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Citizen participation in big renewal projects: Why so complicated?

By Margit Mayer

Since the 1990s many of the large urban development projects across Europe have been connected to transport hubs such as railway stations or ports. Along with abandoned industrial areas, such sites offer the most recycling potential for cities interested in planning development. Therefore, cities have started to regenerate their waterfronts, recover old manufacturing and warehousing zones, and develop new or extend existing transport infrastructures in these areas (cf. Bruinsma et al. 2008; Bertolini/Spit 1998). Research tells us that such integrated development projects (combining the renewal of transport hubs with major real estate development projects) always involve major public *and* private stakeholders. Moreover, they are typically undertaken primarily in the pursuit of generating economic development. They also entail massive land-use transformations. Additionally, they often avoid established practices of transparency and accountability and keep citizens at a distance in the decision-making, even if citizen input is provided through the opportunities of participating in the planning process, which in most countries is required by law. Their implementation is, thus, often marred by conflicts and controversies between the interests of (quasi-)private actors and those of common/public welfare (cf. Peters/Novy 2012).

A well-known case in point is Stuttgart 21 (S21), one of the largest and most ambitious urban infrastructure projects currently undertaken in Europe. It has sparked one of the biggest local protest movements, which reached a climax in fall 2010 when mass rallies with more than 100,000 people took place on a weekly basis. The rallies and protests seriously threatened the project’s future for a time. Importantly, this contestation had quite an impact on Germany’s planning culture. It triggered an ongoing debate about decision-making in large project planning and implementation on the role of citizen participation in government decision-making. In short, it created a public debate about the state of democracy in Germany.

Like many other transport and urban development projects undertaken in the last couple decades, Stuttgart 21 combines the renewal of a transport hub with a major real estate project: The plan was to redevelop the city’s railway node by converting the historic central station from a railhead to an underground through station and to redevelop about 100 ha of centrally located railway land that would be freed up by the removal of the station above ground and its approach tracks. Inner city railway stations came to be seen as key property assets with enormous economic potential. Therefore, in the early 1990s the (privatized) German Railway company Deutsche Bahn (DB) commissioned plans to transform seven of Germany’s large termini stations into underground through stations. DB wanted to achieve two goals in one stroke: to remove the bottle necks occurring at termini interchanges and to “free up” up valuable inner-city land for commercial development. Most of those planned projects, notably

those in Frankfurt and Munich, never took off because the cost-benefit calculations did not add up. However, Stuttgart 21 did take off because local leaders immediately seized on the potential to channel public and private capital into their jurisdictions. They embraced the idea of connecting the city centre to the high-speed rail route, and vigorously promoted both the upgrade of the city's transport infrastructure and the project's urban development component. They viewed this project as a game-changer in the city's efforts to enhance its competitiveness as a powerful economic location (Peters/Novy 2012: 140).

Not everyone shared the enthusiasm. Early on civic and professional organizations as well as the local Green Party raised concerns about the premises and interests underlying the enthusiasm with which the project was marketed. Nevertheless, the project moved ahead unimpeded. By 1997 the planning and design works were well underway, the formal zoning approval to a large extent completed, a master plan for the urban development part of the project adopted, and even the design of the underground station agreed upon. All of this implied the demolition of large parts of the historic central station, a landmark building designed by famed architect Paul Bonatz, to make room for a subterranean shell structure with a new urban square on its top.

When sluggish real estate sales prompted DB to defer the project, it took a complicated and lengthy bargaining process between state, regional and municipal officials to save S21. Only after the state of Baden-Württemberg agreed to co-finance the new high-speed line could a Memorandum of Understanding be signed in 2007 by federal, state, regional, and

Image 1. View of station area to be developed. Foto: Manfred Storck. Bahnprojekt-Stuttgart-Ulm.

municipal governments with DB. In 2010 the project's official ground-breaking was celebrated by the various stakeholders – after sweeping aside a petition of citizen groups to hold a referendum.[1] The participation measures required by the German law governing urban development did not kick in until the planning process was well underway, i.e. when the basic features of the project had already been decided. Moreover, the legal requirements about participation were designed primarily to facilitate information provision through one-way communication and limited consultation rather than citizen dialogue on a planning issue.

When preparatory construction work began in August 2010 with the demolition of the station's north wing, the razing of this historic structure provoked massive protest. Circa 20,000 demonstrators formed a human chain around the building and then marched on city hall. On September 30, 2010 as people attempted to stop construction workers from felling the first trees in Stuttgart's main park for the project, an outburst of police violence occurred, seriously injuring dozens of protesters including children and senior citizens. This incident provoked a nationwide outcry and catalysed three even larger rallies and demonstrations, involving up to 150,000 people (out of Stuttgart's 600,000 inhabitants), during little more than a week. The result was a temporary halt of construction.

