Reclaiming the
Right to the City

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Edited by Ian Klaus and Samuel Kling

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By Ian Klaus and Samuel Kling

INTRODUCTION

After the many disruptions of 2020 and 2021—chief among them a global pandemic—why revisit now a concept so seemingly abstract and mercurial as the right to the city? Introduced by the French sociologist Henri Lefebvre in 1968, the concept has been the subject of a diverse array of treatments and interpretations from academics, activists, and policymakers in recent years. Lefebvre, for his part, imagined the concept as a radical right to shape and remake the city by participating in and experiencing urban life, but since then it has been deployed in service of various causes, from housing rights to participatory governance. The intellectual history of the right to the city is at times direct—a radical protest movement in the heart of the city focused on political and economic inequality—and at times meandering: a gesturing, stylish flaneur sauntering through the cityscape.

But COVID-19 and its associated crises offer the opportunity for clarity or new perspectives on the right to the city, thanks to the crises' disorienting effects on the meanings and uses of urban space. City dwellers everywhere have experienced the pandemic in particularly spatial terms: it has altered where they go and how they travel, freighted certain places with danger, and targeted some neighborhoods over others. Overnight, outdoor spaces became critical public health infrastructure; bars and restaurants became disease vectors. The pandemic's effects on work cleaved residents according to their ability to forgo the spatial ritual of the commute, with white-collar workers tending to stay home and most blue-collar and low-wage workers having to endure work on-site. The geography of the pandemic has exploited existing geographies of inequality, with disease and death most widespread in neighborhoods with higher concentrations of poverty, overcrowded housing, and marginalized groups.

Chicago is no exception to these spatial patterns. The city's entrenched segregation and the city government's responses to the pandemic highlighted the unequal access to urban space and urban life across race, income, and geography. COVID-19 cases and deaths on the city's poorer, majority Black and Latino South and West Sides have far exceeded those of the wealthier, whiter North Side. Public parks and beaches—critical, free spaces for safe socialization, recreation, and cooling down in the summer—were shuttered long after restaurants and bars reopened. The city's beach closures added to the shoreline's history of exclusion and

contestation; outside of the city, the region's whitest, wealthiest suburbs enacted even stricter restrictions[i] on outsiders' access. After high-profile killings of unarmed Black men in Chicago and elsewhere, a racial justice movement protested stark racial disparities in access to public space, enforced by police harassment and violence. The city's response to some of these protests was equally spatial, restricting access to downtown and nearby wealthy neighborhoods by halting public transit service and lifting the bascule bridges over the Chicago River.

Yet as activists, advocates, and community groups demonstrated, these developments did more than expose cities' spatial fault lines. They also offered a glimpse of alternatives: in movements to reimagine policing, in remaking streets as gathering places, in neighborhood-based activism and mutual aid networks, and in new community activity centered on parks and other public spaces. Some of these glimpses into alternative futures were new; some, such as the refashioning of streets for bicycles and pedestrians, or the seizure of public space by autocratic governments, were consistent with ongoing change, only delivered faster—historical change sped up, as it were. As residents spend more time and money in their own neighborhoods, concepts like the 15-minute city, a hyperlocal planning paradigm that gained attention even before the pandemic, are now garnering more attention—and generating questions about how the concepts can advance equitable access to what the city can offer.

The essays in this collection explore these questions. They highlight powerful inequities and contradictions in city life and also offer policy solutions. They represent perspectives from academics, activists,

and policy professionals and public servants with the intention of generating interdisciplinary, international discussions. What are the essential rights to the city, and how must they be reconsidered after recent crises? Whether hewing to the framework established by Lefebvre or charting their own meaning of the right to the city, these authors raise profound questions about the future of the concept.

The collection's first section, "Space, Place, and Inequality," explores these questions on an urban scale, each addressing an element of urban life. Fritz Kaegi begins by investigating a key hidden mechanism of spatial inequality in cities: property taxes, which in many places are levied unequally according to race and income, with little relationship to actual property value, and asks how such a system can become not just fairer but also more resilient to disruptions from e-commerce and working from home.

Charles Brown highlights the essential role of mobility within the right to the city and, through his framework of "arrested mobility," asks how and why mobility has served as a tool to restrict access and equity for Black Americans. Toni Irving explores the right to the mall, the midcentury counterpart to neighborhood-based retail and public space. How does the privatization of public space contribute to racial discrimination in malls, and what policies can ensure the spaces remain accessible to all?

Emily Talen interrogates a concept that has taken on new meaning as many residents spend more time closer to home: the neighborhood. What should a "right to the neighborhood" look like, and how can it be a tool for inclusion and empowerment rather than of exclusion? And Leslie Kern, surveying the landscape of care during the COVID-19 pandemic, argues that care work—the foundation of so much of city life—must be considered an essential component of the right to the city.

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[i] Samuel Kling and Lucas Stephens, "The Right to the Shoreline: Race, Exclusion, and Public Beaches in Metropolitan Chicago," September 22, 2020, https://www.thechicagocouncil.org/research/working-paper/right-shoreline-race-exclusion-and-public-beaches-metropolitan-chicago.

The collection's second section, "Local, National, and Global Intersections," further broadens the lens to interrogate the relationship among cities and nation-states and regions, and to explore global trends in development, trade, and governance. When, in 2015 and 2016, United Nations member states negotiated the right to the city in the New Urban Agenda, one practical challenge was the difficulty in finding an exact definition. Lefebvre provided an option, but not a terribly UN-friendly one, as did Brazilian legislation that has enshrined the concept in law; the best explanations came from stakeholder advocates who educated diplomats on the concept. Even then, as this second section of this collection makes clear, the right to the city, perhaps less as a codified concept and more as a lens, allows for different ways to look at cities around the world.

Beth Stryker and Omar Nagati's essay lays out the history of spatial exclusion in downtown Cairo in the 21st century, paying particular attention to the years after the Arab Spring. When it comes to the right to the city, Stryker and Nagati note the degree to which the concept, or at least that of rights more generally, is vulnerable to co-option: "The populist rhetoric underlying urban development under the 'New Republic' points to the government's exploitation of notions of 'right' through the deliberate employment of terms such as 'urban inclusion' and 'decent living,' aimed at appealing to broader segments of society beyond the privileged minority." In this model of "inclusive" development, public space is commercialized and informal housing vilified. The use of development as a tool to spatially separate is also explored in Chendan Yan's essay on gated communities and urban villages in China. Noting the disparity in service delivery to residents of urban villages—as opposed to the wider city or even gated communities—that has developed as part of both China's urbanization policies and the ideal of an "harmonious society," Yan asks, "How can the

right to the city be envisioned when the physical space demonstrates a pattern of exclusion?"

Raquel Rolnik's and Lorena Zárate's essays transport the reader to Latin America—a geographic hub of the right to the city, both in practice and theory—but in the context of global events and forces, from the COVID-19 pandemic to global finance. Linking the local and the global, Rolnik proposes that while the right to the city is largely a local practice—"the possibility of city residents to define their destiny, to own the city not in the sense of property but in the sense of belonging"—its global articulation will only further empower such efforts. Zárate's essay offers a further opportunity to reconsider caregiving in the context of COVID-19 and ongoing ambitions for urban transformation, while offering an extended and provocative definition of the concept. The collection's final essay, from Andrew Tucker, considers the right to the city in an African context of development, diplomacy, health service delivery, and sexuality-based rights. "Moving beyond work that has considered the right to the city in terms of legal claims ultimately to the state," he writes, "we can consider other ways in which a right to the city framework may speak to and help explicate the needs of same-sex communities in Africa to enable forms of sexuality-based justice." His examination of the US President's Emergency Plan for AIDS Relief in Africa forms the basis of an essay for historians, theorists, jurists, diplomats, nongovernmental organization staff, doctors, and private-sector actors alike.

Zárate writes, "The right to the city is a collective tool for transformation"—a transformation, as laid out across the collection's essays, with political, economic, spatial, and philosophical elements. Indeed, Rolnik and Tucker nod toward ways in which the concept might help transform our notion of rights themselves in the 21st century. The current

human-rights framework of the United Nations, while having much to say about poverty, is nearly silent on inequality. For some diplomats and theorists, the right to the city is one way to approach this failing. That approach, as the New Urban Agenda negotiations illustrated, remains a challenging sell, but in the meantime, as this collection hopefully shows, the right to the city remains a profound concept to use when analyzing and advocating for urban transformation and equity.

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Space, Place, and Inequality

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By Fritz Kaegi

Cities Can't Equitably Tax in a Digital Economy:

1 | # What Can Be Done?

