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Why Talking About ‘the Right to the City’ in a Time of Neoliberalization

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This contribution is about one issue, namely why there is a new and compelling claim to ‘the right to the city’, and also a turn toward rights in general.

The scope is limited, and consists in trying to answer this question through a critical re-reading of ‘The right to the city’ of Henry Lefebvre and of David Harvey’s essay with the same title, and through a comparison of some of their fundamental arguments with discourses on power, hegemony, and socio-spatial configurations related to neoliberal restructuring.

The paper argues that the right to the city is a too abstract concept to be used. It needs translations in order to have its principles realized, and to disclose the actual processes related to socio-spatial restructuring. Some articulation of the concept of right clarify the relationship between the ‘right to the city’ and ‘the right of inhabiting’, and also the possible solution of the dichotomy of ‘right’ and ‘power’ which dominated the reflection for years.

Introduction

The scope of this contribution is limited. It revolves around a question that occurred to me when I came across the question of the 'right to the city' - as well as to the related concept of the 'right of inhabiting' - through different research pathways¹. I started wondering why the disciplinary attention (and, to some extent, also the general public attention) turns back to the idea of the 'right to the city' and to the concept of 'right' so compellingly, while political, sociological, and planning interests have been rather addressed since long to the discourse about power.

It is well known that right and power, at some stage of the debate, and through some authors (let us just think to the opposition Habermas / Foucault) have been posited as antagonists: and the very reason why the question of power emerged is because that of right was considered neither sufficient (not sufficient anymore?) to treat, nor able to solve problems of inequalities and injustice.

So, the first and basic (research) issue is why a new turn to the concept of 'right' took place, and why it is so compelling.

A three steps reflection may help to tackle with, and perhaps answer, this question. The steps are:

1. *When* the discourse on the 'right to the city' emerges (also in its 'new' version of the 'right of inhabiting', which I do not think as synonyms, so that a clarification is needed). This first step is the one I will surf on, since I suppose it could be the best known among the three of this presentation.
2. *Who* talks (talked) about the 'right to the city'. Who contributed in constructing and diffusing the right's motives and justifications, within which paradigm, and/or discourse.
3. *How* the discourse on right has been elaborated and conducted.

These three steps will help in understanding the Why, which in my view is the main and fundamental question.

I will start from the well-known book of Henry Lefebvre devoted to «*Le droit à la ville*», but I will compare it with a more recent essay of David Harvey, whose title was also «*The right to the city*». The latter was published in 2008 - exactly 40 years after Lefebvre. Although sharing the same title, the comparison is less obvious then it could seem at a first sight.

They follow different pathways, yet going in the same direction.

Reflecting on time present, David Harvey remarks that the centrality of 'human rights' and their imperatives within ethics and politics does not bring to the realization of their scope, and that the recourse to the concept of right does not challenge the logics of hegemony. Nowadays, most of these logics of power are collected under the name of 'neoliberalization'.

When

The first and primary reference, i.e. Henry Lefebvre's *Le droit à la ville*, was dated 1967 (in memory of the centenary of Marx's *Capital*), but published in 1968. Its publication, considering also the subsequent interpretations of Lefebvre's *Oeuvre*, has been related to the socio-political context of those years, and particularly to Paris, where political movements had assumed radical features and emphasis. The city of Paris became both the field of action, and the privileged locus for observing contemporary social phenomena; the reflections (also in the form of doctrines) which spread from that experience influenced the socio-political and cultural debate (including that on cities and socio-spatial organization and structure) for years.

A couple of years after that book (in 1970), another one followed, which Lefebvre dedicated also to cities. The title was «*La révolution urbaine*». Here he turned his attention more explicitly «from the city to the urban society»(it is not by chance that this is the title of the first chapter). Here the phenomenon of urban growth in its spatial meaning is compared with socio-cultural phenomena (starting from life-styles), noting that urban life-style was spreading from the city to its surroundings and progressively erasing (as much as the urban growth did) the boundaries between town and countryside. The 'urban revolution' in Lefebvre's

1 E.g., by critically analysing landscape discourses from a planning and policy perspective or, also, by reflecting on transnational policies and their impacts at local level, in the frame of the so-called 'politics of scale'.



thought consisted in the capacity of the city to ‘impose’ itself and its ways of inhabiting². Here the city is not a question of rights anymore: it rather becomes a question of hegemony.

Hence, we can say that the roots of the concept of a right to the city are in the sixties, while only recently it comes again at the centre of the public debate.

