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General introduction

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1 General introduction

Urban politics of human rights

Barbara Oomen, Elif Durmuş, Sara Miellet, Janne E. Nijman and Lisa Roodenburg

Introduction

Human rights and the urban – two concepts that both seem to quiver with hope, promise and potential. Songs, selfies and cinematography praising city life conjure images of growth, freedom and emancipation. Similarly, it is difficult to read the preamble of the Universal Declaration of Human Rights without being touched by how its language seeks to emphasise how recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family forms the foundation of freedom, justice and peace in the world. Behind these promises loom, however, perhaps inevitably, the disappointments of the world's stark reality. The failure to deliver on human rights by the very states that signed so many solemn pledges and took on so many treaty obligations becomes clearly visible in cities. The slums behind the shiny facades, the people begging next to high rise banks, the divergent life-worlds and opportunities of children in a single city.

These two concepts and the realities behind them are increasingly connected, one shaping the other. The 'everyday' of human rights surface in street art, park protests and mayors' speeches that confront urban inequalities; they are claimed in newspapers, town halls and district courts. Equally, we see cities claim a role in the promotion and protection of human rights in global (policy) fora. Similarly, human rights and the urban conjoin in the self-identification of 'human rights cities' and in the invocation of the 'right to the city' to attain social justice. However prevalent the interconnection between these two concepts, there is nothing self-evident about it. The seemingly neutral concepts of both 'urban' and 'human rights' are so abstract and vague that we risk losing sight of how their interrelationship and their individual and combined manifestations on the ground are deeply political, with politics understood as the process by which individuals and other actors negotiate and compete in the process of making and implementing shared decisions (Hague et al. 2019, p. 4).

Urban politics of human rights lie at the heart of this volume. We seek to understand who mobilises human rights, via which mechanisms,

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in and through which urban spaces, over which conflicts and – perhaps most importantly – to what effect? To what extent do urban actors realise their articulated visions of justice, equality and democracy? The insights this volume generates are grounded in urban experiences across the world: in Kırşehir in the Asian part of Turkey, in Istanbul, Bologna and Malmö in Europe, in Cape Town and Nairobi in Africa, in São Paulo in South America and in New York, San Francisco and other cities in North America and the Bay Area in North America.

This ambition calls, first, for a close examination of 'the urban', understood as a contested object and concept, a scale of analysis, a process and a 'collective project in which the potentials generated through urbanisation are appropriated and contested' (Brenner and Schmid 2015, p. 65) (Section 'Exploring the Urban'). Subsequently, there is the need for a closer examination of the multi-faceted notion of human rights and its interrelationship with the urban: by what political processes are norms, discourses and practices of human rights urbanised, and how is the urban affected by human rights mobilisations (Section 'Urbanising Human Rights')? After this groundwork, we turn to the urban politics of human rights, focusing first on 'city society' – the individuals and other actors, both within and outside public and private institutions in the city, involved in mobilising human rights (Section 'City Society'). Subsequently, we set out the various mechanisms of mobilisation, ranging from framing, protests and strategic litigation to democratic deliberation and institutionalisation (Section 'Mechanisms of Mobilisation'). This background then allows for a closer examination of the actual politics and the legal, discursive, physical struggles at play in different urban contexts (Section 'A Matter of Politics'). Finally, in this chapter, we explore the conditions under which the urban politics of human rights can further the underlying objectives of urban (social) justice (Section 'To What Effect?').

The analysis presented in this introductory chapter is not merely based on the growing literature on cities and human rights, but foremost on the nine rather complementary chapters that make up this volume. These chapters are written by authors who do not only represent very different disciplines, but also all have a long-term engagement with the cities and the political and legal struggles that they analyse. In addition, the rich empirical accounts highlight various rights at stake, different mechanisms of mobilisation and outcomes; they theorise differently the politics at play and the relationship with the urban.

Situating This Volume

This volume engages with scholarly debates over cities, human rights, urban governance and urban politics, all of which situate the urban as an indispensable scale and site of political struggle and human rights mobilisation. Our inquiry touches upon different (empirical)

developments and by extension, different strands of literature. The first of such developments and relating scholarship is the globalisation of urban law, governance and politics soon after accompanied by the emergence of cities as global actors (Blank 2006a,b, Frug and Barron 2006, Porras 2009, Acuto 2013a,b, Barber 2013, Aust 2015, Curtis 2016, Nijman 2016, Aust 2017, Ljungkvist 2017, Oomen and Baumgärtel 2018, Coenen et al. 2019, De Losada and Galceran-Vercher 2021). This literature has helped establish the importance of the city, often equated with 'the local authority' within international law and global governance structures. The present volume speaks to and complements this literature by examining not only how human rights are urbanised in the local and transnational levels but also the actual on-the-ground mobilisations in and impact of human rights on the urban. This way the – at times unspoken – hypothesis that the local level is the one most fit to implement international laws and policies on the ground as well as see the results thereof is faced with nuanced reality checks through the empirical findings. It is, in addition, important to note that while this strand of literature does not focus explicitly on human rights as a normative framework and concept to analyse in relation to the urban, which is what the present volume aims to do, it does shed light on the dual character of cities as part of the problems characteristic of the 'urban age' and the solutions to such problems (Aust and Du Plessis 2018). Exceptionally, some scholarship on the emergence of cities as global actors point to the need for pluralist understandings of urban agency that look beyond the role of (local) state authorities (Derudder et al. 2018). The argument then is to expand the understanding of urban politics as 'what local state agencies do' to include 'the external, mobilised social groups which try to influence th[e] policies' as developed by local authorities (Savage et al. 2003, p. 153 as cited by Bassens et al. 2018, p. 10).

