

The Version of Record of this manuscript has been published and is available in disP – The Planning Review 13 Apr 2022 <http://www.tandfonline.com/10.1080/02513625.2021.2060583>.

Oliver Dlabac, Roman Zwicky, Charlotte Hoole, Eric Chu & Liam O’Farrell (2021) The Democratic Foundations of the Just City, *disP - The Planning Review*, 57:4, 84-99, DOI: 10.1080/02513625.2021.2060583

The Democratic Foundations of the Just City

Key Insights from a European Comparative Study

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Introduction

In an international collaboration of planners, geographers and political scientists from the Universities of Birmingham and Zurich in 2017, we set out to explore the implications of the ideal of ‘the just city’ (Fainstein 2010) for evaluating and guiding urban planning and for identifying its democratic underpinnings by means of a comparative study of three cities across Europe. The scene was nicely set, with Fainstein’s principles for planning seeking to defend and further equity, enhance recognition of diversity, as well as encourage citizen participation against a global tendency towards policies that only benefit the interests of global capital. More generally, Fainstein refers to the capabilities approach, putting individuals’ opportunities with regard to life chances at centre stage.

Complicating things, however, are the possible tensions between the dimensions of equity, diversity and democratic participation, leading Fainstein to prioritise the substantial dimensions of equity and diversity over the procedural dimension of democracy. In particular, she considers that participatory arrangements do not per se lead to equitable policies (not-in-my-backyard attitudes, resistance to social mixing by homeowner associations, etc.), and participatory planning is therefore valued only as far as it contributes to equity and diversity. Her scepticism about the ability of democratic institutions more broadly to adequately represent various minorities and to forge meaningful coalitions (Fainstein 2010: 29, 52) leads her to direct her book at planners rather than politicians, where planners are to use participatory arrangements to press for egalitarian and inclusive solutions (Fainstein 2010: 173, 181).

In this paper, we take Fainstein’s observations as a starting point but depart from her approach in two important ways. First, Fainstein’s planning principles seem to be intended primarily for the evaluation of single upcoming development projects and general social policies rather than for the guidance of citywide plans responding to spatial developments at the scale of the city or city region. Locational choices are already taken as a given, while spatially differential outcomes of general policies are not considered. Accordingly, the planning principles give little advice as to where a planning intervention is actually needed. In our approach, therefore, we take a decidedly spatial perspective, where urban planning primarily responds to citywide patterns of ‘spatial injustice’ (Soja 2009: 3), understood as lasting spatial structures of privilege and disadvantage that are being politically and societally produced and reproduced.

Secondly, while sympathetic to Fainstein’s view that recognition of diversity does not preclude the existence of rather homogeneous neighbourhoods, we worry that accepting current concentrations of disadvantaged people in many city regions across the world does not serve their recognition but rather undermines their capabilities in terms of access to education and opportunities to reach advantageous social positions. This is why, in our approach to the just city, we see a strong role of urban planning in not only limiting further segregation, but proactively counteracting the already existing patterns of spatial injustice, positioning ourselves closer to the ‘equity planning’ approach (Krumholz, Forester 1990).¹

¹ Krumholz regards ‘a concentrated attack on poverty and racial segregation’ in America as precondition for achieving greater economic, social, and political equality (Krumholz and Hexter 2019, 265), and he hopes for “progressive planers to embed policies that promote greater equity into comprehensive land-use plans, require regional ‘fair-share’ affordable housing programs” (Krumholz 2019, 12).

In the following sections, we will summarise Fainstein’s principles for just city planning, followed by our spatial critique and an alternative framework for planning inspired by Soja, before we turn to key insights from our case studies on the selected domains of housing and urban renewal in the cities of Birmingham, Lyon and Zurich – cities coming from different traditions of planning, housing and local government. While the study also included extensive interviews with key stakeholders in all three cities, we here focus on summarising local efforts in urban renewal and housing policies in the context of ongoing processes of segregation and exclusion. We discuss how housing policies in Birmingham keep reproducing concentrations of deprivation, how Zurich’s reliance on non-profit housing associations limits its capacity to steer social mixing in the neighbourhoods, and how metropolitan efforts for spatial equity in Lyon is enhanced by the institutional setup and planning regulations in France. Against this background, we then discuss the possible role of democratic institutions and processes, arguing that strong mayoral leadership embedded in a national planning system committed to spatial justice, as observed in the case of Lyon, seems more conducive to just city planning than the consensual or muddling-through politics in the cases of Zurich and Birmingham, respectively. We conclude with an appeal to politicians, planners and housing associations to push for spatially informed planning interventions, within their own scope of action but also beyond.

Fainstein’s planning principles for the just city

To understand Fainstein’s planning principles, it is important to note her underlying conception of social justice. The first dimension, equity, is inspired by Rawls’ (1971) liberal theory of justice. According to this theory, rational individuals would – under a ‘veil of ignorance’ regarding their future social status – agree on equal liberties and opportunities to reach advantageous social positions. Social and economic differences are to “be to the benefit of the least-advantaged members of society” (Rawls 2001: 42–43). In Fainstein’s interpretation, then, equity refers to “a distribution of both material and nonmaterial benefits derived from public policy that does not favour those who are already better off at the beginning” (Fainstein 2010: 36). With regard to housing and urban renewal policies, two tightly linked domains where planners “face equity issues most directly” (Fainstein 2010: 77), she deduces the following principles:

- “All new housing development should provide units for households with incomes below the median, either on-site or elsewhere, with the goal of providing a decent home and suitable living environment for everyone. [...] • Housing units developed to be affordable should remain in perpetuity in the affordable housing pool or be subject to one-for-one replacement. [...]
- Reconstruction of neighbourhoods should be conducted incrementally so that interim space is available in the vicinity for displaced households who wish to remain in the same location” (Fainstein 2010: 172–73).

In order to also account for nonmaterial forms of oppression caused by group-based differences (e.g., race, ethnicity, gender, religion and culture), Fainstein adds a second criterion: diversity. She cites Young by stating that “[s]ocial justice [...] require[s] not the melting away of differences, but institutions that promote reproduction of and respect for group differences without oppression” (1990: 47; cited in Fainstein 2010: 43). Rejecting the assimilationist model, Fainstein follows Young (2000) in accepting “relatively homogeneous neighbourhoods with porous boundaries

rather than proportionality in each precinct” (Fainstein 2010: 68). Fainstein’s list of principles furthering diversity includes the following selected points:

- “Households should not be required to move for the purpose of obtaining diversity, but neither should new communities be built that further segregation.
- Zoning should not be used for discriminatory ends but rather should foster inclusion.
- Boundaries between districts should be porous. [...]
- Public authorities should assist groups who have historically suffered from discrimination in achieving access to opportunity in housing, education, and employment” (Fainstein 2010: 174).

The last point resonates with the capabilities approach developed by Sen (1992, 1999). According to this approach, everyone should have non-tradable and consciously valued opportunities at their disposal, including life, health, access to education, and political and material self-determination (cp. Nussbaum 2000). Fainstein argues that urban residents should not have to trade their quality of life out of financial necessity and that decisions should be judged based on “whether their distributional outcomes enhanced the capabilities of the relatively disadvantaged” (Fainstein 2010: 55; see also Steil, Delgado 2019).

