planning theory and the 'procedural planning' mode, given that they have shaped much of the professionalised planning thought in the global South and hence the constitution of cities and regions.

When planning is understood and exercised predominantly as a scientific task, planners face problems of uncertainty, because there is not, perhaps, enough or adequate information (i.e., they seek evidence). When issues of legitimacy arise together with divergences between values and interests, planning becomes more political and planners are in need of practical judgment to deal with ambiguity (i.e., they look for justification) (Forester 1993: 88ff.). Put another way, uncertainty is concerned with the 'content' derived from the planning method, while ambiguity reacts to questions of the 'context' of the planning method (Mäntysalo 2005: 31).

The spatiality of planning is thus affected by both dimensions of planning and their concomitant dilemmas—ambiguity and uncertainty—and, ideally, encompasses the content as well as the context of the planning method. In practice, though, planners are not likely to envision space in such a way that recognizes its capacity to be, simultaneously and variously, 'abstract' and 'concrete'. As Lukasz Stanek (2011: 133) explains: 'space appears to be a general means, medium, and milieu of all social practices, and yet it allows accounting for their specificity within the society as a whole'. Rather, since the times of the reformist ideas (from Ebenezer Howard's *Garden City* to Le Corbusier's *La Ville Radieuse*) and the upsurge of Patrick Gedde's aphorism 'survey before plan', space has been mainly seen as neutral and static, as a blank canvas containing human activity (Hubbard *et al.* 2004). This Cartesian notion of space has reduced issues of ambiguity to uncertainty and the political dimension of both space and planning has been, consequently, suppressed. A naïve assumption that the complexity of economic, cultural, social—let alone political and spatial—processes could be controlled solely through a scientific planning method, caused this clampdown of the 'political' in space and planning.

For Henri Lefebvre (1976 [1970]: 30), such mode of planning praxis reveals that there is not an epistemology of planning, for it places the emphasis on the 'pure' physical form and not on the people. Moreover, contends Lefebvre, inhabitants shall likely have to adapt their lifestyles to the proposed spatial scheme, since they do not actively take part of the planning process. To overcome this narrow sense of planning and space, the 'political' in them has to be stressed. The political dimension of planning comes to the fore whenever ambiguity arises and is not occluded by the question of uncertainty. Planners thereby must accept, as inevitable, that social and political judgements are inherently part of decision–making (Forester 1993: 9). Likewise, there is a need to go beyond 'fixed' space, which for planning purposes means delving into the dynamic relationship between space and politics.

Space and politics: Towards a more pragmatic spatiality of planning

Space has to be reinterpreted by planners in a way that, as proposed by Mustafa Dikeç (2011), is not only a sensible manifestation of things; i.e., concrete space. In addition, space ought to be thought as the product of a series of relations between objects and events. Also, asserts Dikeç, space is a 'domain of experience' combinig space as a sensible manifestation of things and as a system of relations. Finally, and perhaps most importantly, space is to be understood as a 'mode of political thinking', that is to say: 'thinking concepts in our experience of the world spatially…a way of engaging with the world, a way of making worlds spatially through and in action' (Dikeç 2011). For this broader view of space to fit into the planning discourse and action, a 'critical analysis' is required along with what Henri Lefebvre refers to as 'the science of space', which would have to be twofold:

"The science of space…must be asserted at several levels. It can be viewed as a science of formal space, that is to say, close to mathematics; a science which employs such concepts as construction density, network analysis, critical path analysis and program evaluation and review techniques. The science, however, cannot only be situated at this level; it cannot remain formal. Critical analysis defines how and according to what strategy a given space has been

produced. Finally, there is the study and science of the contents of a given space, or in other words, the people using this space, people who perhaps are opposed to the physical form or purpose of the space" (Lefebvre 1976 [1970]: 31).

The 'science of space' may well help to harmonize the dual condition of planning, as long as it does not restrict itself to the 'formalities of space' and opens up to the complexities of the (social) production of space, where 'an indefinite multitude of spaces, each one piled upon, or perhaps contained within, the next: geographical, demographic, sociological, political, commercial, national, continental, global…nature's (physical) space, the space of (energy) flows, and so on' (Lefebvre 1991 [1974]: 8) are constantly being produced and shaped. Overall, both the construction and modelling of space are the resulting interaction of natural and historical elements, a social process that criss–crosses politics and ideologies (Lefebvre 1976 [1970]: 31), which accordingly confers political and strategic character to space.

However, it must be clarified that space is not political in just one unambiguous way. Rationalities and logics of action underpinning systems of governance and domination can superimpose and establish—for instance through the 'clean sweep' philosophy of planning (Ravetz 1980: 23)—a particular, or several, spatial orders (Dikeç 2012: 675). These spatial orders reflect the dynamic linkage between rationality and power, which in planning means the argumentations supporting the 'right' kind of knowledge to reach/enforce decisions. The issue is that power, as assessed by Michel Foucault (1984, 1991), is not necessarily an 'outer distortion'. It is, conversely, very much entrenched in the mechanisms of bureaucratization and commodification—both to which space is subjected to—of each society; to the point that power prominently determines much of the cultural and social framework that people utilise to define their societal roles and identities—what Pierre Bourdieu (1995 [1984]: 15) calls the constituent of the '*habitus*'.

That being so, space operates as an integrative lattice that might as well be at the service of politically and economically dominant groups (Lefebvre 1991 [1974]: 9). Yet, the hegemony over the configuration of space can be actually challenged, contested and, ultimately, reconfigured, according to Saul Newman (2011: 345), considering the question of space as suitable for radical politics and placing the notion of political space around the project of autonomy. As suggested here, this can be done in the extent that planning focuses on the 'spaces of representation' and not on the mere 'representation of space'—which for Lefebvre (1991 [1974]: 45) are a mixture of knowledge and ideology—and that planners become 'thinkers of dwelling' paying closer attention to the 'spatial practices' that join together 'daily reality (daily routine) and urban reality (the routes and networks which link up the places set aside for work, "private" life and leisure)' (Lefebvre 1991 [1974]: 38).

Dwelling as the production of space

Within his theory of the production of space, Henri Lefebvre (1991 [1974]) sustains that both social time and social space are integrative part of social practice. They are thus social products. As such, far from being universal they must be comprehend in the context of each society, that is, every society and every mode of production constructs a space of its own. Therefore, 'space is a fourth and determining realm of social relations—one in which the production exchange and accumulation of wealth and surplus value take place' (Shields 2004: 211).

Lefebvre's 'triple dialectic' consists of perceived, conceived and lived space, which can be reformulated as: spatial practices, representation of space and the spaces of representation (Stanek 2011: 128). For Rob Shields (1996: 161, italics in the original) the spatial practices are, 'with all its contradictions of everyday life, space perceived', representation of space are 'discourses *on* space' that form space conceived and

spaces of representation 'might be best thought of as the discourse *of* space…this is space *as it might be,* fully lived space'.

The 'representation of space' comprises the abstract theories and philosophies of sciences such as planning. In the representation of space conceptual spatial depictions, interconnected with product relations, express the logic and form of knowledge and ideology, in order to impose a particular (spatial) order (Shields 1996: 163–164). To that end, planners, as technocratic subdividers and social engineers, 'identify what is lived and what is perceived with what is conceived' (Lefebvre (1991 [1974]: 38). On the other hand, the 'spaces of representation' are defined by the practice of appropriation aimed at seeking change and taking over space. They, too, 'receive meaning from symbolic objects, attendant imaginary, and mythic narratives' that enable the individual, as a result, to relate to the community due to a historical and an experiential tie (Stanek 2011: 131). These ties are created given that 'space as directly *lived* through its associated images and symbols…overlays physical space, making symbolic use of its objects' (Lefebvre 1991 [1974]: 39, italics in the original).

The spatial practices, moreover, allude to the creation of a specific spatialization and, what is more, 'the ability and freedom to do so is the prime index of quality of social life' (Shields 1996: 162). In other words, the spatial practices are the 'space of dwelling' that tells the mental space of planning from the actual lived space of people (Stanek 2011: 131), the specific places and spatial 'ensembles' that respond appropriately to the social formation (Shields 1996: 162). All in all, it is by freely dwelling, that space is actually produced in such a fashion that lived space may overcome conceived space—or leastways impact profoundly its conception.

As it is sustained in this paper, spatial practices of an insurgent nature may facilitate the transition from 'conceived' to 'lived' spaces. This signifies that space, for planning purposes, is not a container of society (people and things *in* space) and that patterns of social action and embodied routines are to be placed at the core of debate and action. In the long run, spaces of representation can be fostered, those 'popular' (re)appropriations from the space 'dominated' by hegemonic forces of either the state or the capital and that, in due course, become 'the site of possible emergent spatial revolutions' (Shields 1996: 165).

From the shortcomings of 'artificial' ambitions to transformative insurgent actions

"Planners…construct a shared social reality that creates illusions and fantasies of clarity and completeness that are readily acceptable, while somehow at the same time blindly overlooking, or at least not challenging, what is lacking and contradicting, so as to make life appear more readily predictable and stable" (Gunder 2004: 302).

Michael Gunder's insight captures much of the classical criticism to the 'rational–comprehensive' planning paradigm, in which the 'public interest'—the 'shared social reality'—is always confined to planning expertise. In consequence, specific cultural habits, social patterns and emotional as well as aesthetic motivations of people are reduced to statistical samples (grouped by age, gender, needs, consumption choices, mode of transportation, etc.) that planners use to divide space functionally: work, leisure, shopping, travel and so on. In addition, their position of mastery prevents planners from admitting their own flaws and incorporating the social knowledge, which entails elements of contingency, unpredictability and antagonism that cannot be scientifically planned (Newman 2011: 352)—they are hence simply averted.

The postulation that space and people are readily prone to adapt to the prescriptions of the plan characterises this planning tradition and stems from the premises of the *Congrès International d'Architecture*

Moderne (CIAM), proclaiming that social problems in cities could be not only reversed but also avoided, by creating a 'perfect' geometrical form and establishing limits of population and area. This 'flat' view of space was assessed by Henri Lefebvre (1991 [1974]: 301–4) as the symptomatic tendency of the Modern Movement to, simultaneously, homogenize and fragment space (Stanek 2011: 154; Shields 1996: 176). This disjoint space is only held together, visually and technologically, by the fictitious coherence of the planning scheme, the foreseen artificial ambition of the planner intended to 'fix' the social practices.

In both North America and Europe, conceiving space as a limited entity that may be physically and perceptually delimited underlined much of the orthodoxies of the post–war planning systems, specifically the aim of restricting and containing urban growth (Hall *et al.* 1973, Ward 2004). In particular, procedural planning theory (overwhelmingly concerned with the means, rather than the ends, of planning) and its positivistic comprehension of space was subject of two major waves of criticisms (Davoudi & Strange 2009: 24). According to Nigel Taylor (1998), there was, on the one hand, a call for planners to better understand cities and how they function (the substantive content of planning). On the other hand, planners were accused of not grasping well the implications 'on the ground' of their decisions (the very process of planning).

More concretely, Jane Jacobs (1992 [1961]) points out the incapacity of planners to regard cities as bundles of interacting and interdependent processes intermeshed in complex ways. Planners instead of operating deductively should go from the particulars to the generals 'to seek for "unaverage" clues involving very small quantities, which reveal the way larger and more "average" quantities are operating' (Jacobs 1992 [1961]: 440). Planners thus supersede their view of cities as simple zones in a map. Christopher Alexander (1965), similarly, demonstrates how the spatial arrangements of cities following either the City Garden or the CIAM principles, create hierarchical structures: the 'trees'; whereas organically and historically consolidated cities have 'semi–lattice' configurations, which means that areas and functions overlap and connect producing rich dynamics by not submitting to a categorised (superimposed) order (Taylor 1998: 97–98).

The failure of technical rationality applied to planning was reflected, by and large, in its incapacity to solve, for once and for all, the social problems caused by the crises of industrial capitalism. In cities of the global South, the fact that planners and architects were not capable of 'reading' the multiplicity—i.e., of finding the 'form'—of societies, brought to the surface the schism of the social as the 'Achilles heel' of modernist planning. As James Holston (1999: 156) explains:

At least in its European and Latin American versions, modernism forged what we could call this imaginary of planning by developing its revolutionary buildings types and planning conventions as instruments of social change and by conceiving of change in terms of the imagined future embodied in the narratives of its master plans.

A new inventiveness of the future is necessary to overcome this adamant attempt to rationally enforce a (spatial) order capable of dissolving any incongruence between the imagined (by planners) and the existing social realities. Based on a fifteen–year ethnographic work in the Brazilian *favelas*, Holston contends that these informal settlements are sources wherefrom new visions may spring and regard them as 'spaces of insurgent citizenship' reacting to 'modernist spaces that physically dominate so many cities today' (Holston 1999: 157). These sites of insurgence can be deemed as 'spaces of representation', where insurgent spatial practices unfold prompting an alternative to the discourses *on* space institutionalized and executed by planners. Henri Lefebvre considered slums, *barrios* and *favelas* all to be examples of localised 'reappropriations' and thus of 'spaces of representation' acting in a more autonomous realm and displacing the governing spatialization imposed from above (Shields 1996: 164).

These 'representational sites of insurgence', associated with immigrant networks, the urban poor, ethnic and gender minorities, and the like, introduce a possibility to challenge and alter pre–established spatial and historical orders through 'insurgent performances' (Holston 2009: 250), which includes self–construction and self–steering alternative identities and practices (Holston 1999). In other words, insurgency is a key factor to realise a transition from conceived (representation of space) to lived (spaces of representation) space as a fundamental underpinning of planning.

It can, too, be alleged that the new mode of spatial praxis, needed to make planning more receptive to other imaginaries of the future, are insurgent planning actions, since they, within their historical convolution of authority and structural exclusion, aspire to either regain or open up spaces of collective action to achieve liberation (Miraftab 2009: 43). Therefore, insurgent planning actions are not only counter–hegemonic (disrupting the status quo), transgressive (through place and time) and imaginative (promoting a different reality as feasible) (*Ibid*: 33), but also and quite central: they are spatial. In short, insurgent planning actions are 'spatial practices' that react to 'representation of space' imposed by traditional planning practitioners and, in so doing, unravel 'spaces of representation'.

Unravelling spaces of representation

Leonie Sandercock (1998a) observes how historical narratives of planning tend to present it as a totalizing force that has not—as though it could not have—been contested. Also, sustains the author, there is a lot to gain for planners, if closer attention is paid to grass–root insurgent citizenship. In the particular case of the global South, there seems to be enough evidence denoting that planning is not as 'totalizing' as history states (see, e.g., Holston 1999, 2008, 2009, Friedmann 2002, Miraftab 2009, Beard 2002). Furthermore, 'emerging struggles for citizenship in the global South…offer an historicized view indispensable to counter–hegemonic planning practices' (Miraftab 2009: 33).

Planning in the global South: From rational ambition to urban chaos

This 'totalizing' assessment about planning and its spatial outcomes have not been the exception in Costa Rica. Of a marked procedural and scientific–technical tradition, planning in Costa Rica is also very statutory. Most of the efforts have been directed towards land use regulation accompanied by normative pertaining, among other topics, construction (buildings retreats, maximum heights, etc.), property segregation and urban renewal. Space thus has been treated as a neutral container of human activity, being the ultimate goals (trying) to control urban growth and prevent environmental degradation.

In order to achieve these objectives, an 'indicative–regulator' planning mode—close to the 'rational–comprehensive' planning theory—was used to put together a nationwide urban development plan: *El Plan Nacional de Desarrollo Urbano* (PNDU). This plan gave rise to a regional master plan called *Plan GAM 83*, in which general guidelines were settled to orientate urban growth within the largest urban agglomeration in Costa Rica, the *Gran Área Metropolitana* (GAM). Moreover, the *Plan GAM 83* was to be complemented by local plans that each municipality was supposed to elaborate during the nineteen–eighties[3] (Retana 2000: 98–99). This mode of planning attempted to do a 'one–to–one' translation of the 'conceived' (by planners) to the actual 'lived' (by people) space and, accordingly, impinge a form upon society.

The GAM experienced, during the second of the half of the nineteen–eighties, an expanding boom caused by an ambitious state–driven social housing project. To carry out this enterprise a 'state of exception' was created not to follow the main guidelines established in the *Plan GAM 83* (Retana & Sura 1998).

[3] Even today this remains to be a pending obligation for some of the local governments.

As a result, important sectors (i.e., environmentally protected, public land reserves, etc.) near the 'ring of maximum urban expansion' were surpassed and existing residential areas saw their public infrastructure and facilities promptly collapsed. The 'rational' vision of the *Plan GAM 83* was hence twisted and its weaknesses exposed, when (spatial) planning objectives were faced with political (gain electoral support) and economic (speculation of the land market) interests (Retana 2000). All in all, the state—by far the most powerful planning agent—through its experts dictated (and still continues to determine) much of the fate of the urban communities within the GAM, though the local plans, as stated in the National Law of Urban Planning, have citizen participation as a requisite. However, participation tends to be, for the most part, tokenistic. Thus, the artificial spatial ambitions of the *Plan GAM 83* barely saw the light and an apparent urban chaos progressively emerged favouring a production of space in accordance with the rationality of both the state and the market.

Paso Ancho: Reimagining insurgently the future

Paso Ancho comprises ca. thirty–five barrios within the boundaries of the San Sebastián district located in the central canton of San José. These communities[4], known as *Barrios del Sur*, were caught up between the uncontrolled growth of the GAM and the 'perceived' spatial planning premises—i.e., the discourses *on* space—of the *Plan GAM 83*. Therefore, the foreseen residential areas of the GAM, that included Paso Ancho, could not be 'rationally' consolidated, in spite of the effort of the *Plan GAM 83* to functionalise city space. Nor were there many efforts to revert the uncontrolled urbanization on the outskirts of the GAM.

This urban 'inertia' has, nonetheless, started to be contested since a couple of years. Somewhat unexpectedly a coalition of citizen groups, under the umbrella of the *Comité Patriótico* (patriotic committee) of Paso Ancho, have carried out a series of actions to foster, cooperatively and autonomously, a local development that elicits desires, needs and views of the people, to physically and socially transform their living environment. This committee was organized in the frame of a larger neighbourhood–level citizen network that was part of the movement against the endorsement of the United States–Dominican Republic–Central America Free Trade Agreement (CAFTA). After a referendum was held in 2007 to decide on the issue, the members of the committee, in a fairly wide change of scope for their actions, advanced a local agenda involving aspects that ranged from a non–violence crusade to the raising of awareness about the quality of public infrastructure and provision of public services.

By canvassing, distributing informative leaflets, meeting regularly and the like, a campaign was organized to stress the risk of crossing a freeway that, for quite a while, had divided some of the barrios. This led to a demonstration claiming a pedestrian bridge (Rayner 2008). Despite the fact that the bridge was not immediately built, the mobilization engaged a considerable amount of people who were exercising another kind of citizenry characterised by a civil disobedience to demand—rather than just ask—higher structures of the state to provide a solution (Alvarenga 2005, Rayner 2008).

These actions, likewise, exhibit how differences of opinions and interests in communities, often fraught with antagonism and conflict, can be addressed and surpassed. Residents of Paso Ancho, arguably, experienced a radical change in their minds because 'space and time of the "concrete"' helped to prioritise the reality of the community as a major collective interest and it became therefore the primordial political sphere of action (Rayner 2008: 81).

[4] Community is to be understood as a group or conjunction of groups organized around jointly set interests, rather than as administrative units geographically fixed.

The actions conducted by the Paso Ancho inhabitants can be deemed as insurgent planning actions, for they were meant to 'disrupt domineering relationships of oppressors to the oppressed, and destabilize such status quo through consciousness of the past and imagination of an alternative future' (Miraftab 2009: 44). An imagination of a different future as well as rescuing the rich past of the community has continued to take place with the foundation of the *Escuela Popular Pablo Presbere*, a sort of 'open social forum' where ideas, comments, proposals, worries, etc. can be freely expressed with the aim of forging an endogenous identity. With the creation of this self–steered deliberative space, formal (run normally by the state or NGOs) and substantial (run by people themselves) forms of inclusion were separated, which, according to Leonie Sandercock (1998b), underpins contemporary practices of insurgent citizenship.

More recently, the spatiality of the insurgent planning actions in Paso Ancho has taken a more concrete form: sidewalks have been jointly restored/constructed and vandalised walls repaired. Also, the so–called *Parque de los Héroes* (park of the heroes), an abandoned public space, has been cleaned and reopened to the public with the organisation of a cultural festival. The spatial imagination of the people in Paso Ancho has increasingly become active, despite any spatial artificial vision contained in the *Plan GAM 83* and, what is more, as a reaction to the incapacity of the local government to cope with the unrestrained urban growth and to promote ample citizen participation.This, too, exemplifies how Lefebvre's spatial 'trialectics' functions in practice, since the interrelation between the representation of space (*Plan GAM 83*), the spatial practices (the insurgent planning actions of the Paso Ancho citizens) and the spaces of representation (the gradual, active and autonomous reappropriation of space) have been rearranged to remake space. After all, the three dimensions of space 'can be latent, ideological or expressed in practice in a historical spatialisation, and may either reinforce or contradict each other in any given site or moment' (Shields 1996: 161). To summarise: transformative insurgent spatial actions have begun to unravel a different reality as attainable, a reality composed of spaces of representation.

Outlook: Planning in, on, and from space towards change

Insurgent spatial planning practices, like those performed in Paso Ancho, take democracy and inclusion beyond the realm of formality and recognises the right and capacity of counter–hegemonic movements to come up with their own collectivities and forms of participation (Gills 2001), to make consensual decisions and, what is more, to take action. This 'insurgent historiography' also serves to illustrate how to fight back the suppression of a subaltern conceptualisation of cities and planning, caused by the alleged persistency of Western planning ideals (Miraftab 2009: 45).

More specifically, the Paso Ancho case nurtures the recognition of insurgent planning within the academic planning discourse, given that 'subordinate groups and movements have proposed alternative planning practices and challenged some of the orthodoxies of official planning' (Kipfer & Keil 2000: 28). Space, too, seems to play an important role when examining and discovering the far–reaching input of insurgent planning practices, because they reveal 'the vital contributions that citizens have made to the shaping of their cities' (Meth 2010: 241).

In contexts where urban development has primarily been steered by a 'professionalized' planning tradition, the resulting spatial order and the very praxis of planning may well be defied and counteracted by means of 'insurgent spatial practices'. This means that planning rather than be centred around the 'representation of space' (conceptualized *stereotypical visions* of space attempting to submit what is lived and perceived by people to what is foreseen by planners) brings about the production of 'spaces of representation' (where *enduring realities* may take place since that is the space of inhabitants and users, the space that their imagination tries to seek and seize).

Planning thereby can also be an unremitting collective insurgent action, a myriad of 'joint acts of space–making' (Perera, 2009), which are aimed at enduring local realities. In other words, ordinary people, as the account of Paso Ancho demonstrates, do produce spaces within the crannies—and even in spite—of official planning processes. Eventually, spatial insurgent planning actions increasingly unravel spaces of representation.

This proposal, in the cities of the global South, involves the recognition that: (1) informality is, in fact, a form of production of space reacting to the territorial logic of deregulation (Roy 2009). (2) The resulting 'urban chaos'—an 'insurgent urbanization' (Holston 2008)—is essentially a successful resistance to superimposed (spatial) modes of planning coming from the global North (Simone 2004). (3) Given that disenfranchised groups tackle and resolve their livelihood outside formal decision–making structures, it can be argued that planning has progressively been shifting from state–led and market–oriented planning agencies to community–based informal processes; from 'legitimate' planning practitioners to grass–roots activists and inclusive strategies (Miraftab 2009: 42). And (4) 'spatial insurgent practices' unfold, following Judith A. Garber's (2000: 267ff.) formulation of 'four public spheres', *from* space (because people's identities, interests, and experiences are materially entangled with physical space), *on* space (people act collectively to 'own' space, to shape and adapt it materially and/or symbolically), and *in* space (physical space functions as a platform for people to claim to be part of the social, economic, cultural and political processes shaping their lives). Consequently people, through 'insurgent spatial practices', *make* space and, in so doing, regard themselves as citizens fully able to alter their living conditions, despite painstaking attempts of exclusion.

Planning hence may furnish space with political import—and vice versa—because the established order of things is altered and new distributions, creations and relations are generated (Dikeç 2012: 675). That is the reason wherefore planning, due to the space–politics inextricable link, ought to happen *from*, *in*, *on* and *make* meaningful spaces of representation, that is to say, planning towards change for the better in the life of people.

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Following Rittel to the Urban 'South-East'. Dirty Hands, and The Contestation of Space and Ethics in Planning

Jeffrey Chan[1]
Faith Wong[2]

In spite of politics, planners have to concede to ethics. This struggle between political expediency and ethical accountability exposes the planner to the prospect of doing wrong even while doing right, which is the problem of dirty hands. But this problem of dirty hands cannot be resolved by appealing to any 'dark side' *Realrationlität*, because planning is also an ameliorative process towards the good city that can become corrupt by employing dubious means for allegedly desirable ends. In our paper, we rely on a case study of urban contestation in Singapore to demonstrate that the contestation of space should also involve a contestation of ethics. We argue that the formation of a moral society must ultimately involve a commensurate process of moral conflict—for this conflict is able to explicate values that can guide planning[3].