The concerns that were raised by the protesters had basically remained the same over the years. They revolved around:

- the effectiveness and efficiency of the project: it was labeled the Billion-Euro hole that would block infrastructural investments elsewhere for decades to come and result, at best, in negligible transport improvements;
- the environmental costs and risks: 300 trees, some more than 100 years old, were to be felled in the park; ground water and mineral springs in the area would be affected;
- architecture, historic preservation and urban development: the historic station building has been cherished by many, and experts criticized the City's disregard for architectural history;
- the project's decision-making and citizens' participation in it: basic principles of democratic governance were repeatedly ignored, circumvented, or perverted; opportunities for citizen participation were largely tokenistic, the overall planning process was dominated by behind-the scenes deal-making; DB's peculiar status, acting as a private but still state-owned and quasi-monopolistic railway operator, further distorted the planning and decision-making process.[2]

1 In 2007 an alliance (Aktionsbündnis gegen Stuttgart 21) launched a petition for a referendum, signed by 60,000 citizens, more than 3 times the number necessary. Citing legal grounds, the Stuttgart City Council rejected it.

2 As Germany's quasi-monopolistic railway operator, DB was able to dominate the bargaining process that facilitated the project. Its character as a private enterprise undermined the transparency and accountability of the process due to the "commercial-in-confidence" clauses that kept crucial information out of the public domain.

Image 2. The new underground station. Visualization by Aldinger & Wolf. Bahnprojekt-Stuttgart-Ulm.

Empirical research examining the motives and backgrounds of the protesters (e.g. Rucht et al. 2011) found that the most widespread protest concerns were over the project's cost-benefit ratio (i.e., the uneven distribution of costs and benefits it is expected to result in) and the process of decision-making (i.e. the lack of transparency in the planning process, the absence of citizen participation). In other words, the contestation was not just about S21 as such. It also involved a larger more fundamental dispute about what constitutes a city and how and for whom it should be developed and run.

The base of the protest was broad and diverse. Initially it was primarily civic and professional associations working on environmental and transport issues, but it broadened over time as a newly established citizen group (*Leben in Stuttgart*) became organized and allied with the environmental groups. Supported by the local Green Party (the only major party opposing the project, which in 2009 emerged as the surprise winner in the municipal elections), they mounted a multi-faceted campaign consisting of legal actions, petitions, community events, and alternative proposals that they argued would have greater benefits at a fraction of the costs of S21. Next, the Alliance (*Aktionsbündnis gegen S21*), which had launched the petition for the referendum in 2007, was joined by new groups, such as the *Parkschützer* (park protectors). It formed in late 2009 and was a media savvy alliance focusing on the protection of the park. It launched a web 2.0 platform that became an important networking and mobilizing tool for the protesters. Many other initiatives and several public figures also joined the protest cause.

The regular protests during the fall of 2010, after construction and demolition had begun, included citizens from all walks of life; many participants had little or no experience with or affinity towards street forms of collective action.[3] This diversity was also reflected in a variety of cultural forms of creative political expression, including the ad hoc transformation of the construction fence into a massive open air exhibit that turned the locking-out fence into a popular symbol of the protest's perseverance (see image 3).

Image 3. Demolition works and protest demonstration at the north wing of Stuttgart Central Station. Foto: Wikimedia Commons: Mussklprozz.

After "Black Thursday", the name given to the violent demonstration on September 30, 2010, demolition works were put on hold. The state premier invited the contestants to a series of "mediation talks", that is public hearings and debates, to resolve the tensions. The media and most observers agreed that this kind of a more substantive and inclusive form of citizen participation should have occurred much earlier. After five weeks of thorough deliberation the chief mediator, Heiner Geissler, ruled that the project should undergo a stress test and also issued several nonbinding recommendations. But generally he gave the approval to go ahead, arguing that the project was "too far advanced to be stopped."

3 Usually, growth in size and composition implies that contradictions will emerge with respect to the interests and positions of those involved. But in this case frictions did not emerge until an advanced stage of the struggle. The disagreements were over whether to use civil disobedience as part of the action repertoire and over whether (and how) to participate in the mediation talks. But the movement managed to present itself as unified to the public – until the mediation offer was on the table.