Cities around the world are evolving as digital technology and the global pandemic alter the urban economy. But how can the funding sources for city services like education evolve with them? Without a 21st-century system of property taxation that supports equitable funding for all, cities are likely to generate pockets of de facto segregation along racial and economic lines. Giving everyone the right to the city requires revenue-model innovations that match the leaps and bounds we're making in technology. With a global economy reaching into even the smallest of towns, we must look beyond the traditional borders of local governance to lift all as cities undergo economic transformations.

The funding tools available to cities are ever more ill-suited to fair taxation. In the United States, the fiscal mechanisms for schools, municipalities, and other units of local government lean heavily on taxing property (more than half of local revenues if state and federal aid is excluded[1]). Illinois has the third-highest number of school systems in the nation (behind California and Texas), and the majority of public education funding in the state (63 percent) is derived from property taxes. Funding for education relies on real property, yet this spatially rooted "tax base" is under threat as economic activity becomes increasingly digital, with no fixed location

and much less dependence on brick-and-mortar assets. In 1990, information technology companies and direct retailers accounted for only 4 percent of the market capitalization of the S&P 500 Index, a widely accepted proxy for the US stock market; in 2021, these companies account for 32 percent of the index. Moreover, the five largest companies in this sector—Apple, Microsoft, Alphabet/Google, Amazon, and Facebook—now account for 20 percent of the earnings before interest, taxes, and depreciation of all the companies in the index.[2] The global pandemic greatly accelerated this trend, as office workers moved to Zoom, retail sales shifted to Amazon and Grubhub, and families decamped to more remote locations.

Tethering the funding of local services to brick-and-mortar assets is troubling from the point of view of equity and the question of who has the right to the city, because the digital portion of the economy is not similarly taxed. Without additional revenue sources, communities will have to sustain themselves on the taxes derived from the value of local property. Essential services decline, new potential residents look elsewhere, job opportunities fall off, and an already declining tax base suffers further. Freedom of movement will only be possible for those who already enjoy economic prosperity.

Make no mistake: small businesses and brick-and-mortar spaces are still at the heart of community vitality and sustainability and will continue to be important. They give communities and cities their distinctive character and special sense of place, not to mention employment. But why should capital invested in these city-sustaining activities be required to cover so much of the cost of local services, while the growing share of the digital economy gets a pass?

Using property taxes to fund services such as education can also reinforce segregation and unequal outcomes because tax revenues vary from one district to another based on the size and prosperity of the local real estate tax base. For example, communities in Illinois with more affluent property owners and an abundance of businesses can afford to spend more per pupil on education, while communities with fewer resources struggle. This system not only reinforces segregation and existing disparities but also further widens the wealth gap. Illinois ranks last in the United States for state sharing of revenues with school districts. As a result, property taxes are generally high, largely to fill this gap. The lower the value of real estate in a community, the higher the effective rate to provide a comparable level of school services. This results in great disparities.

In my jurisdiction of Cook County, for example, the communities with the 20 highest property tax rates exceed the other 110 communities by three to five times (Figure 1), even though the level of education funding per pupil is comparable or less. Most of these communities are majority Black, while most of the other Cook County communities are majority white. For communities at the top end of rates, taxes exceed 5 percent of home values versus the effective average in Chicago of under 2 percent. In the assessment universe, this is called "regressivity": when property owners with more modest homes and businesses have to pay more of their share than more affluent property owners.
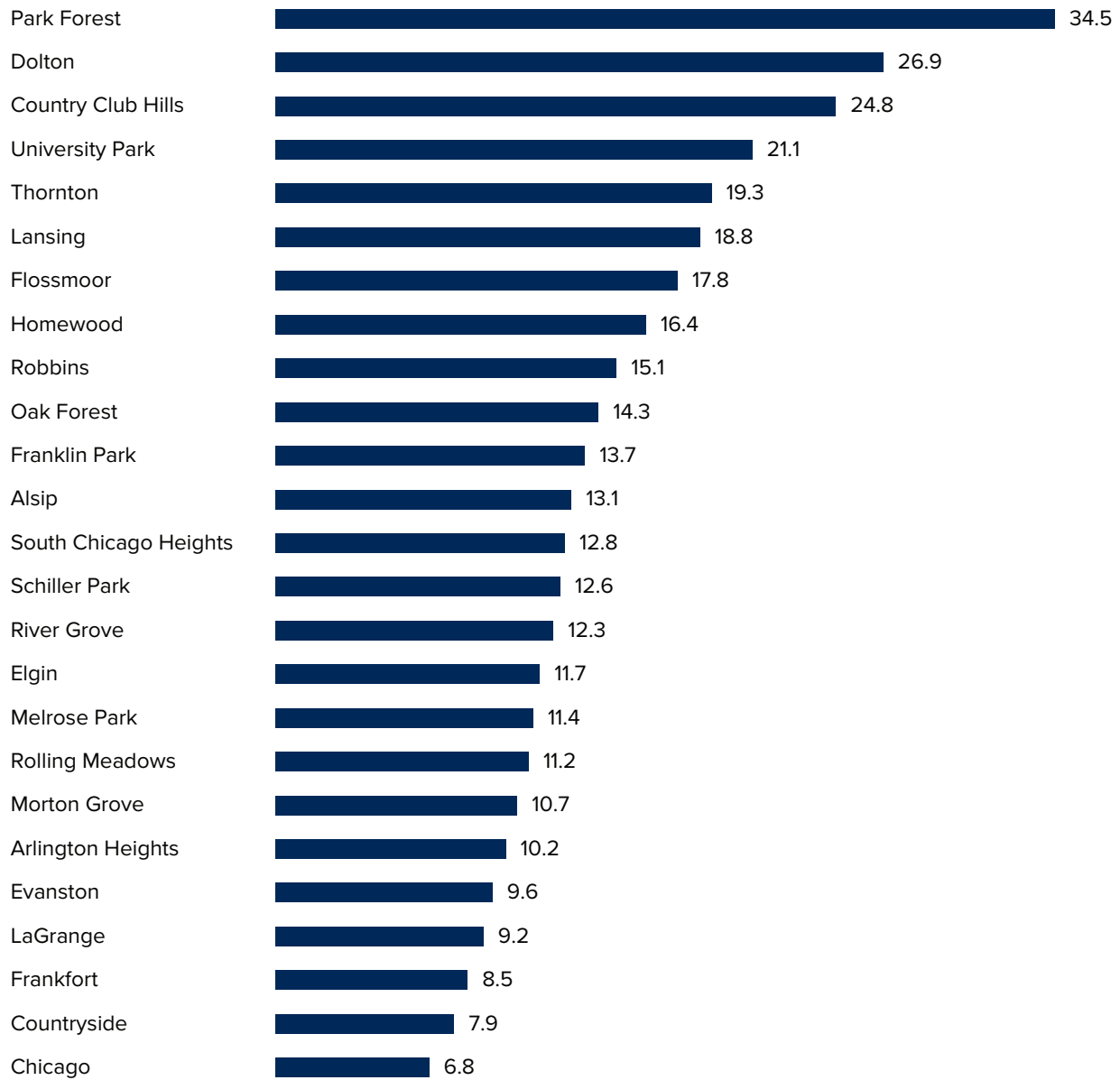
First, for a dollar invested in housing, higher property-tax rates can overwhelm the beneficial effect of compound growth in asset prices. Much like a ruinously high management fee on a mutual fund versus the low fee of an index fund, this puts a lid on prices and can in fact push them down, depressing intergenerational wealth.

Second, less-wealthy individuals and minorities tend to have more of their wealth invested in homes that are burdened by high taxes, while wealthier households have more of their savings invested in financial and business assets that are not subject to similarly heavy annual taxation. According to the US Federal Reserve Bank, in 2021 the bottom half of US households by wealth had about 50 percent of their wealth invested in real estate, while the top 10 percent of households by wealth had just 19 percent of their wealth in real estate.[3] Black and Latino Americans also had more of their wealth invested in their homes than other racial groups. In the United States, homeownership has been one of the fastest ways to build wealth because families can leverage it through mortgage debt. This is even more important for Black families, who possess about one-tenth the wealth of whites and who typically hold the majority of their wealth in their homes. Property taxes can eat away at the appreciation of these assets, which slows wealth creation, or worse, subtracts from it, leaving these families further behind and potentially under water on their mortgages. Legal scholar Dorothy Brown's book *The Whiteness of Wealth: How the Tax System Impoverishes Black Americans and How We Can Fix It* describes the myriad ways our tax system is structurally designed to advantage white taxpayers while disadvantaging Black households.