Keywords: Ethics; Dirty hands; Contestations; Right to the city; Singapore.

[1] National University of Singapore. E-mail: akickhj@nus.edu.sg
[2] National University of Singapore. E-mail: a0047694@nus.edu.sg
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Introduction: The Problem of Dirty Hands in Planning

Planning is a component of politics (Rittel & Webber 1973: 169). But at the same time, planning also has to concede to ethics (Campbell 2012). Normatively, both politics and ethics require the planner to be responsible. Yet while politics may consent the planner to, 'when the act accuses, the result excuses' (Walzer 1973: 175), from no ethics in the world can it be concluded when and to what extent ethically good ends justify ethically dangerous means and ramifications (Weber 1981: 121). In other words, if the planner follows the consent of politics, he would be found guilty by ethics. But if the planner commits to innocence, then he is likely to face the wrath of politics.

This unyielding struggle between political expediency and ethical accountability amid complexity constantly exposes the planner to the risk of doing wrong even when doing the right thing (Protzen & Harries 2010: 229), which is also known as the problem of dirty hands (Walzer 1973, Parrish 2007). In dirty hands, it is possible to do wrong while doing what one ought to do (Walzer 1973: 164): a moral dilemma where there is nothing one can do that will not qualify as morally wrong in some aspect (Parrish 2007: 4).

There is therefore a need to address the problem of dirty hands as a substantive problem in planning ethics. However, the problem of dirty hands cannot be resolved by a simple appeal to the 'dark side' theory of *Realpolitik* (Flyvbjerg 1996): learning how and when 'not to be good'. The Machiavellian evil promised to end all evils as a resolution for dirty hands (Parrish 2007: 267) is not an option for planning. This is because planning is fundamentally an ameliorative act of making the good city (Friedmann 2011): an enterprise that would surely become corrupt by employing dubious means or behaviours for allegedly desirable ends. Planning as a public institution must remain committed to ethics despite political struggles (Healey 2007: 81). And so the problem of dirty hands persists in planning.

The Planning Context between the 'North-West' and the 'South-East'

We argue that this problem of dirty hands in planning is further complicated by the complexities of the 'South-East'—a planning context different from the 'North-West' (Yiftachel 2006, Watson 2012).

In reviewing the vast and growing literature on the urban 'South-East' in planning, the urban 'South-East' can be generally characterized by their: (i) informality (Roy 2005); (ii) insurgent patterns of urbanization (Miraftab 2009); (iii) signs of hypergrowth (Hall & Pfeiffer 2000, Watson 2009); (iv) continuous changes that elude or confound planning (Lim 2005: 30-32); (v) weak institutionalization (Watson 2003), and specifically, the lack of trust in official channels (Watson 2012). While these clear characterizations may satisfy a simple dialectic between the urban 'South-East' and the urban 'North-West', they mask the extent that complex hybridities can exist within and between the urban 'South-East' and the urban 'North-West'.

For example, one is reminded by the thesis of splintering urbanism (Graham & Marvin 2001) that even within the urban 'South-East' there can be premium infrastructures and practices of the urban 'North-West'. At the same time, aspiring cities of the global South in becoming 'world class cities' persistently challenge the clarity of a world divided into global capitalism and postcolonial regions (Ong 2011). In this more complex picture ruled by the logic of competitive cities for global capital and talents, there is more homogeneity—but not simple similarity—between the urban 'South-East' and the urban 'North-West' than normally imagined: an isotopic urbanism of office buildings, malls, and exclusive communities incessantly reproduced by capital (Lefebvre 2003: 128). Nonetheless, this aspiration to a 'world class' status then results in urban projects that are compatible with elite tastes and consumption, and a consequential urban form that reinforces growing social and spatial exclusions (Watson 2012: 3). We hypothesize that this form of urbanism can result in urban contestations.

The Planning Context of Singapore, and Aims and Contributions of this Paper

In this paper, we present a case of urban contestation in Singapore to illustrate how such a contestation of space also implicated a contestation of ethics. Further, this contestation also involved the problem of dirty hands in planning. Normative accounts of urban contestation neither focus on the contestation of ethics nor the problem of dirty hands.

Recently, Singapore has been assessed to be the richest in the world, with a per-capita GDP of $56,532 USD (2010) (The Wealth Report 2012). This report if taken at face value would characterize Singapore as an example closer to the urban 'North-West' rather than to the urban 'South-East'. However as argued, complex hybridities exist between the ideal-types of 'South-East' and the 'North-West', and Singapore, we suggest, fits in this category of complex hybridities.[4]

In Singapore, the facade of neoliberal economic success further reinforced by a prototypical 'North-West' urbanism is being challenged by a growing number of critiques revealing the challenges for present and future planning (Chua 2011, Lim & Wong 2011, Lim & Wong 2012, Tan 2012, Teo 2012, Vadaketh 2012). All these critiques reveal a set of stark and 'wicked' choices seemingly ominous for dirty hands to emerge. Consider that as the built environment becomes denser on a small island, change in one location impacts other locations and more inhabitants in uneven ways (Teo 2012). And as Singapore as a nation matures, the population develops greater attachments to historical landmarks that evoke culture and heritage. But constant urban redevelopment to accommodate new needs for the city threatens these landmarks (Lim & Wong 2011), further exacerbating the question of national identity (Vadaketh 2012). As the demographic shift to an older population is underway, Singapore demands a corresponding spatial change to accommodate this demographic shift. Yet this spatial change cannot be enacted without strong buy-in from the stakeholders (Tan 2012), further aggravated by a rigid and utilitarian planning process committed to economic growth at the expense of the growing sentiment on the 'right to the city' expressed by the people of Singapore (Lim & Wong 2012). In all the anticipated planning decisions that can emerge from these issues, any decision that the planner may make could be seen as wrong to some stakeholders.

Here, we suggest that the stakes of spatial contestation are high: not only does the contestation of space affect the subsequent land-use and spatial practices, but the quality and result of this contestation will also impact the ethos of the community (Bell & de Shalit 2011), and ultimately, the ethical outlook of the stakeholders involved. Therefore implicit in the contestation of space is also a contestation of ethics. But accounts on spatial contestations so far do not include accounts of ethical contestation. To produce substantively good and just outcomes in planning, ethical considerations are necessary (Fainstein 2010: 166). Indeed, the long range question that concerns planning may not be so much the kind of environment society desires, but what kind of individuals society prefers (Harvey 2009: 86).

But we do not pretend to have answers to the problem of dirty hands. Instead, our study illustrates the need to uncover the ethical contestations that occur in planning, and moreover, highlight the potential ramifications of such ethical contestations whenever they implicate dirty hands. In so doing, we hope to contribute to the discourse of the urban 'South-East' through planning ethics. In the urban 'South-East', planning problems are anticipated to be more intractable not only because of the limitations of the 'North-West' planning epistemology for the 'South-East' (Yiftachel 2006), but also because of the prospect of moral relativism in the diverse urban 'South-East' settings (Watson 2003, Campbell 2012: 14).

[4] This argument is built on earlier work by Dale, who suggested that, 'Singapore does not even fit into a pluralist Western model' (Dale 1999: xi).

Case Study and an Overview of the Planning Process in Singapore

20% of Singapore's population will be 65 years or older by 2030 (MCYS 2006). As part of the state's preparations for this drastic demographic change, studio apartments, nursing homes and care facilities for the elderly are being planned in residential estates nationwide. However, not every resident readily accepts these facilities near their homes. In the past year, there have been at least five cases of objections towards these planning proposals (see Table 1). In all these cases, a vocal minority had petitioned against the proposed facilities, which in turn led to a growing public awareness on these issues.

Case A Bukit Batok Ren Ci Nursing Home at Bukit Batok Street 51 Contested site: Exercise court Proposal: 10-story, 250-bed nursing home	Client: Ren Ci Authority: Ministry of Health (MOH) People's rep: Chua Chu Kang GRC MP Ms. Low Yen Ling Contesting public: Some residents of Bukit Batok and Bukit Gombak	Sep 2011 – Jan 2012 Status: Concluded; construction delayed expected to be completed by 2014
Case B Woodlands Eldercare Day Center at Blocks 860 and 861, Woodlands Street 83 Contested site: Void decks Proposal: 570m^2 daycare facility	Client: Sree Narayana Mission Authority: MOH People's rep: Sembawang GRC MP Ms. Ellen Lee Contesting public: Almost all of the residents living in Block 861 and some from Block 860	Feb – Aug 2012 Status: Concluded; construction was delayed for consultation but to proceed nonetheless
Case C Toh Yi/ Bukit Timah Studio Apartments at junction of Toh Yi Road and Toh Yi Drive Contested site: Recreational area and adjacent green field Proposal: A block of 130-unit studio apartments for elderly	Client: Housing Development Board (HDB) Authority: HDB People's rep: Holland-Bukit Timah GRC MP Ms. Sim Ann Contesting public 1: 230 residents suggested an alternative location in the petition against it	Jan – Mar 2012 Status: Concluded; 4 alternative sites suggested were rejected by HDB – construction to proceed as planned

	Contesting public 2: 50 residents living near the suggested site petitioned for it to be located elsewhere	
Case D <u>Mountbatten Rehabilitation Facility</u> at Blocks 10 and 11, Jalan Batu, Tanjong Rhu Contested site: Void decks Proposal: Rehabilitation facilities that would take up ~30% of the void deck spaces	Client: St Hilda's Community Services Center Authority: MOH People's rep: Mountbatten SMC MP Mr. Lim Biow Chuan Contesting public 1: 130 residents petitioned against the plans Contesting public 2: 500 mostly elderly residents petitioned for the plans (partly out of fear that another more popular public area would be considered instead)	May 2012 – present Status: Under review; consultation ongoing
Case E <u>Bishan Nursing Home</u> at Bishan Street 13 (bounded by Blocks 175, 181, 182 and 186 on three sides) Contested site: 3000m² (75m x 40m) rectangular green field used as soccer field Proposal: 260-bed nursing home; projected to be 6-8 stories high	Client: Lions Home for the Elders Authority: MOH People's rep: Bishan-Toa Payoh GRC MP Mr. Wong Kan Seng Contesting public: 40 residents from the area	May – Sep 2012 Status: Concluded; alternative sites rejected; design of the building to be capped at 6 stories

Table 1. Overview of Case Study. Source: Authors.

Based on an initial study of these five cases, we have also created an abstraction of the planning process broken down into various stages shown in Figure 1 (see Figure 1). This planning process has been suggested as a form of 'decide-announce-defend' approach (Hartung 2012), where key decisions were decided before the residents' inputs. After announcing these decisions, the planners then have to continuously 'defend' against the residents' subsequent resistance to these decisions.

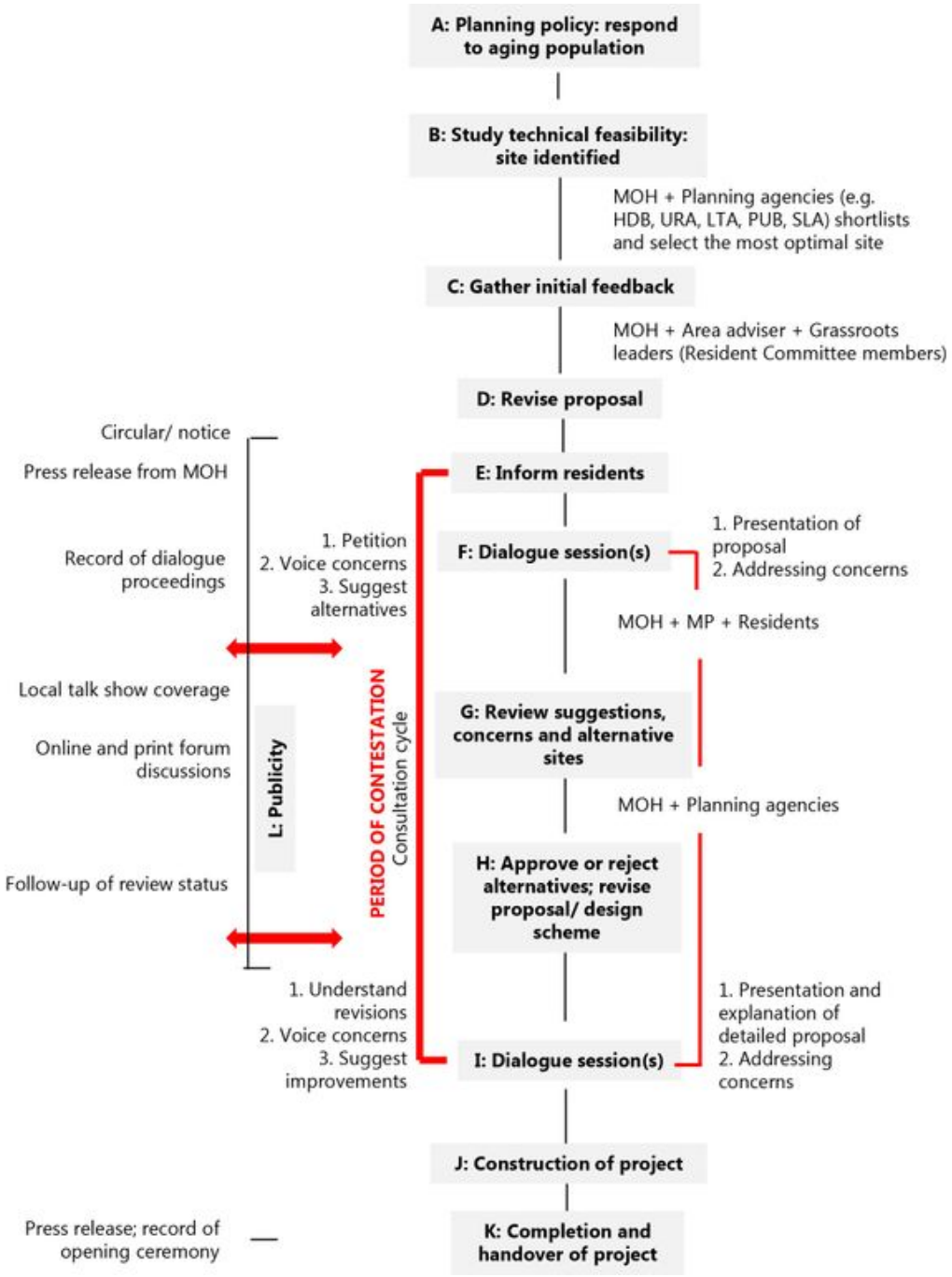

Figure 1. An Overview of the Planning Stages. Source: Authors.

In general, policy-making and site-selection (i.e., Stage A & B respectively) were publicly opaque and involved only the various authorities and planning agencies. Selective opinion gathering began at Stage C involving the Resident Committee (RC) members. The inclusion of a larger group of stakeholders only took place at Stage E, when they were informed on the decisions made in the initial stages. At this point, contestations took place.

According to the Ministry of Health (MOH) in charge of health infrastructure in Singapore, citizen consultation at Stage F, in the form of dialogue sessions held a 'few months before construction' (Poon 2012). But this would mean that the fundamental decisions for planning and construction have been made independent of the residents' and stakeholders' inputs.

In the five cases, dialogue sessions were conducted after the petitions were submitted. These sessions then became venues for diffusing consternation towards the plans rather than a communicative session where stakeholders' inputs were substantively integrated to transform the decision-making process. During these sessions, residents could broach matters such as 'traffic concerns, design features and the services' of the facilities (Poon 2012). This again demonstrated that the fundamental decisions have already been made, leaving the residents and stakeholders to only the discussion of peripheral and derivative issues. And in every case, residents' concerns and suggestions brought up during these dialogues would then be reviewed by relevant authorities and planning agencies (i.e., Stages G & H).

The outcomes for closed cases (i.e., cases A, B, C, & E) are similar: facilities are to be constructed at the original proposed sites. Only the architectural design and service features were altered where possible to reflect the residents' requests as a form of planning *quid pro quo*. In sum, these five cases should be contextualized within an unprecedented policy to build more than one hundred elderly care facilities in the next three years till 2016—inclusive of at least ten nursing homes, twenty-one senior care centres and forty-five senior activity centres. The overall plan will call for every neighbourhood to have its own elderly care facilities (Khalik 2012).

Analysis of the Case Study: Planning Rigidities and Ethical Contestations

The ethical intentions of the planners are commendable and clear: to anticipate the demographic change by planning for the dignified care of elderly citizens near to their children and within an existing community that they are familiar with rather than to ghettoize the elderly elsewhere.

However, we suggest that this ethic of care was ironically undermined by the planners' utilitarian ethic in planning. In other words, the planners' ethical intentions were subverted by their equally strong moral commitment towards utilitarianism.

Through the case study, we also suggest that Singapore's current planning process—confined to the rigidities of 'decide-announce-defend'—may be unequal to the task of complex planning today, especially in this hybrid 'South-East' context. Further, these rigidities have a tendency to lead planners in a direction that was unintended and also undesirable. In turn, this evolved into further decision-making that implicated dirty hands.

Planning Rigidities: Deference to the Master Plan and Horst Rittel's idea of 'Sachzwänge'

Firstly, the overriding authority of the Master Plan was used to justify the decision of predetermined site selection. The Master Plan had zoned the selected sites for 'healthcare and medical care use' (Hussain 2012). By default then, the planners had already predetermined not only the type of facility but also where it should be located before consulting the stakeholders. And by the same argument, other sites that were subsequently counter-proposed by the stakeholders were rejected because they have already been reserved for other developments by the Master Plan. This deference to the Master Plan can be interpreted as overly rigid because the Master Plan, even as statutory (Dale 1999: 76), is reviewed every five years to ensure optimal land-use. And therefore unlike the advisory Concept Plan that guides planning in Singapore into the far future, the Master Plan is at best only a middle-range planning tool that should be amendable to modifications under conditions of sufficient reason in these cases (Lim & Wong 2012).

Considering the actual extent of the stakeholders' consternation from the predetermined site selection and their late involvement in the process, the planners could have at least reviewed the need to insist on following the Master Plan.

To have deferred to the Master Plan without considering other socially productive options can be seen as a form of planning pathology that Rittel calls 'Sachzwänge', or coercive fact (Protzen & Harries 2010: 219). In cases of 'Sachzwänge', planners tend to act rightly or properly on dubious or worse, wrong reasons. Referring to the Master Plan was right and proper; after all, the Master Plan is designed to guide planners. But in this case, complete deference to the Master Plan at all social and political cost was unjustified.

Instead of seeking productive engagements that could produce socially just spatial outcomes, these planners sought a complete deference to the Master Plan, which must also be the systems pitfall of 'seeking the wrong goal' (Meadows 2008: 138). This ironically resulted in the sub-optimality of disconcerting land-use decisions and a strained relationship between the planners and the stakeholders when the driving force behind the Master Plan has always been the goal of optimality.

Planning Rigidities: 'Decide-announce-defend' and the Erroneous Path down NIMBY

Secondly, the rigidities of the planning process were also seen in the 'decide-announce-defend' model that the planners consistently employed in all the five cases. These rigidities are most apparent in the late involvement of the key—rather than representative (i.e., only members of the RC)—stakeholders in the planning process. When the key stakeholders were informed at Stage E, their immediate response was to counter-propose alternative sites for the elderly care facilities—thereby externalizing these facilities to other sites close to residents in the same housing estate who were hitherto not immediately involved in this planning process. This externalization led to a corresponding chain of externalizations by other residents who perceived that the elderly care facilities had been brought nearer to them without prior notice. Consequentially, what was simply a later involvement of key stakeholders then led to a widespread and consolidated resistance of stakeholders wherever the facility was proposed near to their homes. By this point, the larger public sphere had become aware of the planning issues involved. In turn, this led to a series of public discourses on different public forums (see Figure 1). The plural voices heard on these different public forums further complicated planning. But rather than admitting that the planning process was inadequate to address these emerging issues that now involved a larger public sphere, these five cases were quickly characterized as clear examples of Not-In-My-BackYard (NIMBY) (Li 2012), which then placed the onus on the residents and stakeholders alike to undergo attitudinal corrections.

When issues are framed as NIMBY, planners usually respond by either reducing opposition or changing the perception of the stakeholders (Schively 2007: 263). In our study, we found evidence that planners attempted to change the attitudes and behaviours of the stakeholders through dialogue sessions. However at this phase, only the placatory approach of planning *quid pro quo* was possible. Characterizing these cases as strictly attitudinal or behavioural NIMBY rather than acknowledging the inadequacies of planning was not only to commit a form of fundamental attribution error, but it created bias on the part of the planners that then altered the nature of subsequent communications with the stakeholders.

Generally, the residents' dissatisfaction over the siting of the elderly care facilities was directed at the criteria and process of site selection rather than the actual nature of the elderly care facilities. However by approaching the issue as if contestation was about the resistance towards the nature of these facilities, planners were unable to respond satisfactorily and instead increased distrust and doubts over their intentions and ability to address the residents' needs (Wong 2012).

After all, there were residents who genuinely accepted the moral necessities of these elderly care facilities (Wong 2012). But when trust is absent, any placatory *quid pro quo* could be misunderstood as further attempts by the planners to impose something detrimental into their community.

Here, we argue that this concatenation of events emerging from the rigidities of a simple planning model, unequivocally designed to reduce uncertainties (Christensen 1985), ironically led to greater uncertainties that in turn complicated planning. The reactions of the stakeholders towards these rigidities further led to the perception of NIMBY, which then short-circuited the communicative potential of planning to the narrow confines of planning *quid pro quo* in order to encourage attitudinal corrections.

On this we suggest that the planners should have framed the planning issue as a problem of Locally-Unwanted-Land-Use (LULU), which then would entail consensus building and risk communication, rather than the frame of NIMBY, which usually entails placatory compensation and modifying project proposals (Schively 2007). NIMBY may indeed emerge from a LULU issue; but to quickly deduce a case of NIMBY from what was actually a LULU case was unwarranted. Through this erroneous framing, planners were inadvertently solving the wrong problems while at the same time leaving the rigidities of planning unchecked—further leading themselves into the territory of dirty hands where there may be no right thing to do.

Utilitarianism and its Contradictions for Planning in the Neoliberal City

As argued earlier, cities of the 'South-East' in their drive to attain 'world class' status are driven to create an urban environment that reflects elite tastes and consumption on the one hand (Watson 2012), and on the other hand, consequentially a neoliberal city obsessed with economic growth dominated by corporate urban development (Mayer 2012).

In the making of this neoliberal city, utilitarianism has become the guiding ethical principle for urban and regional planning (Moroni 2006: 24). To be sure, utilitarianism as an ethical principle remains a productive framework for evaluation. But utilitarianism becomes problematic when conflated with market rationality today: utilitarianism becomes problematic when it uncritically maximizes utility, however this utility is defined, regardless of this utility's moral worth (Sandel 2012: 88). And purportedly democratic in its pursuit of maximum utility for the most number of people (Dworkin 1981: 234), utilitarianism however does not challenge the hegemony of the inequitable status quo today or its corollary spatial injustice. As a matter of principle, utilitarianism could justify any economically successful neoliberal city, even if this means also accepting a widening income gap and greater spatial exclusions.

A contradiction therefore exists if planning persists in following this logic of utilitarianism. For utilitarianism can only guarantee utilitarian betterment—an increase in average or collective welfare even though the welfare of some individuals may decline. But planning should at least aim for ideal betterment, where the outcomes are substantively more just, or in some way closer to the ideal society (Dworkin 1981: 232). Therefore to maximize for utilitarian betterment without either reviewing its moral worthiness or considering the prospect of ideal betterment can be considered the seeking of wrong goals again, which inadvertently lead to dirty hands.

The Contestation of Ethics: Utilitarianism and the Right to the City

In Singapore, the utilitarian ethic of maximizing utility for the most number of people is seen by a commitment to assign the most valuable land parcels for purposes that can generate the highest potential yields.

Beyond guiding land-use, utilitarianism, or more specifically, rule-utilitarianism (i.e., following a rule that would maximize the utility for the most number) (Dworkin 1981: 95) is not only a publicly accountable planning axiom, but it is arguably also a social institution that everyone could readily agree to in land and natural resources scarce Singapore. But as explained earlier, there is now a pressing need to acknowledge the growing sentiment of stakeholdership in the city (i.e., the right to the city), and to anticipate the need to integrate these rights into planning.

Peter Marcuse defines the right to the city as a moral claim (Marcuse 2012: 35). This claim to the city views urban space as malleable, ready to be designed and shaped towards greater social justice and greater accessibility for all (Brenner 2012). Instead of a small elite who are shaping the city more and more after their own desires (Harvey 2009: 329), stakeholders of the city have a right in planning to demand for greater spatial justice and inclusiveness.