Between 1968 and 2008 (the dates of Lefebvre’s and Harvey’s work on «The right to the city»), and precisely in the eighties, the turn represented by M. Thatcher’s and R. Reagan’s liberal policies took place, with the set of socio-economic changes it produced. This means that the very idea of the city, as well as the socio-economic and also the geo-political context, is inevitably different in the two elaborations, and this difference must be taken into account. In fact, notwithstanding some features and tendencies Lefebvre acutely foreseen, the world he talked about and in which he was immersed was very different from the one we are now living in; and the ‘neo-liberal turn’, the discourse about globalization and particularly that of globalized economy (which are constitutive of Harvey’s argument), cannot but frame differently the question on rights as referred to cities.

Who

Being aware of the risk to oversimplify a difficult topic, I will provide some hints about who introduced and sustained the question of ‘rights’, and about the paradigm(s) within which the specific issue of «the right to the city» is elaborated.

The conceptualization of (human) ‘right’ has a long history³. It is grounded on the belief in universal principles (which are valid for everyone, everywhere), and in the existence of a rationally identifiable (moral) order, whose legitimacy precedes (or even overcomes) social and historical contingencies.

The form contemporary doctrine of rights assumes, recently playing a renewed central political role, is a product of modernity. It has to be framed in a discourse of ‘progress’, in a rational tradition still linked somehow to ‘illuministic principles’⁴, to a ‘faith’ in the capacity of mankind to develop (embetter) itself, in cultural/scientific, technical and ethical terms. Immanuel Kant represents the cornerstone of that tradition, and of the line of reasoning I am proposing here. The fundamental argument introduced by Kant in contemporary ‘human rights theory’, is the ‘moral autonomy’ based on the capacity of self-determination of rational human beings. Through the idea of the ‘categorical imperative’ («Act only according to that maxim whereby you can at the same time will that it should become a universal law without contradiction»⁵), which is self-imposed, what is ‘right’ is not determined by one’s own interests or desires, but resides in following principles which all rational individuals are bound to accept. Among Kant’s contributions to the development of the discourse on ‘rights’ I wish to point out that of equality and autonomy, which is determined by our rationality.

The doctrine of (human) rights has undergone various forms of consistent philosophical criticism⁶. The foundations of Kant’s doctrine are at stake: that of ‘equality’ and that of ‘autonomy’. Through the me-

2 This argument, some due cautions considered, can be referred to an older, and to a more recent discourse. The former is that of J. Gottman, which about a decade or even more before (since early sixties), introduced the idea of a sort of ‘invincibility’ of the City; the more recent one is that of the ‘Global City’ (Sassen 1991).

3 In the Western philosophy, the origins of moral universalism are traced back to Aristotle and also to the Stoics. In Aristotle’s *Nicomachean Ethics* is expressed the idea of a ‘Natural justice’ which pre-exists any socio-political configuration, has the same validity everywhere, and does not depend upon acceptance.

4 Kant (and John Locke before him) has been in fact associated with the Enlightenment project, and also to its political ideals which resulted in significant, even revolutionary, upheavals throughout the XIX Century. It determined the overthrow of despotic regimes, the re-constitution of political systems where new ideals could be promoted, and the elaboration of documents such as the United States’ Declaration of Independence and the French Declaration of the Rights of Man and Citizen.

5 Kant I. [1785], *Grounding for the Metaphysics of Morals*.

6 The main counter-critique to refutations of the human rights doctrine consists in rejecting a conception which is based on purely empirical observations, and which forgot the normative base of (human) rights as a moral doctrine.

diation of Hegel's philosophy, Marx developed his conception about rights, sustaining that human rights cannot bring to the emancipation they promise: declarations of liberty and equality depoliticize inequalities which resist inside society. This line of thought has been assumed by D. Harvey, which develops this same argument referring it specifically to the city. Going back to the 'classic' controversy within the discourse on rights which I mentioned at the beginning, we can say that while Habermas remains within the philosophical tradition of rational understanding, and of a rational-based doctrine of 'rights', Foucault developed his own fundamental critique by making use of, and by turning the attention to, the question of power. Foucault highlighted that there can be a rhetorical use of the principles of right, which hides continuous violations of the same rights it announces. I think that there is a basic unresolved and even irresolvable gap between the 'abstract' conceptualization of rights, and its 'practical' implementation, perhaps referred to two different kind of 'objects'. We all have experienced how often the 'universal' right crashes against our 'individual' rights, or against their actual and daily translation. Moreover, the way in which one's own right tends to prevail on one another's (or to many other's) is hardly referable to any principle similar to Kant's categorical imperative, but rather to the manifold forms in which hegemonic power discloses itself: to a fundamental equality in terms of rights corresponds a fundamental inequality in terms of power (of the power to have the rights guaranteed). In this way we go back to the dichotomy between right and power, which we still do not know if and how, can ever be solved.