Second, the increasingly *local* engagement with human rights and its implications for international law is another phenomenon that this volume speaks to. The localisation of human rights has been examined and theorised, albeit rarely with an explicit focus on urban politics (Merry 2006, De Feyter 2011, Brysk and Stohl 2019). This literature offers many useful insights and theories of local human rights practice, social mobilisation (Rajagopal 2003), vernacularisation (Merry 2006) and contestation (Brysk and Stohl 2019). While the 'local' rather than the 'urban' has garnered more attention in this research, some studies examine global urban justice and specific phenomena, such as the emergency of human rights cities (Oomen et al. 2016). In his pathbreaking work on the human rights cities of San Francisco, New York and Barcelona, for instance, Grigolo sets out how a human rights city can be understood as a process defined by the competition and collaboration between different stakeholders, with the institutionalisation of human rights as an objective

(Grigolo 2019). Roodenburg, in her work on the role of human rights in urban debates on migration, distinguishes five functions of human rights in the urban: to legitimise actions that deviate from national policies, as legal standards that guide local policy, to bind actors to a shared goal, at times under the radar and finally to promote a city (Roodenburg 2021). Still, most research on human rights cities focuses more on the legal and sociological phenomenon and the normative legal implications of human rights cities (Hirschl 2020), and much less on the politics of how they come about in diverse urban contexts across and beyond the 'Global South' and the 'Global North'.

Third, this volume also engages with analytical and normative debates beyond urban studies scholarship. Scholarship on human rights, especially research conceptualising human rights (only) as law, and a branch of international law in particular, has been criticised for its state-centricity (Alston 2005, De Feyter 2005, De Brabandere 2009, Clapham 2013, Gal-Or et al. 2015, Fraser 2019). While the engagement of human rights scholarship with an international legal background with cities has brought about attention towards local governments as a relevant actor in human rights (Accardo et al. 2012, Marx et al. 2015, Starl 2016, Oomen and Baumgärtel 2018, Hoffman 2019, Durmuş 2020), the scholarship still focuses its attention on state actors at the local level, mostly disregarding different non-state actors and dynamics within the city. The chapters in this volume address in different ways the critique of state-centrism that has been levelled against the international human rights regime by bringing into focus the urban politics of human rights. The different contributions highlight the involvement of a myriad of actors who use human rights, for instance, to respond to urbanisation processes (García Chueca 2016). At the same time, this volume is mindful of critics who argue, for instance, that human rights city initiatives may preserve the state-centric human rights framework, by emphasising local 'state actors' and by only indirectly recognising the role of other local actors, such as community-based groups and social movements (Grigolo 2016, Fernández-Wulff and Yap 2020). They caution against top-down and programmatic understandings of local human rights engagements and against 'merely substituting the city for the state as the responsible actor' (Grigolo 2016, p. 285, García Chueca 2016, p. 108 as cited by Goodhart 2019, p. 151). Some sharing this criticism of state-centrism and the conceptualisation of the local government as a monolithic 'actor' in the analysis of the localisation of human rights questions have looked at the role of the individuals within the local state authorities (Sabchev et al. 2021; Miellet 2019). The challenge we attempt to tackle in this volume is therefore to examine the complex interactions and negotiations between various non-state and state actors within cities, including key individuals within and outside those 'actors' that shape the urban politics of human rights.

Finally, this volume engages with and speaks to post-colonial critiques of urban studies that call for more 'global' urban studies and debates on theorising urban politics, struggles and justice from a more diverse range of geographical and historical urban contexts (Robinson 2016, 2021). This also calls for, among others, much more attention to post-colonial urban contexts and reflections on urban informality (Roy and Alsayyad 2004, Roy 2011). This volume responds to this invitation, by bringing recent debates on theorising the urban and comparative urbanism as a practice in conversation with scholarly work on the urban politics of human rights. The individual chapters do so by empirically examining the urban politics of human rights in a diverse range of cities across and beyond the Global South and North in relation to different urban processes and phenomena. Some chapters explicitly engage with post-colonial critiques of comparative urbanism, and others zoom in on historical translocal manifestations of the urban politics of human rights.

Having situated this volume vis-à-vis these broader debates, the remainder of this chapter zooms in on key themes and concepts and presents a theorisation of the urban politics of human rights on the basis of the volume's chapters.