Consider the example of case E (see Table 1), where the economically valuable land parcel near to the Mass Rapid Transit (MRT) station and the town centre was unquestioningly reserved for developments that are anticipated to yield higher returns. This land-use decision was made even though this land parcel is deemed not only to be the most convenient for the elderly (Ang 2012)—hence more deserving and therefore just (Sandel 2009: 188)—but it also fulfils the residents' expectations at the same time. In other words, had this site closer to the MRT station and town centre been chosen, the planning outcome might have been more just for the key stakeholders involved.

But what in fact occurred was the opposite of this ideal outcome. In case E, the planners considered the outcome sub-optimal if the elderly care facilities were to be located nearer to the MRT station and the town centre. After all, these sites closer to the MRT station and the town centre were considered prime sites reserved for future development (Bishan East Division Citizens' Consultative Committee 2012). Thus relative to these anticipated 'prime' uses, using the site for the elderly care facilities was considered sub-optimal and the site selected—the original site—is some distance away from the MRT station. Yet an equally strong argument for sub-optimality could also be anticipated from the angle of spatial justice: the elderly (and also their family members), and the residents now have to contend with further distances and unknowable impacts on their spatial practice respectively. In all, a valuable opportunity to experiment with the right to the city in planning was missed.

Here, we suggest that this valuable opportunity was missed because this ethical contestation between rule-utilitarianism and the right to the city did not emerge in planning. In other words, ethics and the values the city take as paramount never entered the horizon of the planning process. To be sure, admitting to rule-utilitarianism is to adhere to an ethic of responsibility (Weber 1981: 116) deemed proper for planners as public administrators also accountable to other constituencies beyond case E. But denying spatial justice and the right to the city—or in any case, seeking a practical compromise that was just as symmetrical as their denial—is also to relinquish the ethic of conviction deemed necessary for planners who act on the behalf of the public interest. The problem of dirty hands was once again apparent.

We do not have a solution for this specific formulation of dirty hands. However, we suggest that it may be possible to consider an ethical improvement in the planning process that is at the same time, also consistent to the ethical requirements of rule-utilitarianism maintained by all accountable public planners.

Moral philosopher William Frankena once suggested that rights and duties are correlative (Frankena 1973: 59). It is not possible to acknowledge that the right to the city exists without the correlative duty or obligation on the part of the planners to offer the platforms that make such rights plausible or operative.

In case E, even though the land in question is in fact state land and the stakeholders are residents who live in government owned public housing, we suggest that the planners nonetheless saw an obligation to acknowledge the moral right of these residents to their contiguous space.
This is clearly seen from the various attempts by the planners in initiating dialogues and offering feedbacks throughout the entire process. If the barest semblance of this acknowledgment was absent, then the planners could have dispensed with dialogues and consultations as the land was after all under their sole and legitimate discretion.
But we suggest that this acknowledgment for the right to the city based not on property rights but on moral rights did not go far enough. To ascertain this right to the city may mean that the planners have to engage in co-planning with these residents. From the angle of rule-utilitarianism, an institutional form of co-planning is a rule for maximizing utility that every rational citizen should be able to consent to. However, such co-planning demands a commensurate tolerance and patience for openness that lies at the heart of genuine and productive politics (Arendt 1998). This is yet again another obstacle that planners committed to the appeal of clarity and quick closure promised by utilitarianism[5] (Rawls 2007: 390) would have to overcome. If an opening up of planning to accommodate the growing sentiment of the right to the city may be possible, then the ominous weight of dirty hands observed in all these episodes may one day be lifted.

Conclusion: the Contestation of Space must highlight the Contestation of Ethics

In this paper, we argued that working between politics and ethics, planners are likely to confront the problem of dirty hands. Moreover in our argument, we stress that the model of neoliberal urbanization especially salient in the 'South-East' today creates planning conditions that render the problem of dirty hands stark and inescapable for the planner. Through refuting the 'dark-side' theory and explicating our case study, we further suggest that it is not possible to abandon ethics in order to rescue dirty hands. Instead, we should all the more emphasize ethics to render the contestation of ethics less tacit and more public.
As observed in the case study, the contestation of space without a commensurate and public contestation of ethics steered planning in the direction where only values most apparent for space in the neoliberal city—such as the calculable value of real estate—gained ascendancy while values paramount to the good city like justice and the right to the city were de-prioritized, or worse, completely discounted from planning. Here, we suggest that a productive contestation of ethics would readily render important values explicit and public; and should the people and the planners inexorably still decide for a version of strong utilitarianism, the city would at least know what it is giving up in exchange for this value system.
We conclude our paper with a short passage on the importance of moral conflicts for a moral society:

'And therefore a moral society must depend on moral conflict as the basis for determining morality unless, of course, a lawgiver decrees inflexible rules, the obedience to which constitutes right and wrong. Then morality would not have to make sense. In such a totalitarian society there could be conflict, but no conflict of values… …We do not live in the timeless days of a dog or sparrows. As we become aware of what we, as a society, are doing, we bear responsibility for those allocations that will be made as well as for what has been done in our names. If one understands more than before for having read this essay, one can still appreciate that tragic decisions need to be made and are not the easier for the understanding' (Calabresi & Bobbitt 1978: 198-199).

[5] Rawls suggests that, '…utilitarianism is a single-principle conception: a conflict of first principles is impossible since there is only one such principle. This is a gain over intuitionism.' (Rawls 2007: 390).

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The City of Tshwane, South Africa – Some New Planning Games Aimed at (Re)Shaping and Nurturing Spaces, Places and Faces. A 'Blue-Sky Thinking Approach' in Fighting Back 'The Dark Side of (Apartheid) Planning'

Johnny Coetzee[1]
Marica Retief[2]

The South African legal framework established by the former apartheids regime, together with ineffective planning measures, resulted in a distorted settlement pattern. Successive post-apartheid South African governments are faced with a dilemma to address these developmental challenges in transforming the urban landscape. Following on the government transformation in 1994, a plethora of new acts and policies were developed but spatial change is not happening as expected. In short, urban planning in South Africa is still stifled by the apartheid legacy. This paper, explores how South African cities are shaped by ideological visions, the impact of stereotypical visions on the spatial configuration of South African cities, how spaces are shaped through the struggle between rational thinking and power, and how vernacular rules of transformation can hamper planning. This paper presents a new planning game aimed at (re)shaping spaces, places and faces...

Keywords: Transformation of planning in South Africa, Power and politics in Planning, Vernacular rules in the planning arena, Planning legislation and policies in South Africa, Stereotypical visions in planning

[1] Department of Town and Regional Planning, University of Pretoria, South Africa.
E-mail: johnny.coetzee@up.ac.za
[2] Department of Town and Regional Planning, University of Pretoria, South Africa.
E-mail: maricaretief@gmail.com

Introduction

A City can be compared to a human body where the interaction between all the body's parts, perfectly function as one effective system. The City of Tshwane, South Africa, represents a dismembered body - stifled by the 'apartheid' regime that crippled the planning system. The scarred urban fabric is distinctively characterised by low density urban sprawl, fragmented communities and spaces and scattered impoverished informal settlements established in remote areas - removed from the 'basket' of economic opportunities, services and amenities. In short, South African cities have been described as 'some of the most inefficient and unsustainable in the world due to policies of separate development and the apartheid government' (Watson cited in Schoonraad 2000: 1). The City of Tshwane echoes this trend and is in effect the epitome of what Alain Bertaud refers to as 'unintended result of unforeseen consequences of policies and regulations that were designed without any particular spatial concerns' (Bertaud 2004: 5).

Urban planning in South Africa is still trapped by the apartheid legacy - unable to excel - forever focussing on the clichéd solutions.... The bare reality is that, despite fruitless efforts, in the City of Tshwane, the apartheid city form is being 'perpetuated and reinforced' (RSA 1999: 18). Experts argue that South Africans have an inherent 'anti-urban' mindset (Schoonraad 2000: 5). Whatever the reason might be - planning in South African is hauled in by a spiral of misconception. The current (new) South African planning and construction fraternity continues to create unsustainable settlements, whilst blaming the apartheid system. Urban planning has become a perilous game - an enforcement of stereotypical visions and personal agendas, both in the private sector and government.

In this context, this paper explores how the spatial configuration of the City of Tshwane was/and still is being influenced by: (1) ideological and political visions, (2) legislation and policies, (3) the struggle between rational thinking and power relations, and (4) lastly vernacular rules and language games.

South Africa - Some reflections and reflexes on the transformation attempts

The South African political scenario is marked by two prominent government regimes namely pre (pre 1994)[3] and post- apartheid (post 1994)[4].

The pre -apartheid planning regime

South Africa is well renowned for its history of apartheid, its discriminatory apartheid planning policies and physical segregation of spaces and races.(also refer to Giliomee and Mbenga 2007:174). The apartheid system was typically characterised by strict legislative control measures, forced removals and subsequent relocations (usually on the periphery of urban regions) in order to ensure the homogenous distribution of races. In the process, the urban landscape was unshaped and reshaped, remapped and various neighbourhood areas reconfigured (Lanegran 2000:269). The spatial formation of the typical apartheid city was one of racially-based residential segregation divided by either landscape features or deliberately constructed elements such as industrial zones or highways.

Prior to the 1990s, planning in South Africa was largely dominated by the typical 'modernist urban planning system'. This blueprint planning system (dating from the early 1940s), which developed in tandem with the apartheid ideology in South Africa, was largely characterised by a rigidly structured planning and land use control system.

[3] The first formal separation legislation were promulgated in 1913, known as the "Black Land Act 27 of 1913', which attempted to divide the Union in seperate racially-fragmented residential areas.

[4] 1994 marks the first democratic elections in South Africa. President Nelson Mandela was sworn in as the first democratically elected president of South Africa.

This autocratic system was the supporting foundation that assisted the apartheid government to achieve its (skewed) development prerogatives and is therefore partly to blame for the fragmented and unsustainable urban form[5]. These planning, political and institutional arenas, framed by strong legislation and policies, also spawned a particular (vice) culture and mindset, as well as a powerful negative and discriminatory planning language - with associated words such as: homelands, land use control, segregation, black removal, relocation, informal settlements, just to mention a few.

In short, the legal and policy framework implemented by the former apartheid regime, together with archaic spatial planning processes, (un)shaped the urban landscapes into what is commonly referred to as a 'grossly distorted spatial pattern' (refer to Green Paper on Development and Planning 1999 (RSA 1999)). The typical South African rural landscape has an even gloomier outlook. Impoverished rural communities were established in remote areas, far from employment opportunities, services and amenities - proverbially divorced from the urban economies. This spatially, fragmented and disjointed settlement pattern has largely hampered development and growth in both urban and rural areas by restraining communities from accessing economic and/or development opportunities.

The post-apartheid planning regime – an era of (attempted) transformation

During the late 1980s, the cracks in the planning system started to show and progressive planners and Non-Governmental Organizations (NGOs)[6] in South Africa increasingly experienced the flaws and limitations of the apartheid planning system. Various planners emphasised 'the need for a fundamental restructuring of fragmented, unequal and unsustainable forms created by the decades of colonial and apartheid rule' (Oranje 2012: 174), and reiterated the need for new legal and policy frameworks (ANC 1992; and 1994; and Harrison 2002: 172). In the aftermath of apartheid (during the first part of the 1990's), the ruling party (African National Congress (ANC)) campaigned for the restructuring and transformation of South African cities and subsequently commissioned the development of hands-on 'state-of-the-art' legislation to 'make change happen' and to leverage this 'spatial (re)engineering and change' (Oranje 2012: 173).

During the mid to late 1990s, significant strides were made by the South African government, planning institutions and planners to develop a new more 'appropriate' *viz.* integrated, developmental, democratic, strategic and sustainable development planning system. This system was (is) rooted in international planning principles and founded in the emerging democratic and developmental focus of the new South African government. The new planning system, is therefore, supported by an array of new, post-transformation Acts and policies (ANC 1994; Republic of South Africa 1995; 1996; 1998; 1999; and 2000). Towards the turn of the millennium, it seemed as if this transforming planning system had the potential: (1) to replace the inappropriate and discriminatory urban planning and urban management systems that existed prior to the 1990s; and (2) to provide a new context and impetus for the further transformation, reconstruction and development of the neglected and fragmented South African urban and rural spaces.

In view of the preceding sections, the ultimate question should hence be raised- 'did this transformative post-apartheid planning system 'make change happen', as promised' - or alternatively did this system succeed in steer heading South African cities to a sustainable, integrated, racially inclusive (*et al*) desirable development path?

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[5] See also Oranje *et al* (2000); Mabin and Smit (1997); Republic of South Africa (1998); Younge (1998); Republic of South Africa (1999); and Republic of South Africa (2001).

[6] These NGOs included amongst others Planact, the Development Action Group, and the Built Environment Support Group, see also Harrison (2001: 183).

The contrary is true...the post-1994 spatial form of many South African cities remains distorted and current development patterns even perpetuates the apartheid form. Some scholars and practitioners in South Africa even argue that this new 'refined planning system' that was primarily 'inherited' from European, British and American planning systems, is to sophisticated and complicated and perhaps not appropriate for a country with so many diverse first, second and third world development needs.

The City of Tshwane – shaping the (un)shaped, a status quo

The City of Tshwane, which is the third largest metropolitan municipality in the world, (in terms of land size), after New York (USA) and Tokyo (Japan), did not escape the (trans)formation of apartheid. On the contrary, this city presents a painstaking example of the spatial distortions, transformations and struggles referred to in the previous sections. The spatial development pattern of this city also presents a good example how this landscape was (un)shaped by a prejudiced ideological, politically driven vision (and related inappropriate planning systems and language games), see also Coetzee (2005); Homann (2005); and Serfontein (2006). The City of Tshwane, followed the typical apartheid process of segregation, forced removal and relocation. After almost two decades of democracy, the fragmented skeleton of the apartheid system remains - a cruel reminder of the past. Alarmingly, the distorted spatial form of the City of Tshwane has not changed significantly within this 110 year timeframe.

The abandonment of the apartheid system has furthermore opened the door for the rural-urban migration of rural dwellers desperately seeking employment opportunities in the city. These rural migrants erect informal structures on the 'urban fringes of the older African communities and, thus, have reinforced the apartheid landscape' (Lanegran 2000:269).

Considering the current built-footprint, spatial change in the City of Tshwane is not happening as expected, or was envisaged in 1994. Oranje (2012: 174-175) also attests that many promises were made (1994) but that these expectations were not reached. Oranje (2012: 175) refers to the 'gap between the post-apartheid urban restructuring intentions and outcomes on a more broad-based, conceptual level'.

As a result of bad planning, and in contrast with all urban design, resilience and sustainability principles, the City remains segregated, dysfunctional and disconnected. Development still takes place in a scattered and seemingly *ad hoc* manner and is primarily still focused around the periphery, away from the city centre. The City of Tshwane (as municipal authority) is partly to blame, since the municipality continues to approve undesired land development applications, which perpetuate the pre-1994 spatial form, see also Lanegran (2000:269).

Impediments to change

There are possibly a myriad of reasons why the spatial development in the City of Tshwane (and for that matter, other areas in South Africa) (post 1994) did not realise the way it was expected, *viz*: transformation pressures, poor and overcumbersome planning systems, dysfunctional government systems, lack of leadership and capacity, and inapproriate planning policies, see also COGTA (2009 a and b).

This section, however focuses attention on four particular and important forces or constructs, which in the opinion of the authors have played/ are playing a major role in (un)shaping the spatial landscape in many South African regions, namely: (a) the confusing and inappropriate legislative system - and the (dis)belief that legislation is the magic cure for all that went wrong; (b) the inevitable struggle between rational thinking and power relations (power games); (c) the stereotypical outlooks, ideological visions and political visionaries; and (d) the so-called obstructive vernacular rules or language games.

Confusing and inappropriate legislative system – the (dis)belief that legislation is the magic cure for all that went wrong

Despite the dawning of democracy, which introduced new legislation and policy frameworks, the South African planning system today, almost two decades after transformation, is still struggling to implement these new policy principles. Planning (and planners) in South Africa is/are still struggling to come to terms with its new role and identity. The planning system in South Africa developed into a complicated and somewhat isolated system, which in spite of its good democratic, strategic and (sustainable) developmental characteristics, is failing to achieve the required results and development targets.

In view of the above, it is clear that despite numerous new planning attempts, transformation efforts, and new planning legislation, very little progress was made to actually undo the geography of apartheid. These artificially created apartheid spaces and places remain intact. Town planning got trapped in the web of power, agendas and promises. At present, experts are even concerned that 'the barriers between communities do not appear to be eroding' (Lanegran 2000: 270). In short, the planning system has failed to deliver on its mandate of transformation and restructuring. Too often, learned scholars (in the particular field of spatial planning), lay the blame of the current development situation (and planning dilemma) at the door of the rigid apartheid system and related planning policy. The planning scenario in South Africa has, however, reached a stage where this answer is simply 'not good enough'.

New urban development patterns are in effect the perpetuation and reinforcement of the apartheid city. Numerous planning and legislative measures have been promulgated under the new government dispensation. It seems that the planning system has been 'overloaded' with visions, acts, documents, green papers and white papers, so much so that the system cannot 'overhaul' (refer to Figure 1). The over-abundant legislative system, which is supported by a plethora of planning policies, strategies and plans, resulted in a random planning system that is starting to lose its flair and effectiveness - and a system that is too often misused for personal gain.

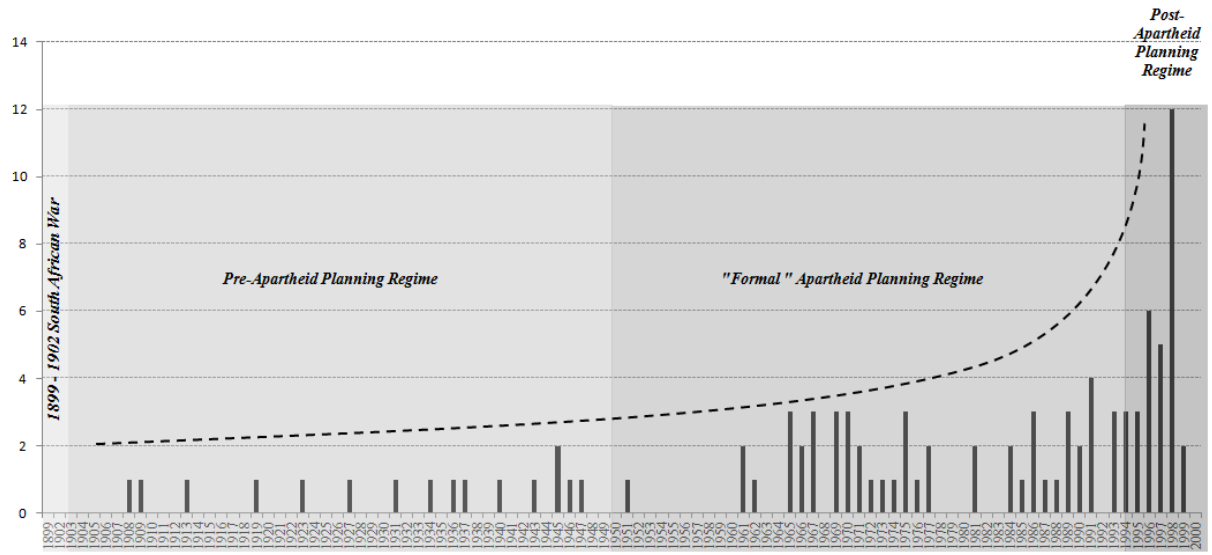

Figure 1: Number of legislative documents promulgated (1900 – 2000). Graph compiled by authors based on information derived from van Wyk (1999)

At present, Government leaders, the business sector, communities, and even development professionals are steering towards a 'reverse psychology' by arguing that planning legislation is the power tool that will chisel *viz. a viz. (*re)shape and (re)structure the spatial development pattern towards the 'desired state'. They base their argument on the evidently (un)successful impact that the former legislative and policy structure played in shaping the apartheid city.

It is recognised that the South African government during the past 16 years has made significant progress to transform local government and municipal development planning. Various new development-related policies and acts were drafted and many efforts were made to improve the developmental performance of local government. It is however argued that, '…although much progress was made on policy level, not enough was done in practice to actually improve the developmental performance of the urban regions' (Coetzee 2010: 22).

The inevitable struggle between rational thinking and power relations (power games)

Although the new generation urban planners are trying 'to make change happen' through rational thinking and sound principles, city leaders and politicians are continuing to play all sorts of power games. What makes these games more challenging is the fact that these games are played in an arena of social conflicts, a plethora of confusing legislation and policies, stereotypical visions, dysfunctional institutional structures, corrupt practices… and promises.

A study that was done on the transformation of planning in the City of Tshwane (1992 -2002) provided valuable evidence on the way in which power relations, between and within the management and political spheres have influenced (and hampered) transformation, planning and also the spatial development (and form) of the city (Coetzee 2005). Based on the work of Foucault (1994a; 1994b), this study indicated the omnipresence of power(s), the illusive nature of power as well as the different types of good and bad power (and related power relations). The study further indicated how the City of Tshwane, similar to many other regions in the world has suffered the consequences of power struggles and power games (Coetzee 2005 and 2006; see also Forester 1982; Mc Cloughlin 1992; Mc Clendon & Quay 1992; Hoch 1984; Flyvbjerg, 1996; 1998a; 1998b; Watson, 2002; Allmendinger, 2001; and Lapintie, 2002). In addition, it is argued that planners and planning systems in the City of Tshwane, (specifically during the period of transformation) was largely dominated and frustrated by the so-called 'aggressive' Machiavellian powers of 'The Prince' (Machiavelli 1961) and the dominatory political powers (*viz a viz* the rational planning powers) as described by Flyvbjerg (1998a), see also Coetzee (2005 and 2006). The negative 'force of politics' in the planning process was also emphasised by case study research that was done by amongst others Hoch (1984: 342); Flyvbjerg (1998) (Aalborg, Denmark), Watson (2001:130 - 131)(Cape Town, South Africa); Coetzee (2005) (Tshwane, South Africa) and Allmendinger (2001: 201 - 202) (Mendip District Council), see also Coetzee (2006: 7).

In spite of the dark side of power and the effect of dirty power games, power, if it is applied correctly can be a major tool and supporting mechanism in spatial planning and municipal management. The Tshwane study provided evidence of how power games and power relations can be balanced and directed through e.g. social powers and communicative action (Healey 1997: 29); *'the force of the better argument'* (Habermas 1983; 1984; 1987); speech, narratives, professional profiles, consensus building and negotiation (Yiftachel & Huxley, 2000); social alignments (Thomas Wartenburg in Foucault, 1994a); and *'discourse-coalition building'* (Watson 2002). The above highlights the need for planners, development professionals and managers to improve their understanding of power relations and to develop *'power tools'* to assist and support them in their endeavours to plan effectively and to make the change happen that is required from them.

These power tools could include: strategies aimed at: balancing power relations, exploiting good powers and remediating bad powers; supporting planners to work with and within power webs, and to exploit communicative action, negotiation, speech act and the force of the better argument to promote rational thinking and to balance/manage political powers.

Stereotypical outlooks, ideological visions and political visionaries

Watson (2002: 149) refers to South Africa as 'a poor nation at the tip of a continent which has largely been bypassed by global flows of resources'. It is further stated that the life for South African urban dwellers is a 'desperate daily struggle for survival, and where poverty, crime and AIDS threaten every development effort' (Watson 2002: 150). In this context, the ability of the South African government to deliver on its mandate in terms of strategic intervention, implementation of projects and management of development processes are being questioned (Watson 2002: 150).

For the ANC (the ruling party), change and transformation has been more of a 'put your money where your mouth is' sentiment - a political power play, an opportunistic manifesto that *inter alia* states that 'the challenge of transforming our towns, villages and cities has been especially great' and 'we have to meaningfully de-racialise communities and overcome apartheid-era spatial development so that all residents can feel at home together and equally enjoy the benefits of development[7]. The Democratic Alliance (the opposition party) then again, envisages 'a society in which even a child born into the most desperate poverty can become a brain surgeon, a concert pianist or a sports hero' and promising the South African dream 'of one nation, with one future, living together under the constitution in peace, security and prosperity, with opportunity and recognition for all the rainbow people'[8]. It is clear that each political party promises an utopian vision, a 'lifestyle', a prerogative - be it a celebration of political victory or being in the business of selling dreams, promising a better future against all odds. It appears that the planning system has merely changed attire, shifted from one controlling authority to another, and the legacy of 'bad planning' remains. In the face of the apparent lack of coherent vision between the various interested and affected parties, the present scenario presents the 'anarchic complexity' which presents a cumbersome challenge to manage sustainable urban planning and development practices.

Vernacular rules of transformation

In his book *Philosophical Investigations (1953),* Ludwig Wittgenstein refers to the concept of a '*language game*' and explains how language works/can work to prompt a specific message or response. Gethin (1996: 69) however raised the concern that people act on the basis of a name and not the real meaning of the concept.