Following this, the movement lost momentum, the numbers at the rallies dwindled, and construction resumed. The following spring (2011) the Green Party won a landslide victory in the state election and formed a coalition government with the Social Democratic Party (SPD). This government held a state-wide referendum on S21. Unsurprisingly the project supporters came out as clear winner, the rural population having voted almost completely for the project. The Green Party, as the state's governing party, bowed out of all protest activities. But other opponents have continued to fight the project.

So Baden-Württemberg and Stuttgart learned the hard way. In order to realize a major and potentially contested development project, it learned that it makes good sense to employ some meaningful citizen participation measures early on in the process. Baden-Württemberg became the first German *Land* to adopt regulations for planning large infrastructure projects in the form of a "Guideline for a New Planning Culture" (2014, see www.beteiligungsportal.baden-wuerttemberg.de).

Across Germany, a multitude of novel and innovative measures and procedures for expanding citizenship participation have been explored and applied in different urban development settings on all scales. Case studies and comparisons of these various experiences reveal that even with more inclusive planning, conflicts do not necessarily vanish (Mayer 2018a). The expansion of participatory programs has taken place within the context of the neo-liberalization of the urban, which has entailed a shift towards task- and project-driven initiatives such as developing a particular part of town, restructuring of transport infrastructures (public transport and train systems), or competing for mega-events like the Olympics, World Cups, International Building Exhibits, and Garden Shows. In these endeavours, mayors and their partners from the business sector set up special agencies to deliver target-driven initiatives that focus on such concrete objectives. This trend towards projects has significantly transformed municipal planning, thus moving informal and cooperative procedures into the foreground (Rinn 2016:138; Selle 2010). In these procedures, the municipality's representatives cooperate with actors from the private sector, developers, and investors, and since the "participatory turn" triggered by S21 also with citizen groups. As a consequence, in the context of planning and urban development processes we now have next to the mandated participation formats (e.g., information sharing and hearings), informal procedures (e.g., round-tables or local workshops) widely accepted as good practice. Important to note, however, is that these more inclusive procedures do not always succeed in resolving conflicts over the planned development. Nor do they always resolve conflicts over the inclusion and exclusion of interests and how interest representation is to take place within them.

Different case studies of participatory projects in urban development reveal the structural tensions built into the governance of citizen participation, even when they are characterized

as enlightened and innovative. An interesting case of such innovative participatory instruments has been the planning for re-use of a former large urban infrastructure project, the closed down city airport Berlin Tempelhof. After its closure in 2008, the airfield had been left unused for almost a year. Many suggestions and demands by citizens' groups about its use had gone unheeded until about 5 000 people attempted to occupy it in 2009. In response to this manifest public pressure and since there was not (yet) any market demand for the land, the city in 2010 dedicated the field for public use as a park. It also simultaneously initiated a panoply of participatory measures: randomized surveys, on-site visits, assemblies in adjacent neighbourhoods, and a series of participatory workshops for neighbours to discuss specific options for developing the park ranging from leisure activities to its design. Most innovatively, the city offered a participatory process to include citizens directly in developing the use of the former airport field: It invited tenders for interim uses. Out of 138 project applications, high-level politicians selected 25. They were contracted to set up diverse developments in urban agriculture as well as youth and political programs. This integration of interim or "pioneer" users into the planning process constituted a significant expansion of the city's participatory repertoire, even if the participation of these "co-designers" took place in parallel to and disconnected from other forms of participation in the planning and decision-making about the field (cf. Mackroth 2015).

But while the park and its pioneer uses enjoyed growing popularity, the Berlin Senate revived older plans to build housing on one third of the field that included the land for the interim use. Resistance against these plans intensified, and a referendum launched in 2014 by the group 100% Tempelhofer Feld (founded in 2011 to prevent any construction on the field) gained the support of 64 % of the Berlin voting population for securing the site as a public park. A recent analysis of the participatory strategies employed in the Tempelhof case found that while they were clearly employed to seek compliance, displace conflict, and provide an interim strategy against the loss of property value (a use that would help to market and brand the site), they also allowed the participants to stage and express their dissent (Hilbrandt 2016). Thus, the Tempelhof case illustrates how seasoned participants can use such forums to monitor planning, gather information, disseminate arguments among the different political actors and engaged citizens, and to unite disparate and fragmented camps against the city's plans. The participants even managed to reframe the planning debates and raise topics that had been excluded from the agenda, thus envisioning and staging alternative forms of development. The driving force behind such an outcome lies, however, less in the participatory process as such (as Hilbrandt claims, 2016: 13), but in the politicized activists who were people "experienced in political protest" (ibid. 13). Other researchers have also found that only where specific conditions are in place can "insurgent participants" make exceptional use of participatory formats. These conditions include individual resources such as time and capacity, a willingness to share their political experience, and the presence of strong counter-movements (cf. Polletta 2016: 488).