Figure 1 Where property tax rates are highest

Tax rate, %

Park Forest	34.5
Dolton	26.9
Country Club Hills	24.8
University Park	21.1
Thornton	19.3
Lansing	18.8
Flossmoor	17.8
Homewood	16.4
Robbins	15.1
Oak Forest	14.3
Franklin Park	13.7
Alsip	13.1
South Chicago Heights	12.8
Schiller Park	12.6
River Grove	12.3
Elgin	11.7
Melrose Park	11.4
Rolling Meadows	11.2
Morton Grove	10.7
Arlington Heights	10.2
Evanston	9.6
LaGrange	9.2
Frankfort	8.5
Countryside	7.9
Chicago	6.8

By mapping this web of taxation policies and practices onto physical space, one can see how these structural rate disparities exacerbate inequality. They serve as a hidden road map guiding investment, property values, and resources for education and other services across neighborhoods. Capital that can be invested in real estate converges toward areas with the lowest real-estate taxes, unless the capital can earn a compensating additional return in areas where effective property-tax rates are higher. The main mechanism for providing the compensating additional return is lower real-estate prices, which further shrink the local tax base. Capital flows to the affluent areas with the most expansive base of property values. The areas with the narrowest base of property values, meanwhile, experience downward pressure on prices to provide investors with additional return to compensate for higher and potentially growing property tax rates. Thus economic segregation builds on itself. Data increasingly show that the COVID-19 pandemic, with its associated accelerated changes in technology and behavior, has turbocharged this inequality.

While my office does not have jurisdiction over municipal tax levies, I can say that increased federal and state support for school funding will help reduce the tax burden paid by homeowners and local mom-and-pop businesses while also reducing racial disparities in schools and community services. As noted, Illinois provides the lowest level of funding for education of any state in the nation. An increase in federal school funding through Title I of the 1965 Elementary and Secondary Education Act is the most direct way to decrease property taxes and geographic inequality while investing in education. If we doubled the current $300 million in Title I funding for Chicago's public schools and passed on the savings to ratepayers, the property tax levy for schools could be reduced by 10 percent.

We must reimagine and reprioritize how we fund education by increasing federal support. This is not a new or radical concept. It was so important to civil rights and labor leader A. Philip Randolph that he included it in his speech at the March on Washington in 1963, saying "We want integrated public schools, but that means we also want federal aid to education, all forms of education." If we agree that everyone has a right to the city and that dismantling inequality is imperative, we must continue to push for local-school funding that is not rooted in local land values—especially as more business moves online—so that everyone has access to quality housing and vibrant communities without disproportionately burdening the property owners we seek to help.

Furthermore, as digital technology and the pandemic further uncouple economic activity from physical property, taxation that focuses on the *income* generated—rather than on the assets that can generate it—becomes ever more vital, especially for cities. In the status quo, taxation favors income generated from asset-light strategies, while heaping most of the costs of local services on the shrinking share of economic activity generated by those who own and invest in physical assets. The more digital an economy gets, the more unfair the distribution of costs becomes if property tax is a principal source of revenue. Taxing income generated, regardless of how physical assets are employed in generating the income, more fairly distributes the costs of investing in education and government services and does not discriminate against the kinds of commercial and residential activities that make cities thrive.

Once we understand this principle, the next question becomes: Who is best placed to tax income? One characteristic of the digital economy is that it may be difficult or impossible to attribute a physical presence to the various participants in the economic activity. Moreover, doing so may introduce incentives to shift profits to areas where income evades taxation. This is especially true when viewed from the perspective of a city, where activity can cross boundaries easily and even painlessly.

What about state or provincial support? A state or province may have drastically different interests or incentives vis-à-vis the city and may not want to put the taxation of income on an equal footing statewide and at a level sufficient for cities to fund education and government services. Moreover, just as transfer pricing strategies can shift incomes and profits away from cities to places where they are not taxed, this dynamic also prevails between states and provinces. Depending on state or provincial support may further inequities by punishing residents of cities where states or provinces are hostile to them.

As economies become more digital, it will become increasingly clear that cities and states cannot solve these problems alone. The nation—which means the federal government in the United States—is best situated to tax incomes generated by activity like digital commerce, virtual meetings, and footloose service providers. Nations will need to build fiscal mechanisms for a digital world that separates economic activity from physical space. Nations should likewise feel the pressure to increase their co-investment with cities in wealth- and equity-building activities like education, which after all prepares the nation's people for citizenship and economic competitiveness in a digital, globalizing economy. In the United States, Title I provides a ready mechanism to do so. After many years of stasis in funding, Title I has come back into focus with the Biden Administration's commitment to significantly step up this funding.[4]

Though it is fair and desirable for the nation to use the fiscal tools uniquely at its disposal to invest in education and certain other local services that benefit the nation as a whole, the next challenge for the city will be negotiating autonomy. If education and other areas get more support from the national government, more strings may be attached—perhaps in the form of required curricula or standardized testing. National authorities' policy goals may be at odds with the attitudes and goals of those in the city.

The number and nature of attached strings will spark debates about topics that previously took place at a local level.

As Thomas Jefferson put it, the best government is the one closest to the people. This principle has been inconsistently applied in the United States—it is arguably more honored in the breach than in the observance—but advocates for cities may find themselves making just this argument, especially in huge, diverse countries such as the United States. If a digital economy puts more of an emphasis on national fiscal mechanisms, cities around the world will face new challenges in negotiating autonomy vis-à-vis national governments. The debate over who owns the city will be coming to national political conversations around the world.

About the author

Fritz Kaegi is the Cook County Assessor. Kaegi was born and raised in the Hyde Park neighborhood of Chicago and now lives in Oak Park, Illinois.

Endnotes

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2   Bloomberg Terminal data.

3   "Compare Wealth Components across Groups," DFA: Distributional Financial Accounts, Federal Reserve System, https://www.federalreserve.gov/releases/z1/dataviz/dfa/compare/chart/.

4   Evie Blad, "Biden's K-12 Budget Seeks $20 Billion for State Incentives to Address Funding Inequity," *Education Week,* May 28, 2021, https://www.edweek.org/policy-politics/bidens-k-12-budget-seeks-20-billion-for-state-incentives-to-address-funding-inequity/2021/05.

By Charles T. Brown, MPA, CPD, LCI

2 | Arrested Mobility:

The ~~Un~~intentional Consequences of Overpolicing Black Mobility in the United States

An immense number of worldwide protests, record-breaking donations to the Black Lives Matters movement, and a rapid rise in diversity, equity, and inclusion (DEI) training followed the murder of George Floyd at the hands of members of the Minneapolis Police Department in May 2020. Even so, Black Americans remain more likely than other Americans to be murdered by police, face racial discrimination inside or outside their homes, be victims of state-sponsored housing segregation, die in traffic collisions, and be targets of race-based hate crimes and intimidation on America's sidewalks, roads, subways, and highways.

Many of the high-profile cases that inspired recent protests and activism took place not just against Black Americans but against Black Americans who were traveling through or occupying public space. These cases, and thousands of others, point to the fact that for Black Americans, an essential right to the city—the right to physical mobility—has never been unimpeded but has now been arrested.

Arrested mobility, I argue, is the direct manifestation of structural racism (racism that is personal, interpersonal, institutional, and cultural), which has

led to the intentional and deliberate overpolicing of Black Americans. The lens of arrested mobility, which broadly redefines and reconceptualizes policing, is an aggregation of three Ps: public policy and planning (zoning and urban design, for example), policing (that is, law enforcement), and polity (which includes groups of self-deputizing white citizens). Through legal and illegal force, these three Ps restrict the physical mobility (directly) and socioeconomic mobility (indirectly) of Black Americans and deny them equitable access to everyday destinations such as workplaces, schools, grocery stores, libraries, parks, and healthcare facilities throughout the United States.

While the right to the city is a powerful concept, I cannot ignore the paralyzing and oppressive reality of anti-Black racism and Black Americans' resulting lack of mobility and access. Black Americans' right to the city, which should be inalienable, will remain a check declined, a dream deferred, and a promise denied if they continue to lack freedom of movement without harassment, violence, and the need to overcome obstacles created by decades of planning and policy decisions.

Black immobility fits within the concept of the right to the city because mobility embodies freedom and allows people, places, and cities to thrive. Moreover, in the United States, freedom—synonymous with national identity—is so often represented by acts of movement such as driving a car or traveling to a different city. However, for Black Americans, exercising freedom of mobility has always meant confronting the harsh reality of white fear, fragility, and violence.