A particular language or set of vocabulary has formed a strong basis for language games to be played in different arenas. In the planning arena, in view of its diverse political and social nature, as well as the spatial or graphic nature of planning, these planning games can have a positive and facilitative influence. In other words, an appropriate language game can result in positive spatial development outcomes. Similarly bad planning games which comprise of negative and destructing words/concepts that are communicated wrongly can easily hamper development or result in skewed development patterns - the apartheid planning and landscape in South Africa is a good example of this, see also Oranje (1997).

[7] Details of the 2011 Local Government Manifesto can be viewed at website http://www.anc.org.za/docs/manifesto/2011/lge_manifeston.pdf.

[8] Further details on the vision and mission statement of the Democratic Alliance can be viewed at website http://www.da.org.za/about.htm?action=view-page&category=386.

Serfontein and Oranje (2008: 3) based on a study of the City of Tshwane (1984 - 2004), argued a case for 'a far more vivid, fluid, responsive and innovative planning vocabulary, and discourse'. They also emphasise the limiting effect of old outdated vocabulary and the effect that new words/ideas, or a lack thereof had on the planning of Tshwane. They further argue that planners are 'equally stubbornly persistent in their use of outdated and inappropriate language to make sense of and respond to the world in which they live/function'.

Serfontein (2006: 6-8) argues that Tshwane's urban landscape was largely shaped and distorted by outdated language and a particular language game - and the persistent use of wrong and outdated vocabulary. He states (p8) that 'Most of the offerings were delivered from a point of resistance (i.e. believing and stating/repeating) and not from a position of awareness (i.e. seeing and expressing)'.

Serfontein and Oranje (2008: 12) stress the need to abandon the archaic language games and to develop texts and vocabulary that can begin to 'appropriately connect with the emerging spatialities and their new logic'. This also emphasises the need for a more post-modern turn in planning language and thinking, which in its turn is dependent on a new different mindset. While it is important to develop a new spatial logic, a spatial mindset and a more graphic planning language, it is also important to caution against the creation of more new buzz words that do nothing for planning or even do more harm than good.

Planners in South Africa should move away from outdated concepts, buzzwords and philosophies that are not contributing to the developmental course of planning. In the same token, planners (and politicians) should be cautious not to abuse all sorts of fancy jargon and terminology just to impress certain audiences. In recent years it was remarkable and somewhat ironic to note how planners and politicians have abused/ used words such as sustainable development and resilience, in planning reports, public speeches, and at community meetings - very often without understanding the meaning of these words. It is further argued in this paper that a new language can only be cultivated through a new culture and a new mind set - hence the need for a new positive and developmental mindset that can facilitate appropriate development.

A call for a new Planning Game, a new Game Plan for planning and a novel 'Bluesky-thinking' approach

As stated in previous sections**,** the planning processes and ultimate spatial landscapes in the City of Tshwane (and many other parts of South Africa) were largely influenced and unshaped by a number of influences, powers and sometimes nasty games**,** namely**:** *power games, political games, language games…and stereotypical visions and promises.* These powers did not only influence the pre 1994 footprint, but are still actively influencing and shaping the development patterns today - often in a destructive, manner.

It view of the foregoing, it seems that planning has literally become a 'game of monopoly' played in the political arena- selling promises and lifestyles by throwing the dice, racing to see whoever gets there first. It even seems that the post-1994 planning system is (un)shaped by similar forces and games that affected the pre-apartheid system (although the planning game is played in another arena- one of perceived democracy).

Conceptualising an appropriate [Southern] African Planning system

South Africa, and its unique urban form, represents a combination of elements from the first, second and third world. South African cities comprise of a first world capitalistic core with second world central planning. In terms of its third world characteristics South African urban areas are known for its dualism and rigid segregation (RSA 1999).

In this context, it is questionable whether the roots of our prevailing planning system (in European, British and American planning systems) is implementable or even applicable in our first, second and third world developmental contexts.

South Africa is generally referred to as 'the rainbow nation' - a combination of races, cultures and languages. The cultural differences and various mindsets and stances along various racial groups in South African, makes it an extremely taxing exercise to develop a coherent planning system that is acceptable to all. In a sense, the American dream (or likewise the American Way of Life) has become embedded in our mindsets (and planning system), especially amongst white South Africans. On the other hand, the prevailing indigenous tribal authorities and informal nature of our townships are not necessarily reconcilable with a rigidly controlled planning system. Is the constant search 'to keep up' and 'be the same' (in line with first world principles and level of development) blurring our minds in realising that being different is exactly what we should be? Should the planning fraternity not be searching closer to home - seeking for a proverbial 'custom made' [Southern] African Planning system?

The one-size-fits-all (worlds and cultures) system in South Africa (as functional in the last two decades of democracy) has proven to be incapable of addressing the diverse needs of the idealistic developmental state, nor the current developed/developing/undeveloped states of our cities.

This calls for a new appropriate [Southern] African planning system, a new planning game that seeks that delicate balance that nurtures places, spaces and faces. This doesn't necessarily mean that the planning fraternity should start from scratch, but that the aim should be to build on the current system, constantly taking cognisance of our heritage, cultural practices and differences. In the South African context, urban planning requires a delicate and balanced interplay between legislative systems, governance (and government), the general public and business sectors and/or entities. Even more so, urban planning should be sensitive to cultural indifferences and embrace differences.

Developing a new more suitable arena/environment that could support and facilitate the new planning system

While it is argued in the foregoing section of this paper that a new appropriate planning system and thinking is needed to (re)shape the landscapes and to guide appropriate sustainable development, such a planning system/game can only be performed well if it is located and played within a proper supporting arena/environment - without the interference of these many powers and conflicting games. Coetzee (2010: 22) argues that "Planning systems can be 'as good as it gets' but if these systems are not protected and supported by appropriate organisational structures and processes, it will be difficult for planning systems and planners to effectively facilitate developmental planning".

Such a planning system should firstly be rooted in a strong leadership structure that drives spatial change in line with rational principles and not political visions. This process should be driven within an environment that fosters a developmental mindset. The institutional arena should furthermore seek to introduce a new development course and thinking to ensure that it advances the objectives of transformation and development. All of this, in turn, requires councillors and officials with the right skills set, capacity and developmental attitudes. This also implies that the type of skills and knowledge of planners 'have to be broadened' (Watson 2002: 151) and that an integrated planning approach should be embarked upon, where 'spatial and economic planners' pool their resources and knowledge in order to ensure a collective understanding of the urban space-economy.

While this paper argues for a new [Southern] African planning system, it further stresses the need to reshape and correct the (1) planning (2) institutional (3) developmental (4) political arenas or playing fields, which are so distorted by the forces discussed in preceding sections.

These efforts amongst others include: the need for planners to adapt to political systems and powers, to work with these powers; the need for planners to develop a new appropriate developmental planning language; for planners (and specifically politicians) to move on/away from the stereotypical visions and promises that do more harm than good. Apart from the above the time has arrived for 'everybody' to stop blaming apartheid for the current planning and developmental problems and to realise that these problems will not be cured by more policies and legislation.

Concluding remarks

It seems that Urban Planning in South Africa is constantly tipping the scale by extremist and radical ideas and interventions - on the one hand, the over controlling apartheid system, and on the other, the intense battle to transform and restructure. The gap between our macro structures also occurs to be widening, which implies that urban planning decisions are largely influenced and directed by large business entities and private sector stakeholders that misuse the system for personal gain.

If government and planners in South Africa want to move on and/or proactively restructure these distorted landscapes associated with the relentless past, which harmed so many people in this country, they (it) will have to stop blaming the apartheid system and previous regime's planners for the current failures.

It should also be recognised that the enforcement of (new) strict legislative control measures only, is not a quick fix to changing the spatial form and structure of our cities. Legislation i.e. policy plans, acts and strategies should be an integrated basket of documents that works as coherent system that informs and cross-informs each other - not randomly (and individually) shooting from the hip at an unknown target, as is presently the case.

It is argued in this paper that South Africa now needs a more appropriate planning system that could address the development needs of the rainbow nation - and hence a New Planning Game, a new Game Plan for planning...and a novel 'Bluesky-thinking' approach.

It can therefore be concluded, that for this planning system (game) to stand up to the strong forces (in the arena) that are influencing the game and the performance of the players/planners it will have to be strengthened, respected and reinforced in order to 'fight back the dark side of apartheid planning'... and to (re)shape and nurture the spaces, places and faces.

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Planned informality as a by-product of the occupation: the Case of Kufr Aqab Neighborhood in Jerusalem North

Muna Dajani[1]
Daniela De Leo[2]
Nura AlKhalili[3]

The paper examines the planned mechanisms that the State of Israel is practicing on the Palestinians living in East Jerusalem, through displacing them into residual spaces. It will approach the discourse through presenting the policies imposed on Palestinians, and shall expand to focus on the spatial by-products of such executions. The case study is Kufr Aqab, which is the northernmost neighbourhood in Jerusalem, has been detached by the rest of Jerusalem through the separation wall and a military border crossing. Such apparatus has rendered Kufr Aqab as a space of legal and civil exception and an insecure setting between two hyper-secure environments. It seeks to contribute to the debate over informality via the Kufr Aqab case study.

Keywords: Planned informality, Displacement, Divided spaces, Occupation, Urban injustice.

[1] Birzeit University. Email: dajani.muna@gmail.com
[2] Sapienza University. Email: daniela.deleo@uniroma1.it
[3] Lund University. Email: Noura.Alkhalili@keg.lu.se

Introduction

This paper presents the case of a Jerusalem up north neighborhood, demonstrating the selective absence of the occupier as a mean to promote an unregulated process of violent dispossession and segregation. Such intended and planned lack of planning is aimed at weakening the civil status of the inhabitants by placing them at the margins of low living qualities, thus empowering their existence as an occupied population.

The process in producing and re-producing *informal spaces* allows the occupant and oppressor to structure its territorial control around this chaos, which then makes it easier to be removed and relocated (including the population present there) from the whole planning agenda.

The paradox in such a situation is the bouncing between the stiffness of building regulations imposed on the Palestinian Jerusalemites living in East Jerusalem, arriving to a severe level of impossibility in obtaining legal planning permits and the flexibility of the occupier to demolish those *illegal* houses, and in allowing the construction on the other side of the wall, both under the same sovereign, the occupier. Palestinians find themselves within a matrix of illegality, outside the legal planning framework when it comes to constructing their own houses in East Jerusalem, thus under continuous threats of demolitions and displacements, in search of any housing solutions that respond to their natural demographic growth.

Specifically, this case shows how among the effects of the occupation there is the intentional opposition to any formal process of urbanization. And then the production of informality is a mean to implement a clearer and defined *"Judaization"* and displacement policies at the larger scale.

Through the case-study we argue that the urban development in East Jerusalem is taking place informally (either inside or behind the Separation wall), without any formal rules and permissions, since the regulatory planning tools are able to underline and enforce the ties to the land and the statutory power of the occupied State.

In this perspective, the paper presents proofs and evidences of the correlation between lacking the regulations with the selective absence of sovereignty. It starts by giving an overview of the general context and situation in occupied East Jerusalem. The main focus is on the Israeli imposed policies that have influenced the Palestinian population residing there in terms of citizenship status and consequences based upon that. Then, the paper will reflect on the role of urban planning (presence and absence) in deepening the contestation of the city, by shifting the boundaries of the city (visible and invisible), which affect explicitly on the apparently informal and unplanned urban development as a whole.

Following that, the paper will present the case study of Kufr Aqab neighborhood as an example of a massive urban development, that seems to function without any regulations, but it is yet a clear effect of a unilateral action of the State of Israel in violation of the Palestinian Jerusalemites' rights. In this sense, the extensive housing development without any licenses has to be considered as a very important and serious manifestation of a by-product to the occupations' mere apparatus of isolation and displacement of the Palestinians in East Jerusalem. Thus, tailored urban planning theories and practices have to be produced to deal with this kind of planned informality under belligerent occupation.

Politics of Space: Re-drawing the Geographical Realities in East Jerusalem

Jerusalem is the prime example of cities deeply influenced by political and nationalistic aspirations through its urban policy making. Since the 1930s, the national struggle for Jerusalem began by the Zionist enterprise to claim Palestine as a national home for the Jewish people. In 1948, the partition of the city physically occurred and West Jerusalem became under Israeli control while the East part remained under the Jordanian rule.

In 1949, the armistice line or Green Line set the border between East (for the Arabs) and West Jerusalem (for the Jewish), by which East Jerusalem was adjoined to the Hashemite Kingdom of Jordan (West and East Banks at that time). In 1967, Israel conquered East Jerusalem and the rest of the West Bank from the Jordanian rule and annexed it to West Jerusalem. Such annexation gave Israel the full power over the land, in terms of spatial planning, housing policies, political arrangements and the re-drawing of the Jerusalem boundary (Khamaisi 2006; Khamaisi and Nasrallah 2006; Margalit 2006).

Since 1967, the state of Israel has been drawing on various territorial levels through adopting systematic spatial-demographic policies that influenced the organization and disorganization of the space in the aim of achieving its vision for the Greater Jerusalem Metropolis. This is being mainly achieved by playing the game of inclusion and exclusion; the first be including more Jewish settlements and the later by pushing Palestinian neighborhoods behind the separation wall. Both have been merely influenced by the elasticity of the Jerusalem boundary when it comes to Israeli settlements and to its rigidity when dealing with peripheral Palestinian neighborhoods. Such planned mechanisms have largely and explicitly altered the Palestinian socio-spatial fabric within a process of ghettoization and enclavization. East Jerusalem, which used to be the centre of commerce, trade, religious and cultural activities of the West Bank, is now under a systematic policy of exclusion, separation and despair.

Shrinking Palestinian Demography: Citizenship Status and Demographic laws in East Jerusalem

Since 1967, the Palestinian Jerusalemites living in East Jerusalem were given the default status of 'Permanent Residents' in Israel. Such status signifies that Palestinian Jerusalemites carry Israeli ID cards yet are not Israeli citizens and do not hold Israeli passports. Thus, their residency is under threat of confiscation if they fail to prove that their "centre of life" lies within the Israeli-defined municipality border of Jerusalem. The centre of life law, enforced by the Israeli government in 1996, stipulates that Jerusalemites must reside within the Jerusalem district limits in order to maintain their residency right in the city. This requires residents to prove that Jerusalem has been their centre of life by providing proof of payment for services and taxes to Israel[4].

The 'Permanent Residency' status has its own consequences on Palestinian Jerusalemites, not holding an Israeli citizenship leaves them without rights to participate in the Israeli Parliament (Kennest). However, they are entitled to participate in the municipal elections, yet they cannot candidate for Mayor or high positions. It is essential to mention that most Palestinian Jerusalemites have to date preferred boycotting the municipal elections as a manifestation of their refusal to recognize the Israeli occupation or forced annexation (Khamiasi 2007).

Therefore, the Palestinian Jerusalemites are absent from the planning system in Jerusalem. Their permanent residency does not allow them to have prominent jobs in Jerusalem especially in positions that are related to the city planning and development[5]. Most of the plans prepared and authorized were prepared by Israeli planners and follow the planning standard and guidelines determined by Israeli policies to fulfil the territorial, demographic and governmental Israeli national and municipal goals (Khamaisi 2011).

[4] Since 1967, Israel has revoked the residence of over 14,000 Palestinians who have not complied with this law, by living outside of the municipality borders. According to the Israeli Ministry of Interior, 4,557 Jerusalemite IDs were revoked in 2008, while 8,700 persons between years 1967-2007 (JLAC 2012).

[5] In the year 1988, the "Authority for Developing Jerusalem" law stated that it is not allowed for a non-Israeli citizen to serve as a council member or to be in the management of the "Authority for Developing Jerusalem", which has powers in everything related to planning and city development.

Furthermore, to ensure that a Jewish demographic superiority is maintained in the city, a policy of "demographic balance" has been adopted by the State of Israel aiming to limit the Palestinian population in Jerusalem to a percentage of 30% of the city's total population versus 70% Israelis. This has of course been reflected on the spatial planning of the city of Jerusalem, mainly by expanding the city's municipal boundaries westward. In addition to an accelerated development and construction of Jewish neighborhoods in West Jerusalem and Jewish settlements in East Jerusalem, this has been a crucial attempt in limiting the natural development and expansions of the Palestinian neighborhoods.

Another hinder to the natural growth of the Palestinian population in East Jerusalem is through making it impossible for the family reunification since 2003. The 'Permanent Residency' status is not automatically transferred through marriage[6]. This has as well created severe problems in the registration of children where one parent is a Jerusalem resident and the other is a resident of the West Bank or Gaza Strip. Therefore, many Palestinian families failing to obtain the family reunification have been forced to live in an area that provides them with the requirements of proving that they live within the Jerusalem municipality limits but also offers a legal base for the Palestinian ID holders who are members of the family (OCHA 2011).

Such demographic mechanisms inflicted on the Palestinian population continue to have several explicit effects on the organization of the space in East Jerusalem. The utilization of specific territorial policies as instruments to weaken the Palestinian land control had its severe influences on intensifying the segregation and confinement of the Palestinians neighborhoods, as well in deepening the invisible division and inequalities between East and West Jerusalem.

Urban Planning as a Powerful Apparatus to Re-draw the Jerusalem Boundaries

Urban planning in East Jerusalem falls under the dual authority of the Jerusalem municipality and the Jerusalem district of the Ministry of the Interior. Generally speaking, with the highly centralized Israeli nation state, little space is foreseen for citizen-based urban development, especially in the highly contested city of Jerusalem. Urban space management and development remains heavily controlled and supervised by the centralized governments with little involvement of the local population (Khamaisi 2007). The Palestinian Jerusalemites are thus dominated by policies and spatial planning regulations over which they have no control, and their quality of life is severely restricted and highly altered due to these decisions (Pullan 2009).

Since 1967, the planning and development needs of the Palestinian population have been systematically ignored (Bimkom 2005). The authorities have adopted a range of planning policies and measures that have constrained the development of Palestinian neighborhoods in East Jerusalem. The Israeli Authorities issue around 1000 building permits annually in East Jerusalem for the 270,000 residents. With only 13% of East Jerusalem currently zoned for Palestinian construction[7], and the fact that most of this area is already built-up (densification is not even allowed), Palestinians are discouraged from applying for building permits because of the difficulty of obtaining it and the very expensive process it entails, which could last for years.

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[6] The Palestinian population living in the West Bank are not allowed to reside in East Jerusalem and visits are allowed through obtaining permits to enter Israel that are rarely issued only for exceptional reasons like medical treatment.

[7] The total area of East Jerusalem is 70.5 km2, by which 24.5km2 (35%) are expropriated for Israeli settlements, 15.48 km2 (22%) are zoned for green areas and public infrastructure, 21.35 km2 (30%) are unplanned areas, and 9.18 km2 (13%) for Palestinian construction (OCHA 2011).

Therefore, Palestinian residents are forced into building illegally inside the East Jerusalem neighbourhoods and face demolition orders, imprisonment and fines, which has led to severe housing shortage.
To further enclose Jerusalem, the Israeli authorities have prioritized the construction and expansion of the Israeli settlements[8], at the expense of the natural expansion of Palestinian neighbourhoods[9].
Even though, the construction of the settlements in East Jerusalem has been in contravention of the international law, yet the State of Israel has used such urban development in order to achieve the *"Judaization"* of the entire of Jerusalem and lower the division of the city by making it the capital. In other words, establishing a substantial Jewish presence throughout the parts of the urban area occupied militarily in 1967, as to make the redivision of the city impractical, in favour of the Jewish presence and supremacy (Bollens 1998).
The construction and development of the Israeli settlements has occurred on three different layers, inner, municipal and metropolitan (OCHA 2011):

- an 'inner layer': Land and property also expropriated from Palestinians to create settlements in Palestinian residential areas, the 'Holy Basin' area;
- a 'municipal layer' including some of the largest settlements in the Occupied Palestinian Territories, with population of approx. 200,000;
- a 'metropolitan layer' constructed in wider area of Jerusalem.

All the aforementioned has been directly controlling the Palestinian built-up areas and strangling the Palestinian residents in over-populated neighbourhoods that suffer from inadequate infrastructure. Such crisis results from the lack of appropriate urban planning, which takes into account the informal, dense and under-serviced reality of most Palestinian neighbourhoods, and the insufficient investment in public infrastructure and services (OCHA 2011).
In addition, one of the most common planning tools to restrict Palestinian construction in East Jerusalem is the designation of areas within the boundaries of the local plan as open landscape areas (green areas and national parks) on which no construction is allowed[10].
Finally, the separation wall around the city of Jerusalem has cut through Palestinian neighborhoods, separating Palestinians from each other before separating them from the Israeli population and neighborhoods.
Thus, the separation wall did not only act as a security "barrier" between Palestinians and Israelis, but rather as a demographic structure annexing more land with the minimum Palestinian localities. With the erection of the separation wall and the establishment and redefinition of the Jerusalem municipality boundaries, many "periphery" neighborhoods of the city have been forced to adapt new geo-political realities and function as enclaves of inhabitance, in other words, *residual spaces*.

[8] These settlements today in East Jerusalem are homes to approximately 160 000 Jewish residents. Since 1967, 88 per cent of all housing units built in east Jerusalem have been built for the Jewish population (B' Tselem 1995).
[9] According to Bimkom (Planners for Planning Rights), the shortage in housing for the Palestinians in East Jerusalem has arrived to almost 10,000 housing units. It is expected that this shortage will increase with a rate of 1500 housing units/year. Further, house demolitions in East Jerusalem have arrived to 2000 Palestinian demolished houses since 1967. (Bimkom 2012)
[10] The Jerusalem Municipality prefers National Parks to neighborhoods for the Palestinian residents in East Jerusalem. According to Bimkom, The designation of land as a national park is a powerful and unjustified planning tool that is harmful for the population of East Jerusalem. (Bimkom 2012)

An intentionally: "Informal" Jerusalem neighborhood under the occupation

"Israel has transformed urban planning into a tool in the hands of the government whose object is to prevent the spread of the non-Jewish population of the city. This was a cruel policy, if only by reason of the fact that is disregarded the needs (not to mention the rights) of the Palestinian residents. Israel regarded the institution of a stringent urban planning policy as a way to restrict the number of new houses being constructed in Palestinian neighbourhoods, and thus ensure that the percentage of Palestinian residents in the city's population – 28.8% in 1967 – would not increase. If we permit 'too many' new homes to be built in Palestinian neighbourhoods, that will mean 'too many' Palestinian residents in the city. The idea is to move as many Jewish residents as possible to occupied East Jerusalem and to move as many Palestinians as possible out of the city altogether. Housing policy in occupied East Jerusalem has focused on this numbers game". (Chelsin *et al* 1999:34)

Evidently, Israeli planners and decision making circles within the Israeli government have utilized urban policies to weaken and hinder Palestinian presence in the city (Bollens 1998). Therefore residual spaces have been designated to host the displaced mobile demography and create an illusionary sense of existence within a *"Permanent Temporariness"* status of inhabitance.

With the impossibility of obtaining a building permit in East Jerusalem, a severe housing deficiency has emerged. Alternatively, many have decided to move to neighbourhoods where the building regulations are non-existent and the residency status can be somehow maintained through paying for taxes to Israel in addition to being able to live with their Palestinian ID holder spouses.

Those neighborhoods have been shifted – all around Jerusalem[11] – behind the separation wall and contain a total population of 90,000 Jerusalemites who are under the constant threat of losing their residency rights in the city (CCDPRJ 2012).

One of those residual spaces is the Kufr Aqab neighbourhood, which has been gradually excluded from the boundaries of the city. It is an East Jerusalem neighborhood, at 14km distance from the Old city of Jerusalem and 4km distance from Ramallah. It is one of the main neighbourhoods witnessing the Israeli planning attempts to displace the Palestinian Jerusalemites into areas that are undergoing exclusion from the city of Jerusalem.

Actually, the total area is under two different Jurisdictions: the 30% (1.8 km^2) is under the Jerusalem municipality, and the rest 70% is classified as Area C[12] (part of the West Bank) of which 2.5 km^2 have been confiscated for settlement expansion and the erection of the separation wall. The segregation wall forcefully separates through this area from the rest of Jerusalem since 2002. Since then, the inhabitants of this area require crossing the main Qalandia military border crossing to reach Jerusalem, which is a daily nerve wrecking journey that could take hours instead of few minutes. Kufr Aqab is also located next to Qalandia refugee camp, established in 1949 on 0.35 km^2 of land. Most people refer to Kufr Aqab neighborhood *'as another form of a refugee camp but with very high buildings'* (Personal interviews 2012).

With such an influx of population to the ever expanding Kufr Aqab neighbourhood in the last 6 years, the number of inhabitants increased from almost 7,000 to 60,000 and the urban fabric boomed through a totally chaotic and uncontrolled urban development process because it became "the temporary alternative solution" for 60,000 inhabitants.

