Do contracts have politics?

*Contracts, planning consultants, and urban development in the age of participation*

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6. Good residents, bad residents

6.1 Introduction

The turn to citizen participation as an instrument to solve urban problems is a growing trend in many Western cities, a corollary of the tendency of national government agencies to devolve responsibilities to local actors (Walker, McQuarrie and Lee, 2015; Baiocchi and Ganuza, 2017). But citizen participatory processes in urban redevelopment harbor numerous contradictions. Although the organizational and legal tools that shape development projects present “citizen’s interests” as a coherent, unequivocal set of goals, in practice residents often have competing interests. A (sometimes contentious) debate about the neighborhood’s needs precedes their incorporation into policy documents, news articles and contracts. As we will argue, what are eventually deemed “citizen’s interests” are far from self-evident, but the product of co-ordination efforts to direct a group of actors towards a common good (Thévenot, 2002). In this paper we critically examine the role of participation in formulating urban policy. We show how “citizen’s interests” receive meaning through participatory processes and are claimed by both government agencies and (different groups of) residents.

Decades of experimentation with citizen participation show paradoxical results. On the one hand, participation is hailed as a transformative force that strengthens the influence of residents over their neighborhoods (Fagotto and Fung, 2006; Albrechts, 2012). On the other hand, citizen participation can devolve into mere window-dressing, an item to be ticked on a list that effectively cements the decision-making power of government agencies and commercial parties under the guise of citizen participation (Swyngedouw, 2005; Walker, McQuarrie and Lee, 2015; Ahmadi, 2017; Levine, 2017). Especially the debate on post-politics (Swyngedouw, 2007; McAuliffe and Rogers, 2018)
has shed light on how citizen participation can frame politics as a negotiation rather than a conflict of interests. In this article we answer two inter-related questions: (1) How are “citizens’ interests” defined in agreements that manage urban redevelopment projects? (2) When—under what conditions—are citizens able to alter the trajectory of urban development?

Although we acknowledge that citizen participatory processes often reproduce social inequalities and buttress the status quo, we do not a priori assume that they only serve as window dressing. To better understand how and when neighborhood residents are able to influence the course of urban redevelopment, we engage in a sociology of critique of the participatory process (Boltanski and Thevenot, 1999; Thévenot, 2002; Boltanski et al., 2014). The sociology of critique provides a framework for studying participatory democracy that: (1) takes the critiques of actors (residents, commercial parties, government agencies) seriously, thus acknowledging their reflexivity; (2) traces their critiques back to pragmatic registers—bonds of trust in principles, actors and objects that are used to navigate uncertain situations that ask for public coordination—thereby enabling comparison between cases; and (3) challenges the dichotomy between antagonism and consensus, showing how compromises are established through a highly contingent process of denunciation and disagreement.

Citizen participatory processes, we argue, reward “entrepreneurial” behavior and citizens who are active, enthusiastic, flexible, communicative and committed to finding innovative solutions to society’s problems (Boltanski and Chiapello, 2005a). Following Boltanski and Chiapello (2005), we call this tendency the “entrepreneurial logic”. Actors who invoke the entrepreneurial logic often pursue their aims through instruments such as subcontracting, flexible specialization and out-sourcing (Boltanski and Chiapello, 2005).
Although the entrepreneurial logic is omnipresent, it is not omnipotent; our research found instances of residents successfully mobilizing critique to impose their own logic on the development project. They do this by delegitimizing the participatory process, developers and city officials, by claiming the mantle of the neighborhood’s “true” representatives, and by mobilizing politicians and the media. A group of citizens successfully claiming the mantle of the neighborhood’s “true” representatives, however, can lead to the exclusion of residents who do not have comparably influential positions in the participatory process.

Our research makes two contributions to the debate on participatory democracy in urban planning. The first is a better understanding of how participatory processes are coordinated through moral standards. Although all residents are invited to participate, some residents are more welcome than others; entrepreneurial citizens are treated as good citizens while other citizens are not. This reconfiguration of the moral categories of citizens leads to the reproduction of social inequalities. The city’s resources are shifted towards solving problems defined by entrepreneurial residents, who are often already well connected—thereby compromising the aims of policies designed to serve the general public. Our second contribution concerns how the material arrangements of the participatory process coordinate actors’ actions. We show, for example, how the choice for workshops rather than public meetings affects residents’ influence over the development project. We begin by introducing the sociology of critique and the concept of “pragmatic registers.” We then describe our methods and analyze our case studies before ending with a concluding discussion.

6.2 Pragmatic registers and the sociology of critique

The sociology of critique—as developed by Boltanski and Thévenot (1991) and others—describes how people’s actions are coordinated through the use of
pragmatic registers when they engage in collective rather than individual action. In these situations they need to be prepared for public critique and justification (Thévenot, 2002). For example, when a planned high rise will block their view, residents will try to lower the maximum allowable height of buildings. By mobilizing the support of other actors through petitions, court cases or the media, they seek to coordinate actions in support of their interests. Changing the direction of a public process entails four distinct moves.

The first is to transcend local particularities to furnish a general argument (Boltanski and Thévenot, 1999). Complaining that a high rise will block the view from a balcony may enlist little sympathy; however, reasoning that the high rise will make the neighborhood too dense and crowded may win converts. By making the reasoning more general, more actors will be inclined to support the argument.