Why have some people's reactions to Black Americans' recent attempts to exercise freedom of mobility been so vicious? Black mobility challenges social constructs of race and racial hierarchies and creates contested spaces when racial boundaries are crossed. It evokes fear of miscegenation and Black rebellion. The "browning of America" and the increased focus on equity and social justice keep these fears front and center in the minds of some white Americans.

Arrested mobility takes place across transportation modes and US geography. Journalists, researchers, and activists have highlighted the adverse impact of the overpolicing of Black mobility via biking, walking, driving, taking public and private transit, hopping a ride via a rideshare service, or using a micromobility device such as an e-scooter.

Black Americans disproportionately are victims of race-based hate crimes and overly aggressive police enforcement and brutality while *simply existing in public space.* George Floyd, for example, was occupying public space—"loitering"—next to a convenience store when officers violently confronted him. Black Americans are also far more likely than all other racial groups to be victims of hate crimes that include racist intimidation.[1] In 2019, there were 797 victims of anti-Black intimidation hate crimes in the United States.[2] These anti-Black hate crimes make it more difficult for Blacks to be themselves or be free in public space due to the constant threat of racial violence against their or their families' Black bodies.

The hatred toward Black Americans has increased so much that there are now blogs, documentaries, and other online mediums devoted to "living while Black." These sites highlight the degree to which Black Americans have had law enforcement called on them for engaging in mundane and noncriminal activity in public space, including golfing too slowly, barbecuing at a park, campaigning door to door, delivering newspapers, and not waving while leaving an Airbnb, to name a few.[3]

Black Americans are disproportionately victims of race-based hate crimes and overly aggressive police enforcement and brutality while *walking or running.* An analysis of five years of tickets issued to pedestrians in Jacksonville, Florida, revealed that a majority of the tickets were issued to Black individuals, even though less than one-third of the city's population identified as Black. Blacks were three times more likely than whites to receive a ticket, and residents of the city's three poorest zip codes were about three times more likely than those in the city's wealthier zip codes to receive a pedestrian citation.[4] One recent anti-Black hate crime was the murder of Ahmaud Arbery, a 25-year-old Black man, on February 23, 2020. He was jogging in the Satilla Shores neighborhood of coastal Georgia when he was chased down and killed by three self-deputized white residents of the area.

> **Black immobility fits within the concept of the right to the city because mobility embodies freedom and allows people, places, and cities to thrive.**

In a 2017 study, Rashawn Ray noted, "Black men I interviewed who had jogged in white neighborhoods where they lived reported incidents of the police being called on them, neighbors scurrying to the other side of the street as they approached, receiving disgruntled looks and seeing the shutting of screen doors as they passed." Some of the men Ray interviewed, attempting to make themselves less threatening, "wore alumnus T-shirts, carried I.D., waved and smiled at neighbors, and ran in well-lit, populated areas."[5]

Black Americans are disproportionately victims of race-based hate crimes and overly aggressive police enforcement and brutality while *riding bicycles.* In Oakland, California, the majority of all bicycle-related stops in 2016 and 2017 included Black cyclists, though only one-fourth of the city's population identified as Black. The top three neighborhoods with the greatest number of bicycle stops by the Oakland police are each less than one-third Black, but an overwhelming number of bicycle stops involved Black cyclists.[6] According to a study by the *Chicago Tribune,* from 2008 to 2016, Chicago police wrote more than twice as many bike citations in majority-Black neighborhoods than in majority-white or majority-Latino neighborhoods. Chicago police issued 321 bike tickets in Austin, a low-income, majority-Black neighborhood, and only five in Lincoln Park, a wealthy and majority-white neighborhood. [7]

Black Americans are disproportionately victims of race-based hate crimes and overly aggressive police enforcement and brutality while *driving automobiles.* A nationwide quantitative analysis of policing trends during traffic stops shows that Black and Latino drivers are stopped disproportionately more than white drivers even though the "hit rates"[8] of white and Black drivers are similar, while that of Hispanic drivers is lower. The same study noted that police are less likely to pull over Black drivers after dusk, when the race of the driver is less obvious to police.[9] A 2016 state-commissioned study found

that Blacks and Latinos in Minnesota were seven times more likely to be stopped by police in white-majority neighborhoods. The police department of St. Anthony, Minnesota, a suburb of the Twin Cities, released statistics on traffic stops in 2016 that revealed that 47 percent of the department's citations were for Black individuals even though the patrolled area was only about 7 percent Black.[10]

Black Americans are disproportionately victims of race-based hate crimes and overly aggressive police enforcement and brutality while *taking public or private transit.* A Marshall Project analysis of 2014 data from the New York Division of Criminal Justice Services showed that the turnstile arrests in New York City had decreased significantly, but 89 percent of those arrested were Black or Latino. According to the same study, the 10 New York City neighborhoods with the most arrests per subway swipe, when adjusted for subway traffic, were also predominantly Black or Latino. Poverty alone doesn't explain the racial discrepancy: according to the Mayor's Office of Operations' 2017 poverty report, nine out of 10 people arrested for turnstile jumping are people of color, but Blacks and Latinos make up only 51 percent of the poor population of New York.[11] In 2017, Black people were eight times more likely than whites to be charged for certain public-transit violations, such as skipping bus fare, in Portland, Oregon—violations that were decriminalized in 2018.[12]

Black Americans are disproportionately victims of race-based hate crimes and police enforcement and brutality while *hopping a ride via a rideshare service.* According to research in 2016, for 581 trips hailed via the Lyft or Uber app, Black travelers waited on average 20 percent longer than white travelers did for their ride request to be accepted on the app. It also took about 30 percent longer for Black travelers to be picked up when they used Uber.[13] In addition, a 2015 study of 800 Chicago residents revealed that the number of respondents who reported being ignored by taxi drivers when hailing

taxis on the street is significantly higher for Black respondents than for whites. Moreover, a majority of Black respondents who have called for a cab at some point have received a refusal by the service to send a cab to their neighborhood.[14]

Arrested mobility doesn't just limit Black mobility; it also has adverse social, political, economic, environmental, and health impacts for Black Americans across the country. Black Americans are less likely to be physically active than white Americans, and they are more likely to have no health insurance and pay twice as much of their average household income for healthcare. They are also less likely to have access to important resources and opportunities such as healthcare, supermarkets, education, and jobs, and they have lower rates of upward mobility. Transportation disadvantages also make Black people vulnerable to disenfranchisement efforts—such as a lower density of polling places in majority-Black neighborhoods—which in turn exacerbates their lack of representation in the government. Last, Black Americans' average household income is 60 percent of that of white households, and they are paid less than whites for doing the same jobs.

Many will argue that Black Americans already have a right to the city and that the disparities in traffic enforcement and policing are a result of disproportionate criminal behavior by Black Americans, particularly males. But the facts do not bear this out. Take, for instance, Tampa, Florida, where from 2003 to 2015, police issued more than 10,000 bicycle tickets, of which 79 percent were issued to Black people, even though only 26 percent of Tampa's population was Black. While police often defend the practice of using stops to deter or catch criminals, it's a straw-man defense: only 20 percent of adult bicyclists ticketed in Tampa in 2014 were arrested for any criminal activity. The level of enforcement in Black communities is unjustified, and the higher rate of reported crimes in Black communities is a reflection of structural racism, which leads police departments across the country to target Black individuals and communities disproportionately.[15]

If the right to the city is to be truly available to all Americans, specifically Black Americans, Americans must confront arrested mobility—that is, the paralyzing and oppressive reality of anti-Black racism and the resulting lack of accessibility and mobility for Black Americans in the United States. This change requires Americans to rethink and redefine enforcement through the lens of the three Ps (policy, police, and polity) and to support the following: (1) proposals that would require police to be trained in nonviolent alternatives to deadly force; (2) efforts to train police to de-escalate conflicts; (3) consideration of defunding, or abolishing, police departments or transferring traffic-enforcement powers to an unarmed civilian-led traffic-enforcement group within an existing or newly created transportation department;[16] (4) requirements that police officers live in the communities where they work, to improve relations between Black communities and the police; (5) investment and maintenance of transportation infrastructure in Black communities because the number of Blacks who died in traffic-related crashes is up 23 percent since last year; and, finally, (6) the elimination of anti-Black hate groups, hate crimes, and discrimination and intimidation on the part of law enforcement, white nationalist, white supremacist, and self-deputized white citizens.