[11] For instance, this includes Ras Khamees, Shufaat Refugee Camp, Dahiyet al Bareed and others.

[12] Area C constitutes 60% of West Bank, it is under both civilian and military control of the Israeli Forces. Area C contains all the natural reserves and resources of the West bank.

Kufr Aqab neighborhood is resembled with endless rows of towering buildings, average of 10 stories apartment blocks with commercial shops on street level all sharply adjacent to each other, almost like a row of matchboxes lined one after the other waiting to be pushed as to fall apart like a Domino. The streets are full of signs announcing vacancies for sale. The area is almost contaminated with the daily burning of garbage that is hardly ever collected, it lacks proper infrastructure, and most streets are not even asphalted. Streets and parking spaces are dominated by cars with the Israeli (yellow color) plates, yet none of the strict Israeli traffic laws seem to apply there: cars driving in the opposite direction on the high speed road, cars and transporters parked in every direction possible.

The aggressive urban development has reached its peak in 2009-2010, and has been deliberately ignored by the Municipality of Jerusalem regarding the unlicensed construction. The contradictory ease on buildings' construction in Kufr Aqab neighborhood, with respect to that in East Jerusalem neighborhoods, inside the wall, it has been obviously facilitated by the Jerusalem municipality. The municipality has carefully planned to allow for a space which provides an opportunity for construction of buildings without any legal supervision, thus, making the area a major attraction to Palestinian Jerusalemites who are looking for a housing solution responding to the severe crisis present in their original neighbourhoods in East Jerusalem.

Nevertheless, such planning mechanisms have rendered Kufr Aqab as a space of legal exception (no law enforcement on the extensive construction process); a space of civil exception (public services are not rendered by the state of Israel via Jerusalem municipality or in some cases rendered far below required capacity), and an insecure environment between two hyper-secure environments (East Jerusalem and Ramallah). In fact, with the exclusion behind the wall, the provisions of services from the Jerusalem municipality have dwindled under security pretences and left thousands of residents with inadequate water, electricity, sewage and other vital infrastructure. Kufr Aqab inhabitants, although paying taxes to Israel, receive little to no municipality services including infrastructure development, health and public facilities.

In this context, the Jerusalem North Committee (JNC)[13] has emerged in response to such conditions. The JNC was established in 2011 by the residents of Kufr Aqab to resist the reality imposed on them. Confronting the municipality's inaction towards them, the committee seeks to confront the municipality through legal means and focus their campaigns on services that are lacking in the neighborhood. This has resulted in their success to increase the waste disposal and management plan and increase the number of bins allocated for the neighborhood in addition to a larger working force to manage the solid waste.

Currently, several more campaigns are being carried out to hold the municipality responsible for proper public services. Thus, the JNC aims to re-establish the status of this neighborhood as part of the Jerusalem municipality's boundaries therefore holding it responsible for the services provided and the wellbeing of the residents.

A deeper meaning of informality, without choice

Externally, Kufr Aqab is a neighborhood that is undergoing rapid exclusion from the city boundaries by the separation wall, and the continuous attempts of the municipality to disengage and cease its responsibility towards the residents of this neighborhood (CCPRJ 2012). Moreover, from the internal perspective, the massive urban development puts forward different urban dramas in terms of the quality of the urban fabric and in the provision of the basic services.

[13] We met the members of the committee during the survey and personal interviews (with the JNC and other inhabitants in the area) conducted in Kufr Aqab between the periods March-July 2012.

Eventually, this process of forced dislocation entails weakening the Palestinian inhabitants' status to mere permanent residents rather than citizens in a quest to appropriate land without appropriating the people on that land.

The intended silence of the Jerusalem municipality on the urban development in Kufr Aqab has attracted people to act individually to function without any legal status and embark on the construction process as a response to the housing problems in East Jerusalem associated with the so called 'Jerusalem ID card dilemma'. The Palestinian Jerusalemites, in fact, are obliged to pay their full taxes to the Jerusalem municipality as to maintain their permanent residence within the Jerusalem municipal boundaries, yet in return hardly receive any of their basic civil rights, placed at the margins of a severe political instability that is vague and not clear.

All the aforementioned Israeli regulations, at the local level, have the complete power in creating such a dilemma and leaving the Palestinian Jerusalemites in a situation, requiring them to temporarily manage this dilemma rather that finding a stable and permanent (good) living condition.

In this sense, the production and re-production of city without the urban planning regulation is presented as a by-product of the occupation; even as the case represents, there is a form of reaction from the population that, despite the hardship, is organized to find a solution to their hardships and striving to claim more rights.

The complex and paradoxical reality that exists today in Kufr Aqab can be highlighted also by two poles. The first is the deliberate and systematic plan of the Jerusalem municipality to push Palestinian residents to the margins, attempting to cease their responsibility towards the residents as much as possible. The second is highlighted by the resistance and activism carried out by the residents in Kufr Aqab to oppose this silent transfer and exclusion. Nevertheless, we considered that the neighborhood has been extensively 'developed' also as a reaction to the status quo Israel is trying to impose on the East Jerusalem residents. Even if, in any case, they are without freedom to choice: 60,000 inhabitants accepting all the aforementioned circumstances as they find themselves trapped in this vicious cycle of maintaining their minimum right as permanent residents in Jerusalem within such an awful and aggressive environment as well within such political unsteadiness and insecurity (Personal interviews 2012).

Finally, by a larger reconsideration to the general condition of the Jerusalem urban development policies and their trends, this case study shows clearly how the urban development in East Jerusalem takes place without any formal rules and permissions, mainly to avoid the recognition and the acknowledgement of the statutory power of the occupied State and the Palestinian's rights to their own land.

Through Urban planning schemes against the Palestinian Jerusalemites, the Jerusalem municipality combined laws and an intentional unplanned strategy that is driving the whole population to the periphery areas, with a future plan to hand over the space and inhabitants to become part of the Palestinian Authority. Moreover, the Israeli authority would achieve the demographic balance by expelling Palestinian residents outside of the Jerusalem boundaries without making any political agreements over land authority and power. Over all, it demonstrate how the lack of urban regulations and requirements constitute the main features of the unilateral statutory sovereignty of the occupying power

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Extreme planning
Can You Tame a City in Conflict?

M. Hassan Ebrahimi[1]

This paper aims to explore the premises and working limits of planning activities and the role of planners within a potentially "extreme" circumstance. "Extreme" in this context refers to situations that emerge after popular uprising or successful revolution when a new ruling class comes to power. Here it will be noted that cities, as the spatial manifestation of changes of power in society, reflect the modes, ideals and requirements of the new people in power. It will be argued that it is perhaps a highly unreasonable assumption to expect planners and planning institutions to withstand the enormous and of the long overdue demands of those who now occupy the seat of the government. In these circumstances, cities are the prime locations in which the expectations and perceived world view of the new dominant classes will be manifest. Planners are on the front line and are given the chance to deliver these demands, not to curb them, not to tame them.

Keywords: City**, S**ocial change, Extreme planning, Iran, Urban conflict.

[1] Planning Research Institute (PRI). Email: planista@hotmail.com

Introduction

Planning is described as 'a state-related strategy in the creation and regulation of space, populations, and development' (Huxley &Yiftachel 2000:107). To make use of their professional knowledge and to make 'rational' decisions, planners conventionally deal with three issues of 'regulations', 'consultation' and 'negotiations'. Of course, in some cases, there may be an extra element of 'corruption' involved which can be viewed as an informal type of political influence on the routine application of regulations. The latter can indirectly affect the process of negotiation, consultation and the application of regulations.

Planning establishments emerge and function where an agreed bureaucratic order is in place. The 'power' of planning, therefore, lies in working with and within the political system, such as ministries, local government agencies and municipalities.

In cases of social upheaval or drastic political change, however, where these preconditions might be absent, planners and planning departments are faced with the unknown. Such events, once successful, result in a new political order and an imperative to set up new priorities and requirements that necessitate an urgent response.

Here, the extent and scope for the application of the conventional 'rationality' and professional traditions may be severely limited; and the function of planning departments might be reduced to a technically utilisable tool with a narrowly defined margin of power to act.

In recent years, and due to the rapid expansion of urbanisation around the world, cities have become the scene on which such emergency situations have played themselves out. In fact, the majority of demands and forces of change have emerged from cities in which resources and opportunities are not equally distributed. Social upheavals of this kind come to the fore primarily because of a desire for 'change' and often in opposition to attempts to 'tame'.

The new elite, emerging after the success of these events have their own ideas, whims and visions of how the city and society have to be formed. The level of abrupt and potent 'power' brought to bear, here, is not what planning establishments are conventionally accustomed to dealing with.

Planning in extreme is, therefore, concerned with the fate of planners in the immediate period after a drastic social change where the boundaries of 'power' itself is undergoing change, in which the routine norms, regulations and existing planning establishments may be scrutinised, re-defined or totally re-structured.

Planning and power: A background

The proximity of planning and political institutions, both, in a so-called 'democratic' framework or as a part of a central planning system has given rise to the constantly evolving theoretical paradigm of the relations between power and planning (Forester 1987:51-58).

The synoptic or 'rationalist' tradition of planning developed from the Fifties onwards, paid little attention to the question of 'power' and its effects on planning activities. It was during the Seventies that the writings of the "incrementalist" school of planning implicitly acknowledged its presence and importance (Hudson 1979: 389). Later, other critics elaborated on this field of enquiry noting that 'rational' decision making is not a possibility without paying attention to 'political realties'. As Forester (1989:3) has noted:

'Planners do not work on a neutral stage, an ideally liberal setting in which all affected interests have voice; they work within political institutions, on political issues, on problems whose most basic technical components (say, a population projection) may be celebrated by some, contested by others. Any account of planning must face these political realities.'

The emphasis, in this view is that planning activity 'only' becomes 'rational' if it takes the 'power' structure into account in any given circumstance.

'Only if the practical context of power relations, conflicting wants and interests, and political-economic structures are assessed clearly can planners respond to real needs and problems in anything approaching an actually rational, if not textbook-like, way'(Forester 1989:7).

Planning theory has moved on since those early comments and current debates in planning theory are to some extent focused on the benefits and disadvantages of the two dominant approaches based on opposing philosophical backgrounds.
During the Nineties suggestions were made that Habermasian communicative rationality could be a 'new paradigm' in planning theory which could provide a basis for dealing with the question of 'power' in this field (Innes,1995). By recognising the existence of various conflictive forces and interests within the planning process, the advocates of communicative or collaborative planning (Healey,1998) have suggested that 'any viable and meritorious approach to planning must include a process which enables differing people with differing theoretical perspectives and substantive interests to engage their differences constructively'(Throgmorton 1999: 69). But ultimately, it is the planner that is at the centre of a communication web and pulls the strings of various agencies, making the whole system work.

'…It follows from this premise that planners should analyse and understand how communication takes place and what they themselves are doing when they engage in negotiations in their offices or in public mediations. The common thread in the communicative field is the interest in, and primacy given to, understanding the communicative actions of planners, and of individual, group, and community interactions.' (Huxley and Yiftachel 2000: 103)

Critics of this approach, however, have argued against the suitability of communicative theory for its particular way of treating 'power'. It will be more effective, they propose, if planners could resort to Foucauldian ideas and face political 'power' with professional 'power'; i.e. to utilise their professional knowledge as a means of 'power' to achieve their goals.
As Foucault's ideas place 'conflict and power' at its very heart, according to these critics, it can provide a more appropriate ground for planning theory to grasp the events at the real world.

'.. Conflict provides a superior paradigm to planning theory than an understanding that is discursive, detached and consensus-dependent. .... Planning is inescapably about conflict: exploring conflicts in planning and learning to work effectively with conflict can be the basis for a strong planning paradigm …' (Flyvbjerg 2002:62).

The notion of 'conflict' as noted above, to a large degree still refers to the clash of ideas and interests within an established planning system, either democratic or central. The nearest planning theory has come to referring to 'extreme' situation, is perhaps the remarks in the World Bank's report entitled 'Conflict, security and development' in which the negative impacts of persistent conflicts, including disputes, political repressions and their post-conflict consequences are discussed (WDR-2011).
Planning in 'extreme' deals with a similar premise, in which both the advocates of Habermasian and Foucauldian approaches of planning seem to be out of touch. In extreme cases, the efforts of the first group in creating a consensus by communicative methods among the new elite who have just attained power, is likely be very ineffective.

Similarly, attempts by the Foucauldian camp to resist the whims of the new order would provoke harsh reactions among the new elite, threatening to obliterate the hitherto existing planning establishment altogether.

It is likely that neither of these approaches would produce any expected results for planners involved in an extreme situation. The first group would be deprived of their conventional means of 'communication' and the premises of action, such as rules, regulations and an established administrative hierarchy. Attempting to utilise professional knowledge as a means of 'power' would also be doubtful; the rationality of its application when facing the brute force of a social upheaval, where armed revolutionary groups are in charge of daily affairs, would be highly questionable.

Planning in extreme: A Historical review

To arrive at their ultimate decisions, planners have to deal with three categories of issues; regulations, negotiations and in some cases, corruption. Their professional knowledge is customarily used to adopt or devise an optimum set of rules to achieve a consensus among the various interest groups involved in a given course of action.

While the main body of planning theory surrounding with question of power has focused on studies relating to routine situations where the first three, and perhaps in some cases the forth element are present, extreme scenarios have gone unnoticed. But if the period of a drastic political change is examined, one would see that all of the above elements are at hand yet in turmoil. This is the period in which the validity of regulations, norms of action, and possibility of negotiation among the equals are in doubt; and the violence, as a variation of corruption is in attendance; this can be interpreted as the corruption of power as well.

A cursory review of the formative years of central planning system in the Soviet Union and its allies demonstrates a classic example of what an ideologically motivated political upheaval can do for the planning establishment. While Howard's idea of 'garden towns' was on the agenda in the years prior to the Socialist Revolution of 1917, the Russian planners went through an intense period of rapid change in order to function as planners for the creation of a socialist city and society. This was a traumatic period in which new planning rules, procedures and bargaining power mechanisms were just evolving (Nilina 2006: 33).

At the same time, while they had no clear procedural basis to act, their partners in negotiations were a revolutionary party determined to deliver its own ideal city to the masses. The goal, set by the Party for the planners, was to create a 'socialist city' in which a collective lifestyle was dominant and all the citizens were involved in socially sanctioned and productive works. The envisaged model was supposed to be an 'economically efficient' and 'socially just' environment in which all citizens had equal access to resources. The capitalist notions of individualism and personal profit making endeavours were to be replaced by 'selflessness and dedication to the collective good' (Nilina, 2006& Andrusz, 1996).

But aside from all these utopian ideals at the forefront of the minds of the new elite was the need to consolidate their rule by any means, and prioritise schemes that helped to maintain their power over the society. In their attempt to create a unanimously socialist society, the Party used force to suppress any political opposition and drew the entire population into the web of suspicion, paranoia and insecurity. Using force as a lever, and revolutionary fervour as a malleable energy source, the Party engaged in the destruction of the remnants of the pre-revolutionary society and its social relations, and created a new way of life complete with a new set of institutions (Nilina 2006:95).

The same ideals- a system of central planning and political motives- were copied elsewhere in socialist countries and the planners involved followed the example set for them. In some cases, the historical parts of the cities were demolished to make space for ideologically required urban spaces.[2] Planning establishments were so immersed in their own duty bound profession that no serious attempts were made to show their concern to preserving their own urban cultural heritage (Abitz 2006:37).

The overall picture observed through these and similar historical experiments in building a socialist and ideologically defined city, is that power of planning systems are greatly diminished and the role of planners is reduced to that of technical assistants to political masters.

No modern Socialist city was really built and no class-less urban environment was actually created. Interventions of socialist planners in their own cities was often a re-arrangement of the urban space in such a way that 'less privileged people were accommodated in high density, mechanically designed housing estates or moved to new towns that were designed in the same way'. Although the 'existing urban areas were divided among the new elite according to their ranks and positions' (Andrusz,1996).

In the aftermath of socialist revolutions, historically speaking, planners were working in an extreme situation in which the ideological forces had gained control of the planning establishment and run them regardless of the professional norms and theoretical knowledge. It is abundantly clear that it is only after a new political order is securely in place and other immediate acts of power, necessary to determine the new social hierarchy, have come to an end, when the planning system itself, as a part of an overall government apparatus, starts to respond to the needs and realities of the society. Planners, as such, have with no real basis of power. They are hard-hit in the beginning, and turned into the tools of the ruling party afterwards.

Iranian case: Revolution and planning

In the late 1950's, the real age of rapid urbanisation in Iran began to make an impact. An ever-increasing number of rural population areas started to migate to the major cities in which newly created services and industries required an hitherto unprecedented number of workers. The basic infrastructure, particularly in the housing sector, was not ready to accomodate these newcommers seeking jobs and better living standards. The result was a number of densely populated and spreading shanty towns surrounding every urban centre which in turn created a constant point of conflict between people and authorities, potential clients and urban planners.

The scale of this underlying confrontation is evident from the available statistics which shows that the number of urban inhabitants in major cities doubled almost every decade. The population of the capital, Tehran, for instance, grew from 210,000 in 1922, to 1.5 million in 1956. By the dawn of the revolution in 1978, this growing number of city dwellers had exceeded four million. Iranian political regimes, both before and after the revolution were unable to tame the city and greater Tehran now has a population of over 12 million. (Hesamian, 2008).

In broader perspective, between 1950 and the late 1970s, more than 11 million people, equal to 13.1% of the whole population, had migrated to various major cities like Tabriz, Shiraz, Isfahan and Mashhad (IOS, 2010). The ratio of urban to rural population, from 30 to 70 per cent in 1956, has now reversed and more than 70 percent of the population live in cities (Iscanews, 2010).

[2] Destruction of the old urban monuments and cultural symbols, replacing them with the new land-marks, changing the composition of the residential areas, and redistribution of urban land among the supporters of the regime are common phenomena in a number of countries that have experienced drastic social changes.

What was the reaction of the Iranian planning establishment to these changes, one might ask? What was their approach on facing such an historical transformation?

Planners and 'consensus' over urban land policy:

For the Iranian urban planners during the Seventies 'urban land' became a major issue. It was recognised as the decisive factor in controlling the rate of urban growth and channelling the movement of the rural-urban population. There was a 'consensus' between the politicians, municipal officials and planning establishment that in the absence of accommodating urban infrastructure, adopting effective land policies would bring about their desired result of curbing the rate of urban growth in Iran.

Iranian urban land policies, from 1950s onwards, can be seen as classic examples of a 'rational' planning establishment aiming to control a process of rapid urban expansion through its internal 'consensus'. In fact, during the period from 1948 to 1962 (both falling within the realm of the First Development Plan (1948-1956) and the Second Urban Development Plan (1956-1962) urban land procurement was a non-issue. Planners did not seem to be alarmed by the current rate of rural-urban migration and the subsequent rate of urban growth. The situation seemed manageable. The general consensus was that traditional market forces would take care of it all.

From the Third Development Plan (1962-1976) onwards, however, land issue became a dominant topic of legislation and a focal point for urban housing policies. Early instances of 'comprehensive urban plans (CUP) were produced from 1966 onwards, showing a growing tendency towards providing the government with a legislative basis of action over the urban land issue. Municipal authorities were then encouraged to use the (CPUs) to determine the directions of ongoing urban developments, by enforcing control over the way urban land-use plans were devised by planners.

Two years before the revolution, in 1976, it was proposed that a 25-year exclusion zone should be drawn around the major cities. On the basis of this boundary, all urban development projects had to be controlled and any 'illegal' construction beyond that not to be permitted (Keivani, 2008).

The envisaged patterns of urban land-use, exclusion zones and controlled housing developments, however, were not able to withstand the ever-increasing wave of rural-urban migrants. The proposed plans, urban limits and designated land-uses were brought down, together with Iran's entire political system, by the very people that planners aimed to control. The urban poor, in search of access to a better life, became the strong arm of the revolution in which they finally gained, what, the new leaders argued, had been denied to them through legislations and planning control measure.

Immediately after 1978, the revolutionary government established one of its first organizations, the 'Housing Foundation'. The re-distribution of public urban land and the abolition of the urban exclusion zone were also among the first measures that the new administration adopted, and with it handsomely rewarded its supporters with almost complete access to urban land.

There was an overall ideological justification for all of these changes. The goal, set by the supreme leader for the planners, was to create an 'Islamic society' in which a religiously motivated lifestyle was dominant and all the believers were involved in divinely sanctioned and approved occupations. The envisaged model was supposed to be an 'ideologically sound' and 'socially just' environment in which all the God-fearing people had equal access to resources. The capitalist notions of individualism and personal profit making endeavours were condemned, and the authorities promised to create an urban environment that was dominated by selfless deeds, in the cause of the God. This goal still remains to be achieved.

In the early decade of the revolution, there was no 'consensus' or indeed need for it, between the government and planning establishments.

The planning organisations were treated as if they were the oppressing tools of the previous regime by depriving the poor from their share of communal resources. In this environment, the planners of the Ministry of Housing, Planning and Budget Organisation (PBO) and related offices had to do what was required of them, according to the new rules of the government. Planners followed these rules even with some degree of professional regret that why they have not being able to attend to the urgent needs of the urban poor earlier.

Dissolution of MPO

After three decades, the unwelcome legacy of mistrust and the lack of 'consensus' between the planners and revolutionaries surfaced once more in Iran. The case of the abolition of Management and Planning Organization (MPO) in Iran is a noteworthy example of planner's choice to resist or co-operate with political pressure in extreme circumstances. It demonstrates that finding a solid ground for opposition, where the customary context of planning theory is disturbed, can be very a risky procedure. Particularly when it occurs within an environment in which the new elite is not accustomed to the conventional concept of 'consensus', where it is determined to enforce its own views and orientations over the conventional or rationally devised planning rules.

The establishment of this central planning institution in Iran has a sixty year history, going back to the economic chaos in Iran, following years of gradual occupation from 1943 to 1946. The subject and necessity of establishing a regular body to undertake economic planning in Iran came about within a decade after the World War II.

Based on recommendations made by and borrowing from the World Bank for carrying out structural reforms, the Iranian government established a central office for devising national development plans in 1948. This centre, later named the Planning and Budget Organisation (PBO), was in charge of the supervision and approval of economic and urban development plans in Iran from that date onwards. As a supervisory body in control of devising and distribution of yearly budget, as well as producing consecutive development plans every five years and monitoring their proper implementations, the PBO was envisaged to be a separate entity from the other ministries and state administration. Its relative independence was the key factor in its structure, enabling it to assess and evaluate the government's performance and pay their approved budgets accordingly (Ansari, 2005).

In early 2006, however, and following the president's disagreement with MPO over the application of its planning rules and imposition of procedural requirements, the head of state decided to dissolve the institution for good. It was declared that MPO was oversized and bureaucratic, and therefore it had to be dissolved; its duties were divided between and merged with various other ministries under the president's rule. (Ebtekar Newspaper, 2007)

Initially, the planners involved and other decision making bodies reacted in anger and disbelief towards the proposed plan. Some MPs also added their voices to the dispute by declaring the proposed 'merger' of the MPO would undermine its original independent role, and perform as the government's 'brain'. It was argued that such an 'unqualified' decision would be 'doomed to failure' and had to be seen as 'dangerous' for the country. Other observers remained critical so much that a prominent Iranian economic planner stated that the president was not authorized to order an alteration or merger of such an important organization and it could only be done through the parliament. Calling it as an outright 'illegal' act, he called the decision a *coup de grace* of the structure of the national management organization, stating that the establishment of MPO was a result of fifty years of experience in 'scientific planning' in Iran, but it was the deliberate aim of the government to undermine its efficiency.

Furthermore, the government was accused of subverting the efforts of professional planners, and causing the MPO as a whole to go through decline in the years that this administration was in power.
The real objective, it was argued, was to gain total control over fiscal matters and to rid itself of a 'democratic supervisory body' at the same time. Thus the main objective of the administration was to rid itself of the monitoring role that was assigned to the MPO in the assessment and evaluation of the proposed economic and development policies of the government.
MPO's Chairman wrote a letter to the president outlining the repercussions of such a 'hasty' act and called on him to delay the implementation of the decision until 'the expert studies' were completed. But within the existing political structure of the country, the head of the MPO was no match for the head of state. He could bypass rational objections by mobilising its own centres of influence and dissolve the MPO nevertheless.
In response to these heated debates among the law-makers and professional bodies, the head of the Majority Faction in Economic Committee of the parliament promised a 'thorough study' of the government's decision would be soon undertaken to determine its 'potential consequences'. No such thorough studies were conducted afterwards. On the contrary, the Interior Minister, who inherited the power of budget allocation from the MPO, welcomed the changes as a 'great step' that was in line with the government's 'decentralization policy' (Payvand News-2006).

Conclusion: where do we stand now?