Exploring the Urban

The urban condition is often argued to define future life on the planet (Gleeson 2014). We have entered an epoch of new scales of urbanisation: 'the urban represents an increasingly worldwide condition in which political-economic relations are enmeshed' (Brenner and Schmid 2011). In this situation of 'planetary urbanisation', no natural or socio-space on earth remains untouched or unrelated to the urban. We value how this analysis opens up urban research beyond the city in a strictly territorial sense. The present volume does not take the urban or the city as an ontologically fixed or pre-defined category or object of study. Urban scholars have long warned against presenting the urban as a singular condition (Brenner and Schmid 2015, Brenner 2016). Instead, their work traces 'processes of urbanization that are bringing forth diverse socioeconomic conditions, territorial formations and socio-metabolic transformations across the planet' (Brenner and Schmid 2015, p. 152). Conceptually, this involves 'destabilizing the terms of the urban' (Robinson 2018, p. 236) and interrogating diverse processes and its different dimensions, the urban as a concrete abstraction and as lived experience (Brenner 2016, p. 280). As Robinson (2021, p. 98) notes, as a concept, the urban 'can only ever exist as emergent and multiple, in a state of constant, strong revisability'. Returning to this volume's ambition to examine and theorise the urban politics of human rights, this also necessitates being attentive to the diversity, distinctiveness and interconnectedness of urban engagements with human rights across various urban settings.

While the analyses in this volume loosely depart from an understanding of the urban 'as a key scale of analysis and political activities' (Darling and Bauder 2019, p. 5), the case studies turn to urban spaces where 'concrete struggles over the urban are waged' (Brenner and Schmid 2015, p. 178). On the basis of the empirical contributions of these case studies, at least four urban dynamics stand out.

First of all, *neo-liberalisation* has come to shape the urban (Sassen 2001, Brenner 2019). If there is one site in which neo-liberalisation has taken effect, it is in cities around the world. Global capital flows in and out, often in the form of property investments that push out local owners and tenants. This is demonstrated, for instance, in Gürlek's description of the local Abdal community being pushed out of their homes due to a neo-liberal repurposing of the valuable area upon which they had resided (Chapter 3). Furthermore, decrease in public spending and faith in free market fundamentalism have led not only to the privatisation of public goods such as transportation, education and housing, but also to the privatisation of spaces that were once public, often with the assistance of modern surveillance. Take Cape Town's waterfront and beaches as shown by Pieterse (Chapter 9) in this volume, where cameras and other forms of surveillance exclude certain urbanites while openly welcoming others. Another aspect of neo-liberalisation that has strongly affected urban governance is the combination of decentralisation and deregulation. While the former empowered local authorities by giving them a vast array of competences and responsibilities previously centralised, the latter led to an outsourcing of these responsibilities to public-private arrangements empowering private actors in the long run. This trend also strengthened the growing technocratic urban law, as demonstrated by Åberg and others in their discussion of squatter eviction in Malmö in this volume, that serve to support property ownership. Neo-liberal policies generate and exacerbate inequalities in cities. The global structuralist dynamic of neo-liberalisation is however met by a more context-specific dynamic of the urban, grounded in local histories and shaped by the specific configuration of space and actors in a given setting.

Second, *spatialised inequalities* are (re)produced and contested in cities both in the Global North and Global South. Socio-economic inequalities are etched into the urban landscape. The latter in turn also deepens them. On the one hand, we see city centres with high-rise commercial buildings, ample opportunities for consumerism and citizens blurring into hurried masses. On the other hand, if one looks away from the centres, there are the banlieues, the slums and the areas that never make it to city marketing folders with inhabitants that often struggle to meet daily needs. The contrasts within cities are often enormous. Some areas are spotlighted and developed, while other areas are to be avoided, bulldozed or hidden out of sight. In all these areas, there are people whose lives are affected by their surroundings, whether these are the slums or the shady lawns of Nairobi (Chapter 8 by Jones and Gachihi) or the old

quarters and streets in Kırşehir once home to characteristic song and dance of the Abdals, now bulldozed to make way for the modern Turkey (Chapter 3 by Gürlek). These *spatialised inequalities* have implications for the enjoyment of human rights around the globe, in the Global North and South, both within and between cities.

Third, cities are also socio-spaces where communities develop *localised identities*. Often, city dwellers identify more closely with the neighbourhood and city in which they live than with the state in which their city is located. The cultural minority 'Abdals' associated with and embedded in the fabric of Kırşehir, for instance, have reported not being the same community when uprooted from their ancient neighbourhood to the modernised high-rise buildings (Gürlek, Chapter 3). The São Paulo Pacaembu sports stadium, home to soccer matches and pop concerts, was converted to host emergency beds for COVID patients. Vormittag (Chapter 10) describes this as an instance of how specific landmarks – and the stories, symbols, songs and sentiments connected to them – create a sense of belonging: an identification that is often enthusiastically promoted by city administration and commerce alike. As such, scholars have pointed to the emergence of urban citizenship, that – as is the case of national citizenship – shapes legal status and political membership, sets out rights and obligations and stimulates civic virtues and ways of engagement via discourses of inclusion and participation (Oomen 2020, Shachar et al. 2017, p. 5, Vrasti and Dayal 2016).