Another case study has followed the efforts of "seasoned activists" to influence established participatory formats in the large-scale city expansion of Hamburg Mitte Altona. In 2011 activists tried to influence the development of a new-build neighbourhood on a fallow, former industrial area by engaging with the participatory measures of the planning process. They brought their critiques and alternative suggestions (under the label "Altopia") into the participatory process provided by the City. A comparative case study of this struggle (Rinn 2016) traces how the group demanded a stop of the planning process and sought to turn the established citizen forum (i.e., the arena created by the participatory process) into a grassroots-democratic assembly. Imposing a moratorium and restructuring the planning process appeared necessary to the activists, as many problematic decisions had already been taken. But it turned out that these demands were outside of the framework of this participatory forum. Together with a diverse group of further local interests (including small precarious businesses) the activists did succeed in appropriating the forum and turning it into a public platform for debate about a planning moratorium. While their actions received broad media attention, the government was not impressed by their large majority vote in the forum for the planning moratorium. The regular political institutions (the department for urban development, the Senate, the majority within the urban development committee, and the city council) were not moved by the positions articulated through this institution of citizen participation.

Thus, the "success" of this movement consisted merely in delegitimizing the participatory process that the city's project planners had established. The activists managed to disrupt its main function of producing legitimation via citizen participation and simultaneously revealed the immanent limitations of such parallel participatory procedures. Since the *real* decisions about such development projects are not made in these participatory forums, they actually serve more to frustrate the demands and expectations of participating citizens. Implicitly, this practice also reveals that the claim by the "regular political institutions" to represent the citizens does not hold either.

Summing up then, it appears that citizen participation in urban development is so complicated because it embodies fundamental and immanent tensions:

1 For city officials and administrators, the task of planning is to produce results that are rational, economically feasible, legally solid, socially effective, sustainable, and legitimated by representative procedures. From this perspective, citizen participation in urban development is to take place *next to* or *parallel to* the actual planning practice. And this practice is enacted in the interaction of political-administrative actors, private planning firms, architects, and investors, which will frequently entail non-public, discrete negotiations. Investors and property owners have privileged access to political decision-making, which is justified with their legal property titles and investment projects or construction interests.

2 The political-administrative actors view themselves as responsible for and representing the common good. They consider themselves as competent, due to their professional and planning expertise. But at the same time they rely on the ever growing and ever changing knowledge created within urban civil society, which becomes available to them through participatory exercises.

3 Additionally, the participatory structures and procedures are useful to prevent other (costlier) forms of resolution, such as litigation or more disorderly forms. Participatory measures offer an alternative that allows for the transformation of potentially antagonistic conflict into cooperative constellations.

Thus, the invited citizens' expectation to co-plan grates against the self-image of the experts in the municipal departments, as their orientation to the technical, legal, and economic feasibility of projects tends to reduce participatory exercises to hearings and information sharing. The municipal actors know that they can no longer govern against urban civil society – neither against investors nor against powerful social groups. They are aware that formally planning falls within their administrative sovereignty, but from experience they also know that this position of power – especially with contested development projects – prevents them from doing urban development "from above" because too many instances of such top-down planning efforts, not just Stuttgart 21, have spectacularly failed in the past. City (planning) departments are thus under permanent pressure to defend their competence – against what in their view would be "illegitimate" or "irrational" interventions.

With the advancing neo-liberalization of cities (Mayer 2018b), municipalities themselves are increasingly only a minor partner in the special agencies created to design, steer and implement the development projects. They often sign away their own authority to these agencies, and/or appear quite paralyzed by the huge investments to be expected and the power of the other stakeholders. This is the case in Stuttgart 21, where DB even refused to share information with the city "because that would concern the core of their enterprise" (Selle 2010, 19, author's translation). The development agencies market the land, develop the projects, operate and manage the infrastructures, maintain the transport system, etc. ostensibly on behalf of the public. However, in fact they are guided by the logic of private enterprises since they have subordinated the agenda of the public sector to the logic of the private sector. So even where participatory measures and structures are in place, there continues to be a deficit in real democratic decision-making. Frequently participatory events are celebrated for their own sake, thus frustrating the citizens who do not feel that they are taken seriously and sense that their purpose lies more in generating legitimacy than in articulating the concerns and suggestions of those (detrimentally) affected.

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