The second move links lines of reasoning to ideas about justice by placing the argument within historical stories and political narratives (Ibid.). Residents can argue that the high rise will irrevocably change the atmosphere of their working-class neighborhood. The argument is now even more general; it links the characteristics of the current situation to historical equivalences and narratives about neighborhoods that have lost their character through redevelopment. By throwing into sharp relief the threat of the high rise, the argument comes to appear as the right thing to do—or in a word, justified (Ibid.). Rallying against the high rise is not only fighting for one’s neighborhood; it is fighting for the rights of working-class people and therefore for justice, a normative principle. Through this move, people can distinguish between “good” and “bad” actors.

The third move entails mobilizing objects to navigate uncertain situations. When a development project is under public scrutiny, objects can become
symbolic references as well as agents that structure situations (Thévenot, 2002). For example, blank sheets with post-its show participants during a public meeting that they can write down their ideas if they are hesitant to speak up during discussions, thereby signaling a less hierarchal, creative way of reaching out to communities. Objects thus have qualities that support people’s actions, while people also need competencies to make use of objects (Sayes, 2014). Crucially for our purposes, objects also mediate politics. When a resident writes on a post-it that she is against a development project, the project will not automatically be stopped. The writing on the post-it will likely be translated into a graph that summarizes how many contributions were made during the participatory process. The more contributions, the more legitimate the process. Although objects can co-ordinate human actions, their ability to do so always needs to be tested (Thévenot, 2002). Objects are not always successfully mobilized, for example when residents refuse to use the post-its and the wall remains empty.

The fourth move entails criticizing and evaluating which line of reasoning is the most justified in a given situation. Introducing a line of argument in a discussion opens space for counter-arguments. A resident may argue that high-rises will benefit the neighborhood as more people can support public facilities. Another resident may refer to neighborhoods that have been gentrified by new high rises. During discussions, multiple arguments and counter-arguments will emerge, which actors will weigh against each other. Discussions during participation meetings are not only based on language; actors will evaluate the worth of the arguments through the actors and objects associated with the argument. Boltanski and Thévenot (2006: 140) call these lines of reasoning pragmatic registers: sets of principles, persons, objects and relations that help to guide actors through situations that need normative judgement and appeal towards a specific notion of the common good.
Actors appeal to (parts of) different pragmatic registers in different contexts but will have a clear preference for certain registers over others (Frère, 2004). Pragmatic registers are not only rhetorical; they need to encounter the world to show whether they can co-ordinate the actions of disparate actors (Thévenot, 2002). When there is no or little resistance to the applied pragmatic register, it will be used to legitimize future actions (Boltanski and Thévenot, 2006).

6.3 The context of Amsterdam

To better understand participatory processes in urban development, we juxtapose two development projects in Amsterdam. Over the course of 3 years, we interviewed 57 actors active in participatory processes and attended 25 participation meetings in the region of Amsterdam. Amsterdam furnishes a critical case for studying the global trend to turn to citizen participation as a solution for urban problems (Flyvbjerg, 2001). Over the years, the Dutch welfare state has been reformed into a “participation society”—comparable to the “big society” agenda in the UK—in which citizens are made responsible for public tasks, in large part through the creation of new participatory structures (Verhoeven and Tonkens, 2013; Baiocchi and Ganuza, 2017). Since the 1980s, Amsterdam—like most other cities—has adopted a range of market-oriented policies to promote economic growth (Uitermark and Bosker, 2014; Savini et al., 2016). Among other things, this has led to a reduction in social housing, which fell from 55.1% of the city’s total housing stock in 2002 to 45.6% in 2014 (Hochstenbach, 2017). This process was largely driven by government agencies that argued there was too much affordable housing in Amsterdam (Van Gent, 2013).

State-led gentrification fueled a liberal discourse of entrepreneurialism in the city (Savini et al., 2016). In line with the entrepreneurial logic, the city government embraced bottom-up initiatives and citizen participation to attract
investments from small businesses and entrepreneurial residents, while private consulting firms were often responsible for organizing and executing these participation initiatives (Stapper, Van der Veen and Janssen-Jansen, 2020). Larger urban redevelopment projects were often divided into smaller plots that could have temporary and differentiated functions, allowing neighborhoods to grow “organically” (Buitelaar, Galle and Sorel, 2014; Van Karnenbeek and Janssen-Jansen, 2018). In Dutch the approach is known as organische gebiedsontwikkeling, which can be translated as “citizen-linked incremental urban development”.

While the broader contexts of our two case studies are similar, the outcomes of their respective participatory processes are not. This provides us with analytical leverage. In this article, we pursue a differentiating comparative analysis whereby we aim to find variation in the outcomes of the same process (Pickvance, 2001).

6.4 Methods

Our analysis builds on the idea of pragmatic registers as developed by Thévenot, Moody, and Lafaye (2000), Boltanski and Chiapello (2005), and Boltanski and Thévenot (2006) (see Table 7). We analyzed policy documents (18), newspapers articles (15) and interviewed the main actors (26), inquiring about their roles and views on the most important actors and critical moments in the development process. We used their answers to create timelines of key events. We identified the kind of agreement (land use plan, policy document or development agreement) and the pragmatic registers mobilized around these agreements, ranking them and placing them in our timelines.