Lastly, all the above – the global connections, the free flow of capital, the challenges faced and the strengthening of urban identities – contribute to a strengthening of *urban autonomy* in the relations between cities and the nation state. This becomes apparent, for example, in the human rights city of Bologna in the decoupling of urban migration policies from those developed at the national level, as described by Sabchev in Chapter 5. This theme also emerges when cities and urban actors take on the role of 'norm-entrepreneurs' on such international matters as the apartheid regime, claiming space and agency on a topic that would traditionally be considered within the jurisdiction of national foreign affairs policy (Novak, chapter 2 in this volume). Even if, under classical international law, states are the main actors in international relations and those that traditionally make international law, urban actors increasingly and collectively seek to influence the global human rights agenda, as is the case with the right to housing (Fernández-Wulff, chapter 6 in this volume).

Let us now turn to a discussion of how these combined dynamics of the urban relate to the second key concept in our investigations – human rights.

Urbanising Human Rights

The relationship between human rights and the city runs deeper and further back into time than can be set out here. After all, it was in the context of cities, and city-states, that rights and duties of those who inhabited

them vis-à-vis those who ruled them were first carved out (Prak 2018). Etymologically, the term citizenship is derived from the Latin word for city, and in Europe, the term citizen was a synonym for town dweller in the early Middle Ages. After the Second World War and the deep sorrows brought about by fascism and virulent nationalism, nation states were ready to agree upon the universal, inalienable and indivisible rights of their citizens, they did so within cities. The United Nations were founded in San Francisco, the Universal Declaration of Human Rights was formulated in Paris, the binding nature of human rights treaties was agreed upon in Vienna, monitoring of these treaties takes place in New York and Geneva and the interpretation of socio-economic rights was developed in Maastricht. This overview, while demonstrating the importance of the city for human rights, also makes clear why human rights critiques focus, among others, on the actual or perceived Western roots of these so-called universal norms (Rajagopal 2003). That said, these norms are met by local contestation, practices and localised understandings of human rights in cities around the globe (Oomen and Durmuş 2019).

As has often been discussed in human rights scholarship, it took decades for the promises penned up after Second World War to be actually mobilised to address injustices. Even if civil society organisations such as Amnesty International are often credited with making the move from norm-setting to implementation of human rights (Moyn 2010), local authorities also played a role. Novak illustrates this in chapter 2 of this volume where he points out how cities in the United States played an important role in combating Apartheid from the 1970s onwards. Cities passed divestment ordinances, lobbied with national authorities and worked with activists, academics, international organisations and collaborated within the context of city-to-city networks to strengthen human rights in South Africa. Similar types of (trans)local human rights engagement, which can be found today, often in explicit reference to human rights norms, can, however, partially constitute 'human rights exportism', seeking to strengthen the human rights of others while helping to create foregoing business opportunities that contribute to realising human rights (Ignatieff 2005).

Logical as it may seem, the legal responsibility of local authorities for human rights of all city dwellers long received little attention, eclipsed behind the state as the subject of international (human rights) law (Blank 2006a,b, Nicola 2012, Aust 2018, Aust and Nijman 2021). The main reason for this was the state-centricity of classical international law, and by extension, international human rights law, which placed the responsibility to respect, protect and fulfil specific human rights obligations vis-à-vis individuals within national jurisdictions squarely on states (Smith 2016). Over the past decades, however, following the trend of scholarly attention to other non-State duty bearers (Alston 2005), the formal responsibility of local authorities for human rights has received more and more attention

in both scholarship and practice (Oomen and Baumgärtel 2018, Hirschl 2020). This has a wide variety of reasons. The most recent UN human rights treaties, for instance, concerning the rights of children, or persons with disabilities, explicate responsibilities of all governmental authorities for rights protection. Decentralisation has also caused local authorities to often carry primary responsibility for, for instance, socio-economic rights such as the right to housing which in turn has taken on increased legal significance (Coomans 2006). In the field of international law, UN bodies have recognised increasingly local authorities as duty bearers, stipulating their responsibilities and stimulating them to accept these duties within a range of reports and processes (UN 2015, Council of Europe 2019). Second, and perhaps more interestingly, urban actors have also become more and more central to the advocacy, contestation and negotiations around existing and new human rights norms, often developing their own collective normative understandings on (specific) human rights and advocating for their acceptance in international law and global governance (Durmuş 2020, 2021a, Durmuş and Oomen 2021).

While this volume zooms in on the urban scale and the urban politics of human rights, we believe that the use of and engagement with human rights by urban actors is best understood not in strictly scalar terms, but as linked to various processes and spaces. The chapters in this volume focus on different urban processes, such as mobilisations, contestations and negotiations, through which human rights are urbanised (also see Darling 2016), and less on comparing the use of human rights by urban actors *in* different urban contexts or on comparing local authorities' engagement with human rights with that of states.

