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

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

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

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Introduction

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

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

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

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

Sovereignty and Informality: relations and transactions

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



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

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

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

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

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

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

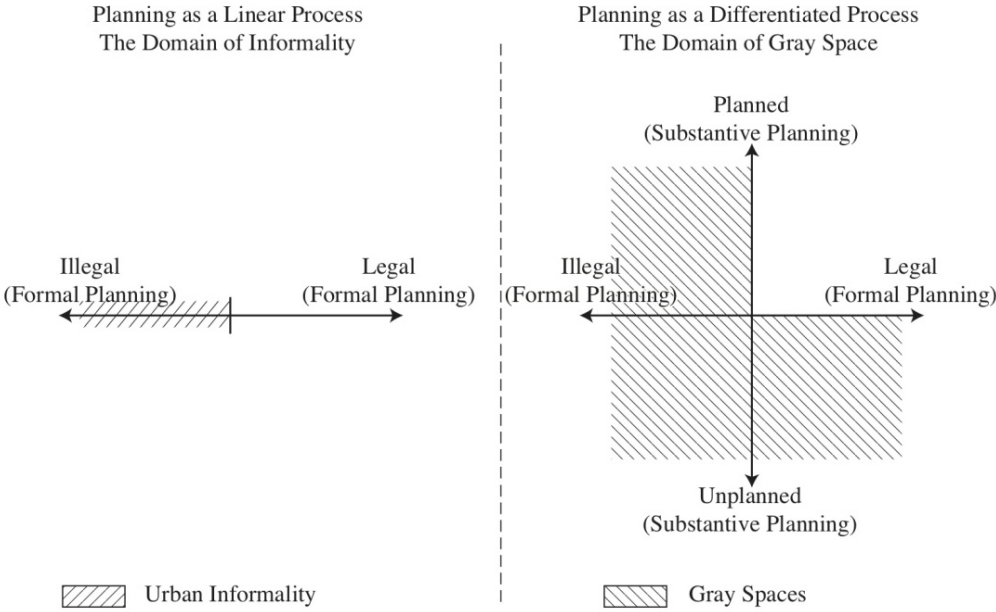


Figure 1. From Informality to Gray Space. Source: Author.

Sarajevo: the Rise of Gray Space

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

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

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

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

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



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

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

Jerusalem: Disfranchisement, Empowerment and *Abandonment*

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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



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

Short Summary

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

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

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

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



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

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