We carefully read the documents and coded the parts that framed the document with the help of ATLAS.ti. For example, a land use plan contains a lot of technical information. This is useful for our analysis, since the choice to
include or exclude certain types of technical information tells something about how the land use plan is framed, while the choice for a detailed or flexible land use plan says something about how the plan is justified. We briefly describe the five pragmatic registers we found in the data below.

Table 7: Pragmatic registers (Authors based on Thévenot et al. 2000; Boltanski and Chiapello 2005; Boltanski and Thévenot 2006)

<table>
<thead>
<tr>
<th>First move: linking the particular to the general</th>
<th>Entrepreneurial register</th>
<th>Domestic register</th>
<th>Civic register</th>
<th>Market register</th>
<th>Green register</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activity, adaptability, flexibility, trust, communication</td>
<td>Tradition, hierarchy, protection, respectability, authority, honor</td>
<td>Civic duty, rights, the people, legitimacy, membership, delegation</td>
<td>Competition, valuable, profitable, possession</td>
<td>Greenness, climate-neutral, no-waste, ecologically friendly</td>
<td></td>
</tr>
<tr>
<td>Second move: historical and political narratives</td>
<td>Self-organizing, out-of-the-box, managers, coaches, innovators, creatives, consultants</td>
<td>Duty, obligation, father, king, superiors, elder, relative, neighbor</td>
<td>Solidarity, struggle, elected officials, the party, representatives</td>
<td>Self-interest, consumption, competitors, clients, buyers, sellers</td>
<td>Sustainability, renewability, environmentalists</td>
</tr>
<tr>
<td>Third move: mobilizing objects</td>
<td>Digital tools, new organizational devices, sub-contracting</td>
<td>Good manners, etiquette, titles, rank, character</td>
<td>Law, committees, lists, criteria, decree, codes</td>
<td>Wealth, money, status, property</td>
<td>Pristine wilderness, animals, plants, nature</td>
</tr>
<tr>
<td>Fourth move: criticizing and evaluating</td>
<td>Innovativeness</td>
<td>Ceremonies, respectability, authority</td>
<td>Committees, elections, jury, representativeness</td>
<td>Deal, transaction, contract</td>
<td>Ecological footprint</td>
</tr>
</tbody>
</table>

The entrepreneurial register’s guiding principle is activity. High levels of activity link the particular to the general. The historical and political narrative of the
entrepreneurial register promotes flexibility, resilience and self-organization. The ability to control one’s working routines are highly valued; there is little distinction between private and working life. Security and stability are less valued. Objects such as new projects and actions, new organizational tools and digital devices are seen as worthy. Innovativeness is the measuring stick to determine the worth of other actors, objects and actions (Boltanski and Chiapello, 2005).

The domestic register’s set of principles privilege tradition and protection. The particular is linked to the general through good manners, authority and hierarchy. The historical and political narrative of the domestic register is based on a sense of duty and obligations. Valued actors include relatives, neighbors and superiors. Objects such as the home and gifts are seen as worthy. Situations are judged by evaluating the respectability or authority of actors, objects and actions (Boltanski and Thévenot, 2006).

The civic register’s guiding principle is civic duty. The democratic process with elections, delegations and rights, establishes the relation between the particular and the general. The historical and political narrative of the civic register is the narrative of struggle, solidarity and elections. Objects such as the party, elected officials and law are highly valued. Uncertain situations are navigated by evaluating whether the actors, objects and actions are representative (Boltanski and Thévenot, 2006).

The principles of the market register are based on competition. Profitability and efficiency link particular situations to a general framework. There is a strong belief that the invisible hand of the market will make the world a better place. The historical and political narrative thus promotes the pursuit of self-interest and effectiveness. Money, property and wealth are the valued objects of the
market register. Deals, transactions and contracts bring clarity in uncertain situations (Boltanski and Thévenot, 2006).

The green register’s principles are directed toward creating a climate-neutral, no-waste, ecological world. The particular is transcended by greenness. Living in harmony with animals and plants is the basis of the historical and political narrative of the green register. Environmentalists are highly valued. Objects such as animals, plants and wilderness are highly esteemed. Reducing the ecological footprint on the planet is a way of criticizing and evaluating situations (Thévenot, Moody and Lafaye, 2000).

6.5 Zeeburgerpad

Zeeburgerpad is located in rapidly gentrifying Amsterdam East, where the city’s strategy of liberalizing the housing market has led to a steep rise in property values (Uitermark and Bosker, 2014). The percentage of residents with non-western migration backgrounds in the areas surrounding Zeeburgerpad remained stable between 2005 (21.5%) and 2015 (21%) (Gemeente Amsterdam, 2020), as did the percentage of residents with lower educational attainment (15% in 2010 and 16% in 2015) (Gemeente Amsterdam, 2020). A brownfield site hosting industrial and commercial activities as well as people living in houseboats, the city began preparing plans to redevelop the Zeeburgerpad area in 2009, including the building of 684 new housing units. Towards this end, the city opted for a strategy of citizen-linked incremental urban development. This strategy, when previously applied in Amsterdam East, had won praise from journalists and developers; a 2013 newspaper article—“In Amsterdam East they are still building houses” (Zonneveld, 2013)—examined why housing projects in this neighborhood were more successful than in other parts of the city. Figure 2 is a timeline of the most important agreements in the development of Zeeburgerpad.
6.5.1 The participatory process in Zeeburgerpad