Although mentioning the problem of involuntary concentrations of disadvantaged groups and their unequal access to opportunities, Fainstein (2010: 67–68, 76) seems complacent about securing social benefits from given projects (i.e., ‘justice impact statements’) and general redistributive policies rather than proactively challenging underlying unjust spatial patterns and processes (Fainstein 2010: 166). Fainstein’s hesitance towards more proactive social mixing strategies may stem less from the failures of forced relocation experiments (Fainstein 2010: 72–75), but more fundamentally from Fainstein’s endorsement of Young’s idea that recognition of difference may actually be enhanced by ethnic minority enclaves “seeking to protect [their] way of life or overcome disadvantage” (Fainstein 2010: 76).

In this paper, we take a different understanding of recognition in the context of diversity. As evidenced in our case studies, social and ethnic segregation strongly correlates with low educational attainment and unemployment. While acknowledging the mutually constitutive nature of recognition and redistribution leading to different forms of oppression (Young 1990), akin to writings by Fraser (2000), we share the concern that claims for equity are currently being displaced by claims for the recognition of identity groups, potentially leading to less redistribution and even more separatism and intolerance. Fraser, therefore, proposes a concept of recognition without its need to foster group identity, rather seeing individuals as being of equal social status and ‘peers in social life’ (Fraser 2004: 129). Fraser thus demands that “institutionalised patterns of cultural value [...] ensure equal opportunity for achieving social esteem” (Fraser 2004: 127–28; for a discussion see Fincher, Iveson 2008: 11).

A spatialized approach to just city planning

According to Soja (2010: chap. 2), spatiality and social processes underlying the production of space in a capitalist economy are central to social justice and injustice.² Spatial justice “involves the fair and equitable distribution in space of socially valued resources and the opportunities to use them” (Soja 2009: 2). Spatial justice needs to be further seen as a broader concept than ‘territorial justice’ (Soja 2011: 97), which refers to the needs-based spatial allocation of public resources (Davies 1968; Harvey 1973: chap. 3). ‘Locational discrimination’ more generally refers to lasting spatial structures of privilege and advantage, where discrimination follows the lines of class, race and gender (Soja 2009: 3). As an illustration, Soja refers to work by Dikeç (2001), arguing that spatial concentrations of poverty and social exclusion in the context of French urban policies are produced and reproduced through political, economic and social processes, including land use and housing policies, property and housing markets, and discriminatory social norms.

Table 1: Spatial injustices and just city planning

Spatial injustices	Planning domains	Examples of policies/instruments	Principles for spatially just planning	Ultimate goal of the just city
Ghettoization: involuntary concentrations	Housing policies (social mixing)	Dispersed mixed-income housing developments (versus large-scale public housing estates), building regulations/maintenance schemes, rent supplements	Counteracting spatial concentrations of residents of low social status	Capabilities: Equitable access to opportunities
	Urban renewal	Counteracting neighbourhood decline through public investments, housing improvements, employment initiatives		
Gentrification: displacement and exclusion	Housing policies (affordability)	Means-tested social housing in gentrifying neighbourhoods	Limiting large-scale displacement and exclusion of residents of low social status	
	Land-use and mega projects	Inclusionary residential zoning, requirements for social housing share, limiting large-scale renewal		

We find two spatial processes of injustice that recur throughout the debate on the socially just city: ghettoisation and gentrification-induced displacement and exclusion. In his book, *Social*

² We do not need to regard all social injustices as fundamentally spatial, as long as we acknowledge that “social injustices always have a spatial aspect, and social injustices cannot be addressed without also addressing their spatial aspect” (Marcuse 2010, 29).

Justice and the City, Harvey (1973: chap. 4) reminds us that Engels had earlier observed the problem of ghetto formation in Manchester and London in the mid-nineteenth century, as well as the tearing down of centrally located working-class neighbourhoods where social problems were not eliminated but merely displaced elsewhere. Dikeç (2001), for his part, highlights how Lefebvre's 'right to the city' includes "the right to the use of the centre, a privileged place, instead of being dispersed and stuck into ghettos" (Lefebvre 1986: 170; translation from 1996: 34).

While Soja (2010) shows how spatial considerations were central in successfully challenging discriminatory allocations in Los Angeles' mass transit network, the practical implications of his theory for other planning domains have remained less clear. Building on this idea, we, therefore, aim to reframe Fainstein's discussion of planning policies in light of the twin spatial processes of ghettoisation and gentrification that are central to producing and reproducing structural disadvantage of certain groups.³ Table 1 reintroduces the policy instruments that Fainstein (2010) considered in the domain of housing and urban renewal. However, we now relate them specifically to spatial injustices emanating from processes of ghettoisation and gentrification, as well as to the planning principles of counteracting these spatial injustices, ultimately aiming for the just city in terms of equitable capabilities.⁴

We focus on the policy fields of housing and urban renewal, although a more comprehensive analysis would expand the framework to also include the planning of public spaces, public transportation, school policies, community health or environment (Fainstein 2010; Soja 2010).⁵

Spatial inequalities, housing and urban renewal policies in three European cities

Birmingham: housing policies and ghettoization

Birmingham is England's second-largest city with a population of just over one million, or 3.6 million within the metropolitan area. Birmingham's spatial inequalities in terms of access to educational opportunities and life chances can be seen in Figure 1. The dark-coloured central band across the city clearly coincides with higher concentrations of low-skilled people, partially overlapping with higher concentrations of non-white people (Figures 2 and 3, right panels).

While spatial inequality in terms of educational and professional success might to some degree reflect individual predispositions and disadvantage of differently located people, the composition of neighbourhoods, schools and personal networks clearly help to reinforce the spatial pattern

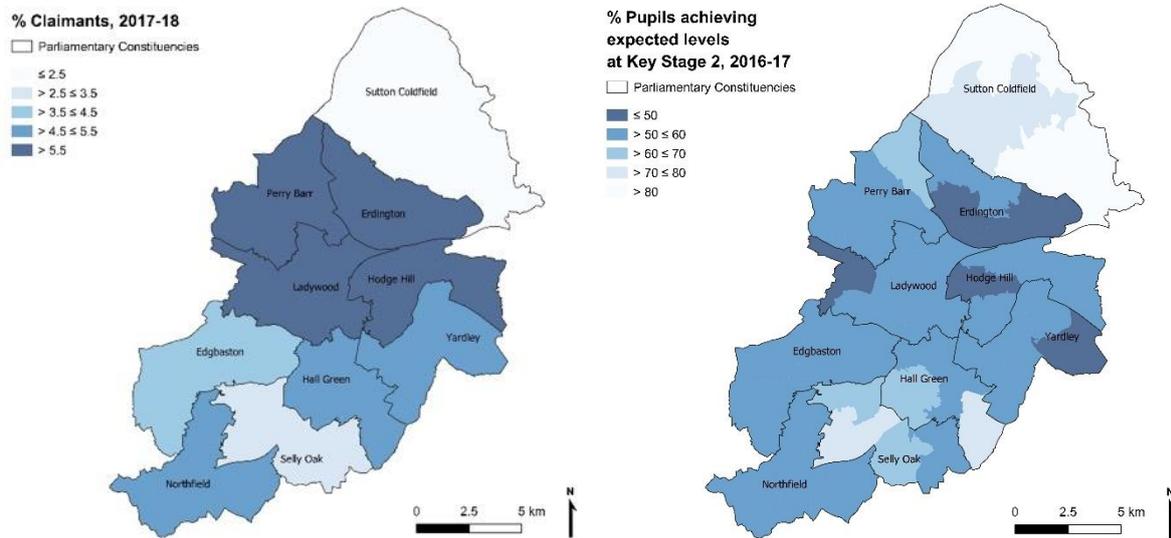
³ Fincher and Iveson (2008) equally employ spatial argumentation ('locational disadvantage', 'access to opportunities') but end up with planning directives concerned mainly with the spatial distribution of facilities and services, and a general advice to create social mix. While they wish to unsettle fixed group identities (Fincher and Iveson 2008: 215), their hopes rest upon cross-group community projects and micro-public sites designed for encounter rather than proactively counteracting residential patterns of inequality.