In his analysis of the Iranian Revolution of 1978, a contemporary Iranian philosopher and activist (Soroush-2012) had termed it a 'revolution without a theory'. By using this description he was alluding to the fact that, apart from its religious rhetoric and opposition to the social impacts of Modernity, this drastic social upheaval has had no specific theoretical ground or claims. This was contrary to other important world revolutions that, according to him, were firmly based on some new moral or political concepts and proposed to bring about a new social order. His comparison is of course, with that of the French Revolution of 1799, which sought to uphold the universal principles of 'liberty, equality, fraternity' or the Russian Revolutions of 1917, which claimed to be based on advanced philosophical understandings in which the ideal goal of humanity was to establish a socialist and non-class based society.
It can be argued, however, that although the Iranian revolution and other current political movements in the Middle East might not have started with some novel principles or had expressed their aims in such a clearly defined philosophical context, but they certainly have had their own rationally clear-cut propositions and goals. The theory behind these movements, although not very new in intellectual terms, one might argue, was most clearly to establish a new social order in which access to the withdrawn resources from the urban poor and underprivileged was facilitated.
Urban movements that have given rise to the current social upheavals in North Africa and the Middle East are also inspired by the accepted notions of 'human rights' and a legitimacy in opposing the forces that tend to limit them. Most visibly the aim of these demonstrators is to gain a legitimate recognition for living in cities without a fear of threat by various government agencies, and to share freely the benefits of urban life, most fundamentally access to work, health, shelter and education. The increasing rate of expanding urban centres and the speed of growing populations in these cities are among the direct causes of creating conflicts between the 'haves' and 'have nots' in these societies.
The majority of participants in these movements aim to break the existing historical barriers which certain groups of people are deprived of their now universally acknowledged rights of turning into citizens. And this is probably the commonly accepted 'theory' that some our commentators have neglected to observe.

In this perspective, people who set themselves on fire, take arms to revolt against the national army, and endure various sorts of hardships and imprisonment, do not necessarily need to act under a banner of some egalitarian principles to feel justified. These are the people who often have little to lose and possibly everything to gain if they succeed. Jobless migrants, the urban poor, hard-pressed employees in the public sector, political dissidents and the ethnically disenchanted are among those that have no way of getting themselves out of their untenable situation, unless to resort to revolt.

For the same reason, if and when these movements succeed and people in revolt ascend to the position of power, their primary aims are to access what had been denied to them for so long. They see themselves as reasonable and hitherto 'oppressed' people that deserve to enjoy the fruits of their struggle. They often have very little patience for professional and procedural obstacles tending to slow them down, or to 'tame' them, so to speak. These are the clients that planners face after a major social upheaval; where the structure of power is altered and shifted towards the newly emerging elite.

In this situation, all the current policies, norms and rules of a planning system in that given society are looked at with suspicion and distrust. After all, these were the systems and regulations that had blocked their access before. Planning systems may undergo drastic changes; its policies and regulations might be changed and sometimes completely reversed. The new elite would put forward their own ideals and ideas that might differ with those of the past. Here, cities are the scenes on which emerging new classes in commanding roles engage in power play with the legacy of the old system. This is probably not an easy case in which making a clear-cut choice between 'working with' and 'taking a stand against' can be made. Can planners take an impartial stand and wait for an opportunity to act by applying a notion such as 'room for manoeuvre' (Safier, 2002)?

What planners might consider as a solution is to adopt a dual view towards the extreme situation they find themselves in. Thus, they might prepare themselves to move with the flow of the events while keeping faithful to their professional ethos wherever possible.

In these circumstances, they may resort to taking a short and long term stand, as the current of events might change. In the short term, perhaps a time span of between five and ten years, the immediate needs of the emerging elite, their supporters and the topical requirements of the movement in general need to be addressed. The response to planning obstacles in this period would certainly be met by an unusual amount of force, if not with physical or institutional violence. This is the period of high ideals and hard decisions, quite often professionally unsound, where plans with unpredictable consequences can affect the fate of the planners involved.

It is mainly after this initial period, if a solid framework of social coherence and the rule of law is finally established, that one can expect a modified system of government and a newly agreed set of power relations to be established. In such cases, the newly formed factions and interest groups might start to compete for power and influence once more. Under these circumstances, a planning system might return somewhat back to its customary state of operation, within a regulated framework in which planners can possibly take sides with their related stands and utilise their professional power to advance their causes.

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Bio-Political Machines and Camps of Middle-Class Architecture of Tehran 1921-1979

Hamed Khosravi[1]

The paper addresses the history of the modern architecture in Tehran, which has been unfolded through series of political projects (and counter-projects), within which the new subjectivity of the self-conscious middle-class has been emerged. This reading evaluates the architectural evolution of the city in a cyclic process where resistance and autonomy come as the antithetical forces, marking the conflicts, which mobilize the history.

Keywords: Tehran, Bio-political Machine, Resistance, Architectural Form, Pahlavi.

[1] Technische Universiteit Delft, Delft, and Berlage Institute, Rotterdam, the Netherlands.
Email: h.khosravialhosseini@tudelft.nl.

Introduction

Tehran is one of the few (if not the only) contemporary metropolises, where the projects of the modern state are manifested explicitly through the spatial apparatuses. Despite reading the city through its complex layers and diverse metaphors, this paper engages with the city on a theoretical level; it takes a provocative position towards the city as such, which is preconditioned by a political understanding of the city as the formal structure of power. While the political engagement seems to have been forgotten by the profession, with its strongly political and complex history, Tehran would be a perfect example of the intersection of Design, Planning and Politics: it has been approached through the prism of several plans and ideas that mirror the relationships between the spatial models and the political wills of the time through various *political projects*.

The chosen way to reveal the dynamics of the city is to highlight the (possibility of) conflict as the very engine of paradigm shifts in the representation and the management of the city. Conflict will be read through the lens of *Schmittian* dichotomy[2]: between the sovereignty of the state and the movements, which contest its legitimacy, between norm and exception, between friendship and enmity, inclusion and exclusion.

In Tehran's case, the different centralized and sovereign political powers have always approached the city as the symbolic representation of the state's power. This process of planning/design, as the explicit act of political will, has consequently activated counter-forces: the city of Tehran resists being constrained and targeted in any ideological or practical framework. This relationship can be seen as a cycle of forces and counter-forces in which movements and reforms are able to enforce or overcome the dominant urban paradigm that reacts and transforms it in antithetical sequences of politicisation and de-politicisation. Beyond the image of Tehran as a metropolis, the city has always made manifest a certain rationale through its evolution.

The project of the city: form the *Hobbesian* to *Foucauldian* paradigm

Through the history, the holistic concept of city as a *project* has been arisen whenever an absolute power in the form of a sovereign state gets an explicit and operative dimension. In the crisis of paradigmatic approaches, the political reading of the city, indeed, aims to trace back series of spatial definition in which the fundamental concept of the city has been shaped, developed and manifested through. In fact the exercise of power in a territory has been always bound to the idea of exclusion; the autonomy of the state can only be maintained when it clarifies to whom it opposes. This idea shapes the very core of the Carl Schmitt argument when he defines sovereign as he 'who decides on the exceptions' (Schmitt 2005: 5). The project of the state, therefore, is first to subjectify the *others* and then to demonstrate the absoluteness of its own. This *Schmittian* dichotomy is basically rooted in the Hobbes' concept of state. Hobbes illustrates the state as an absolute power whose utmost task is to provide people safety and security. To sustain this relationship, the sovereign produce 'fear' in the forms of conflicts.[3] The need for security, therefore, makes people to obey the sovereign. In the other word, for Hobbes and Schmitt the source of political order lies in the possibility of conflict. In the *Hobbesian* paradigm, the sovereign state is the terrifier and the protector at the same time; it is depicted as a monster – the *Leviathan*–, which in fact is constituted out of the bodies of the people.

[2] C. Schmitt, *The Concept of the Political*, trans. G. Schwab (Chicago: The University of Chicago press, 1996).
[3] T. Hobbes, *Leviathan*, C. B. MacPherson (ed.) (London: Penguin Classics, 2003).

Holding all the juridical, political and social legitimacies, Hobbes' *Leviathan* comes very close to the image of God in the political theology, and thus the city becomes an 'earthly paradise'[4]. As the life of the *Leviathan* is guaranteed by the constant possibility of confrontations, this fact, nevertheless, implies very specific spatial configuration through which the political idea of city is spatialised: it instrumentalises the idea of border (wall) as the core of the projects on the city. This tension however is embedded in concept of its very architecture as separated autonomous objects in which their monstrous monumentality ought to represent the utmost order.
By the rise of the modern subject – Man–, the role of the power is not limited to the process of subjugation but must be seen as simultaneous project of subjectification and subjugation. As Wallenstein puts it:

'That power is something productive means that it is always both power *over* (application of an external force that moulds matter) and power *to* (the work of shaping a provisional self as a response to external forces); and its operations are always connected to a certain knowledge that is formed of the self' (Wallenstein 2009: 5).

In this definition, understanding Man as a '*living* being' will define a power relation that Foucault calls 'bio-power' or 'bio-politics'.[5] This power not appears anymore as a killer monster whose power is constituted in the right of 'taking or giving life', but it provides the security and safety through the 'administration of life.' In fact it is a productive power; 'the production of a bio-political body is the original activity of sovereign power' (Agamben 1998: 11). The mechanism of the power here is fundamentally different; 'the terms bio-politics and bio-power should then not be understood solely in terms of an action that imparts form to some amorphous mass, but as a complex of action and reaction, control *and* resistance. Therefore the problem of the city, which historically was the walled, secured and protected space comes as *environment* in which the representation of power is substituted by the economy and management, and the idea of urbanisation takes over the concept of city. Plans, as political apparatuses, utilise these forces to *manage* and therefore to govern the society. This form of management ought to guarantee the happiness of the society by conducting security and order, not in form of representation of power, but as the ordering and administrating machines (modern institutions) that maintain the political stability through enhancing the performance of collective *bios*: population.

The Middle-class in the Shaping

The political scenery of the nineteenth century Iran can be simply portrayed as the power game between two major players in the Iranian territory: Brits and Russians, best known as the 'Great Game'. The constant power shifts among those in addition to lack of an internal centralized, sovereign authority had led to an extensive political, military and economical manipulation of the foreign advisors in the Iranian political system. As a consequence, the legitimacy of the central power, and above all, the *Qajar King* as the political figure who was bearing the title 'Shadow of God', was weakened.

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[4] The word paradise (*pairi-daeza)* literally (and originally) means '*walled (enclosed) estate'*; it insists on the idea of the wall as the 'divider of space' when it defines what does/ does not belong to the dominant power (the owner). The wall here is not a defensive wall; the word '*daeza'* is literally rooted in a verb that means 'to construct from the earth' or 'to be made of clay'. It divides and separates therefore it produces space. The original description of Paradise in *Avesta*, explicitly illustrates an image of an earthly place. It signifies and has the sense of a dwelling place, defined by an earthen enclosure; the place where you should eat and wear clothes, the place that you should *live in*: the city.

[5] M. Foucault, *Security, Territory, Population: Lectures at the College de France 1977-1978,* trans. G. Burchell (London: Palgrave Macmillan, 2007).

This situation was explicitly apparent in the social and physical construction of the capital city. The first king of *Qajars* had chosen Tehran in 1786, as the capital of Persia. Despite the radical imbalance of social structure in favour of the royal family and the military forces, the physical structure of the city did not have any major transformation till the end of the nineteenth century. The architecture of the city was an amalgamation of European elements and traditional Iranian construction techniques. Even the exceptional structures and buildings, which were mostly palaces and residences of the royal family, did not have any role in the life of the city; they were either hidden in the isolated walled quarters (*Arg*) or were located outside the city in the countryside. Therefore, just like the political scene, there was not any representation of the central power in the architecture of the capital city. Though, the role of Tehran was not realized until the massive changes that happened during the late nineteenth century.

The increasing European penetration, which weakened the state, made the *Qajar* regime to initiate a series of military, administrative, educational, and judicial reforms. As the result the development of new institution caused the emergence of new social stratum of intellectuals. These changes were reflected in the new form of the city when in 1879 *Nasser al-din Shah* ordered to enlarge the boundary of the old Tehran. The new city had an 18-kilometre long octagonal wall, decorated with 58 spearhead shaped bastions, which were pierced with twelve gates. As it was clear, at the end of the nineteenth century there was no threat for the city to be defended; the extensive fortification was indeed the very first attempt of the king to express his will and power into an architectural manifestation. However the other new institutions such as *Polytechnique* School and banks were housed in the traditional buildings and they did not possess any formal structure in the architecture of Tehran.

The beginning of the twentieth century not only had a major impact on the global power balance but also radically influenced the Iranian political system. The global event of the First World War followed by the October Revolution of 1917 in Russia, fundamentally changed the foreign policies of the involved countries; the conflict of interests among the power blocs hindered their global missions especially in Iran. Moreover the constitutional revolution, which resulted the establishment of the parliament in 1906, empowered the nationalist forces and led to the coalition of the political fractions inside Iran in the form of political parties.[6]

However the uprising of *Reza Shah* (1921) can been seen in the scope of a series of the political shift in the global scale but also it was an inevitable step along a socio-political mobilisation of the Iranian society since the late nineteenth century. In fact the social movement of 1905-1911 was the spark though which, for the first time, the Iranian civil society was activated: it mainly addressed a particular group, the city dwellers. This grassroots movement became organised in the form of the Constitutional Revolution, and later on, found its socio-political position in the life of the society and therefore the city.

[6] In 1908 the first two parties were founded, under the name of Popular Democrats and Moderate Socialists. The Moderates who were in the majority, were nominally socialists (and were supported by the Russians), but the party represented the privileged class: the aristocracy, the rich merchants, and a few liberal clergy. They were in favour of gradual and moderate reform. The Democrats, the party befriended by the British, were a revolutionary party and were often accused by their opponents of heresy and atheism. Both parties rearranged themselves during the First World War and changed the directions: in 1921 some members of the old Democrat and Moderate parties formed a new Socialist party. Very soon the latter coalition divided in two fractions: a young Communist group in the direction of the Soviet Russia; and the other group mostly composed of the elder members of the former parties, were suspicious of both Britain and Russia and labelled themselves as Reformists. The Reformists were the majority of the fourth parliament in 1923 when Reza Khan established the new dynasty: Pahlavi. A. Banani, *The Modernization of Iran 1921- 1941* (California: Stanford University Press, 1961).

Streets and public squares of the capital, which previously were just used for the daily life of the citizens or the royal ceremonies, at that time became public stages for the meetings, demonstrations and rallies: the city was mobilised.

The major political event that has commonly noted as *Reza Khan*[7]'s leap towards officialising his power is the *coup d'état* of February 1921, while the unfinished Constitutional Revolution had set the stage for his political performance. However the period of *Pahlavi I* (*Reza Shah* 1921-1941) has been pictured by as a historical rupture which imposed a state modernisation project on the traditional-religious Iranian society of that time, here it will rather be read in a much wider and, at the same time, more inherent cultural project, as the project of *modernity*.[8] For *Reza Shah*, the key for overcoming this chaotic and charged socio-political situation lied in the extensive project of rationalization. His military background as the commander of Cossack Brigade helped him to find the fastest and effective means of intervention throughout the entire country. In fact, the ordering logic of the military discipline was expanded into every governmental and societal aspect through the administrative apparatuses.[9]

In 1922, *Mohammad Taqi Bahar*, a leading journalist, poet, scholar and politician of modern Iran, wrote in his article in the periodical *Now Bahar*, speaking of the absence of a modern and viable political principle as the chief deficiency of the reforms. He attributed this to the social structure of Iran and the absence of a politically conscious and articulated middle class.[10] In fact, there is paradigm shift in *Reza Shah*'s nature of power; emergence of a politically conscious society resulted in a shaping of a modern state with all its apparatuses. The concept of security, which traditionally defines the *Hobbesian* paradigm of the state, comes not any more as the matter of *taking* or *giving life* (war) but as *enhancement* and *administration* of the collective *bios*: population. The exertion of power therefore was exercised through the means of management to control and monitor the individuals. In this sense 'bio-politics becomes a privileged form of intervention, which is the condition of possibility for the discovery of the individual in political philosophy as a *subject* with all his rights and duties' (Wallenstein 2009: 13).

Among the modern governmental apparatuses that *Reza Shah* immediately developed was the management of the civil services. On December 12, 1922 the fourth parliament enacted the first law regulating civil service in Iran.[11] In fact, they established a new formal framework through which the new social class ought to be shaped and fit in the newly reformed society. It was evident that the new state's bio-political machines, in order to perform, needs to be productive. The production of the bio-political bodies was initiated in the project of formalisation of an urban middle-class.

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[7] Before coronation of 1923 and foundation of Pahlavi dynasty, Reza Shah was called Reza Khan.

[8] Max Weber characterized cultural modernity in terms of the separation of substantive reason, formerly expressed in religious and metaphysical world-views, into three moments, now capable of being connected only formally with-one another (through the form of argumentative justification).

[9] For example On June 6, 1925 the parliament passed the law of compulsory military training program. This law provided that every male citizen should be drafted at the age of 21 for two years of active duty, in uniform and under arms, in military service. Indeed this single law brought with it considerable social changes in the whole country. During two years of service, literacy classes were conducted, and attempts were made to provide rudimentary instruction in trades. The influence of urban life on the rural and tribal recruits proved so strong that upon completing their term of active duty they often remained in the towns. If they returned to their villages, they brought traces of the West with them: the sanitation facilities of the urban areas undoubtedly impressed them, and their uniform jackets and caps were the first examples of Western clothing the villagers had seen. But more important than these superficial changes were the effects on the young men of exposure to the more secular, Western-influenced morals of the city. A. Banani*, ibid.* pp. 55-56.

[10] See *Now Bahar*, no. 4 (October 1922), pp. 61-63.

[11] A. Banani, *ibid.* p.59.

The government employees and officials were no longer princes of royal blood but they, together with civil servants were the educated men who were shaping a true middle-class, who reclaimed their space in the city.

The City to Be Tamed

The capital city was the urgent problem to tackle; after the coup of 1921 and the change of the state, the first plan was to neutralise the socio-political tensions of the city, which was bearing a loaded mass. The first step was to relocate the centre of power. The centre of power has been moved to *Shemiran*, a small town by the foot of *Alborz Mountain* in the north side of the city core. Despite of the relocation of the residence of the king to the palaces in the north, most of the administration offices were remained in the city centre. The traditional formal status of the city, as a walled, secured place shaped around the seat of power, was changed into an amorphous shapeless flows of urbanisation stretching between the mountain and the previous centre. As the centripetal force was missed, the boundaries lost the meaning without the centre. The wall of the city was demolished during 1927-1932. It was a step toward re-conceptualisation of the 'subjectivity' of the city, a confrontation of the autonomous state with a religious 'inertia' of the urban space.

The power was exerted in the urban space through the new regulation and infrastructural interventions. The remaining corpus of the city was channelized with new boulevards and streets, re-directing the central tension of the space outwards. Two north-south boulevards – *Shemiran* and *Pahlavi* Boulevard– were planned and the constructed in 1921. They both planned to connect the old city centre to the new growing northern quarters, which hosted the residence of the king and the royal families. In 1933 the new law of 'Construction and Enlargement Streets and Passageways' was approved by the parliament. Accordingly almost every street was re-planned and re-adjusted to the new regulations. New streets, in a grid-shaped pattern, were imposed on the fabric to regularize the old congested areas and ease the circulation. Due to technological and sanitary advancement of the city, the new streets were not only conducting the public circulation but also they became the main routs for the other infrastructure such as electricity, swage system and piped water. All this changes were recorded and registered as the plan of 1937 of Tehran. It was the first time that the city was shown with no boundaries; it was not map of Tehran but a plan for the city: a *project*. The streets were left open-ended and the gates were replaced by the traffic squares, which precisely implied the idea of connection and expansion. The city was ideologically illustrated not any more as a city but a floating urbanisation, with no centre.

As the result of this reconfiguration, building typologies were radically altered. It influenced very much the social structure of the city; the houses that were traditionally accessible only through the narrow labyrinthine passageways now were exposed to the streets. Moreover the rationalisation of the socio-spatial structure of the city inevitably caused the differentiation of the functions; all the shops were forced to have a transparent public façade to the main street, houses got direct access from the main street. In fact by channelizing the dead-end alleys, the apartment block typology overcome the courtyard houses and became the dominant type.

The state's political project was conducted into sets of construction regulation that municipalities forcefully applied them on the buildings. Every building was numbers and registered and any new building construction was conditioned by the municipality permission (law of 1924). The new construction permits were issued just for the building with two or more storey high. In fact the very formal structure of the city was planned, regulated and controlled through the bureaucratic and administrational apparatuses of the state.

There is an important passage from the notion of militarisation of space to policing[12]. Despite the military background of Reza Shah, in Pahlavi period the issue of the city was problematised through series of administrative and juridical practices developed to manage the city. His state performed as a modern bio-political state.

The practices of police, the institution that mostly controlled urban transformation; and second, a profound cultural change in the way the city, in both its material and political sense, was conceived. Indeed, quite contrary to the idea of militarisation, the fundamental object of police was to leave man in the most perfect happiness that he can enjoy in his life.[13] Nevertheless, in police ideology, man's happiness is not antithetical to the idea of control; on the contrary, it is control and management that guarantee individuals' happiness and social welfare.

Bio-political Machines and rise of Modern Institutions

The rationalisation project of *Reza Shah* was initiated through emergence of new institutions aiming to govern the society, *i.e.* the city. It employed inevitably the language of modern architecture 'as an essential part of the bio-political machine' (Wallenstein 2009: 20). These bio-political monsters were not only a formal representation of power but also they performed as bio-political machines for administering and enhancing the lives of the population: A tool for ordering, an ordering machine. While traditionally in the Iranian cities, the architecture of palaces, congressional mosques or the religious schools were of the most distinguished and exquisite typologies, in *Pahlavi I* period, the most flourishing architectural language was employed in design and construction of the new institutions. For instance the architecture of the Police Headquarter of Tehran, in terms of the wealth of the detailing, material and above all the scale of the building, was far more advanced than in the palace of *Reza Shah* – the Marble Palace–, which was constructed at the same time.[14]

There are three main areas in the city, which were the focal points of project: The *Qajar* Royal Quarter (*Arg*) and the Parade Ground (*Meydan-e Mashq*) inside the previous boundary of the city, and the University of Tehran campus located just outside the former wall. Similar to the nature of the project itself, the dominant architectural language, which was extensively used and promoted, was the modern architecture. As Wallenstein puts it the project modern architecture is an essential part of the bio-political machine, it 'is intertwined with the ordering and administering of life and with the production of subjectivity' (Wallenstein 2009: 31). The monsters that invaded the city –new institutions in the form of ministries, banks, modern schools and universities, etc.– not only occupied the space of the city but also captured the life of every individual.

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[12] Terminologically, until the mid-eighteenth century, the term *police* did not refer to a kind of organized administrative agency or specialized body of men; police designated not really an entity but an act. Indeed, it is more convenient to read it as a verb: 'to police,' rather than 'the police.' By this definition police stands for a set of functions instead of an actual institution. In 1694 the *Dictionnaire de l'Académie française* defined police as 'order.' Later the *Encyclopédie*-the key text of Enlightenment-equated police with 'government.' As a whole, eighteen-century definitions of policing focus on the 'governing human beings and making them happy in light of the general interest. […] The public interest was thus linked to the idea of 'civilisation', which permitted a nation to live according to orderly and reasonable customs.' A. Farge, '*Police*', in M. Delon (ed.), *Encyclopedia of the Enlightenment*trans (Chicago: Fitzroy Dearborn, 2001).

[13] N. de La Mare, *Traité de la Police* (Paris: Michel Brunet, 1705).

[14] M. Kiani, *Architecture of the first Pahlavi era*, in Farsi (Tehran: IICHS Press, 2004), p.115.

The Arg (The Royal Quarter) project

The centre of the 19th-century Tehran was the *Arg* (The Royal complex). It was a rectangular walled quarter, containing the entire urban element in itself.[15] It was the cultural, aesthetic and political heart of the city during the *Qajars* and remained so through the reign of *Reza Shah*, who took it as the focus of his reconstruction program. Aiming to dissolve the loaded centre of the capital of *Qajars*, *Reza Shah* superimposed the new administrative buildings on the *Arg* quarter. The modernist slabs attacked the previous royal centre; Ministry of Economical Affairs and Finance, Ministry of Information, the Palace of Justice, National Radio Headquarter, together with some other office buildings and banks housed part of the bureaucratic heart of the city on to of traces of the royal past. By turning it to an administrative centre, the *Arg* complex which was very close to the Bazaar and two main mosques of the city (*Arg Mosque* and the *Friday Mosque*), the state consequently put literally all the social activities of the city under control. The autonomy of the aesthetic, offered by the state in the architectural language of the buildings, was thereby explicitly constituted as a project.