How

Harvey's starting point about the city is that cities are 'another type' of human right (this is exactly how he calls it, 'another type' of human right, see, e.g., p. 23), so he wonders what the city is, and what it does represents. His answer follows Robert E. Park's statement, according to which the city is:

«man's most successful attempt to remake the world he lives in more after his heart's desire. But, if the city is the world which man created, it is the world in which he is henceforth condemned to live. Thus, indirectly, and without any clear sense of the nature of his task, in making the city man has remade himself» (Park 1967, p. 3, also quoted in Harvey 2008, p. 24).

In commenting this sentence, Harvey affirms that the question of the kind of city we want cannot be treated without explicating what kind of: 1. social ties; 2. relationship to nature; 3. lifestyles, 4. technologies and aesthetic values, we desire.

These references imply and address a more general, let us say 'comprehensive', conception of the city, leading to what we consider 'urbanity' (even if we may find a conceptualization of this kind already in Lefebvre's work) and also, more recently, 'habitability'.

It this view, it would seem an enlargement of the notion, which brings to the usual controversies of too broad concepts.

But it can also be interpreted as a necessary slight change of perspective able to revive and to advance reflections addressed to a reality which tends to be stereotypized, and is ever-changing, that of cities. It is now rather commonly accepted (as a matter of fact) that the traditional, ancient European city is neither the only model nor the only way of living the urban life. The same H. Lefebvre had not just that model in his mind (saying explicitly that the right to the city does not mean the right to the 'ancient' city, but to 'urban life' – see, e.g., 'thesis n.7' in the final chapter of his work), but the debates originated by his book tended for long to take and to keep that model as the object of reflection, particularly by architects and planners, that sometimes tended to directly attribute formal-qualitative connotations to Lefebvre socio-political line of reasoning. On the other hand, Harvey's argumentation, which focuses on Haussmann's Paris, seems to contribute to this misunderstanding.

Furthermore, Harvey says that «The right to the city is far more than the individual liberty to access urban resources: it is a right to change ourselves by changing the city». In the present time, it is clearer than before that this means also the liberty and actual possibility to change its own living environment and urban life-



style, even if within one same city. The broadening of the boundaries of reflection proposed by Harvey corresponds somehow to the turn toward the new centrality of the concept of ‘inhabiting’, which is the field where our own ‘right to the city’ (as the liberty and actual possibility mentioned before) would be exercised and actualized.

In this way, two implications emerge: the first one is the conceptual broadening of what a city is (or should be), opening to the wide-range of possible forms of inhabiting, or experiencing urban conditions; on the other hand, that the ‘right to the city’ is not just related to chances of individually accessing to urban resources.

There is an important gap between how the question of ‘the right to the city’ (this is also valid for other discourses on ‘rights’) tends to be elaborated and presented at a theoretical level, and its actual translations.

In some cases, it seems that the resulting demands are trivialized (Zukin 1995); in other cases, that the actual problems are shadowed by abstractions, which hide also individual and specific forces (powers). Moreover, it reminds me of John Dewey’s note on the rigidity and controversies which characterize most of the terms introduced by the definite article – ‘The’ (his reference being The State). They «can be approached by a flank movement more easily than by a frontal attack» (Dewey 1927, p. 8).

Conclusion

Anyway, Lefebvre’s «Right to the city» is not exactly the same of Harvey’s, and this (among the possible reasons) is due to the different urban realities they experienced and the different contexts in which they were immersed while writing. The very idea of the city changed through time. The boundaries of the concept widened so as to include an even more complex reality than the one already expressed as, e.g., the idea of virtual proximity (within the ‘network society’ paradigm – as developed by Castells since the end of the nineties, Castells 1996), which helped in understanding how the ‘urban condition’ is not (just) related to physical proximity. The attention turned to relations, and the different ways of defining and of living these relations are the sign of different ways of ‘inhabiting’.