About the author

Charles Brown is the founder and CEO of Equitable Cities LLC, based in Somerset, New Jersey.

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By Toni Irving

3 | The Right to the Mall

> " He who offers for sale something unique that no one wants to buy, represents, even against his will, freedom from exchange.
>
> — Theodor Adorno, Minimia Moralia, 1944[1]

> " A large shopping mall, much like a traditional Main Street or downtown, is a complex series of interdependencies; everything you find in one depends, in some way, on the other parts of the mall. So if one part goes down, it can take the whole enterprise with it.
>
> — Matthew Yglesias, Vox[2]

Media reports show that African American youths are regularly tracked and expelled in malls across the United States. In suburban Memphis in November 2018, security officers at the Wolfchase Galleria mall followed four African American youths, then expelled them for wearing hoodies. When one of the young men returned and asserted, "We have rights," he was handcuffed and arrested. The young men expelled from Wolfchase Galleria under an unpublished hoodie rule did not have their hoods up. Days later, four white women strolled the mall with hoods up to test a hypothesis. They were politely asked to take their hoods down, but not asked to leave. They purchased nothing.[3]

Fifteen-year-old Jaylyn Brown was kicked out of Ross Park Mall near Pittsburgh for wearing a pink hoodie while shopping with her mother. According to news reports of the incident, rules regarding the wearing of hoodies were not posted in the mall's code of conduct or anywhere else.[4] Security officers at the Water Tower Place mall in downtown Chicago engaged in an extended series of confrontations with African American youths in the three years prior to pandemic-related restrictions. The confrontations resulted in shortened mall hours and a new policy banning entry without an adult for those under

the age of 18 after 4 p.m. on Friday and Saturday. An April 2018 incident in a Philadelphia Starbucks brought renewed national attention to the fact that African Americans are targeted in consumer spaces for activities framed as normative when whites engage in them. Frequently, the actions of mall patrollers are not validated by printed mall policies, but on the occasions when they do, mall policies present an opportunity to reproduce the discriminatory systems they are based on.

As Henri Lefebvre frames it, the right to the city contains a continual, active process of appropriating and readjusting spaces. The right to the mall is not simply a microcosm of discrimination dynamics throughout the city; it is also on the front line in the continuing battle for African American citizenship.

African Americans in general are fully cognizant of the discriminatory tactics malls use to remind them that they are not the ideal customers. Meaning then doesn't derive from or rest conclusively with any one incident but develops from the compounding of them. Because of their legal status as minors, teenagers have limited rights. Space always already belongs to some other entity. The conflicts that arise between young people and mall management over their place are often implicit forms of protest. With few options, teenagers primarily appropriate and occupy space through behavior. Publicly stated reasons for expelling youths range from "disrupting," "loitering," "wearing hoodies," and "chasing girls"—the last of which seems framed as a special affront to the sensibilities of members of Generation X, who largely experienced flirting rituals as the primary purpose of coming to the mall. In the face of increased restriction and spatial surveillance, teens continue to adamantly "take up space."

Lefebvre characterized the exercising of rights as "to inhabit," meaning "to take part in a social life, a community, village or city." For contemporary youth, inhabiting the mall despite being made to feel unwelcome can be read as a guerilla form of placemaking and a reiteration of entitlement. Like taking a seat at lunch counters and riding in ladies' cars, returning regularly to unwelcoming spaces, though often criminalized, is an act of marking territory—one that frames behavior and spatial claiming as primary practices of citizenship.

The mall incidents point to the way social constructions become racialized, so that, for instance, poverty, modes of dress, and animated behaviors get framed as dangerous and as endemically Black. The value-laden management of these social issues then may seem color-blind. Such tropes mask iniquitous social relations allowing racism, sexism, and classism to play out as the natural workings of the system. "The right to claim presence in the city," as Engin Isin interpreted Lefebvre, "to wrest the use of the city from privileged new masters and democratize its spaces,"[5] takes on an even greater form of entitlement when you consider the role African Americans have played in revitalizing the Michigan Avenue shopping area where Water Tower Place exists, both in terms of retail revenue and the host of taxpayer-funded subsidies they have contributed to.

A January 2021 headline in *Crain's Chicago Business* reads, "'If Michigan Avenue is dead, Chicago is dead.'"[6] This was the very logic that led to the development of the Water Tower Place mall in 1975. With the expansion of suburban retail malls and the opening of Woodfield Mall, in nearby Schaumburg, Illinois, in 1971, the Michigan Avenue shopping area was desolate, foot traffic was low, and the area economy suffered.

The Magnificent Mile, as it was dubbed by real estate developer Arthur Rubloff in the 1940s, historically boasted luxury hotels and high-rise condo buildings served by high-end boutiques and stand-alone department stores such as Neiman Marcus and Saks Fifth Avenue. But local high-end consumers did not provide sufficient demand, so Water Tower Place featured stores selected to draw a decidedly

middle-class audience. Thousands lined up for entry hours before the doors opened. The mall's success was further confirmed by the number of stores that chose to have space inside it in addition to their nearby street storefronts. Like historical malls, Water Tower Place was structured to encourage window shopping and diminish threshold resistance, with an original entryway fronted by an arcade that made available goods readily viewable. Significantly, Water Tower Place changed the economic dynamics of the Magnificent Mile, forever transforming downtown Chicago's retail center of activity from the State Street area historically anchored by Marshall Field's to North Michigan Avenue.

In the summer of 2020, when young people across the world took to the streets to protest police violence in particular and inequity in general, many shops foregrounded their display windows with Black Lives Matter signs, which could be read as acts of self-preservation relative to past unwelcoming behavior. One can understand how a similar set of uprisings in 1848 Paris loomed large in the thoughts and plans of Napoleon III as he commissioned Georges-Eugène Haussmann to develop what is widely understood to be the model modern city. The new Paris, developed between 1853 and 1869, built on massive public works that centered on public health and community access to pacify residents. Public parks and fountains supplemented arcades and covered passages as places to rendezvous and promenade. In place of the previously dark, dirty, and narrow shopping streets, the arcades provided opportunities to dine, be entertained, and to be idle, sheltered from inclement weather long after shops closed. Architect Victor Gruen drew on his experiences in Vienna and Paris when designing the first enclosed mall in the United States.[7] Throughout Europe, shops coexisted alongside cafes, social clubs, theaters, general entertainment, and places to eat. The quality of civic life is in part a function of the quality of the built environment, and Gruen hoped to

lure people out of their cars into greater contact with one another.

Southdale Center opened in 1956 in Edina, Minnesota, with a kind of town hall at the center under a skylight. Gruen intended the mall to connect to residential and commercial space, medical care, libraries, and other public spaces. While Southdale fell short of his original concept, one can see his vision endure in a range of present-day sites from Plano, Texas, to Hudson Yards in New York.

From its genesis, the mall was a center of social, civic, and community life—a proxy for society. The sheltered shopping street with novel gaslights illuminated the space so that people could wander without purpose, inspiring the philosopher Walter Benjamin to inextricably link the flaneur and the arcade.[8] The hypocrisy is not subtle: these spaces benefit from African American spending power, yet mall management, in determining who gets to move freely in space, frames African American individuals as not the ideal consumers. Loitering charges become a way to gaslight those deemed unworthy, obscuring the inequitable and racial revocation of rights.

As malls continue to lose market share to online shops, they must recognize and return to their roots as community-centered, cocreated spaces. According to Nielsen's most recent report on African American consumers, while African Americans shop more online than the average household, they still make more frequent visits to stores—albeit spending less per trip.[9] Malls' missed opportunities are as meaningful as African Americans' purchasing power, which in 2019 was estimated at $1.4 trillion—higher than the gross domestic product of Mexico.[10] People continue to push against the discriminatory treatment both because they are entitled and because the spaces serve a community purpose. Malls present safe places to be sheltered from the Phoenix sun or

Chicago wind, to promenade in front of boys, to chase girls, to connect.

Going to the mall is a cultural activity, rife with social significance and structured by far more than consumer practices. The actions of the mall are so embedded in the accepted knowledge about entitlement in the nation that examining how malls express different levels of value or privilege is a lesson in civics. Yet as many malls today struggle to attract consumers, consensus is growing that Water Tower Place needs a new identity. The decline of the mall may be read as a failure to serve an inclusive purpose, exacerbating rather than alleviating spatial inequalities. With the recent closure of Macy's at Water Tower Place, the absence of anchor stores provides an opportunity for reinvention. Like the library, cafe, and barbershop, the mall maintains the potential to be a building block of community.