⁴ While we regard ghettoization, displacement and exclusion as spatial injustices found all over the world, the nature of these challenges as well as the available planning instruments will depend upon national, regional and local contexts (cp. Fainstein 2010, 166).

⁵ For a recent empirical analysis on the inequality in the distribution of public facilities see Dadashpoor (2016), on spatial justice in public transport systems see Nazari Adli et al. (2019). For a possible positive spatial correlation between greening policies and gentrification see Connolly (2019).

(for a discussion of the evidence on neighbourhood effects see Fincher et al. 2014: Section 3). For the UK, a PISA report shows that 69 per cent of between-school variation in science performance is explained by schools' socioeconomic composition (OECD 2016: 207). As Birmingham is one of the most segregated municipalities in England, we can expect a particularly amplified role of neighbourhood effects in education, employment, and deprivation more generally (Casey 2016).

Figure 1: Welfare recipients and rate of pupils achieving expected levels at Key Stage 2 in Birmingham



Sources: Office for National Statistics; Birmingham City Council.

While ethnic bonding and societal exclusion might partially explain the ethnic patterning within central Birmingham, a look at Figures 4 and 5 reveals more fundamental structuring forces. Firstly, the central band of reduced capabilities and lower-skilled occupations corresponds to areas with the lowest housing cost (Figure 4). Even though prices have almost tripled since 1991 in most areas (see shifted price ranges in the map keys), the spatial pattern has remained consistent. Moving to areas of higher social status is financially unattainable for most residents. Secondly, the ethnic pattern within the central band is strongly conditioned by a history of discriminatory allocation of newly developed social housing owned by the City Council, allowing many white residents to vacate slum areas up to the 1970s (Skellington 1981; Chinn 1991). Concurrently, first-generation post-war migrants to the UK in the 1950s and 1960s were dependent on the availability of vacant, and often inadequate and overcrowded, private-rented dwellings around the inner city (Fenton et al. 2010). Rex and Moore (1967) speak of a 'housing class' system based on access to council housing and discrimination towards minority groups who were ineligible to apply for it, paradoxically placing council housing and outright ownership at the top of the housing class system. This discriminatory pattern is still visible in 1991, when areas with high shares of social housing were predominantly inhabited by white residents (cp. Figures 3 and 5, left panels).

Between 1991 and 2011 the overall share of social rented accommodation in Birmingham decreased from 32 per cent to 24 per cent (Figure 5). This is largely a reflection of the national Right to Buy scheme introduced in England by the Housing Act of 1980, allowing residents in social

housing to purchase local authority-owned properties at subsidised prices. The remaining social housing stock was of poor quality as the most desirable stock transferred into the private market, and council housing thus increasingly became a tool to accommodate the most acutely vulnerable in society (Fenton et al. 2010). A report commissioned in 2002 highlighted that “ethnic minorities are over-represented on the waiting list, showing high demand for council housing. But they are seriously under-represented in outer council estates, while forming a large proportion of the population on several inner-city estates” (Power 2002: 46). From Figure 5, we see that inner-city areas with remaining high-density social housing have by 2011 become increasingly populated by non-white residents.

Figure 2: Percent of residents in low-skilled occupations in Birmingham

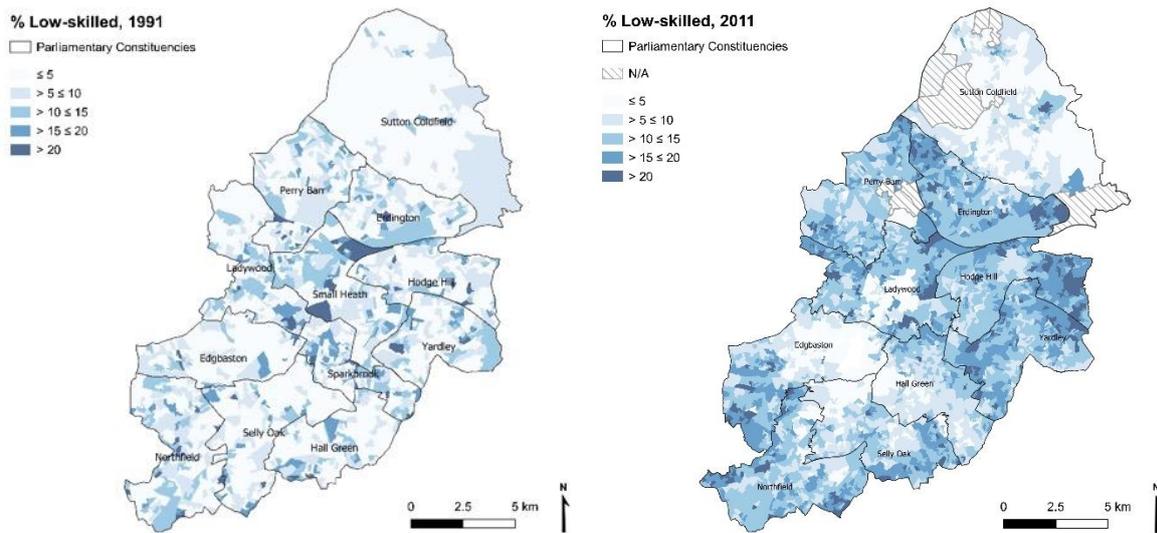
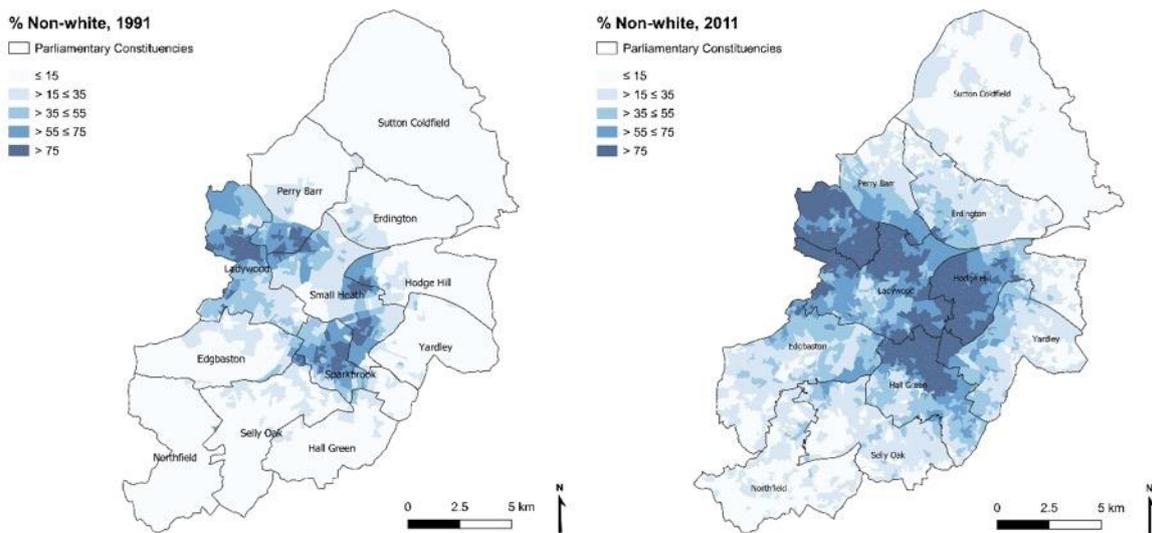


Figure 3: Percent of non-white residents in Birmingham



Source: UK Census.