The interconnectedness of cities, and the degree to which they function as a hub, explains the rise of self-designated 'human rights cities' across the world. The idea of such a city originated in Rosario, Argentina, in 1997, but swiftly travelled to Europe, where Barcelona became one of the cities driving the European Charter for the Safeguarding of Human Rights in the City in 1998, with Gwangju currently functioning as one of the hubs in the global human rights cities movement in Asia and globally, hosting annual conferences and working towards further institutionalisation of the concept (García Chueca 2016, Oomen et al. 2016). Montréal, to offer one example, took the European Charter as inspiration for its Charter of Rights and Responsibilities. The networks that connect these cities also include a broad spectrum of international and regional organisations, businesses, donors and other norm entrepreneurs, as becomes apparent in the case studies on New York, São Paulo, Cape Town and Bologna, presented by Fernández-Wulff, Vormittag, Pieterse and Sabchev, respectively, in their chapters.

Bringing into sight the four dynamics of the urban set out above, the chapters of this volume show how these dynamics call for and stimulate engagement with human rights.

Neo-liberalisation stimulates engagement with human rights in many different ways. The harsh effects of neo-liberalisation on cities in the field of access to basic needs and the increased inequalities resulting from free market reign are met urban actors who contest neo-liberalisation by invoking human rights principles such as equality and human dignity, and the civil, political, social and economic rights to which these principles gave rise. Both Can (Chapter 4) and Fernández-Wulff (Chapter 6), for instance, show how invoking the right to housing in the Bay Area and in New York was essentially a response to the hardship on home owners resulting from the move towards housing as a private commodity instead of a public good. Similarly, the homogenising forces of the global economy call for a pushback by means of an invocation of cultural rights, for instance, in the case of Roma rights presented by Åberg and others (Chapter 7) and the rights of the Abdals in Gürlek's case study (Chapter 3). While this concerns claims *against* local governments, decentralisation and the felt need to safeguard public interests in times of privatisation and deregulation has also caused many local governments to explicitly include human rights in their policies, politics and ordinances.

Large *spatial inequalities* characterise today's cities and play a key role in both the engagement with human rights and how these engagements play out. The cases of São Paulo, Nairobi and Cape Town all show how the material conditions in these cities threaten the right to life, and violate a long list of other rights, of people who live in the slums and squatter camps and are wilfully kept from wealthier parts of town. It were the conditions in the Roma squatter camp in Malmö that caused activists to embark on a set of court cases to improve their condition.

It is moreover the city as imagined, dreamed up, and as the breeding ground of *localised identity* that cause actors to call in human rights, be it for the purpose of city marketing or as a rallying call for a more just city (Fainstein 2010, Roodenburg and Stolk 2020). This localisation, as we will see, calls for renegotiation of both terminology and content of the rights concerned, a recasting of the global language in the vernacular (Merry 2006). The urban renegotiation of human rights can also lead to the emergence of new urban rights. One could think of home-grown notions such as the 'right to the city' that calls for the right to belong and co-produce the urban, which originates from the work of Lefebvre from 1968 (Mayer 2009), but also of the Cape High Court's interpretation of the right to public presence in the context of urban resistance as described by Pieterse (Chapter 9). Other examples of new urban rights can be found in charters that were created by urban actors, such as the European Charter for the Safeguarding of Human Rights in the City and the Global Charter-Agenda for Human Rights in the City.

A final urban dynamic, the stronger emphasis on *urban autonomy*, explains the degree to which urban engagement with human rights takes place in an active dialogue with a wide range of national and international

actors. Urban actors increasingly team up nationally and internationally, claim a place at the international negotiating table and insert their understandings in norm-setting and norm-interpretation processes (Blank 2006a,b, Aust and Nijman 2021, Novak, in this volume). One reason is to take these reworked understandings home, but there is also the separate desire to make a mark on global governance and the international development of human rights.

Let us now turn to the actors and the mechanisms involved in the specific 'pathways' (Brysk and Stohl 2019) of rights mobilisation in urban settings.

City Society

Classic legal human rights understandings involve binaries. There are rights holders and duty bearers; individuals and authorities; civil society and the State. All the chapters in this book show how this binary structure hardly holds true for urban realities. At times, as in the cases presented by Can, Jones and Gachihi, Åberg and colleagues and Pieterse, civil society is indeed the driving force in holding the local government accountable for human rights violations. But even then, it does so with the involvement of, for instance, national and international authorities. In other cases, such as Sabchev's description of Bologna (Chapter 5), or Novak's discussion of US anti-Apartheid cities (Chapter 2), local authorities, civil society and even the courts come together to collectively strengthen human rights. The different roles local governments take in the cases within this volume demonstrate that it would be not only simplistic but also inaccurate to place local governments permanently and solely under the category of duty bearers. Instead, local governments, urban civil society and other urban actors are complex and flexible constructs taking diverging roles depending on context.