Recently, the Chicago Department of Planning and Development established a group of architects, artists, and academics to provide an extra layer of review for major developments before they are built. Included in the 24-member Committee on Design is Theaster Gates, an artist and urban planner best known for reimagining out-of-use spaces in ways that center the needs and values of African Americans on the South Side of Chicago. In one such example, Gates converted a former currency exchange—laden with commentary on the inadequate infrastructure in this majority-Black community—into a space where people can gather for coffee, conversation, and food for thought. Aptly named the Currency Exchange (Figure 1), the space privileges culture as currency with artists in residence, meeting and performance space, shelves lined with books, local artwork on display, and seats curated to

Figure 1 Currency Exchange

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encourage lounging. At the same time, the Currency Exchange never takes African Americans for granted as consumers, offering new and used records for sale, art for purchase on consignment, and a commercial-grade kitchen to sustain a rotating roster of chefs who have lost revenue, among other pandemic-related challenges. Idlers, consumers, creatives, and capitalists coexist.

An urban planner by training, Gates has become well known for redeveloping spaces that haven't always positively engaged the public or productively shaped social relations. More than a cafe, Gates's Currency Exchange takes the values and norms embedded in the theory of urban planning and design and makes them explicit in practice, providing freedom of movement as well as space to loiter.

In addition to the currency exchange, Gates acquired an abandoned 1923 savings and loan and repurposed it into a community center, gallery, and media archive. The Stony Island Arts Bank reflects an ongoing practice of translating the speculative aspects of his artistic installations into use-value that simultaneously critiques spatial manifestations of racial injustice.

However, freedom from legacies of racial injustice does not reflect the right to the city if limited to a select square mileage on the South Side. In cities as segregated as Chicago, the right to the mall also embodies the right to feel physically and emotionally safe in every part of the city. One can only hope that the Committee on Design is empowered to let Gates's work serve as a model of reinvention for the Magnificent Mile. Malls have been on the front line of shaping social relations of power, and in those well-positioned and underused spaces are opportunities to begin anew. The mall is dead; long live the mall!

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By Emily Talen

4 | The Right to a Neighborhood

Cities are fluid, anonymous, heart-pounding. Neighborhoods are immediate and relatable, something beyond the home, but more intimate than the city itself. The "right" I would most like to cultivate is something more localized than the right to an amorphous "city"—I would like to propose the right to a well-functioning, socially connected, politically empowered neighborhood. Thus defined, neighborhood rights are hard to come by.

Conceptually, a neighborhood is within reach; a city, the place of globalized capital, is not. This idea could have an equalizing effect, since inequality inherent in global capitalism—which many argue is perpetuated by city governments eager to dole out corporate subsidies—is a phenomenon that is not as easily obscured at the level of the neighborhood. Individuals experience forces such as racism and buildings experience decline, but it is their contextualization within neighborhoods of varying wealth, prospects, and physical quality that captures the political reality of what is going on.

On the one hand, neighborhoods have become marketing tools, little more than convenient geographic locators. This is why Jane Jacobs referred to them as "valentines."[1] What she meant was that neighborhoods lack political power and the

means to effect change. On the other hand, there are neighborhoods devoted to empowering themselves for perverse purposes—that is, by a quest to be exclusive. The right to a neighborhood needs to be defined in terms that are as equalizing as Henri Lefebvre's right to the city. Neighborhood-enabled social groupings need to steer clear of intolerant outcomes.

On the face of it, many of the features that historically defined neighborhood life may seem to have lost relevance: extended families living in the same locale, face-to-face communication as the main form of social connection, the close integration of work and residence, and daily shopping at the corner market. And yet neighborhoods continue to hold extraordinary relevance and meaning. What we have learned is that, even amid a global pandemic, all the technology that allowed us to sprawl out, order online, and stay at home in front of our computers and televisions did not squash our need to gather.

The right to a neighborhood is the right to a neighborhood that is inclusive and strong—a neighborhood with identity, social connection, and empowerment. Imagine growing up in a neighborhood with a strong sense of identity, where you know your next-door neighbor and your local

shopkeeper, where you walk to the public library, and where there is an active neighborhood association doing things like fundraising to turn a vacant lot into a community garden. Some neighborhoods in Chicago—think Andersonville, Pullman, or Lincoln Square—fit this bill. Now imagine growing up in a neighborhood defined only by its proximity to a busy road, where there are no services or community organizations, and where residents never meet their neighbors. This does not necessarily describe rich and poor neighborhoods. But it does describe two very different neighborhood experiences.

The right to a neighborhood is the right to a neighborhood that matters in positive ways. As it stands, neighborhoods are often seen as mattering in negative ways. At one end of the spectrum, an early pitch came out of James Q. Wilson and George L. Kelling's seminal "broken windows" hypothesis, popularized in the *Atlantic,* asserting that "disorder" in a neighborhood can lead indirectly to unsafe conditions.[2] At the other end of the income spectrum, wealthy gentrifiers are accused of using the social veneer of "neighborhood" to find like-minded souls with whom to sustain exclusivity. We need neighborhoods that matter in more progressive, life-affirming ways.

While it is important not to sentimentalize the past, it is worth noting that historically, neighborhoods were more in line with this goal. They were well-defined, often socially diverse, and a source of identity, economic life, social connection, and political power, even in societies dominated by authoritarianism, hierarchy, and inequality. As modern cities lost this localized sense of daily life, some urban dwellers were unaffected. But others suffered the consequences of neighborhoods lacking identity, connection, and empowerment.

The right to such neighborhoods starts, in my view, with framing the narrative about neighborhoods—and why they matter—in new terms. How do neighborhoods matter in ways that are beyond

bringing people down, walling people off, or efficiently communicating one's locale? If the right to a neighborhood is a worthy goal, we need to know why this goal matters—that is, why neighborhoods, newly defined, matter.

First, they matter for identity—both for individuals and for groups. They are a way in which individuals define and understand themselves or relate to a larger association. They are a means through which groups differentiate and distinguish themselves. On the positive side, this lends depth and character, a basis of appreciation about a city's districts. A neighborhood with a strong ethnic identity gives immigrants a place to land and feel at home. Specialty goods provided by ethnic grocers are sustained by a neighborhood with a strong sense of identity and a clustered constituency.

The identity function of neighborhoods has the potential for negative impact, however. The line between thriving ethnic enclave and segregated community has a tendency to blur. We know too well the perversity of living in a world in which cities are composed entirely of neighborhoods defined by social sameness—and that sameness is defined by income level or race. As a 1957 *New York Post* editorial put it, "A neighborhood is where, when you go out of it, you get beat up."[3] Countering this perception requires emphasizing place over people when it comes to instilling neighborhood identity.

Second, neighborhoods matter because they provide access to things. Thus, an essential goal—straightforward but not simple—is to make sure that neighborhoods are more about access to good things than about access to bad things (with the caveat that there will be some variability in how these things are defined). If you are lucky enough to live in a neighborhood with lots of stores and restaurants, and maybe also good schools and a transit station, then your neighborhood is providing excellent access. But you might live in a neighborhood with few of these things. Your neighborhood might even

be labeled a food desert. High access leads to opportunity. Low access blocks opportunity—unless, of course, you are wealthy and have the means to compensate for what your neighborhood lacks.

Third, neighborhoods matter because they provide social connection. This might be as simple as exchanging a glance with a fellow resident when shopping in a neighborhood store or passing someone on the street. Or your neighborhood might be the source of deeper social connections and friendships. Your neighborhood—perhaps the block you live on—might even be your main source of social life. The ability of neighborhoods to provide social connection is especially relevant since society appears to be having a "crisis of connection."[4]

Fourth, neighborhoods matter for political relevance, providing a means through which collective action can take place. Via the neighborhood, you may find yourself banding together to block a development that negatively affects your block, or you might work with your neighbors to advocate for more funding for a pocket park. Neighborhoods define a collective enterprise, and small actions derive meaning by being situated within them. The spot interventions of do-it-yourself city repair, such as painting a piazza in an intersection, or "taking back the block" by putting up chairs and tables in the street, are stories that are situated in, and derive meaning from, a neighborhood.

In cities with meaningful neighborhood representation, collective life translates to real political power. The neighborhood, in other words, is a basis of empowerment. It makes collective life possible and productive. Within a collectively organized neighborhood, problems can be addressed by an engaged constituency.