I may say that ‘the right to the city’ and ‘the right to inhabiting’ can be better understood through the concept of citizenship, in which rights and duties (or responsibilities) are considered together. It is actually the very concept of citizenship which says to us that we have the right to claim our rights. From this point of view, we can state that the ‘right to the city’ can be defined as belonging to a different ‘order’ or ‘level’ (going in a direction similar to D. Harvey’s idea of a different type of right), becoming a ‘right of second order’ (which obviously does not mean ‘less important’, but is just inspired from the mathematical concept). A conclusion of this kind can be found in Anna Plyushteva work (Plyushteva 2009), which she developed through a case-studies analysis, and where the ‘right to the city’ is referred to ‘urban citizenship’, defined exactly as ‘the right to claim rights’.

In my view, there are two main reasons why these related ideas can be interesting and useful, for addressing the particular question of the ‘right to the city’, but also the more general question of ‘rights’.

First, because they can help in overcoming the gap between abstractions related to universal imperatives and actual implementations and practices. In fact, particularly considering that the domain in which we are involved for our research and action is a domain of practices - that of planning -, a too abstract concept of right is hard to be used, and risks to become innocuous. Furthermore, an abstract concept of right can hinder the definition of what is precisely and actually wanted. A wrong demand cannot but lead to a wrong answer, but not everyone is capable to understand and define his own demand, nor has the power to ask and the power to obtain what is needed. As already stated, there is also the risk that the rights which are claimed be the most trivial (S. Zukin spoke of ‘pacification through cappuccino’- Zukin 1995, p. 28) - related to a process of commodification of urban spaces. Through this process, also the reappropriation of ‘minor’ urban spaces (beyond the ‘major’ space of urban transformation) can be driven by the logic and power of

hegemonic coalitions instead of being the expression of the 'local' demand of inhabitants, which toils to emerge.

These issues bring to the second motive of interest in some sort of 'second order' definition of 'the right to the city', namely that it can contribute in solving the dichotomy between right and power. For the same 'orientation to practice' which I already declared, among the different ways of distinguishing the concept of rights, I will dwell upon those related to its role, or instrumental meaning. First of all, rights can be interpreted as included in already existing norms, which one just wants to be respected; or as something that needs to be recognized and claimed. Another distinction is that between 'rights-as-means' from 'rights-as-end' (as in Plyushcheva 2009, pp. 92-93). Furthermore, the particular question of the right to the city can be articulated into two main subsenses: it can be interpreted as a 'slogan' (which at a first sight could seem the simplest and more diffuse one), or as a 'political project'.

Among these articulations, two seem more relevant to me, considering both their potentialities and their weaknesses. The first one is that of right as claim. The recourse to a concept of right as claim is particularly frail if we tackle it from a 'neoliberal turn' perspective. In fact, among the neoliberal implicit hegemonic strategies there is that of making the interlocutor invisible. This strategy is reached also (and often) through a 'scalar' move, as described by Brenner and Jessop, and among others, in their reflections on the 'Politics of scale'. Citizens often do not know anymore who is the subject/agency they need to talk to in order to solve a problem, or to receive an answer to a question. The increasingly undefined and slippery relationship between territory and institution is a sign of this change. On the other hand, right as claim in my view overcome a legalistic conception (which is of basic importance, but which does not represent all the possible demands, and which is resistant toward changes), and turns the attention to the construction of the demand. The second one is that of 'rights-as-means'. In this case it is rather clear that the object/goal is moved 'outside' the concept of right, and must be re-defined (a means for what?), and in this some ambiguities and risks could be foreseen. At the same time, it can be interpreted as a 'tool' for claiming (more specific) rights, and as a way of turning (or keeping) the attention to power also within a discourse on rights. In so doing, it is the citizenship which is continuously re-constructed, in the face of inequalities and injustices. The meaning of the related concepts of 'the right to the city' and of 'the right to inhabiting', as well as their translations into practices, depend on their capacity to shift the attention toward citizenship, and to construct a new 'public', to renew institutions. However, Lefebvre recognized that it was the impoverishment, or the loss, of the meaning of citizenship which negate the possibility to get hold of the 'space and time' proper of the urban condition. In this view, to exercise the 'right to the city' means primarily to reverse this process, and rediscover the meaning and sense of citizenship.

A last remark. In Harvey's perspective, one actual implementation of the 'right to the city' is linked to the right to deliberate and to exercise control over urban transformation processes, which means over the formation and re-distribution of the surplus generated by land-use changes. This is still a fundamental planning question, and a challenge. In my view, the recourse to the idea of 'right' applicable in different way to the city is interesting also in a 'by-product' perspective: what we actually ask, and what we are actually able to get, recurring to 'the right to the city' intended as a 'tool' (as right-as-means).



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