Norm entrepreneurs can be found at community centres, universities, in town halls, in elected offices, municipal councils or among civil servants, in businesses, religious organisations, with individuals and all forms of organisations. In order to be successful, they forge alliances that not only cross the classic binary of state and civil society, but also are essentially multi-sited and literally or figuratively multilingual, forged not only within the urban confines but also at conferences and meeting places elsewhere. This volume abounds with such novel partnerships, which collectively work towards the mobilisation of human rights and that could be called city society. Such city society consists of many fragments. In Nairobi, as Jones and Gachihi set out (Chapter 8), it is political society made up of the urban poor that, in contrast to civil society, rallies for rights in the context of Nairobi's Social Justice Centres. Most importantly, the city society, as opposed to merely civil society, can be constituted of both public and private actors, institutions, collectives and

individuals, any and everyone who engages in human rights mobilisations and contestations.

What becomes apparent in virtually every analysis of the city society driving the mobilisation of human rights is the role of networks. Some argue that access to networks through which rights-based norms and practices are disseminated and the availability of cooperation with different actors who can offer funding, resources and know-how are crucial ingredients for successful human rights mobilisation and institutionalisation in the city (Durmuş 2021b). The classic horizontal, national city and mayoral networks have increasingly given way to transnational networks such as those of human rights cities. Novak (Chapter 2) explores an ancestor of human rights cities by mapping a transnational network of norm-entrepreneurs that encompasses horizontal local government networks as well as universities, local, state and federal government officials, pre-existing advocacy networks on civil rights and businesses. Jones and Gachihi (Chapter 8) and Åberg Batzler and Persdotter (Chapter 7) show that horizontal networks among local NGOs, local communities and activists are crucial as well for an exchange of knowledge and resources. In the international law-making arena, there are also multi-level governance assemblages active, which include international organisations, UN special rapporteurs, private funders and business, that engage in a permanent dialogue on how human rights should be understood and mobilised within the urban context (Marcenko 2019).

The interplay between human rights and the urban, however, can be strongly informed by national and local party politics. Sabchev and Vormittag, for example, present cases in which networked human rights cities join forces to distance themselves from more restrictive national policies driven by right-winged populism. In Pieterse's analysis of Cape Town (Chapter 9), it is civil society, in conjunction with national ANC-forces, that takes on the local government led by the Democratic Party, in order to ensure equal access to urban spaces for all residents.

In short, to understand the urban politics of human rights, it is important to make an effort to unpack 'the urban', to map the actors involved in the politics of mobilisation and their national and international connections, in addition to considering the mechanisms of mobilisation.

Mechanisms of Mobilisation

Mobilisation of human rights can, as sociologists and political scientists have pointed out, socialise states and strengthen social justice (Simmons 2009, Goodman and Jinks 2013). Any attempt to focus on the urban politics of human rights can build on these insights on national processes. Such insights involve the interplay between global and local actors – the human rights spiral invoked and refined by Novak in his contribution (Risse and Sikkink 2013) and also the combination of

material inducement, persuasion and acculturation that causes states to comply with human rights and the importance of considering culture, structure and agency in any analysis (Goodman and Jinks 2013, p. 9, Sabchev et al. 2021). Localisation of human rights is, to a large extent, about 'vernacularisation', the uneven, negotiated translation of global and abstract norms into a language that is accepted and in line with local culture and traditions (Merry 2006, Goodale and Merry 2007, De Feyter et al. 2011). According to Haglund and Stryker, it involves specific mechanisms (informational, symbolic, power-based, legal and cooperative), actors (individuals, groups and organisations) and pathways, that concretise and specify processes of rights translation by 'spatially and temporarily locating the relevant actors and mechanisms in distinct contexts' (Haglund and Stryker 2015, p. 3). In the process of vernacularising human rights, grassroots organisations continuously renegotiate the terms of their engagement with municipal governments and their policy processes, in order to redefine what traditional human rights principles, such as participation and accountability, mean at the local level (Fernández-Wulff and Yap 2020). Mobilisation of human rights, also by urban actors, involves politics by definition.

If city society – in all its forms and manifestations – mobilises rights, the process of mobilisation can be understood as a social, discursive, spatial and material construction that foregrounds human rights over other normativities. This is often done in conjunction, or even competition, with other strategies, as Jones and Gachihi set out. Such foregrounding of human rights can, as becomes apparent in this volume, be done via a wide range of mechanisms, such as, framing, protests, visualisation, public interest litigation, democratic deliberation and institutionalisation (Brysk and Stohl 2017).