It is important to understand the historical trajectory of this concept. Neighborhood-based political power declined during the 20th century because of the institution of citywide elections, city-manager forms of government, and regionalism. For centuries, neighborhoods had been the point of entry into wider political networks, playing out as dramatically in Renaissance Florence as it did in early 20th-century Chicago and Los Angeles. The burgeoning metropolis rendered the neighborhood increasingly powerless, and in fact, early 20th-century neighborhood sympathizers blamed the phenomenon of large cities for undermining localized political action.

Understanding how neighborhoods matter in terms of identity, access, connection, and empowerment is essential because it clarifies what we value about them. And if we know what we value about them, then we can be confident in asserting our right to the neighborhood. While neighborhoods are many things, they are not all created equal. When it comes to the health and endurance of cities, some kinds of neighborhoods will be better than others at making a positive contribution.

The importance of neighborhood was heightened during the pandemic as residents became constricted in their local environments and were less able to traverse far-flung urban realms. This made their engagement with localized contexts more important, particularly the use and planning of public space. To what degree has this newly constrained neighborhood context translated into an assertion that urban residents have a right to a neighborhood, a right to agency about how neighborhood development and public investment transpire? According to sociologist Harvey Zorbaugh, author of the 1929 classic *The Gold Coast and the Slum,* the increasing mobility of society rendered neighborhood-based organizations weak.[5] Will a more constrained populace reinvigorate the neighborhood's sense of its collective self?

The right to a neighborhood is the right to constitute neighborhoods that are more than labels and more than social segregators. It is about the right to live

in an urban world not defined by the demoralizing expanse of contemporary sprawl, but by real places that are more than a shaded area on a map, more than a segregated housing tract, and more than a valentine.

But the right to such neighborhoods is not the right to socially segregate. Neighborhoods need to accept social diversity as a positive—not because of paternalistic ideas about the benefits of intergroup social contact, but because of something more straightforward: fair access. Resources are finite, and wealth commands access to resources that the market, or political influence, obligingly follows. Disinvestment, on the other hand, is correlated with population loss, deteriorating building stock, foreclosures, and failing schools. The only practical solution from a broader societal perspective is to spread the wealth and try to build more economically diverse neighborhoods.

This is where neighborhood planning comes in. Rather than contributing to segregation, neighborhoods—with a bit of proactive policy support behind them—can be a tool for countering it. Such policy supports are already well-defined. Over many decades, a plethora of strategies have attempted to foster socially mixed neighborhoods: vouchers, community land trusts, inclusionary housing, tax credits, bonus densities, accessory units, transfer of development rights, condominium conversion ordinances, bond financing, and tax-base sharing, to mention a few. Sometimes these policies work well; sometimes success is more limited. But however slow and awkward, they are moving us in the right direction.[6]

One thing that hasn't really been tried is to provide incentives for neighborhoods to embrace these policies. Why not use a "carrot" approach and offer special treatment—more street trees or park upgrades—to neighborhoods that support diversity? Rewarding the neighborhood's embrace of diversity

with tangible, visible public investment will help instill a sense of ownership and caring that does not rest on exclusion, working to substitute place for social homogeneity as the basis of neighborhood identity and definition.

In other words, the socially inclusive, well-serviced, self-governed, and noninsular 21st-century version of the neighborhood will require stewardship. It will not form spontaneously, as much as we wish it would. Neighborhoods need policies and actions to help them self-govern and activate, but also to counteract the housing market's constant push toward homogeneity. This is the right that we should claim.

About the author

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By Leslie Kern

5 | Care Is the Foundation

The promise of the right to the city is that it extends to all who participate in and produce the city. It doesn't rely on private property ownership, formal citizenship, individual rights, or identity. In place of these capitalist, nationalist, colonial, and patriarchal grounds for rights, Henri Lefebvre offered the concept of inhabitance. Inhabitance is a political identity arising from ongoing and everyday participation in the life of the city. It encompasses multiple forms of contribution and engagement: formal work, yes, but also activism, using (appropriating) space, building relationships, and enacting culture. As the grounds for the right to the city, inhabitance insists that city dwellers should be able to meaningfully contribute to the decision-making processes that shape urban space. This essay asks, what is the place of care work in the right to the city?

Feminists have found the right to the city a compelling framework, and the crisis of care work during the COVID-19 pandemic offers a useful lens through which to reinterpret the concept. Writing on gendered rights to the city has addressed the often-ignored ways that women contribute to the production of space, women's activism in the city, and the role of women in informal economies. Feminists point out that a right-to-the-city ethos has to pay attention to the patriarchal, as well as the capitalist, structure of urban space and urban relations. For example, the division between public and private space reflects patriarchal ideas about the gendered division of labor.[1] Social and economic inequality between men and women is bolstered by the valorizing of work and achievements in the public realm and the denigration of care work done in private. Furthermore, women's ability to participate in the city—in work, leisure, public activities, and politics—is constrained by sexism and misogyny, which are often expressed via harassment and violence.

Where does care work enter the picture? In the Marxist framework used by Lefebvre, care work falls under the broad umbrella of the concept of social reproduction. Social reproduction encompasses all the processes, systems, and types of labor that keep society running. The work of bearing and raising children probably leaps to mind, but care work includes all of the cleaning, tending, nursing, supporting, managing, and other activities that nourish life. The central function of social reproduction within a Marxist framework is to produce, maintain, and regenerate current, future, and former workers who toil in the world of production.

Many, if not most, of the tasks associated with this immense feat are unpaid and confined to the private space of the home. The majority of this work, globally, falls on the shoulders of women. Even when this work is done for pay, it's often feminized, underpaid, and considered unskilled labor. All of these factors, as well as its spatial invisibility in the home, mean that care work hasn't been understood as a form of participation in the production of urban space. In other words, it's rarely been considered directly within a right-to-the-city framework. In fact, it's rarely considered within any kind of framework for planning, growing, or remaking our cities. The consequences of this oversight are especially apparent in moments of crisis.

The COVID-19 pandemic is an ongoing crisis with many facets: a health crisis, an economic crisis, and a human rights crisis. It is also a crisis of care. Just as the chronic underfunding of public health infrastructure predicted a flailing response to a new health threat, the long-standing tears in the fragile web of support for social reproduction presaged a failure to provide for the care work that's foundational to our survival. That governments in the United States, Canada, and elsewhere had a collective awakening and suddenly recognized some forms of low-paid work as "essential" speaks volumes about the labor we're content to ignore on a day-to-day basis. Unfortunately, this momentary awareness came too late to mitigate the damage done by our willful ignorance of the exploitative and untenable conditions of this work.

Thousands of seniors suffered and died in long-term care homes as the coronavirus spread, carried from one home to the next by underpaid workers who could not earn a living wage working at only one home.[2] Millions of women around the world left the paid labor force as the demands of childcare and home schooling fell disproportionately on their shoulders.[3] Children in some of the world's wealthiest countries went hungry as governments dithered over whether to continue providing them with meals that they'd normally get at school.[4] These are but a few examples of the entirely predictable, yet long-ignored, consequences of hollowing out state services and relying on the free or underpaid labor of women, immigrants, and people of color to make up the deficit.

As feminist scholars of social reproduction have long argued, the state relies on the assumption that women will patch the growing gaps in our social safety nets with their unpaid, uncounted work in the invisible space of the home. Public health measures during the pandemic seem to have been designed without any serious thought as to how households would manage to keep adults working while looking after children, supervising virtual school, caring for sick family members, and looking out for vulnerable community members. Eventual public outcry coupled with women leaving paid employment in droves forced governments to scramble to organize childcare for essential workers, mass meal preparation sites, and quicker access to COVID-19 test results.

> " The COVID-19 pandemic is an ongoing crisis with many facets: a health crisis, an economic crisis, and a human rights crisis. It is also a crisis of care.

Once the idea took hold that "saving the economy" and "containing COVID-19" were competing agendas,[5] the importance of the care economy to the paid-work economy was squeezed out of the conversation. The realization that women's paid work was central to the economy, and had been for many decades, also seemed to come late to many. It seems unthinkable that care work hasn't been fully integrated into policy areas such as public health and economic stability, but the lack of coherent plans that account for care work in public health measures and economic "reopening" plans point to that conclusion.

As we emerge from the COVID-19 crisis, the right to the city can't continue to keep care in the shadows. In practice, there is no right to the city without a foundation for care. This includes a social and physical infrastructure for care work that doesn't depend on exploitative paid and unpaid labor. There must be recognition that doing care work is, in fact, a way in which people produce urban space and become inhabitants in the Lefebvrian sense.