In 2011 the city produced a memo outlining its ambitions for Zeeburgerpad (Gemeente Amsterdam, 2011a). In the memo, the city argued that the area mainly consists of outdated industrial and commercial buildings, and to develop the area, flexibility is needed to give “creative entrepreneurs a maximum amount of freedom” (Ibid.). As the district alderman explained: “the plan is designed during the crisis, we assumed that it would result in an organic process, with lots of small-scale initiatives” (Interview, District Alderman 1 Zeeburgerpad, 10 October 2017). To attract investors, the municipality turned to a new planning tool called the spelregelkaart—literally “rules of the game” but which we hereafter call “spatial planning rules”. These rules, which must be followed for a development proposal to be approved, outline the municipality’s ambitions for the area and provide a global framework for its development. Spatial planning rules are less rigid and detailed than land use plans, thus giving potential developers greater flexibility (Gemeente Amsterdam, 2011b). This is still quite unusual in Amsterdam, where land use plans are often very detailed.

Developers proposing plans for the Zeeburgerpad area needed to follow the spatial planning rules. Next, they needed to gain support from neighborhood residents. How developers organized neighborhood outreach was up to them; they only had to prove to the municipality that outreach had been substantive.
A plan following the spatial planning rules and receiving neighborhood support would lead to the municipality and developer signing a principal agreement indicating that the proposal is in line with the area’s desired development. If commercial parties did not concretize their plans within a year, the agreement would be terminated. The municipality’s goal to attract commercial parties worked as several developers began designing plans for the transformation of Zeeburgerpad, with three of them receiving a principal agreement from the municipality.

A neighborhood consultation meeting, however, revealed that residents had grown concerned about the plans. Organized by the housing corporation DUWO, these meetings created tensions between developers and residents. While the housing corporation wanted to build housing for PhD students, neighborhood residents were against this, citing concerns about student behavior (DUWO, 2014). According to the residents, the consultations were top-down and left them feeling that there was nothing left to negotiate: “David and Goliath, that is how it was” (Interview, Resident 1 Zeeburgerpad, 2 October 2017).

This episode led to the creation of the Buurtgroep (neighborhood group), a neighborhood organization claiming to represent the interests of the neighborhood in the urban development process. They collected 200 signatures to prove that the group could speak for the area’s residents. Most of the leaders of the Buurtgroep were active in an organization that represents the interests of people living in house boats in Amsterdam. They wrote a manifesto containing their vision for Zeeburgerpad: “We decided to write an alternative plan, not plan A but plan B” (Interview, Resident 2 Zeeburgerpad, 2 October 2017). The vision was of small-scale, sustainable mixed-use buildings. All developments should have a relation to the neighborhood, fit into the area, and be limited in height (Zeeburgerpad, 2014).
As the neighborhood organization trusted neither the municipality nor private developers to take their interests into account, they began lobbying politicians in the district council and initiated a legal challenge against the spatial planning rules. They were successful in both their lobbying and legal efforts. The Council of State, the legal body that oversees spatial planning in the Netherlands, ruled that the spatial planning rules did not have a legal basis and forced the municipality to design and implement a new land use plan in the summer of 2014.

This compelled the municipality to begin developing a new land use plan. Retaining its belief that flexibility was needed to attract investors, the municipality now altered its own “spatial planning rules” and organized “neighborhood tables” to which all neighborhood residents were invited to discuss developers’ proposals (Reuten, 2014). When a proposal was deemed desirable, it would receive a principal agreement from the municipality and the residents. This approach, advised by the research consultancy firm Tertium, was short-lived. “It did not lead to anything. It was one of the many attempts there. And we had said, this is not going to be the next attempt, but it became the next attempt” (Interview, Consultant 1 Zeeburgerpad, 1 March 2017).

The municipality then produced a report with the outlines of a new land use plan to be adopted by the district council, partly written by consultants from the firm De Wijde Blik. The consultants had organized a participatory process with residents, including the Buurtgroep. The report noted that the area’s land owners and entrepreneurs wanted flexibility while the residents wanted a detailed plan. Although the report was more in line with the articulated interests of the Buurtgroep, its members were not satisfied. Due to effective lobbying, the district council made many detailed amendments. While the municipality sought to include in the land use plan the three initiatives that had
achieved a principal agreement, residents perceived these as shady, as the outcome of the municipality’s preferential treatment of developers: “He [a civil servant] was talking with the investors and land owners to see in which way he could seduce them to invest” (Interview, Resident 1 Zeeburgerpad, 2 October 2017). The criticism resonated within the district council: “The point is that you never know how far and how concrete those agreements are, but you recognize it because of the tempo of how things are done” (Interview, District Council Member 1, 13 November 2017). One of the land owners, however, disputed any notion of preferential treatment: “We almost never got to speak to the alderman, we were there only once, and that really took a lot of effort” (Interview, Landowner 1 Zeeburgerpad, 16 January 2018). This led to the withdrawal of two of the three principal agreements.