Wherever, whenever and by whomever rights are mobilised, one key first step is that of *framing*, the consideration of urban problems as human rights challenges. Gürlek's contribution illustrates how – in the absence of such framing (or other normative framings) by the stakeholders – a mobilisation to protect the interests of those vulnerable in the face of an urban challenge is highly unlikely to occur. There is nothing self-evident about this mobilisation, nor is there about the specific rights picked out of the human rights catalogue. Even with the foregrounding of one particular right, such as the right to housing in Fernández-Wulff's study of New York City, and Can's analysis of the Bay Area, there is need for reinterpretation, refinement and/or filling in of the global norm to ensure that it leads to the desired local outcomes. This involves political choices. As Can's comparison with Istanbul shows, the framing process within a specific socio-spatial and political context can also lead to a choice of a different vocabulary, such as the right to the city. Essentially a discursive act, framing can take place in many places: the mayor's speech, the twitter hashtag (#Right2City), the title of a policy report or a slogan on a protest sign. It can unify constituencies and alienate others.

Human rights mobilisation can also be about physical *protests* that support implementation of human rights or posit an alternative vision towards the one that is dominant. In Nairobi's Social Justice Centres, in the streets of Istanbul, at the University campuses filled with concern about Apartheid, human rights made their way into urban politics by means of protests. Within urban spaces, the mobilisation of rights is material as much as it is social. It can be done not only by putting the spotlight and cameras on flagrant injustices, but also by means of artwork and creative protests that affirm human rights and contest *visually* their violation.

A classic way of invoking human rights, and one that sets human rights apart from other normativities, is that they can be readily invoked in the context of *public interest litigation*. Here, too, there are wins and losses in terms of the underlying objectives. In Malmö, those pitting Roma rights against urban nuisance law to secure dignity for those living in squatter camps came out empty-handed, wondering whether political processes would not have been more helpful. In Cape Town and Bologna, on the other hand, carefully framed rights claims, with enough social support, did lead to wins in courts and later to improvement of rights compliance by the authorities.

Another mechanism of rights mobilisation consists in so-called *democratic deliberation*. The call for such deliberation, on equal terms, gives way to concepts such as the right to the city, to the invocation of rights and to claiming a seat at the international table. At the same time, as becomes apparent in Fernández-Wulff's discussion of the right to housing in New York, this deliberation forms a key process in reworking, vernacularising, given local meaning to a universal claim.

Finally, *institutionalisation* is a mechanism of mobilisation that emerges in many of the studies in this volume. There is the São Paulo secretariat of Human Rights and Citizenship, described by Vormittag, with roots dating back to the early nineties. There is Bologna's Office of New Citizenship, Cooperation and Human Rights, in Sabchev's case study. Here, human rights are not invoked against local authorities, but underlie local decision-making processes and institutions.

All of these mechanisms of mobilisation of human rights, importantly, may also constitute the contestation of human rights in the urban context. This is because the very notion of state-centricity underlying international human rights law, as well as the dichotomy of rights holders vs. duty bearers, and many other practices restraining human rights to the legalistic, apolitical, technocratic, international, public or institutional realms and excluding actors and processes that are outside such formal spheres, are challenged by a multiplicity of urban actors claiming the space and the voice to shape a localised understanding of human rights. As such, the mobilisation of human rights in the urban context, challenges the very fundamental assumptions about human rights, and

opens constructive spaces of criticism, and thus 'urbanises' human rights (Section 'City Society').

A Matter of Politics

However rights are mobilised, mobilisation is essentially a political process. Human rights are used to claim and to contest. Mobilisation of human rights involves struggles and negotiations. Let us now turn to explicit struggles that actors engage with when they mobilise human rights, and to how the urban context ties into each of these struggles.

First, it is important to recognise the power dynamics that come with rights talk, and that are behind human rights framing. The interests of private capital in Malmö benefitted from the prevalence of the right to property over other human rights. Seemingly 'neutral' urban law leads to the exclusion of not only individuals, but also specific groups of people, and positing rights-based claims against it constitutes quite a radical counternarrative.

Also, which right to mobilise is a matter of politics, explicitly mulled over by actors in city society. Can, for instance, convincingly shows why those seeking to combat homelessness in California's Bay Area turned towards claims based upon the right to housing, whereas the same cause in Istanbul was put forward as being about the right to the city.

One of the choices to be made here, particularly in the context of strategic litigation, is whether the emphasis should be on rights as laid down in the national constitution, or the international human rights framework. This, of course, depends on the constitutional dispensation, and domestic understandings of the justiciability of, for instance, socio-economic rights; similarly, focus on either national or international law can also be a matter of politics. At times, domestic constitutional frameworks can be interpreted in more progressive ways than international human rights law, as demonstrated by Pieterse. In the examples he describes, South African courts are developing an interpretation of constitutional rights that are urban-specific, such as 'the right to be present', which aligns with previously non-codified discourses on the 'right to the city'. This example also proves that strategic decisions in human rights mobilisations can invent or develop 'new urban rights' rather than existing codified law.

In all this, the image of human rights as alien, and western in origin, can definitely play a role, as becomes clear in Jones' and Gachihi's analysis of how activists in Nairobi's Social Justice Centres reflect on these rights, and their (in)ability to truly address the colonial legacy of inequality.