Figure 4: Mean house prices in Birmingham

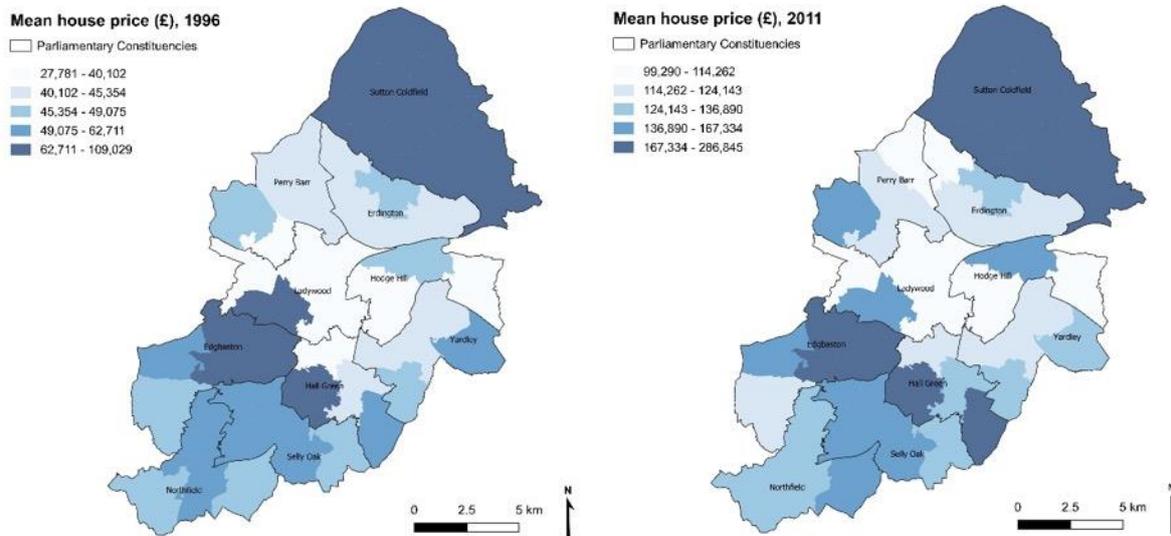
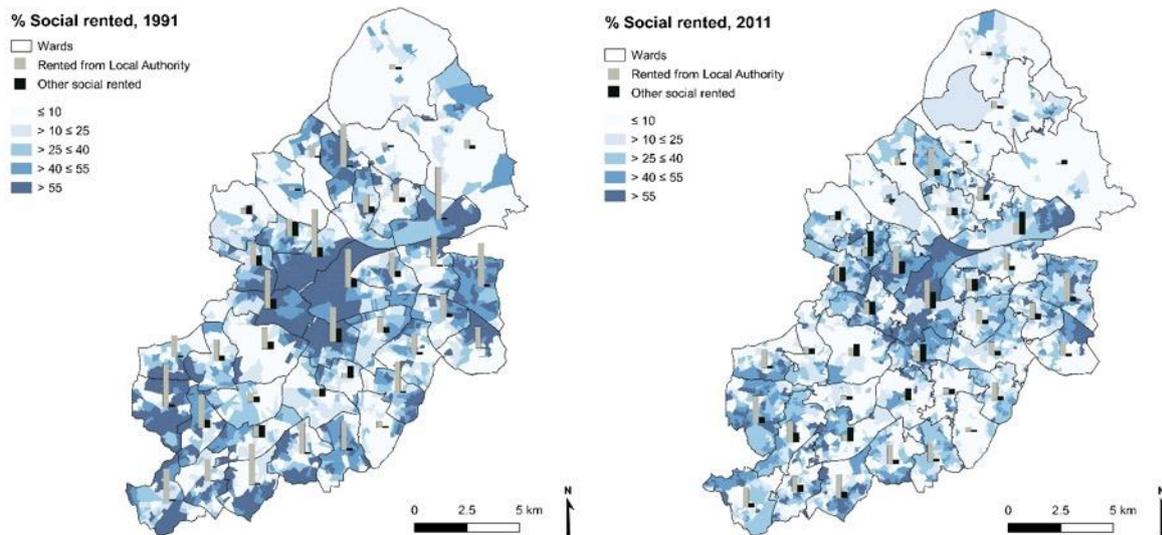


Figure 5: Percent of residents in social rented accommodation in Birmingham



Sources: Office for National Statistics, UK Census.

In fact, Birmingham's share of council housing has remained high in comparison to other major urban areas in the UK. This is also because Birmingham's council housing tenants voted to reject the transfer of the Council's housing stock to established housing associations in 2002 (Daly et al. 2005). This 'no' vote left a considerable amount of discretion in dealing with social inequalities in the hands of the Council, further extended by the creation in 2009 of its own house-building arm – the Birmingham Municipal Housing Trust. The City Council has found that 38 per cent of Birmingham's overall housing need is for affordable housing (Strategic Housing Needs Assessment from 2012) and has committed to seek funding and new partnership opportunities, ensuring that

“a choice of housing is available to all in mixed-income and mixed-tenure sustainable communities” (Birmingham Development Plan 2031 from 2017: 112).

While neither housing policies nor selective area-based interventions have so far been able to counteract the dynamics leading to concentrations of deprivation (Fenton et al. 2010), the focus of urban development policies since the late 1980s has been on economic growth and transforming the city’s image to attract more highly skilled, high-income residents (Birmingham City Council 1989). The strategy consisted of different flagship projects in the city centre and the promotion of ‘city living’ (Barber, Hall 2008). Private housing investment has also been key to the Council’s overall strategy to encourage a growing city centre residential population. This has been achieved through the redevelopment of brownfield sites and repurposing of warehouse and factory areas (e.g., the Jewellery Quarter). The City Council’s continued focus on transforming the city centre is reflected in the Birmingham Big City Plan 2030, which states “The masterplan is not intended to be a rigid, land use zoning plan. It respects that investment markets need the flexibility to adapt to changing circumstances and that rigid zoning will inhibit our ambition to grow the city core and create a liveable city centre” (Birmingham City Council 2013: 14).

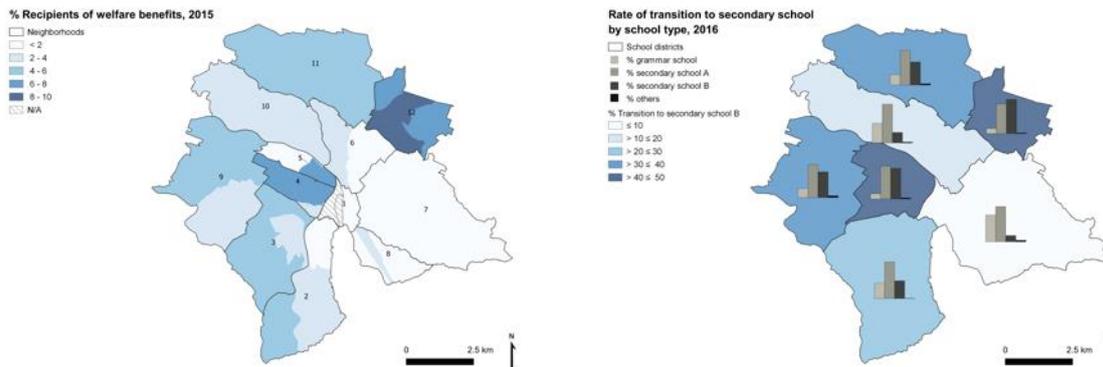
Even if Birmingham’s ‘urban renaissance’ in the city centre has not at present led to directly displacing people, the area has become exclusionary to low-income residents. Notwithstanding the City Council’s aim at mandating developers to implement a share of affordable housing, developers have often succeeded in offsetting such obligations within their so-called S106 planning agreements (Grayston 2017). Indeed, in Figures 2 and 5, we observe a clear decline between 1991 and 2011 in the relative share of both low-skilled residents and social housing in the city centre. In the years since, data suggests that this area of gentrification has expanded, with the western edge of the city centre recorded as having the fastest-rising property prices in the country between 2016 and 2017 (Collinson 2017). This same area was also named the poorest place to live in the UK in 2016 (ibid.).