One of the three principal agreements was eventually included in the final report because the land owners and the residents found a compromise. The land owners had wanted to build a budget hotel for backpackers, which was opposed by residents worried about noise. As the municipality had only given a principal agreement when consultation was organized between residents and land owners, the latter hired consultants from the firm XOOMlab to mediate with the residents. After two meetings, and partly due to the backing of the Buurtgroep, the residents and the land owner decided to negotiate an agreement. In their memorandum, they agreed that the hotel would be a high-end rather than a budget establishment in order to attract less noisy guests, and that the land owners would pay for a concierge who would remain in contact with the residents. The agreement was signed by both the Buurtgroep and the residents living directly across from the development. But in the end, some residents felt pressured to sign the agreement: “That went reasonably okay, in good consultation, but as befits a developer, there was no hesitation in putting heavy pressure when needed” (Interview, Resident 2 Zeeburgerpad, 2 October 2017).
Finally, in August 2018, the land use plan was adopted by the city council, formalizing the decisions made in the report.

6.5.2 Pragmatic registers used in Zeeburgerpad

Several pragmatic registers were invoked over time to justify the project (see Figure 3).

Figure 3: Pragmatic registers used in Zeeburgerpad (Authors)

In the first phase, the municipality, seeking to attract investors, sought to transcend local particularities towards a general argument and to link this argument to historical stories and political narratives by invoking the market and entrepreneurial registers. Policymakers made such moves by presenting the area as a potentially valuable location—“favorably located, near other successfully transformed areas” (Gemeente Amsterdam, 2011)—and emphasizing the flexibility in the planning process: “maximum freedom for creative entrepreneurs” (Ibid.). The spatial planning rules were a material manifestation of the entrepreneurial register used to navigate the uncertainty of the financial crisis by providing flexibility: “the facades need to be able to be used for different functions, in order to guarantee flexibility in the future”. The
The idea behind spatial planning rules is that actors will negotiate about the area’s development; in a land use plan the functions of the area are already fixed. To effectively participate in a process built around spatial planning rules, one must possess entrepreneurial qualities such as being a skilled negotiator.

The Buurtgroep’s alternative plan was justified by appealing to the civic register: “we went into the neighborhood to talk to everybody and ask for support for our ideas” (Zeeburgerpad, 2014). In its appeals the Buurtgroep did not limit itself to a single pragmatic register; it also outlined the need for sustainable housing (valued objects of the green world) and space for mixed-use areas (valued objects of the entrepreneurial world). Furthermore, the Buurtgroep argued, all developments should fit the neighborhood (relations of worth in the domestic world). In sum, the Buurtgroep used different registers to appeal to as broad a public as possible. There remained a great deal of uncertainty over which line of reasoning would mobilize the most support, illustrating the often highly contingent nature of efforts to move from local particularities to a general argument. “You need to have the right arguments, but even better you need an alternative plan. In order to tell why the alternative is better, for everybody and everything” (Interview, Resident 1 Zeeburgerpad, 2 October 2017).

While land developers and commercial parties began making plans using the spatial planning rules, the residents wanted more certainty. As described above, they tried to apply different registers to mobilize support. Registers are not only rhetorical; they need to encounter the world to show that they are able to co-ordinate action (Thévenot, 2002). The civic register was able to mobilize the most support for the Buurtgroep, with the newspaper De Telegraaf even publishing an article with the tile “Neighborhood on the barricades” (Coenradie, 2014).
The civic register places high esteem on elected representatives and democratic procedures. Spatial planning rules as a new organizational tool seemed irrelevant to the residents, who preferred the use of public meetings. The Buurtgroep also felt betrayed by their political representative who advocated for the use of spatial planning rules: “I never felt that he [the district alderman] was on our side” (Interview, Resident 1 Zeeburgerpad, 2 October 2017). The principles invoked by the residents thus clashed with those of the alderman, a conflict that came to eclipse the other pragmatic registers.

The second phase introduced the “neighborhood tables”—the first attempt to construct a mode of legitimation with elements combining the civic and entrepreneurial registers. The neighborhood tables were a new, flexible organizational tool to steer discussions and to enable decision-making among stakeholders. By allowing for citizen representation in the form of a committee, the neighborhood tables were a compromise between the valued practices and objects of the civic and entrepreneurial registers. Again, residents needed entrepreneurial qualities—to be skilled negotiators—to make use of the neighborhood tables. While the neighborhood tables were organized to find common ground between citizens and developers, the arrangement did not hold when tested: “Yes, that was a nice idea, but it led to nothing” (Interview, Resident 2 Zeeburgerpad, 2 October 2017). The neighborhood tables failed as political mediators and could not co-ordinate the actions of the involved actors.

Hereafter, mainly traditional public law instruments—highly valued in the civic register—were used in Zeeburgerpad. While the civic register was used to justify actions in the last phase of the development process, the domestic register grew more prominent over time, which became fully apparent when members of the Buurtgroep pushed to exclude PhD students, developers and budget tourists from the neighborhood. Again, this shows the contingency involved in transcending local particularities to support a general argument. While the civic
register upholds the equality of all citizens, the Buurtgroep used the valued persons and actions of the domestic register to distinguish between citizens. PhD students, developers and budget tourists were seen as suspect as they would not respect the neighborhood’s norms of behavior. One of the members of the Buurtgroep explained in the newspaper Het Parool: “temporary residents, students and hotel guests will not fit into the neighborhood” (Zonneveld, 2014). By appealing to the domestic register, the Buurtgroep thus claimed the mantle of the neighborhood’s “true representatives”. In the city council, the majority of politicians voted in favor of the demands of the Buurtgroep to block two of the three initiatives that had received principle agreement. While both the Buurtgroep and the municipality claimed to represent the area’s residents, the Buurtgroep claimed to have the backing of its “real” residents. It distinguished between real residents and outsiders by following the domestic register: “You have two family businesses here. They have been here for such a long time, they are involved with the neighborhood. And you could sense that, their consultation was normal” (Interview, Resident 1 Zeeburgerpad, 2 October 2017).