All chapters show how human rights politics play out in the cityscape. Via marches, artworks, rainbow-coloured zebra crossings, occupation of beaches and buildings. The shanty towns by which university students in Novak's case study draw attention to apartheid injustices shows the

interplay between the material and the normative, the spatial and the political. The urban politics of human rights involves many actors, and occurs by a variety of mechanisms, it always involve struggle. Here, an outstanding question then is how these struggles and mobilisations play out.

To What Effect?

The urban engagement with human rights can count on high expectations, as well as on critique and concern, as with human rights engagement in general. In terms of expectations, there is the promise in equal treatment, recognition of human dignity and participation for all. Human rights may also function as a discursive umbrella under which to unite a wide variety of interests, a clear and globally agreed set of goals, and to uphold the law in court and thus to guide and constrain governmental power. Critiques of human rights focus on their poor track record in terms of delivery (Moyn 2018), their lack of attention for underlining structural causes of injustices, and the fact that they even run the danger of undermining other more emancipatory strategies for (social) justice struggles (Kennedy 2002). Human rights critics focus moreover upon their origins in Western Enlightenment thinking (Rajagopal 2003) as well as their legalistic, state centric and even totalitarian focus (Handmaker and Arts 2018).

The million-dollar question on the mind of everyone with a stake in the urban politics of human rights – as an activist or an academic, a councillor or a citizen – is of course whether mobilisations of human rights make a difference. The chapters which we discuss and introduce here paint a nuanced but ultimately affirmative picture. While each of the chapters addresses all of the themes set forward in this introduction – relevant processes of urbanisation, the urbanisation of human rights, the dynamics of city society, mechanisms of mobilisation – they are organised with a focus on the themes predominant in each article.

First, three chapters set out clearly how, over time, processes of urbanisation such as neo-liberalisation, spatialised inequalities, localised identities and strengthened urban autonomy have paved the way for a discussion of urban politics of human rights. The often-neglected historical perspective on the potential of the urban for the realisation of human rights is provided here by Novak in his chapter on US cities joining forces against the Apartheid. The politics of this process, involving intracity mobilisation, city-to-city collaborations and international lobbying many decades ago, foreshadow current urban politics. The case also shows how such inter-city mobilisations can ultimately lead to strengthening human rights, even in faraway places.

Processes of urbanisation – starting with the way in which neoliberalism has led to the privatisation of public space and the erosion of the public good – are at the heart of Gürlek's description of Kırşehir.

Here, the bulldozers bringing modernisation to this Turkish town also ploughed away communal, cultural life, the song and dance of the Abdals in the streets, to be replaced by a homogenised, consumerist and privatised alternative in the new high-rise buildings. Nevertheless, political countering of these processes of urbanisation by means of the mobilisation of human rights can take many forms, as Can shows in her study of Istanbul (where protesters foregrounded the right to the city) and the Bay Area (with the emphasis on the right to housing). These different mobilisations, inevitably, also lead to different outcomes.

How human rights are urbanised forms a key theme in the next two chapters. Sabchev, discussing the rights of migrants in the human rights city of Bologna, also shows how rights-based cooperation of city society leads to more just outcomes. In the case of Bologna this involves a generalised human rights discourse, but urbanising human rights can also focus on one human right in particular. In this regard Fernández-Wulff, in her analysis of the politics of the right to housing, shows how this right makes its way into democratic deliberation in New York, leading to adjustment of policies. In both cases, the understandings of human rights are developed and contested within a multi-level context, but also these understandings are very much tailored to the local situation.

The following two chapters make clear to what extent the urban politics of human rights comes out of an interplay between actors in city society that does not always lead to the intended results. Åberg and colleagues critically reflect on how strategic litigation based on Roma rights in Malmö could not stop evictions, due to a construction of urban law that foregrounds concepts such as property and nuisance, and openly wonder whether such litigation can address underlying structural injustices. Similar concerns are raised by Jones and Gachihi in discussing urban protests against extrajudicial killings in the postcolonial context of Nairobi. Are human rights not too limited, too Western, too little political to truly lead to urban justice, their respondents wonder.

The two final cases presented, however, do show the potential of human rights to contribute to urban justice, by mechanisms of mobilisation ranging from strategic litigation to institutionalisation. Pieterse, in a detailed study of Cape Town, shows how the homeless, beggars and sex workers managed to claim the right to public presence through a range of court cases. Vormittag, finally, shows how São Paulo, confronted with one of the biggest human rights threats in its history in the context of COVID-19, could draw on institutionalised human rights policies in order to foreground human rights, equal treatment and dignity in its response.

And so it becomes clear that the urban mobilisation of human rights can make a difference, in particular when these mobilisations have deep historical roots, are framed as such, carried forward by a wide range of well-connected actors in the context of 'city society', and socialised

and institutionalised by being woven into the collective imagination, praxis, city ordinances, institutions and the cityscape alike. Cities lie within nations, and what happens within them will always be conditioned by these nations and by the confines of global economy, this volume points to the politics of human rights that comes with the urban mobilisation of human rights and how it may lead to a strengthening of urban justice.

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