Meydan-e Mashq (Parade Ground) project

Simultaneously to the *Arg* project, the second half of the administrative centre was planned and constructed on the former *Qajar*'s parade ground, *Champ de Mars* or *Meydan-e Mashq*. It was a square-shaped filed, marked out by a chain of chambers, which were the military warehouse and the accommodation spaces for the soldiers. The architectural vocabulary and proportions of the *Meydan-e Mashq* followed the typical Iranian *meydan*s like *Naqsh-e Jahan* in Isfahan and *Toupkhaneh* in Tehran. However due to the military purposes, *Meydan-e Mashq* had limited public event and was not openly accessible to public. During *Reza Shah*, the *meydan* and its surroundings were heavily reconstructed. Among the numerous buildings that were constructed was the Military Barracks, Post and Telegraph Headquarter, Iran National Museum, Ministry of War, Ministry of Foreign Affairs, The Police Headquarter, Officers' Club and later the *Sepah* Bank. The architectural forms followed the same style of the *Arg* complex. In fact these building were the prototypical examples for the constructions, either private or governmental, that came after in the while city.

The Counter-project: Camps of Middle-class

While the *Pahlavi I* state run the project on the city, *i.e.* the society, through various bio-political apparatuses, the socio-political counter-forces consequently were activated; the state's power which was conducted in the society through different means of control and policing, inevitably faced a social resistance emerging from within the social structure. The new middle-class, which was born as a result of reformation program of the late nineteenth century, found its position in the city and reclaimed a spatial dimension during the *Pahlavi I*. Although the Pahlavi's extensive project was successful to neutralise the dispersed tensions of *Qajar* era and to unify the country, but at the same time, it provided an opportunity for the new rising class to be involved actively in the life of the bio-political machines. The graduated students, intellectuals, officers and civil servants became actually constituent parts of the new power system. As Foucault describes it, 'while the human subject is placed in relations of production and of signification, he is equally placed in power relations that are very complex' (Foucault 2001: 327). This bio-power, in fact, is a complex of action and reaction; it produces the counter-forces to sustain an antagonistic relations. The life of each opponent is dependent to the existence of the other's.

[15] The complex included the Royal residences, mosque, religious school (and in the late 19th century the School *Polytechnique*), *meydan* and public buildings such as theatre (*Tekye Dowlat*) and the royal museum.

The new subjectivities (urban middle-class), in form of a counter-project, started to occupy the city. This occupation project, however, was not just limited to the public actions (demonstrations and manifestations), but was emerged as spatial organisation. The area just located on the north side of the previous wall of the city was very strategic; due to the growing quarters on the north and the construction of the two main north-south boulevards, the royal family, higher middle-class and foreign missioners had chosen the mountainside for the residence, however for the middle-class the centre of the city is always of the most importance. Being connected the growing importance of the northern neighbourhoods and being located in proximity to the centre, attracted the middle-class. This area, which was marked by the construction of the University Campus in 1934, had turned to a centrality for major academic institutions, international offices and new emerging businesses and it gained relatively high social status comparing to the other areas around the centre. These factors resulted in raising the price of the land and therefore the building typology of this area, was dominantly overtaken by 4 and 5-storey apartments, containing of 2-3 bedrooms units on top of a shop on the ground floor.[16] This typology, spread between the *Shah Reza Ave.* (Now, *Enqelab Ave.*) northwards to *AbbasAbad*, became the typical housing type of the pre-war in Tehran. Very specific social order of the first groups of residences in addition to the high quality of architectural design and use of advanced techniques of the construction (reinforced concrete) was turned this area to a new centre with exceptional political and spatial characteristics. This trend immediately forced the state to decentralise the social structure of the city centre.

In the late 30's, for the first time, the state started massive housing projects to accommodate the government employees who were fundamentally shaping the main part of the new social strata. The old structure of the city centre was incapable to house a large urban project, however, because of the political risks the intention was to accommodate those outside the centre. Therefore the projects for governmental housing complexes, in the form of residential camps, were initiated outside the former octagonal wall of the city in the eastern and western sides. The act of foundation of these new camps was instrumentalised by marking out autonomous gridded quarters, these traces, however, are still visible in the structure of the city. Indeed the spatial configuration of these new towns was absolute representation of the surveillance and policing through the very planning apparatuses: the detachment of the units, laid on the wide gridded streets, high level of visibility, and lack of traditional and religious communal centres in the sites were used to neutralise this social class and secularise the very idea of the house which was originally the locus of the political activity. In the plans of the units the central void (courtyard) and the inhabitable structure were separated, the mass occupied 60% of the plot aligned to the main street while the courtyard turned to a leftover planted backyard, just accessible from the ground floor apartment unit; this changes consequently eradicate the centrality of the courtyard as the main communal place and through which the different units were connected to each other, and de-politicised the traditional housing typologies of the city. It was precisely designed to produce and control a social class that constitutes the power of the sovereign.

One of the best examples of those projects is the Farah-Abad housing project, located in the eastern part of the former city wall. The first phase designed in 1944 by *Ali Sadegh* as *Four hundred Housing Units* (*Chaharsad Dastgah*). 400-housing units were designed in four housing typologies: Single-storey, with three rooms (one bedroom, a living and a dining room) and a front courtyard. Others were two-stories, with a ground floor and a main level, with five rooms and a kitchen, a courtyard and stairs to the rooftop terrace.[17]

[16] H. Bahrambeygui, *Tehran: an Urban Analysis* (Tehran, Sahab Press, 1977).
[17] M. Marefat, *Building to Power: Architecture of Tehran 1921-1941* (Cambridge: MIT Press, 1988)

Common facilities including post office, police station, school, municipal office, laundry and hospital were provided for the residential town. The community centre was a planted open space, used for parking, surrounded by commercial buildings and shops.
Quite contrary to the traditional Iranian housing typology, the separation of functions, in the new apartment plans proposed in 400-units housing project, radically imposed a new lifestyle; the living space was divided into bedroom, living room and dining room. Kitchen in all the typologies is placed separated from the living activity, and often combined with the service rooms, such as bathroom and storage. In fact the role of the woman/ housewife, which was traditionally very central in the spatial dynamism of a house, here became marginalised. While all the rooms were previously multifunctional and the living space was quite flexible to be adapted to the different time-based activities in the house, the rationalised logic of plan in the proposed apartments dictated very specific activities, a certain controlled family size and a lifestyle. Indeed the project of secularisation of space, not only happened in the reconfiguration of the city as such, but also was very well developed in the design of the very plan of the houses.

Conclusion

As mentioned the *Pahlavi* state tried to neutralise the socio-political tensions of the early twentieth century by the means of control and surveillance. However, as Foucault suggests, the nature of this state, as a modern power, should be understood and analysed as a form of bio-power; a complex of action and reaction, control and resistance, as a project of subject formation. The new subject, as a *living being*, a biological body, is instrumental to this power relation. Architecture, therefore, as a spatial apparatus of this power, comes as form of ordering machine, an administrative and managerial apparatus. Therefore the emergence of the modern architecture in this period should not be seen as a hired westernised order, superimposed on a traditional society, but as a very political project, which was inherent in the nature of the modern state. The modern architecture as Wallenstein indicates, as a 'bio-political machine, is located at the point where Life and Man appear together in a process of production' (Wallenstein 2009: 39). Resistance comes as an inevitable counter-force, which from its very inception is inherent in the bio-power. 'The moment of resistance here is very significant since in fact the bio-political machine 'only works by also breaking down and not working, by producing, at its margins, a *resistant* but by no means *preexisting* multiplicity' (Wallenstein 2009: 39). Modern architecture becomes a means through which the cycle of project and counter-project revolves.
The paradigmatic cycle of 'project, conflict, and counter-project' is eligible for reading the dynamism of the active layers of Tehran. This cyclic project, during *Pahlavi* era (1921-1979), has led to development of a self-conscious middle-class who reclaimed their space in the city. These two projects, rise of the bio-political machines and camps of middle-class, can be seen as paradigm shifts in the construction of the image of the city today. The project of secularization of space which initiated by the rise of *Reza Shah* in 1921, re-formulated the historical inertia of the urban space, however, by its very nature, released the social resistance. The counter-project was activated when the politicised working class started to occupy the space. As a direct consequence the planning instrument had employed to capture the mobilised mass into residential camps. It is precisely unified the forces that later, in the mid-seventies was emerged as a mass middle-class movement which finally turned to the Islamic Revolution of 1979.
The life of the city was revolved when the revolutionary state, once again, tried to neutralise the middle-class in favour of the 'oppressed'. It was an attempt to refound the original roots of the post-revolutionary power, in the political theology.

The theological differentiation between faithful and none-faithful, oppressed and oppressor, was a calling back of the *Schmittian* dichotomy; the border appeared and materialised in the very threshold of differentiated public and private spaces: house. The house once again became the epicentre of the political life. Tehran is a paradigmatic case in this phenomenon, in which collective life proliferates almost entirely in interiors. Commercial, productive and living activities are confined between the same architectural, which stretch throughout the metropolis as a continuous field of urbanisation. In particular the house become the place where all the economic, political, social, theological and class conflicts are deployed. Instead of being a 'space of appearance', the political space of Tehran is rather a walled 'space of concealment'.

Figures

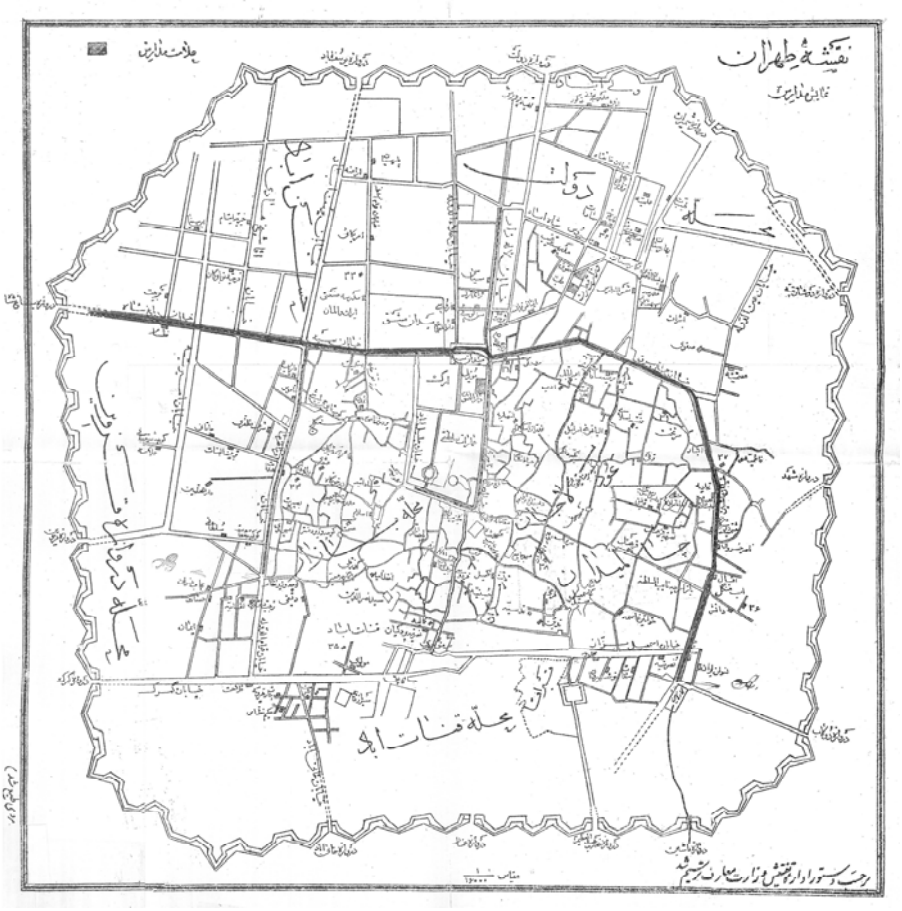

Figure 1. Map of Tehran, circa 1920. Redrawn based of the map of 1889. The Octagonal Wall of 1879 marks the limits of the city. Source: Archive of Sahab, published online: http://nimrouz.com/

Figure 2. Tehran, proposal of 1937. Source: M. Marefat, Building to Power (Cambridge: MIT Press, 1988)

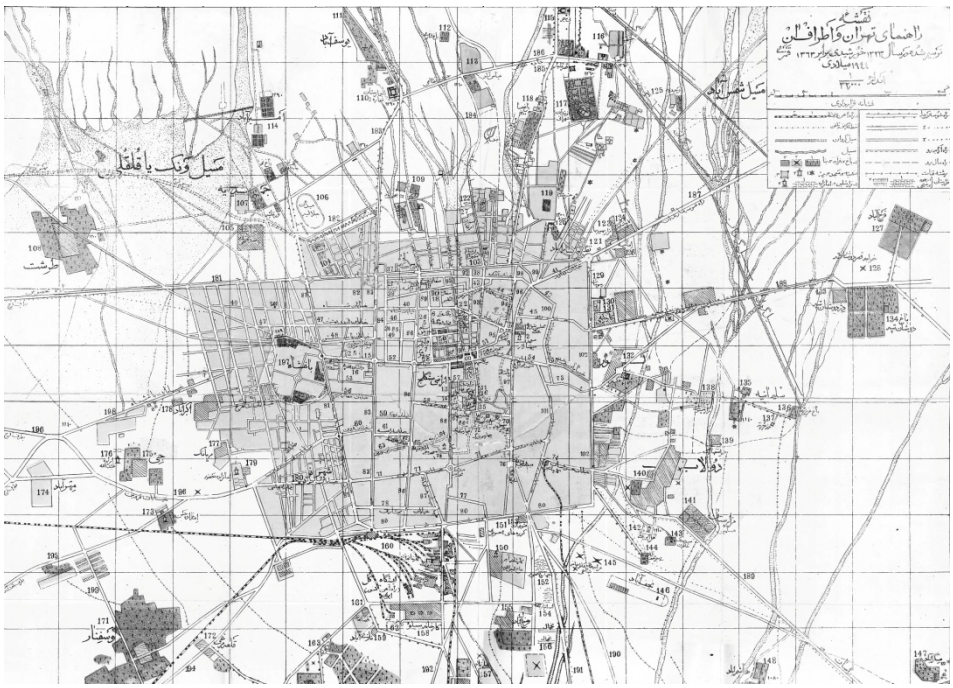

Figure 3. Map of Tehran- 1944. Source: Archive of Sahab, published online: http://nimrouz.com/blog/

Figure 4. Tehran, College Crossing- 1957. Source: M. Pakzad, Old Tehran (Tehran: Did Publication, 2003)

Figure 5. Tehran, Shah Reza Ave.- 1945. Source: Dmitri Kessel, LIFE Archive.

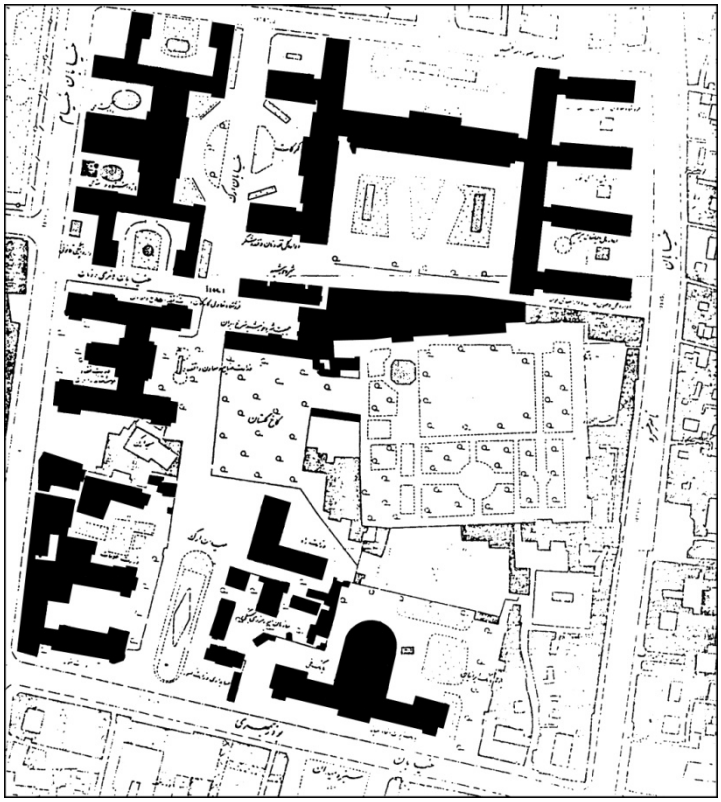

Figure 6. Map of the Arg after re-construction during circa 1930. Source: M. Marefat, Building to Power (Cambridge: MIT Press, 1988)

Figure 7. Tehran, Arg, construction of the Ministry of Economical Affairs and Finance on the site of the former Qajar palace - 1939. Source: Ali Khadem Photographs

Figure 8. Tehran, Ministry of Economical Affairs and Finance- 1945. Source: Dmitri Kessel, LIFE Archive

Figure 9. Tehran, Ministry of Foreign Affairs- 1945. Source: Dmitri Kessel, LIFE Archive

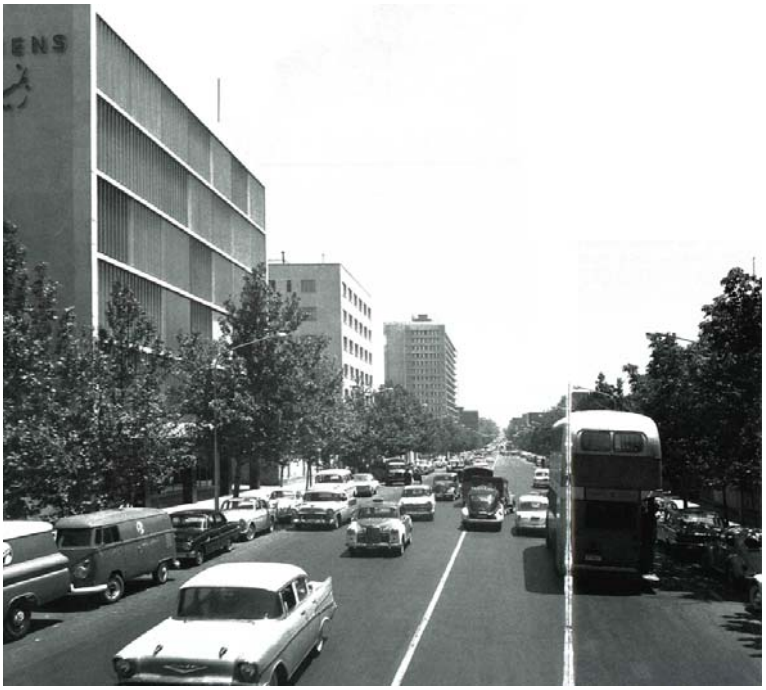

Figure 10. Tehran, Takht-e Jamshid Ave. (Taleqani Ave.)- 1963. Source: M. Pakzad, Old Tehran (Tehran: Did Publication, 2003)

Figure 11. Tehran, Kuy-e Farah, Housing master plan- 1963. Source: dr. Mohsen Habibi Archive.

Figure 12. Tehran, Piroozi District- 2008, 400-Housing Units district, 60 years after construction. Source: Private Archive

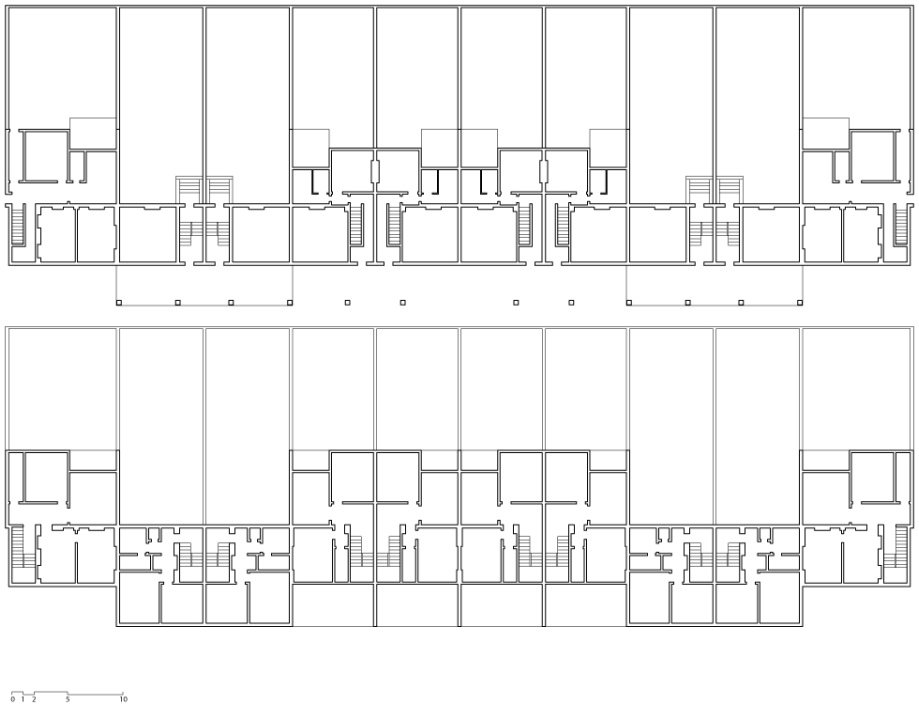

Figure 13. 400 Housing Units, Plan Typologies. Redrawn by the author based on, Source: M. Marefat, Building to Power (Cambridge: MIT Press, 1988)

Figure 14. Tehran, The pro- Mosaddeq demonstration by university students - 1953. Source: Nasser Sadeghi Archive

Figure 15. Tehran, Summer.2009. Chanting on the rooftops. Source: Pietro Masturzo, World Press Photo

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Sovereignty, Planning and Gray Space: Illegal Construction in Sarajevo, Nicosia and Jerusalem

Olivier Legrand [1]

Supervised by:
Oren Yiftachel[2]

Recent research on urban informality has convincingly criticized urban studies for its under-theorization of new forms of urbanity in the Global South. This critical scholarship has yet to address the concept of sovereignty, which is often taken for granted. This paper attempts to 'bring in' sovereignty and interrogate its relation to the process of 'gray spacing' – the development of liminal 'zones' between legality and illegality. Drawing on research from Sarajevo, Jerusalem and Nicosia, the article highlights the emergence of two main poles of gray spaces: (a) legal, but unplanned and (b) illegal, but planned. We demonstrate how the legalization of construction in these cities often runs contrary to urban plans, and conversely, how planned development often breaches the law. Hence, we suggest a distinction between state and urban sovereignty. The former 'speaks' the language of the law, while the latter 'speaks' the language of planning and development.

Keywords: Gray Space, Sovereignty, Sarajevo, Nicosia, Jerusalem.

[1] Ben-Gurion University of the Negev, Department of Geography and Environmental Development.
E-mail: legrand@post.bgu.ac.il
[2] Ben-Gurion University of the Negev, Department of Geography and Environmental Development.
E-mail: yiftach@exchange.bgu.ac.il

Introduction

This paper is part of a wider research project that aims to set up the foundations of the concept of 'urban sovereignty' as accounting for the emergence of a new political geography. It explores the dual impacts of planning and informality upon the evolution of enduring urbanized ethno-national conflicts. Recent research on urban informality has convincingly criticized the academic field of urban studies for its under-theorization of alternative and unsettled forms of urbanity. The urban development of the Global South seems to be characterized by the growing importance of 'gray spaces,' that is, 'liminal zones,' populations, developments and transactions located between legality and illegality.

This paper attempts to bring the concept of sovereignty into the discourse on urban sovereignty in order to reveal the centrality of two forms of gray spaces that correspond to (a) legal, but unplanned development and (b) illegal, but planned development. Both of these gray spaces are recurrent features of ethnically contested and polarized cities. More importantly, their analysis is a necessary step for distinguishing between two types of effective sovereign regimes: (a) state regimes, which 'speak' the language of the law, and (b) urban regimes, which 'speak' the language of planning and development. The paper argues that 'gray spacing' in contemporary urban regions informs us about the actual relations between these two forms of sovereignty.

The paper is based on fieldwork conducted in Sarajevo, Jerusalem and Nicosia, which were chosen as comparative cases of emerging urban regimes within contemporary contested states. The assumption is that both economic globalization and nation-state building will develop urban regimes with new forms of sovereignty and citizenship. Because of the structural ethnic conflict, we expect 'gray spacing' to become a central technology of power in such cities.

Our methodology is founded on the systematic identification and comparison of the different gray spaces, as well as the detailed review of some key urban sites and projects. Gray spaces are classified according to their spatiality (dispersed/concentrated, core/periphery), their inhabitants (class, nationality, ethnicity) and their access to urban citizenship (service delivery, housing, planning and development rights, public participation and representation). The production, regulation and attempted eradication of gray spaces are analysed in connection to the logic of power specific to ethnically polarized cities (Bollens, 2000). Two main types of material are analyzed: first, the legal and technical documentation that composes the planning process, and second, interviews of the different organizations in charge of their formulation, legal enactment, financing and implementation. The first section of the paper explores the theoretical relations and transactions between urban planning, gray space and sovereignty. Next, the paper reviews the making of gray spacing in these three selected contested cities.