The principal agreement between XOOMlab and the municipality was incorporated in the plan because both the land owner and the residents were willing to compromise. The agreement—a compromise based on the registers of the domestic and civic worlds—began with the land owner committing to timely and satisfactory consultation with residents and the Buurtgroep, specifying how and when consultations would take place (Schalken, Omwonenden and Buurtgroep, 2015). The domestic register was most prominently mobilized in the compromise: “then we found a mutual feeling of respect, which can be attributed to the initiative-taker who presented himself as an Amsterdammer and an entrepreneur, not a resident, but a neighborhood entrepreneur, and this led to a feeling of equality” (Interview, Consultant 2 Zeeburgerpad, 1 December 2017).
6.6 Oostenburg-Noord

Oostenburg-Noord is located in the eastern part of the city center of Amsterdam, where the city’s strategy of selling off the social housing stock has led to fewer low-income inhabitants and rising property prices (Uitermark and Bosker, 2014). The percentage of residents with a non-western migration background declined from 26.6% in 2005 to 24.5% in 2015 in the areas surrounding Oostenburg-Noord, while that of residents with lower educational attainment fell from 23% in 2010 to 18% in 2015 (Gemeente Amsterdam, 2020).

Oostenburg-Noord is part of the formerly industrial harbor area owned by the state corporation Rijksvastgoedbedrijf (Central Government Real Estate Agency). Part of the area was purchased by a private developer before the financial crisis. With the exception of one large office building, most of Oostenburg-Noord remained undeveloped as the financial crisis undermined the plans to further develop the area. In 2009, a private land owner sold his land to the housing association Stadgenoot, which began making plans for its development in 2012. Figure 4 is a timeline of the agreements in the development of Oostenburg-Noord.

Figure 4: Timeline of agreements in Oostenburg-Noord (Authors)
6.6.1 The participatory process in Oostenburg-Noord

Stadgenoot hired Urhahn, an architectural firm, to draft a plan. Urhahn is nationally known for its citizen-linked incremental urban development strategy, which it calls the “spontaneous city” (Buitenlaar, Grommen and Van der Krabben, 2018). The other land owner, the Rijksvastgoedbedrijf, was mainly interested in selling the land at a high price and was barely involved in designing plans for the area. In 2012, Urhahn presented its vision in its non-statutory spatial plan, called the “workbook”. The main challenges were articulated by one of the designers: “It was crisis, so they had a bit of a bad feeling about the development, so we designed a plan that was quite flexible” (Interview, Architect Oostenburg, 10 January 2018). The area was divided into lots and sold, with each lot receiving a “lot passport” containing rules for development. The rules sought to promote creativity while regulating variation in building heights and between building blocks.

The workbook elicited a written response from the neighborhood organization Eilandengroep, which was generally positive about the plans. This letter outlined the aims for the area’s development, including high ambitions for sustainability and the creation of a mixed-use area with different types of housing units and building heights. In a meeting with the municipality, the Eilandengroep signaled that it was worried that the lot passports would not guarantee enough differentiation in the height of buildings and asked for stricter rules.

In 2014, the municipality and Stadgenoot began work on the land use plan. As the neighborhood was known for its activist citizens, the municipality and Stadgenoot wanted an innovative participatory process. “Those people are really active, and we tried, at the moment we started developing the land use plan, to involve the neighborhood” (Interview, Civil Servant Oostenburg-Noord, 12 December 2017). Members of the Eilandengroep proposed organizing
workshops in Pakhuis de Zwijger, a public venue in the neighborhood. The municipality and Stadgenoot agreed. The workshops confirmed that residents wanted high rises concentrated along the railway, the wharfs to be kept accessible to the public, and variety in building heights and housing units.

Most neighborhood objectives related to urban design were incorporated into the plans. For example, the wharfs remained 70% accessible to the public and the high rise was located near the railway. But assuming that developers would only build relatively small, expensive apartments, the Eilandengroep was worried about excessive uniformity in the area’s housing units. It therefore proposed raising the planned quota of social housing units from 20% to 30%, and regulating the amount of social housing and the size of units through public law instruments, not through private ones such as lot passports. But the Eilandengroep’s requests were largely ignored, with Stadgenoot stating that it would regulate the size of the apartments through lot passports.

One of the area’s residents, with support from the Eilandengroep, lobbied for the area’s industrial artefacts to receive monument status. The shipyard consisted of two large halls. The resident claimed that their design was unique for the Netherlands and deserved monument status. Stadgenoot opposed these plans as it would lose valuable land. To de-escalate the conflict, an independent party was hired to review the monument status of the industrial artefacts. With the historic value of the old industrial buildings validated by independent research, Stadgenoot agreed to compromise: one of the halls of the shipyard would be demolished and one would remain.