Zurich: reliance on non-profit housing

Zurich is the largest city (435 000 inhabitants, 1.6 million including metropolitan area) and economic capital of Switzerland. It has unemployment rates remaining below five per cent (City of Zurich 2017b) but a look at capabilities shows significant spatial inequalities within the city (Figure 7). With regard to school performance, school effects by social and migratory composition (on top of social and migratory individual factors) are more pronounced in Switzerland than in any other OECD country (OECD 2016: 258). How locational disadvantage relates to the social and ethnic composition of neighbourhoods is visible from the respective maps in Figures 8 and 9. Whereas the ‘new immigration’ to Zurich is marked by high-skilled employees from north-western Europe, immigration since the 1960s has been characterised by low-skilled persons from Southern European countries and later from ex-Yugoslavia (Craviolini 2019). We map the concentrations of ‘non-western’ immigrants⁶ since they often face difficulties in education and on the job market (cp. Heye and Leuthold 2004).

⁶ For the identification of non-western people we excluded the following western nationalities: Austria, Belgium, Denmark, Finland, France, Germany, Ireland, Iceland, Liechtenstein, Luxembourg, Netherlands, Norway, Sweden, Switzerland, and the UK (for 1990 we could not account for Norway, Luxembourg or Iceland since these countries were subsumed under the category ‘other European countries’).

Figure 6: Welfare benefits and rate of transition to different types of secondary school in Zurich



Sources: Statistics of the City of Zurich, Statistical Yearbook; Educational Statistic by the Canton of Zurich, Statistics of Learners (SdL)

Previous studies showed that ethnic segregation in Zurich is less a result of community building but rather is due to the socio-professional structure of immigrating populations (Heye, Leuthold 2004: 26)⁷, and thus a differing dependence on low-cost housing. Unsurprisingly, areas marked by limited capabilities and concentrated lower-skilled people and immigrants clearly align with the most affordable housing areas in the inner city and the north-eastern district (Figure 10).

Compared to other major Swiss cities, the City of Zurich has consistently played an active role in land banking, urban planning and allocating sites for non-profit housing construction (Balmer 2017). At roughly 25 per cent, the share of non-profit housing in Zurich is remarkably high. A local direct democratic ballot in 2011 required the city to strengthen its efforts in housing policies and raise the share of non-profit housing to one third by 2050. Figure 11 shows that non-profit housing is clearly more ubiquitous in districts characterised by lower housing costs in 1990. The bars in the same figure reveal the traditionally strong role of housing cooperatives in providing non-profit housing in Zurich.

Even though the patterns described above might suggest that housing policies in Zurich have reinforced ghettoisation trends in the most affordable neighbourhoods, such an assessment is less straightforward in the Swiss case. In contrast to the UK and France, Switzerland follows a unitary housing model that dedicates non-profit housing to a broad spectrum of income levels (Kemeny 1995). This means that non-profit housing in Zurich embodies the idea of social mixing at the level of housing estates. Conversely, the same feature also means that housing policies are less efficient for creating affordable housing for people in need or for countering social imbalances across neighbourhoods. Given the broad spectrum of income levels, the impact of any new non-profit housing development on the social mix of neighbourhoods is clearly more diffuse than in the dual housing systems of France and the UK.

⁷ Whereas residential choices of immigrants and Swiss citizens coincide when considering people of high professional status, segregation patterns hold mainly for the non-western nationalities being overrepresented in the population of low-skilled residents (cp. Craviolini 2019).

Figure 7: Percent of low skilled residents in Zurich

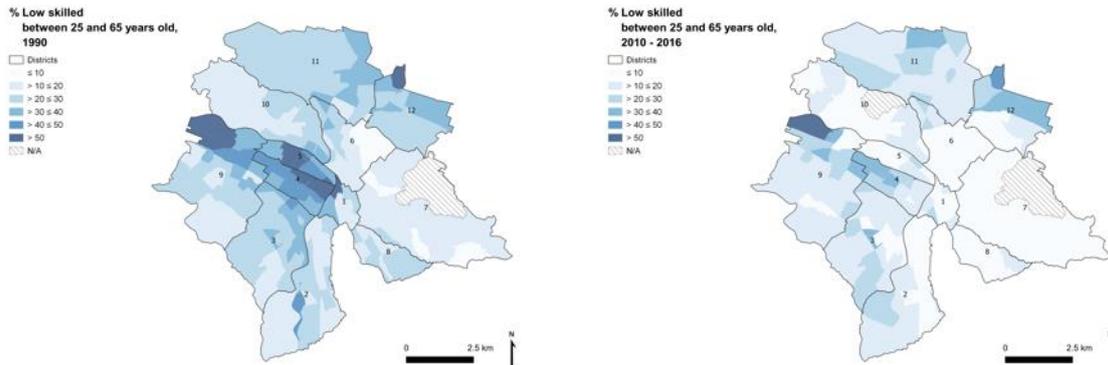
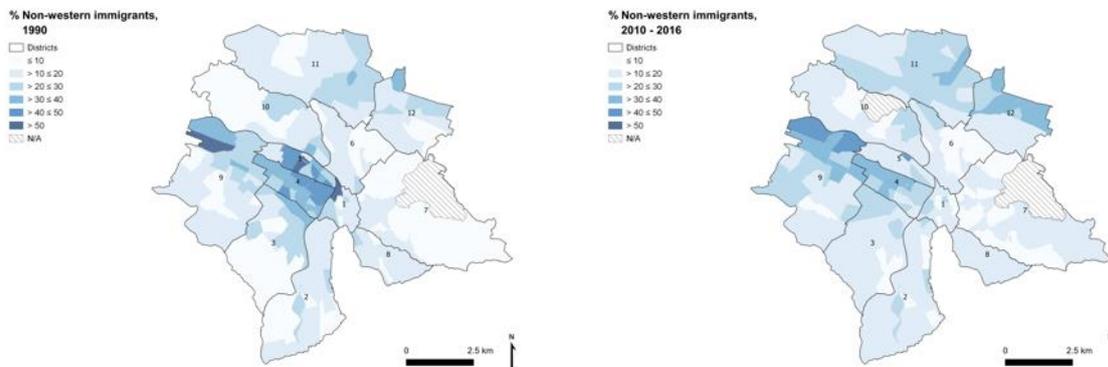


Figure 8: Percent of non-western immigrants in Zurich



Source: Swiss Census and Statistics of the City of Zurich.

The fact that the city's housing policy strongly relies on (private) housing associations also limits its direct steering capacity in terms of social mixing. Indeed, housing associations need not aim for social mixing, which is illustrated by the neighbourhood with the highest share of non-profit housing in the southwest (Figure 11) that is primarily dominated by Swiss middle-class residents (Figures 8, 9). Only when a housing association builds on land owned by the city ('Baurechtsvergabe') can the city require one-third of the housing units to fall under the subsidised public programme targeting people in need (City of Zurich 2020b). This programme of subsidised housing units ('Wohnbauaktion'), although introduced in 1943, covers only around 3 per cent of all apartments in Zurich, thus limiting its potential impact on social mixing on a citywide scale.