Sovereignty and Informality: relations and transactions

Urban informality, one of the most dramatic features of global contemporary urban reality, finds itself marginalized in urban theories (AlSayyad, 2004), due mainly to the privileging of the Western urban experience. An enduring imported conceptualization of urban informality is centred on a supposed imbalance between urban development and economic growth (Angotti, 2009). Against this type of analysis, recent research has convincingly argued that urban informality should be seen as a 'mode' of production of space (AlSayyad & Roy, 2006). However, by avoiding conflict zones, such research tends to consider state sovereignty an unproblematic frame. Ananya Roy's research is unique in the field in that it explores the relations between informality and sovereignty (2005; 2009).

In order to understand both the interests and limitations of Roy's 'epistemology of planning,' it is necessary to refer first to Giorgio Agamben's (1998; 2005) work on sovereignty. Drawing on Carl Schmitt's anti-liberal and anti-parliamentary thought, Agamben defines sovereignty as the power to proclaim a state of exception, to create 'an anomic space in which what is at stake is a force of law without law' (2005:39). For Agamben 'if the sovereign is truly the one to whom the juridical order grants the power of proclaiming a "state of exception", and, therefore, of suspending the order's own validity, then the sovereign stands outside the juridical order and nevertheless belongs to it' (1998:15). Agamben removes the vocabulary surrounding sovereignty from concepts such as social contract and citizenship (Minca, 2005).

Ernesto Laclau points out that Agamben's challenge of political theory risks ending in 'sheer theology' as it is not sufficiently sensitive to structural diversity (2007). Schmitt and Agamben both see 'modern states and political authority as practically bonded together' (Agnew, 2005: 439). Regarding the cities in our study, the notion of 'effective sovereign regimes,' rather than formal state authority, often seems more able to capture this structural diversity and complexity of various forms of sovereign power interacting in one central place (Agnew, 2009).

According to Ananya Roy '[to] deal with informality therefore partly means confronting how the apparatus of planning produces the unplanned and unplannable' (2005: 156). Informal spaces are thus in a 'state of exception' in regard to the formal and normal order of urbanization. Informal spaces are neither inside nor outside of the formal order of urbanization. They are in a state of 'permanent temporariness,' concurrently tolerated and condemned, perpetually waiting 'to be corrected' (Yiftachel, 2009a). The issue of production and reproduction is central, and according to Roy 'urban planning [has] the power … to determine what is informal and what is not, and to determine which forms of informality will thrive and which will disappear' (2005:150). However, for Roy 'informality, and the state of exception that it embodies, is produced by the state' (2005:155). This notion implies that planning remains a state prerogative, an exclusive domain. The limitations of Roy's 'epistemology of planning' become explicit when we explore cities in which the questions 'who rules, where?' is at the heart of the production of urban space (Klein, 2008).

In the context of urban polarization, the notion of gray space seems preferable to informality. Gray spaces refer 'to developments, enclaves, populations and transactions positioned between the "lightness" of legality/approval/safety and the "darkness" of eviction/destruction/death' (Yiftachel, 2009b: 243). The concept of 'space' draws on Lefebvrian notions of a societal-structural, rather then merely geographical, process. 'Gray spacing,' therefore, denotes a structural transformation constructed through the amplification of informal developments, populations and economies. This concept also allows the differentiation between gray spaces that come 'from below,' from marginalized populations, and gray spaces that come 'from above,' from the political authorities (Yiftachel, 2009b). This paper focuses solely on the latter form of gray space, through the distinction between the 'substantive' and 'formal' planning sides of urban planning.

Indeed, urban planning should be conceived as a differentiated, at time conflicting, set of processes. Formal urban planning monitors indicate that urban development is occurring in the frame of existing legislation and in respect to ownership rights, whereas substantive urban planning is proactively engaged in the physical, social and economic aspects of urban development. It is important to keep in mind, especially in the case of post-colonial societies, that formal and substantive planning do not necessary imply one another, nor are they carried out by the same political authority.

Michel Foucault's work on the notions of 'normation' (disciplinary normalization) and normalization (security) enables the understanding of the differentiation between formal and substantive planning. As described in *Security, Territory, Population,* the mechanisms of 'normation' aim to separate 'the normal from the abnormal'; they work through the previous construction of an ideal-type, an 'optimal sequence or co-ordination' (2007[1978]: 85). On the other hand, the normalization produced by security apparatuses starts from empirical and observed averages, standard deviations and limits. Security apparatuses aim to move the average toward a more desirable direction (2007; [1978]). Since the systematic discrimination between the legal and the illegal is one of the main outcomes of formal urban planning, formal planning participates in the 'normation' of urban spaces. On the other hand, substantive planning participates in the 'normalization' of urban spaces, since its proactive engagement aims to move positive socio-economic indicators up and negative ones down (for example, capital circulation should rise, while mortality should fall). Formal urban planning (discipline) 'is a mode of individualization of the multiplicities,' whereas substantive urban planning (security) 'works, fabricates, organizes, and plans a milieu' (2007; [1978]: 26).
The following set of questions and graphs organize our analysis of three polarized cities. Do formal and substantive planning necessary imply one another? Does the interplay between substantive and formal planning significantly affect the tangibility of the right to the city? Might it explain the volatility or stability of inter-group relations? Does it provide a useful lens for a broader critique of the supposed hierarchically nested relations between city and state? The critical insights obtained by answering these questions illustrate that sovereignty cannot be assumed as an unproblematic pre-existing framework within which city planning and government operate. Sovereignty, that is, authority over territory and people, is likely to arise in varied ways within globalizing urban regions and their 'gray spaces.' Let us move now to the three case studies, where these concepts and arguments can be examined.

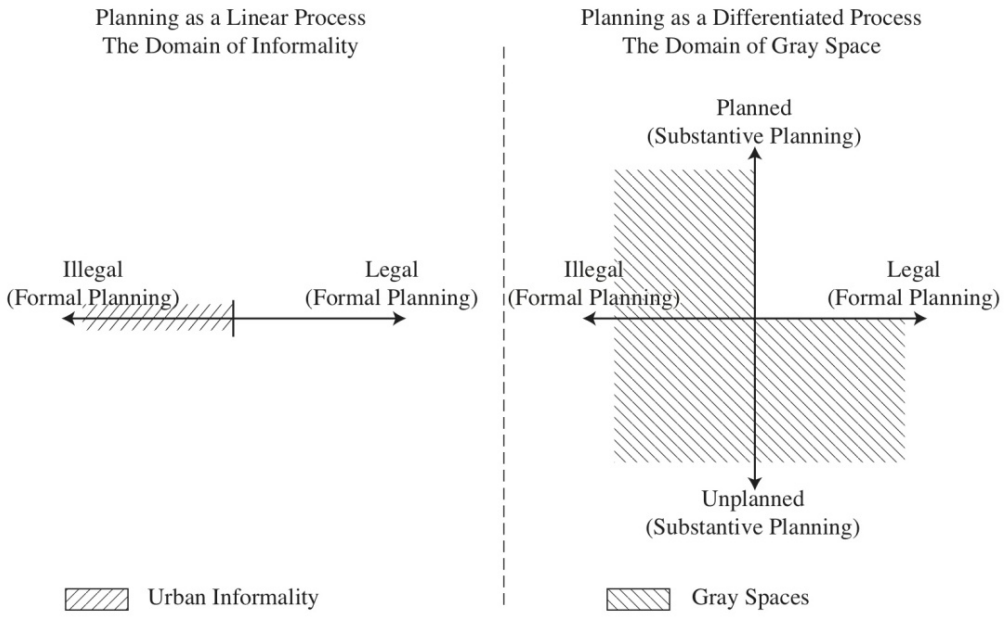

Figure 1. From Informality to Gray Space. Source: Author.

Sarajevo: the Rise of Gray Space

Along with the partition of Bosnia-Herzegovina, Sarajevo was divided between the two Entities, with Sarajevo Canton on the side of the Federation of Bosnia and Herzegovina and East Sarajevo on the side of the Repulika Srpska (Bublin, 1999). Bougarel et al. noted that current research tends to take a top-down approach, in which the Dayton Peace Treaty is the 'starting point for reframing various realities of … post-war Bosnian society […] or to dismiss them as trivial because they do not fit into this framework' (2006:13). In the same way, top-down official accounts on urban informality in both Sarajevo and East Sarajevo reframe and dismiss certain elements of the Sarajevan urban condition.

On the side of the Federation of Bosnia and Herzegovina, urban informality in Sarajevo follows a well-known spatial pattern. It located itself on the edge of the city, at the rural/urban interface, as well as along main traffic axes (Sarajevo Canton, 2005). In Novi Grad illegal construction takes place on 'the best quality agricultural land, potable water protected areas, existing and potential zones of exploitation of thermal and thermo-mineral water, areas of natural and construction heritage, [and] vital traffic infrastructure' (Sarajevo Canton, 2005: 66). The rise of urban informality can be explained in three main ways: first, as a direct result of the conflict, that is to say the destruction of housing stock and the hardships of the economic situation of the majority of Internally Displaced Persons (Bisogno, & Chong, 2002; IMF, 2005); second, as a result of the impacts of the 'liberal peace,' the dismantling of the welfare system and the privatization of the entire public housing sector (Coles, 2002; Divjak & Pugh, 2008); and, finally, as following from the growing importance of the informal sector as a whole. It is estimated that since the end of the conflict, the informal economy has constituted roughly 50% of Bosnia and Herzegovina's GDP (Bujiæ, 2003; BMI, 2011).

It is worth noting that this description of Sarajevo's urban space is based solely on the formal side of the planning process. Since 1996, the Federation of Bosnia and Herzegovina has conducted three major regularization campaigns. All of these campaigns have been realized without the participation of the Sarajevo Canton and outside the *Cantonal Spatial Plan 2003-2025,* which covers the totality of Sarajevo Grad. The Federation of Bosnia and Herzegovina has legalized settlements located on the track of the future ring road, therefore slowing down an important developmental project. The key point is that the Federation of Bosnia and Herzegovina has neither the professional capacity nor the budget to plan these 'whitened' spaces. The Canton of Sarajevo is the main public institution in charge of urban planning policies (Imamovic, 2006). It was in charge of the realization and implementation of the *Cantonal Spatial Plan 2003-2025* as well as the detailed plans, the lower regulatory plan necessary to obtain a building permit. These federal initiatives, based solely on formal urban planning, have been reduced to the production of new ownership titles. These legalized spaces have indeed left the domain of informality, but remain within the domain of gray spaces.

On the side of the *Republika Srpska*, the rise of illegal construction in East Sarajevo seems more evident. Before the war, East Sarajevo was the suburban and recreational area of Sarajevo. This administrative city underwent a true 'demographic revolution' from 1991 to 2008, when the total population of East Sarajevo increased from 47,644 to 64,724 (Institute for Urbanism of the Republic of Srpska, 2010). Before the war, all of East Sarajevo's municipalities, with the exception of Sokolac, were part of Sarajevo Grad and were covered by its *1985-2015 Urban Plan*. If the housing development planned by this Urban Plan could not answer the post-conflict needs, the *1985-2015 Urban Plan* planned network could have assured development of East Sarajevo more or less in continuity with Sarajevo Grad.

Such an integrative urban scenario is in contradiction with the ethno-territorial ideal supported by Bosnian Serb Nationalist leaders.

According to Tuathail and Dahlman, all over Bosnia and Herzegovina 'land plots have been allocated to displaced persons … in order to keep them in the community to lock in majority for the local nationalist leadership, and promote the ethno-territorial ideal' (2006:256). Due to the proximity of a densely populated urban area, Sarajevo Grad, East Sarajevo's urban planning has been mobilized not only to ensure a Bosnian Serb majority, but also to constrain the relations between the (Bosnian Serb) suburb and the (Bosniak) urban centre.

In East Novo Sarajevo, new residential buildings have been erected on the track of the planned eastern city ring roads. As a result, the connection between centre and periphery, between Sarajevo Grad and East Sarajevo, is ensured by one axis instead of two. The majority of this new residential construction has taken place outside the legal frame of the existing zoning and landownership. This suspension of formal planning also allowed speeding up construction and lowering its cost. When this spatial pattern was secured, the planning authority in Banja Luka began to legalize these 'non-registered,' but planned developments via the *2008-2015 East Sarajevo Spatial Plan.*

Jerusalem: Disfranchisement, Empowerment and *Abandonment*

Jerusalem may be considered an archetype of an urban regime in which the key to resource and power distribution is ethnicity (Yiftachel & Yacobi, 2002). Previous research has demonstrated how in East Jerusalem Israeli urban planning policies have massively pushed Palestinian urban development into the domain of informality (Roman & Weingrod, 1991; Fenster, 2004; Margalit, 2010). In other words, Palestinian informal development has to be understood as being an outcome of the planning system and not as transgressing it. Instead of summarizing the previous general research, our review will focus on three key East Jerusalem sites, Silwan, the Shu'fat refugee camp and Kafr Aqab.

The activities of the Elad Foundation in the Palestinian neighbourhood of Silwan exemplify settler activities in East Jerusalem. The neighbourhood of Silwan is adjacent to the Old City and was a focal point of the first Palestinian Intifada (Friesland & Hecht, 1996). In 1991, Elad took control of two homes in Wadi Hilweh, the central quarter of Silwan (*idem*). The recent renewal of Elad's activities in Silwan has been undertaken to directly prevent the possible implementation of the 'Clinton Parameters' (Albin, 2005). The takeover of the Silwan lands by Elad is a clear example of gray spacing 'from above,' that is, by powerful groups linked to the centres of power (Yiftachel, 2009). Elad land grabbing takes two main forms, custodianship and illegal construction.

Elad's hold over Silwan was extended when the Israel Land Authority and the Municipality of Jerusalem handed to it over to the 'guardianship and maintenance' of the National Park of Ir David and its archaeological compounds. The Ir David Park is part of the Jerusalem Walls National Park and covers almost all of Silwan. In the framework of this public-private partnership, Elad acts as a private contractor. It receives the protection of government agencies without been subjected to the legal and administrative restrictions normally applied to governmental bodies (Rapoport, 2009:5). The Nature and National Park Authority, which is in charge of the national parks in Israel, has refused to publish the contract it signed with Elad (Oppenheimer, 2011).

The Elad Foundation has constructed, without a building permit, a seven-storey building inside Silwan. Since the neighbourhood is close to the Old City and thus inside the Green Belt, it is impossible to receive a building permit for construction there. The association also installed temporary containers and caravans in front of the Ir David Park. It uses a settlement method first developed in the West Bank, the 'outpost' (Weizmann, 2007).

According to the Israeli Planning and Building Law, these temporary structures also need a permit. However, the Detailed Plan n°11155, which has not yet been validated, proposes to legalize all of Elad's illegal buildings. This plan, which renames the area Kfar Shiloah, was presented by the municipal services, but the architects who designed it were paid by the Elad Foundation (Margalit, 2010).

Elad's official publications claim that the foundation has seized more than 70% of the area of 'The City of David' (Margalit, 2010). It is estimated today that the number of settlers in Silwan is approximately 300 (Greenberg, 2009). The National Park of Ir David has become one of Jerusalem's leading tourist attractions; the number of visitors at the City of David archaeological park has rocketed from 25,000 in 2001 to 350,000 in 2007 (Pullan & Gwiazda, 2009). Elad's empowering gray space is faced by another gray space, the Palestinian space, a space of disfranchisement on the other side of the street, with a median age of 18 years, no primary or secondary school and a poverty rate close to 70%.

The evolution of the neighbourhoods of Shu'fat refugee camp and Kafr Aqab are linked to the recent re-bordering induced by the construction of the 'Security Fence.' In the framework of 'unified and indivisible' state policy, both these Palestinian neighbourhoods were unilaterally incorporated into the Municipality of Jerusalem. In 2007, through the establishment of the Fence Road and the setting up of the 'Jerusalem envelope,' these neighbourhoods were physically cut off from Jerusalem. This second bordering process has contributed to the creation of zones of 'indistinction' between outside and inside. These communities are completely deprived of urban services as basic as garbage collection and postal delivery; they are *de facto* outside the municipal territory. However, as the Palestinian Authority is forbidden to fill the vacuum created by withdrawal, these zones are not *per se* excluded from the Jerusalem Municpality (O.C.H.A, 2011).

The setting up of the 'Jerusalem envelope' and the withdrawal of the Jerusalem Municipality from the Shu'fat refugee camp and Kafr Aqab led to a suspension of the urban planning process, neutralizing any possible distinction between the legal and the illegal. Due to the complete absence of planning control, the Shu'fat refugee camp and Kafr Aqab have experienced a dramatic increase in population and construction (OCHA, 2011). Palestinian holders of residency status who previously lived in the West Bank moved into these zones. Through these reactive residential strategies, they succeeded in maintaining their 'centre of life' inside the municipal border and thus to maintain their status as residents. These zones are also the privileged refuge of numerous 'mixed' couples, in which only one spouse holds resident status.

The 'Jerusalem envelope' is commonly perceived as a means of pushing out the Palestinian population (Klein, 2008). In the Shu'fat refugee camp and Kafr Aqab, formal urban planning is maintained, but has been altogether stripped of its substantive content. This localized suspension has eased the constraints induced by the planning system over Palestinian development, transforming Shu'fat refugee camp and Kafr Aqab into temporary zones of *abandonment*.[3]

Nicosia: the Redefinition of the Relationship Between Formal and Substantive Planning

Nicosia, the last divided capital city in Europe, is composed of two administratively and politically separated municipalities. In the North, the Nicosia Turkish Municipality 'belongs' to the unrecognized Turkish Republic of Northern Cyprus (TRNC), while in the South, the Nicosia Municipality 'belongs' to the Republic of Cyprus (RoC). In 2004, the wall that had physically divided Nicosia for more than thirty years was toppled outside any peace treaty or agreement.

[3] For a comprehensive definition of the term *abandonment*, refer to Agamben, (1998) and Minca, (2005).

In the same year, the whole of Cyprus entered into the European Union (EU), although its northern part was still considered to be under military occupation. As a result, Nicosia has been physically, but not politically reunified. The focus here is on the Nicosia Master Plan (NMP) because this bi-communal project exploits two of the main outcomes of the conflict (the suspension of urban planning and the decline of Nicosia's historical core) and has succeeded in shaping a unique political space.

The first post-colonial planning regulation, the Town and Country Planning Act (TCPA), was voted on in 1972. This planning system is organized around a three-tier hierarchy of development plans, namely the Island Plan, the Local Plans and the Area Schemes. The first plan covers the whole island, the Local Plan covers the main urban areas and finally, at the bottom of the hierarchy, the Area Scheme covers specific small areas of particular interest (Yiangoulis & Yiangoulis, 1999). The forced massive population displacement in 1974 led to the suspension of the TCPA both in the South and in the North. Neither the Local Plans nor the Area Schemes were published and the suspension held until the 1990s. As we will see, both Nicosia municipalities exploit this vacuum in order to take the lead in the domain of planning.

Both the suspension of planning regulation and the partition had dramatic impact on Nicosia's historical core, the Walled City. From 1976 to 1992, the Walled City lost 65% of its population (Oktay, 2005: 214). The ethno-national partition of the Walled City gave rise to a second partition. On both sides, the Walled City has gradually become an 'urban ghetto,' accommodating ethnic minorities and low social and occupational classes (Charalambous, & Hadjichristos, 2011: 173). Properties within the walls have been concentrated in the hands of a few individuals or companies, which, rather than invest in them, have preferred to rent them, even in poor condition, to temporary residents or activities. Parallel to this decline, the Nicosia suburbs have seen rapid and not proactively planned development (Alpar Atun & Doratlı, 2009).

The Nicosia Master Plan (NMP) is commonly presented as a 'bi-communal project bringing the two communities of Nicosia together to work towards an improved city for all' (Tagar, 2007:4). The NMP follows a procedure previously set up by the first bi-communal project, the Nicosia Sewerage Master Plan. This local cooperation was possible because the NMP has created a terminology and methodology in which the two municipalities were able work together without formally recognizing one another. In short, for all operations realized in the frame of the NMP, two contracts are signed; one between the RoC and the United Nations Development Programme (UNDP), the other between the UNDP and representatives of the Turkish Cypriot Community. The lack of significant progress in peace negotiations has rendered this ongoing local bi-communal project highly attractive for international agencies (Richmond & Ker-Lindsay, 2001). In 1987, the United States of America began to fund the NMP and, following the 1999 Helsinki summit, the EU Council became another source of funding (Yorucu, & al. 2010).

Through their work, the Greek and the Turkish Cypriot NMP teams were able to impose their bi-communal plan, the NMP, as the foundational planning document for the whole city. As mentioned above, the decline of the Walled City was the second main outcome of the conflict. The NMP focuses its revitalization strategy on this space of social relegation and its unique cultural heritages. During the period of suspension of the Town Planning Law, the NMP formulated the first physical planning in 1984 and a detailed plan for the Walled City in 1986. The NMP produced the first diagnostic for the whole urban area, the first definition of the urban area, its first land use map and the first detailed plan for the Walled City. Symbolically, the NMP has succeeded in locally altering the original function of the urban partition, the UN Buffer Zone. The NMP meetings take place in the buffer zone, at the UN headquarters in Cyprus. This meeting function has not ceased to grow, subverting the original *raison d'être* of the buffer zone.

The authors define the NMP as a 'global-local partnership.' The collaboration between the two Nicosia municipalities takes place under the umbrella of the UN and with international funds, thereby avoiding the national scale and authority. More importantly, the NMP has redefined the relations between formal and substantive planning. It is commonly stated that the central planning authorities retain the right to accept or reject whatever the Master Plan proposed (Abu-Orf, 2005). However, this common presentation is misleading, since the plan produced by the NMP was 'translated' by the two municipalities into the legislation of their respective states. The central planning authorities never in fact directly validated the NMP or even entered directly into contact with it. The 'translations' that the two states validated never explicitly represented the actual bi-communal nature of the planning process. The planning maps remain inside the cartographic political paradigm. The NMP has been presented to both central authorities as a partisan plan. For the RoC's political leaders, the NMP is working toward the reaffirmation of the Republic's sovereignty over the whole island, since the RoC can unilaterally stop the international funds being delivered to the North. In northern Cyprus, since only the Republic of Turkey recognizes the TRNC as a sovereign state, northern central authorities set up an alternative strategy in order to obtain the separate international recognition of its institutions (university, Chamber of Commerce, and so on), a piece-by-piece strategy. By working with the UNDP, the Turkish Municipality of Nicosia is acting in line with this strategy.

Short Summary

Post-Dayton Sarajevo urban planning makes it clear that substantive and formal planning do not necessary imply one another. In Sarajevo Grad, only substantive planning has been mobilized in order to (artificially) eradicate urban informality, whereas in East Sarajevo formal planning has been suspended, allowing the rapid construction of strategically located housing. In both cases, these disjunctions cannot be separated from the will to ensure a strong ethnic majority. Contrary to East Sarajevo, gray space in Sarajevo is a source of tension between state and urban regimes, because the federal campaigns of 'legalization' have slowed down a key local economic project, the construction of the city ring road and its connection to the European Corridor VC.

In East Jerusalem, substantive and formal planning are mobilized along a well-known agenda to prevent a possible political partition and to ensure Jewish demographic, spatial and political hegemony. The case of the settlers' activities in Silwan reveals the fact that gray space differs significantly from informality, as it can embed a surplus of power. Our analysis of the Shu'fat refugee camp and Kafr Aqab shows that state and urban regimes coalesce in the process of gray spacing. However, the Jerusalem urban regime uses these gray spaces in order to ease the tensions produced by its partisan planning policies. In East Jerusalem, we see that gray spaces can be a source of disfranchisement, empowerment and *abandonment*.

Nicosia's urban regime, via its global-local partnership, succeeds in redefining the relations between formal and substantive planning. Contrary to our previous cases, this dissociation inside the planning process does not lead to an increase in physical gray spaces, but rather to the establishment of a 'gray' planning process. Whereas formal planning still uses the language of partitioning place, substantive planning is already working on the ground for reunification. Nicosia's urban regimes have succeeded in subverting the broader logics of power, and Nicosia is no longer mirrors the broader Cypriot conflict that has divided the island between Greek Cypriots and Turkish Cypriots.

Due to the complex processes discussed above, we conclude with the observation that in all three contested cities, two types of liminal zones have emerged: (a) legal, but unplanned; and (b) illegal, but planned. Our analysis of Sarajevo and Jerusalem shows the key role that gray spaces may play inside

'demographic engineering' policies (McGarry, 2001). Making a distinction between state and urban sovereignty is necessary in order not only to understand how gray spaces are produced, reproduced and eradicated, but also to comprehend their crucial roles in the implementation or subversion of broader logics of power. The move from an analysis in terms of informality to an analysis in terms of gray space confirms that urban planning is 'not [..] a monolithic and singular regime of rule, but rather […] a fragmented domain of multiple and competing sovereignties' (AlSayyad & Roy, 2006: 12). Even more importantly, this analysis shows that gray space informs us about the emergence of a fully effective sovereign urban regime.

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