Meanwhile, the issue of social housing remained unresolved and eventually led to conflict between the resident’s group and the housing association. The conflict partly revolved around how to measure the planned quota of social housing, with the Eilandengroep championing square meters and Stadgenoot,
housing units. According to the Eilandengroep, the plans reserved only 14% of the square meters for social housing. “The district alderman said that in 10 years there wouldn’t be any social housing left in the city center. He clearly did not want to fight for social housing” (Interview, Resident 1 Oostenburg-Noord, 23 November 2017). In an opinion piece in the newspaper Het Parool, a member of the Eilandengroep noted that the core business of Stadgenoot is to develop social housing; this is what it should do in Oostenburg-Noord, developing not only small apartments but housing for families (Verhulst, 2016). The conflict was resolved when the municipal council raised the share of square meters for social housing from 14% to 20%, forcing the municipality to revisit the development agreement it had signed with Stadgenoot and the Rijksvastgoedbedrijf. The land use plan was adopted with only eight official comments and no appeals to court. “That is very rare for Amsterdam. So I think, yes, the way we worked, that was very effective. And I am very proud of that” (Interview, Civil Servant Oostenburg, 12 December 2017).

The housing association thereafter invited the Eilandengroep to monthly informal meetings, partly in order to prevent future conflicts. After the Central Government Real Estate Agency sold its land, the developer also joined these meetings, where members of the Eilandengroep pressured Stadgenoot to choose buyers who would build apartments large enough for families. Due to this pressure from the Eilandengroep, Stadgenoot revised the lot passports to include the desired size of the apartments and, together with private developers, decided to make use of a sustainable energy system in the area. The land use plan was finalized in July 2018. After its signing, the municipality and the housing association embraced citizen initiatives to establish community facilities and to build cooperative housing for the elderly. The idea to build a community facility was embraced partly due to a recent deadly shooting that killed an innocent 17 year-old bystander, Mohamed Bouchikhi. The shooting shocked the neighborhood and led to new efforts to bridge
inequalities in the area (Pen, 2018).

### 6.6.2 Pragmatic registers used in Oostenburg-Noord

Several pragmatic registers were invoked over time to justify the project (see Figure 5).

Figure 5: Pragmatic registers used in Oostenburg-Noord (Authors)

Like the registers activated in Zeeburgerpad, there is a lot of fluctuation in the registers activated in Oostenburg-Noord. The architectural firm’s workbook described future residents as entrepreneurs: “Everybody is an entrepreneur on the city wharf, future residents and initiative takers are partakers in producing the city” (Urhahn, 2012). This quote shows that the worthiness of citizens is established based on the entrepreneurial and market registers, with the former underlining the value of those who participate in new projects and the latter valuing the city itself as a product. Once again, entrepreneurs are seen as good citizens by both developers and the municipality, and are invited to join the project. But this way of transcending local particularities to a general argument clashed with the evaluation of the Eilandengroep, which saw neighborhood residents as inhabitants with political rights through the lens of the civic register.
The actors agreed to organize workshops to gather input for the project’s design. While much of their argumentation invoked the civic register, the Eilandengroep activated the valued objects of the entrepreneurial register to propose the workshops, as “an organic way of responding and thinking about new ideas” (Eilandenoverleg, 2013). In this they were appealing to a prevalent narrative in Amsterdam, one that welcomed citizen-linked incremental urban development as a solution for the problems of the housing market. But Stadgenoot and the municipality saw the workshops more as a way to by-pass the Eilandengroep. For them, the workshop was a new organizational tool, a valued object of the entrepreneurial world: “What I really appreciated was that the no-yellers, and the notorious no-yellers, that you meet a lot during public meetings, were checked by other residents [because the public meeting was organized as a workshop]” (Interview, Civil Servant Oostenburg-Noord, 12 December 2017). While members of the Eilandengroep had proposed the workshops, they felt that the format encouraged residents to debate the project amongst themselves rather than get answers from developers; they appealed to the civic register and for official public meetings to systematically gather citizen input. In order to navigate workshops, one needs entrepreneurial qualities such as creativity and negotiation skills, while public meetings value civic qualities such as reports and voting. The workshops mediated politics, channeling potential criticism towards other citizens rather than towards the municipality or developers.

In the second phase, the main disagreements centered on the development agreement and the land use plan, the amount of social housing and the monumental status of industrial artefacts. Stadgenoot activated the qualified objects of the market register to justify its actions: “Every euro you do not earn in Oostenburg-Noord will be missed when you want to invest in buildings in West [a district with more social housing]” (Interview, District Alderman
Oostenburg-Noord, 11 September 2018). The housing association published a report on the costs of turning one of the industrial artefacts into a monument (Stadgenoot, 2015). Normally, such financial reports are not publicly available; Stadgenoot did so to transcend local particularities towards the general argument of the market register.

The Eilandengroep invoked the civic register to mobilize support for more social housing: “Project developers are lining up because the land value is shooting up, but Stadgenoot screws back the amount of social housing” (Verhulst, 2016). This clearly clashed with the market register activated by Stadgenoot, which argued that profits from Oostenburg-Noord would be invested in other areas: “As a housing association, we must make the most of our resources” (Langen, 2016). The Eilandengroep then mobilized the actors of the civic register by appealing to the municipal council, forcing the municipality to revisit the (contractual) agreements it had with the housing association and the Central Government Real Estate Agency.