Figure 9: Monthly rents in Zurich

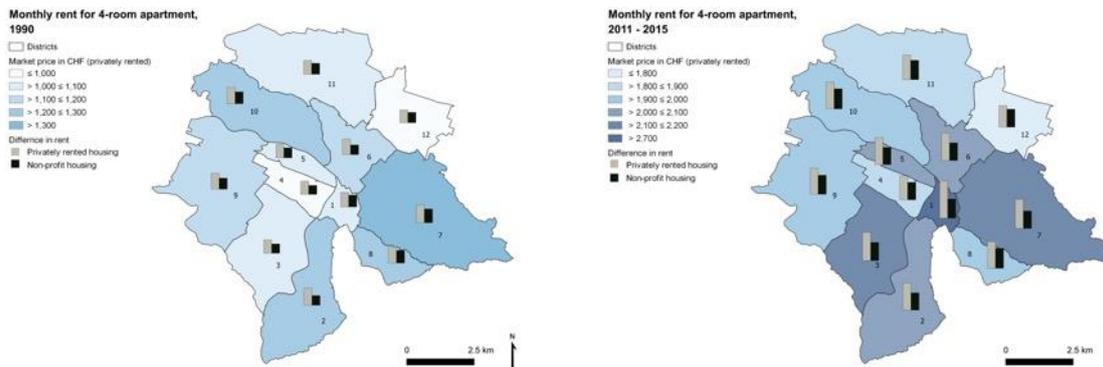
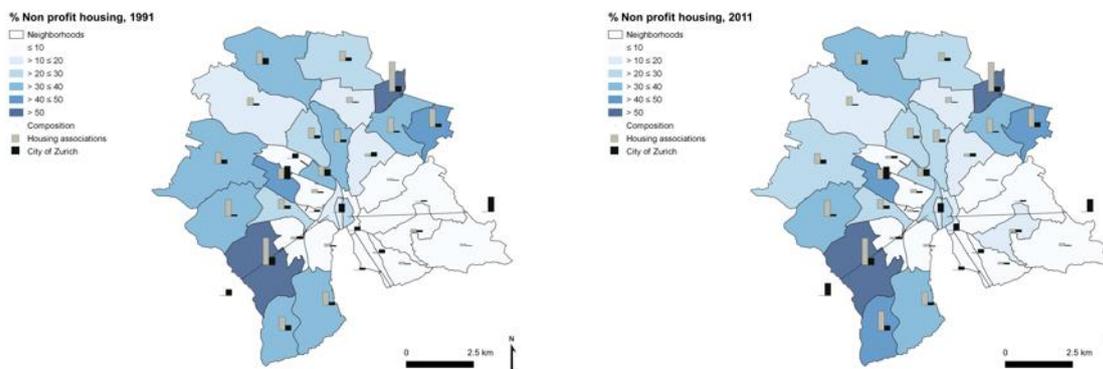


Figure 10: Percent of non-profit housing in Zurich



Source: Swiss Census and Statistics of the City of Zurich.

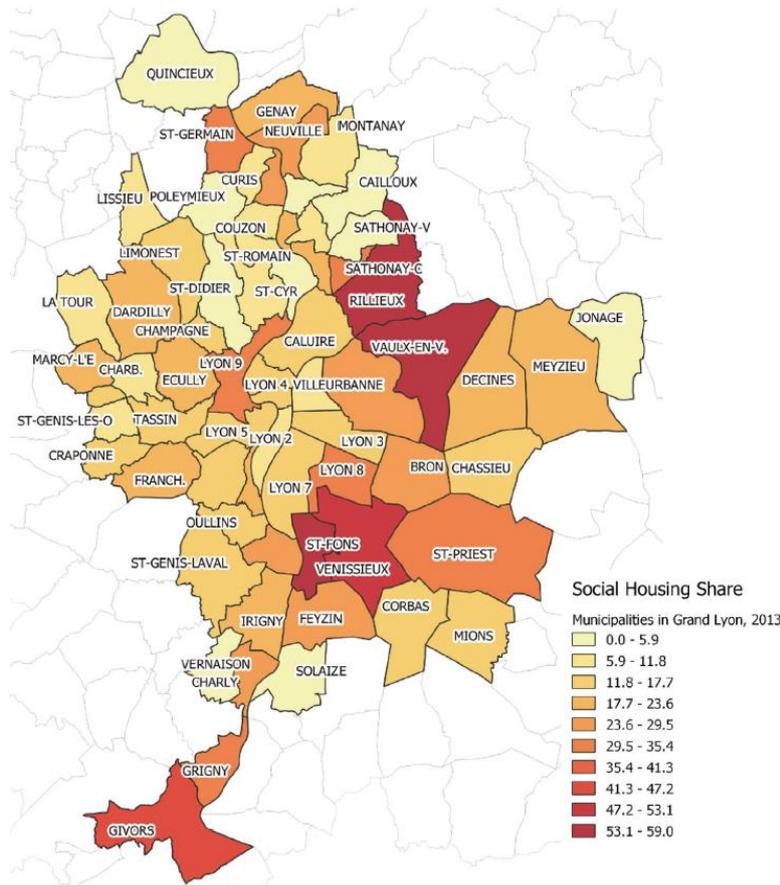
Trends of ghettoisation have partially been resolved by a process of reurbanisation supported by public upgrading of inner-city neighbourhoods in response to global competition between cities (Widmer 2009), thereby resulting in ‘state-induced gentrification’ (Plüss, Schenkel 2014: 20). A renewed attractiveness of the city exerted negative side effects on the housing market, leading to the displacement of established inhabitants to the periphery of the city and beyond (Heye, Leuthold 2004: 65). An indication of ongoing gentrification and possible displacement is the decreasing share of low skilled people and immigrants in inner-city areas between 1990 and 2010 (see Figures 8 and 9; Feller 2017). Regarding the entire city, the share of people with high socioeconomic status increased from roughly 35 per cent in 2001 to about 50 per cent in 2015 (City of Zurich 2017a). Interestingly, the City of Zurich dedicated its most recent socio-spatial monitoring report to identifying areas of increased vulnerability and risk of displacement processes in the context of densification required by projected population growth (City of Zurich 2020a).

Lyon: social mixing policies at metropolitan level

Lyon is the third-largest city in France with about half a million inhabitants, or nearly 1.3 million when including the agglomeration. While unequal access to life chances is equally a problem in Lyon and French agglomerations more generally, here we focus on the way urban planning and

housing policies in Lyon have responded to this challenge. The French banlieues, with their large social housing estates, have become negative examples of how social policies can lead to concentrated deprivation and stigmatisation. Urban planning in France is, therefore, particularly concerned with socio-spatial aspects of housing policies and urban renewal.

Figure 11: Social housing share in Grand Lyon's municipalities, 2013



Source: own representation based on UrbaLyon 2013.