To prevent future conflict, the Eilandengroep and Stadgenoot agreed to have informal meetings to discuss developments. The informal meetings were a compromise. Stadgenoot activated the entrepreneurial register in the hope that the meetings would lead to citizen-driven initiatives: “it would be good when the residents and also entrepreneurs would help to...organize activities...or organize the maintenance [of public space]” (Project Manager at Stadgenoot Oostenburg-Noord, 19 December 2017). The land developers—appealing to the market register—used these meetings to gather information about the market: “We are going to build in the neighborhood, so it is good to know who lives there” (Land Developer Oostenburg-Noord, 2018). The Eilandengroep, however, saw these meetings as a means to gain influence; its members asked questions and made proposals appealing to the civic register. For example, they criticized the size of the planned apartments, arguing that
not only students and singles should be able to live in the area. It was in this informal setting that the Eilandengroep, appealing to the green register, successfully persuaded Stadgenoot to adopt sustainable energy resources. “There are elements of sustainability in the plan, and that is not only because of the residents, but it [their pressure] helped” (Project Manager at Stadgenoot Oostburg-Noord, 19 December 2017). The compromise shows how different registers can co-ordinate with one another. The compromise was reinforced (Thévenot, 2002) when members of the Eilandenoverleg began developing plans for community facilities through the informal meetings.

The lot-passports were justified or criticized by different actors in different ways. Stadgenoot, appealing to the entrepreneurial register, saw them as a way to develop the area incrementally: “We start today and let the area grow like a garden” (Damen, 2012). Urhahn also appealed to the entrepreneurial register as a way to encourage creativity: “rules are necessary to provide other lots with security, within the rules we promote creativity” (Urhahn, 2012). For both, the lot-passports were a legitimate and flexible planning tool. But both the Eilandengroep and the developer criticized the lot-passports. The Eilandengroep, appealing to the civic register, saw them as problematic because the rights of residents were not sufficiently protected. In contrast, the land developer saw them as too rigid: “They say it is flexible, but there is no space for flexibility” (Interview, Land Developer Oostburg-Noord, 20 February 2018).

The entrepreneurial register was present from the outset until the end of the development process in Oostburg-Noord. Stadgenoot and the municipality adapted the development process according to input from neighborhood residents, with willingness to adapt the process creating room to find compromises. However, members of the Eilandengroep did not feel that they had substantial influence over the development process.
6.7 Discussion and conclusion

While participation represents the idea that citizens should be involved in urban development, decades of experimentation have led to mixed results. On the surface, residents appear empowered because they have the opportunity to influence developments. But participatory processes can also be used by developers and government agencies to neutralize resident objections. Public meetings are replaced by “co-creation workshops”, planning instruments become increasingly “flexible”, and residents are encouraged to set up and run community facilities that support the local economy (Albrechts, 2012; Ahmadi, 2017; Baiocchi and Gauza, 2017). In public meetings, residents rely on civic practices such as voting and participation on committees to formulate citizens’ interests. In co-creation workshops, residents need entrepreneurial qualities such as creativity and negotiation skills to be heard. Flexible planning instruments encourage residents to negotiate and be adaptable. Entrepreneurial qualities are also needed to set up and run community facilities. This not only affects the material organization of urban policy, but how categories of citizens are valued. Entrepreneurial citizens are seen as good citizens, implicitly devaluing non-entrepreneurial citizens.

This study has shown how “citizen’s interests” receive meaning through participatory processes. The “citizens’ interests” that are ultimately incorporated into official plans and documents do not necessarily reflect the needs of the entire neighborhood. Above all, they are defined by entrepreneurial residents and government agencies. Although both Oostenburg-Noord and Zeeburgerpad contain large numbers of residents with non-western migration backgrounds and lower educational levels, the leaders of the citizen groups were mainly white, highly educated and well connected. Social inequalities were reproduced and amplified through the use of participation as an instrument to solve urban problems, directing the city’s
resources towards problems identified by entrepreneurial residents—the same privileged residents who were further empowered through the participatory process.

Both government agencies and residents claimed that they could formulate “citizens’ interests”. In both Oostenburg-Noord and Zeeburgerpad, residents challenged the municipality defining “citizens’ interests” in entrepreneurial terms, at times enlisting outside support to do so. But only in Zeeburgerpad were residents able to change the direction of the development process and claim the mantle of the “true” representatives of the neighborhood. This allowed them to exclude other less well positioned actors from the decision-making process. They did so by assembling support from politicians, courts and the media and by denouncing the participatory process, delegitimizing both the developers and civil servants. The residents of Oostenburg-Noord directed their criticism mainly at the municipality and the developers; only later did they reach out to the media and politicians. The residents of the Zeeburgerpad were thus quicker and more thorough in their efforts to assemble outside support; they gave interviews in local media, lobbied politicians and started a legal procedure to alter the direction of the development process.

This study shows that city planners should consider the question who benefits from participation. Too often participation is assumed to be a democratic way of solving urban problems. Participation can be a useful tool to involve residents in the process of making policy. However, the way participation is organized can privilege some residents above others. Therefore, policy makers should be aware of the differences between residents in terms of access to participation and other political and legal arenas. Moreover, city governments should set up structures to monitor and evaluate participation. Especially concerning the exclusion of residents.
This study advances the literature on participatory democracy by using tools from the sociology of critique to explain the decoupling of participation from influence. The existing literature tends to view citizen participation as either empowering or as a tool to buttress the status quo. By analyzing case studies through the concept of pragmatic registers, we show that residents, developers and civil servants can bend participation to achieve their own goals. It also shows that the use of participation to solve urban problems leads to the creation of new boundaries between residents who have entrepreneurial qualities and residents who do not. The material arrangements of citizen participation amplify this process.