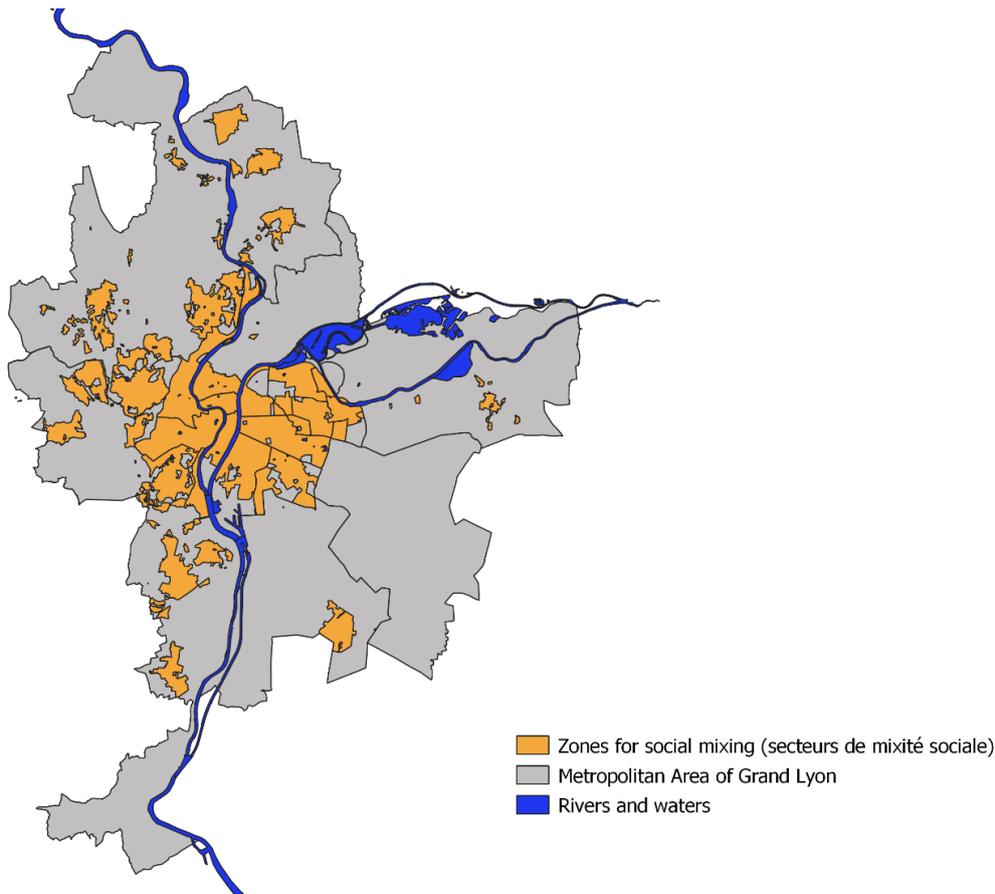
In France, housing-related competencies have traditionally been located at national level, but the changing national government in 1981, as well as urban riots, led to increasing involvement of municipalities and intermunicipal corporations in the fields of housing and land-use planning. In the particular case of Lyon, by 1995 local housing competencies were transferred to the long-established metropolitan authority Grand Lyon.

In 2001, the national law on solidarity and urban renewal (SRU) introduced a requirement of 20 per cent social housing share, to be reached in each municipality with more than 3500 inhabitants across France.⁸ With the SRU law, the conditions under which public authorities were able to introduce integrated development areas ('zone d'aménagement concerté' or ZAC) were changed. ZACs are a planning instrument enabling the public authority to undertake major, comprehensive and coherent urban planning operations. They offer public authorities a legal, financial and

⁸ It was further increased to 25 percent by a law from 18 January 2013 (Loi Duflot I).

technical framework adapted to implement spatial planning operations (Foras et al. 2015). The goal of a more equal distribution of social housing across the territory of the agglomeration was pursued by the metropolitan president Gérard Collomb (in office from 2001–2017) and supported by private and social housing actors. Resistance against the construction of social housing was frequent, especially in rich communities, as evidenced by shares well under 10 per cent in the west and north of the metropolitan territory (Figure 11). Providing more affordable housing across the territory, while at the same time contributing to gentrification, can be seen as a somewhat contradictory policy orientation in this period (Galimberti, Dormois, Pinson 2017).

Figure 12: Zones for social mixing within the agglomeration of Lyon, 2010



Source: own representation based on UrbaLyon 2013.

In 2010 the new local urban development plan (PLU) came into existence, prescribing a share of social housing for each private construction scheme, independent of any negotiations, which has been judged as a significant change towards more equitable development of the city (Vergriete 2011). New zones have been introduced in the PLU, namely zones for social mixing ('secteurs de mixité sociale') (Le progrès 2010). A large part of the agglomeration and most municipalities were declared as social mixing areas (see Figure 12). In the respective zones, a certain percentage of social housing is then applied to all projects, depending on the total living space. First, there is variation in the proportion of social housing that must be provided in private projects. This varies between 10 and 30 per cent, depending on the municipality. Second, there is variation in the net

floor area above which the requirements apply. Third, the requirements vary in terms of what types of social housing must be created (Grand Lyon 2012).

Another major policy had its origins on the national level: the law on housing access and renewed urbanism (ALUR) from 2014 made it possible for local authorities to introduce community land trusts. The purpose of a community land trust ('office foncier solidaire' or OFS) is acquiring and managing land, whether built or not. Land or estates acquired through an OFS must be used for providing housing or community facilities. OFSs are non-profit organisations following an anti-speculative logic, aimed at allowing especially low-income households to gain homeownership or rent at moderate rates (Boche 2019a, 2019b).

During the presidency of David Kimelfeld, when the growing unaffordability of housing in the agglomeration became more pronounced, three major policies were enacted. First, it was decided to create an OFS to provide housing for half the price in Lyon in the future (Boche 2019c). Second, there was the policy for a more just city that addressed negative developments related to the rise of Airbnb. Related regulations for landlords have been in place in Lyon since 2019 (limitation to not more than 120 days a year, with a unique registration number for each property or raising a tourist tax) (Deligia 2019). The implementation of similar laws proposed at the national level failed, partly because of successful lobbying efforts against them by Airbnb and the European Holiday Home Association (Aguilera, Artioli, Colomb 2021: 11). Third, there was the housing-first programme ('le logement d'abord' / 'un chez soi d'abord') that aimed to provide access to affordable housing to the least well-off, thus targeting homelessness. This is a national social housing programme originating in 2017. Around that time, it was estimated that around 3000 people were homeless in the agglomeration. The principal assumption of the programme is that a stable home is the first step in helping homeless people. Related problems such as health issues or unemployment cannot be resolved without a stable home (Lahaye 2019). Shortly after the change of the metropolitan presidency, the government decided to apply for this nationally administered programme. The programme was officially launched in early 2019 and can be seen as a continuation of the project of 'métropolitain des solidarités' (Viévard 2019).

The role of democratic institutions and processes

Based on Fainstein's reasoning on the necessity of pressure from below, receptive public administrations and centre-left political coalitions (Fainstein 2010: 167–68), we expected consensual and direct democratic institutions to be, under otherwise equal circumstances, more favourable for just city policies. This thesis would correspond to Lijphart's (1999) findings for national policies, which seem to be 'kinder and gentler' in consensual democracies like Switzerland or Belgium, as compared to majoritarian democracies exemplified by the US or the UK. The argument is that consensual democracies incorporate societal minorities into policymaking, thus making their views heard and allowing for consensual solutions.

We thus started to classify subnational power-sharing institutions (Hendriks 2010) in Birmingham, Lyon and Zurich but struggled with the governmental level to be accounted for, with Lyon standing out with competencies allocated to the metropolitan level. Moreover, do consensual politics really support solutions targeted to minorities? About a third of the population in Zurich lacks Swiss citizenship and is, therefore, excluded from elections and direct democratic votes. On top of this: are disadvantaged population groups actually aware of their relative deprivation and

would they dare to speak up? Is the popular initiative for raising the share of affordable housing in Zurich not rather to be seen as an expression of middle-class residents who are worried about raising housing prices rather than a concern for housing disadvantaged population groups? Yet similar questions also relate to Lyon. While metropolitan politics in Lyon were found to exhibit more consensual traits in comparison to local and national politics in France (Kübler 2012), does this mean that distressed youth in the banlieues are effectively represented at the metropolitan level?

Of course, national planning traditions, traditions of the welfare state and established housing systems have a strong impact on cross-national variations. On the other hand, these traditions will themselves be conditioned by national democratic institutions and political cultures. The fact that non-profit housing in Swiss cities is directed toward households from a broad income range and in that the increase of non-profit housing is equally intended to serve lower as well as middle-class households – is this not perfectly compatible with consensual local politics, where social policies are negotiated so as to serve all represented population groups? And, conversely, do more targeted social policies like means-tested housing and dispersal policies not predispose a strong national government and mayoral leadership as found in the UK and France? Furthermore, what is the value of fragmented administrative power in the case of Switzerland, when cross-sectoral cooperation between spatial planning, housing policies and socioeconomic monitoring remains sparse or non-existent? Did cities in the UK not strengthen the position of the directly elected mayor in order to allow for more cross-sectoral coordination?

After all, we may ask whether attaining political support for a just city is that difficult at the municipal or metropolitan levels. Many cities in Europe are governed by left-wing parties promising more affordable housing and promoting the value of diversity and social integration in their cities – although it is true that core cities in the UK and Switzerland will be challenged by a less equity-and-diversity-oriented political environment in their agglomerations (Dlabac et al. 2020). In the UK, the current situation is coupled with austerity politics, poor relationship with central government and reliance on private investment (O'Farrell 2020). The difficulty of creating affordable housing in an environment of international financialisation of housing, however, was also a recurring issue in interviews conducted in Lyon and, to a lesser extent, Zurich (Zwicky 2020).

More fundamentally, however, the question is what substantial policies are associated with the proclamations of left-wing local politicians, and how far they are willing and able to go to improve conditions for the most disadvantaged. Judging from the case of Lyon, political decisiveness at the urban level is strongly enhanced when it is embedded within a strong national housing and desegregation agenda, by local and metropolitan planners committed to equity and social mixing, as well as through long-established partnerships with civil society and housing associations that share a vision of social justice at the metropolitan level.

Conclusion: a call for politicians, planners, housing associations and activists

Larger cities in Europe and elsewhere are often places with increased levels of social and ethnic segregation, leading to inequalities in terms of access to opportunities and life chances. At the same time, cities and city-regions compete internationally to attract investments and create local jobs, ideally establishing themselves as attractive places for knowledge-based, creative industries.

While social justice and successful economic policies may go hand in hand, making full use of local human resources and talent, short-term achievements such as new convention centres or business districts are often prioritised over creating equitable opportunities for every individual to realise their capabilities. While increasing quality of life in the core city may be effective for attracting creative industries, it is of little value to people being displaced to less attractive areas within the agglomeration.

In contrast to the ideas portrayed in ‘the just city’ (Fainstein 2010), however, it is not gentrification-induced displacement that we should be most concerned about. It appears that the current political acceptance of existing levels of social and ethnic segregation – in the name of recognising the free choice of every person to congregate with like-minded people – is a less visible but more powerful source of social injustices, particularly if considered at the metropolitan level. Rather than merely attenuating the social impacts of new developments projects, as demanded by Fainstein, we believe that just city planning should proactively address existing spatial injustices and stimulate incremental renewal, including in areas that are currently being neglected both by the state and private investors.

While the metropolitan authority of Lyon has not yet succeeded in imposing the minimal share of social housing across its territory, and while we cannot yet say much about the impact of the zones for social mixing, it seems that a just city requires spatial planning tools that also strategically integrate the planning of socially mixed housing. We believe that the implementation of such tools, and engagement by planners with the issues raised by scholars such as Fainstein and Soja, are both necessary steps towards tackling social and spatial segregation. As the case study of Birmingham shows, segregation can rapidly intensify if left unchecked. Local authorities that simply surrender to market forces and pursue trickle-down visions of achieving growth across their territory cannot reasonably hope to tackle this problem. As the British case study shows, the role of international investment and the centralisation of power are powerful disciplining forces upon cities. However, active organisation by residents and unions to present alternative visions of the future, as in the case of Birmingham’s failed stock transfer, demonstrates that activism and citizen participation can have a transformative impact on urban futures, thus marking a point of dissension with Fainstein’s work.

Our research in Switzerland shows the challenges of making these spatial injustices visible, but also of making politicians, public officials and other decision-makers responsive to these injustices. A project on the six largest Swiss cities shows how the design of school catchment areas reproduces social and ethnic residential segregation in terms of school compositions (Dlabac, Amrhein, Hug 2022). Elected and administrative officials in all but one city involved in the project attempted to block the proceeding of the study. Within the study, we also developed an internationally unprecedented algorithm for the detailed optimisation of school catchment zones, with short and secure walks to school (AlgorithmWatch 2019). Even in view of the significant room for optimisation, presidents of school boards were against changes, arguing that some parents may have chosen their place of residence knowing that they will be assigned to a particular school. It is encouraging to see that several school boards are now willing to test and implement the intelligent assignment procedure.

In a similar way, funding and collaborating on a data-based citywide evaluation of the actual social mixing contribution of non-profit housing providers in Zurich is currently being resisted by some administrative units and by larger housing associations. The project will develop specific social,

ethnic and generational target values for every existing or planned housing development. Target values are set to contribute to social mixing at three levels: the housing estate, the neighbourhood and across all neighbourhoods of the city. While these target values would move within a socially accepted range, and depending on the location of an estate, the value would indicate the top or lower end of the range. ‘Upgrading’ in a congested neighbourhood would need to be compensated by housing units offered to disadvantaged people in a more affluent neighbourhood to prevent further displacement from the city.

While social mixing is the key term with which the City of Zurich and housing associations publicly seek electoral support for their projects, the relevant units in the city administration see no room for implementing such variable targets in the highly regulated public housing domain, or they feel market developments are required for securing social welfare in the city. The larger housing associations, for their part, feel the question of social mixing does not correspond with their most pressing concerns. They feel that social mixing would not be tolerated by their residents, that it would lead to conflict and additional work, or that social mixing in their neighbourhood would lack the necessary social infrastructure. One representative of a public housing foundation also asked whether it is really the non-profit sector that should pay the price of highly segregating private housing developments in their neighbourhood. Interestingly, private developers claim to have an interest in vivid mixed-income neighbourhoods, yet one representative publicly said there needs to be public regulations so all developers would have to take social mixing into consideration.⁹

We see that there is a long way to go to achieve socially just cities. The way forward seems to be to make social injustices visible to politicians, practitioners and the broader public. Once visible and understood, pressure will rise to make planning and housing policies coherent with publicly praised values of equity and diversity. Actions against segregation will need to be collective and binding. Most people will agree to policies leading to socially mixed neighbourhoods across the city, but it may be unreasonable to expect that people will contribute to desegregation solely by their individual residential choice. This means not forcefully relocating people out of their communities, but instead creating housing environments and neighbourhoods that are responsive to the socially and culturally diverse reality of urban economic spaces.

Funding

The research project “The Democratic Foundations of the Just City” (2017–2020) was funded by the Swiss National Science Foundation [grant no. 100012M_170240], within an international collaboration scheme with the Economic and Social Research Council (ESRC) and the Arts and Humanities Research Council (AHRC) in the UK.

⁹<https://www.hochparterre.ch/nachrichten/planung-staedtebau/blog/post/detail/wer-soziale-durchmischung-will-muss-mit-den-schulen-sprechen/1562578610/> (assessed 30 November 2021)

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