Interestingly, for a moment during the pandemic this notion was formally recognized. In Canada, many workers in long-term care homes are refugees awaiting adjudication of their asylum claims. In acknowledging the dangerous and vital work performed by these precarious migrants, the federal government created a program to speed their path to citizenship. Unfortunately, not all essential migrant workers have been offered such a deal: those who work in agriculture and domestic service are not included.

So how do we cement the centrality of care work to the right to the city, in both theory and practice? The privatization and individualization of care work via the private family home and the nuclear family unit certainly run counter to the spirit of Lefebvre's vision, which foregrounds collective rights and responsibilities in making the city. A feminist right to the city recognizes how patriarchal power relations and gendered exploitation are upheld via private spaces and the public-private divide. Thus, communal responsibility for care work should be a tenet of the right to the city. Furthermore, Lefebvre was interested in everyday life as a domain of resistance to capitalism as capitalism tries to take over more and more realms of life.

Although everyday life isn't a synonym for care work, care work happens in the space of everyday life. In many ways it's already been colonized by capitalism, in that capitalism extracts the value of care work for its ongoing functioning. However, the informality of much care work also allows it to take on meaning and importance beyond that assigned by a monetary value, such as in the relationships and emotional connections it permits us to develop. By insisting on a different way of valuing care work, we can keep a pocket of resistance alive in the sphere of everyday life.

In practice, grounding a right to the city in care work means creating and prioritizing places, policies, and plans to ensure that we all have the right to be cared for. Care work should be recognized, respected, and reimagined as a public good and a public responsibility. It's rare to find care work explicitly mentioned in a city plan.

If we're going to ask planners and politicians how their ideas contribute to priorities such as economic growth or environmental sustainability, we should also ask them how they're addressing care work and the needs of caregivers. We might, for example, push our cities to consider how their mobility infrastructure creates barriers for caregivers by prioritizing the periphery-to-center commutes of office workers. Accessibility is critical as well, particularly as our populations age. In many cities, we've hollowed out and hardened human-level design features such as benches, restrooms, shelters, play spaces, and water fountains out of fear of homeless people and crime.

What we're left with is an infrastructure hostile to caring, to everyday life. We must bring back these spaces and with them, the idea that public space—outdoor and indoor—can be multifunctional: these spaces can support leisure, consumption, economic, and care-work activities. Indeed, they must. COVID-19 is not the last crisis we will face; it's not even the only crisis we're facing right now, as climate change, housing shortages, and politically motivated violence rock our cities. There are many ways to conceive of a right to the city, but these will remain hollow without a social and physical foundation of care.

About the author

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Local, National, and Global Intersections

By Omar Nagati and Beth Stryker

Utopian Narratives, Dystopian Reality:

6 | # Cairo's Urban Age under the 'New Republic'

On April 3, 2021, Cairo witnessed one of the greatest urban spectacles in its recent history. Twenty-two mummies were carefully relocated from the Egyptian Museum in downtown Cairo's Tahrir Square to the new National Museum of Egyptian Civilization, built by the Egyptian state and international agencies in a desert area three miles south of the city center, in what was dubbed the Pharaohs' Golden Parade[1] (Figure 1). A half-mile to the north of this staged event, cranes were rapidly undertaking the construction of the Maspero Triangle project, a widely debated and controversial plan led by the Cairo governorate under the Ministry of Housing that involved the demolition of a historical district and

Figure 1 Pharaohs' Golden Parade

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partial relocation of its residents to make way for a high-end waterfront development. This development and displacement set the tone for the reconfiguration of downtown Cairo at large[2] (Figure 2).

Downtown Cairo, and Tahrir Square in particular, served as the center point for the political and social transformations that unfolded in Egypt during the Arab Spring. This was due in part to downtown's accessibility to protesters streaming in from Cairo's historical districts and informal neighborhoods alike. Tahrir Square (translated as "Liberation Square") was also a symbolic destination, not least as the central site for government administration, embodied by the Mugamma building on the square's southwest edge that hosted many government services.[3]

Currently, as part of plans to create the largest purpose-built capital in history,[4] most of downtown's ministries and public institutions are set to be relocated to the New Administrative Capital (NAC) being constructed 28 miles east of Cairo.[5] As the government relocates to the NAC, the city center's public life is being emptied out, as the vacated buildings are slated for high-end redevelopment, including luxury hotels and office spaces. The NAC extends the government's policy of expanding new construction into the desert, away from the dense inner city. This urban expansion, relocation, and gentrification, alongside the securitization of downtown, increasingly limit citizens' access to what had been the city's political and economic hub. Not

Figure 2 Demolition of informal housing area in Maspero Triangle

only are the mixed-use and socioeconomic diversity of downtown at risk under these new schemes for the redevelopment of downtown, but its once vibrant art and culture scenes are also being stifled by new laws limiting public gathering and free expression.

To put this development of exclusion in a broader context, over the past seven years, Cairo (and to a lesser extent other major cities in Egypt) has undergone extensive road and infrastructure projects involving bridges and tunnels, metros, monorails, and bus rapid transit (BRT) whose construction has often exacerbated spatial inequalities. Furthermore, the administration of these projects has often entailed the demolition and redevelopment of a number of informal areas within and around Cairo's urban core, as well as the private development of the Nile front and other prime sites.

This essay attempts to critically engage a number of these projects in Cairo, highlighting contradictions between the official urban regeneration discourse and increasingly polarized urban realities on the ground. It seeks to interrogate these urban questions within the broader framework of the "right to the city." The populist rhetoric underlying urban development under the "New Republic"[6] points to the government's appropriation of notions of "right" through the deliberate employment of terms such as "urban inclusion" and "decent living," aimed at appealing to broader segments of society beyond the privileged minority. Further, the underlying securitization agenda behind the government's grand scheme of relocating ministries to the desert's edge and depoliticizing the city center cannot be delinked from the Egyptian state's policies of limiting freedom of expression and monopolizing public discourse. Rather than acknowledge the role these projects play in denying the majority their "right to the city," the urban scheme of the "New Republic" embraces many of the core principles of this liberatory discourse as a means of anticipating and preempting potential critiques.

Contested Vision: Cairo 2050 and the Urban Revolution

The first decades of the 21st century witnessed the Egyptian state's development of a neoliberal urban vision that framed Cairo as a real-estate opportunity. The Cairo 2050 plan identified sites of prime location for upscale development, including downtown, the Nile front, and semirural islands as well as the foothill of the pyramids' plateau, which remain occupied by what the government considers to be undesirable activities.[7] In 2011, the urban revolt taking place across city spaces not only put this grand scheme on hold but also delegitimized the state's top-down planning approach, giving birth to an array of community-based urban initiatives that attempted to come to terms with rising political sentiments, striving for an urbanization of justice.[8] Following their initial active engagement and pilot projects, many of these initiatives receded, giving way to a reconstitution of the government's earlier grand schemes, albeit under new brands, rubrics, and slogans.

Flying over Informality: Connectivity, Segregation, and Juxtapositions

While large-scale development projects under President al-Sisi such as *Hayah Karima* (Decent Life) targeted poor rural communities within the framework of the Sustainable Development Strategy: Egypt Vision 2030, the mantra of Egypt's "New Republic" targets the broader transformation of the country affected by development of the New Administrative Capital (NAC).[9] This transformation has included major transportation infrastructure projects, including the construction of new roads to access the NAC on the desert's edge, as well as bridges and flyovers to address ongoing issues of traffic congestion.

Traffic congestion has been one of the key challenges facing consecutive governments in Egypt over the past decades, triggering creative solutions to bypass intersections through flyovers and elevated freeways. While the 6th of October Bridge, which traverses Cairo from west to east, was incrementally built over three decades, the last seven years of construction witnessed the creation of more than 756 new flyovers and tunnels, costing LE 105 billion ($6.7 billion), including the widening or extending of existing infrastructure.[10] Parallel investments in public transportation, including the metro and monorail, have been overshadowed by those facilitating vehicular traffic. According to recent budget allocations, only 18 percent of the public transportation budget is directed to collective transportation projects in Egypt.[11]

The design of Cairo's road infrastructure has often reinforced spatial inequalities, restricting access to these arteries from informal neighborhoods. In a number of cases, elevated urban corridors have been built adjacent to or through informal neighborhoods, deemed by the state to be both illegal and "slum-laden"; these elevated urban corridors pass over these areas without providing access points. Further, the necessity for the course of multilane freeways to run through these neighborhoods' tightly knit urban fabrics, coupled with the state's strategy of prioritizing through traffic over providing access to informal areas, results in rather absurd urban juxtapositions. In some places, elevated roads have been built abutting the balconies of adjacent buildings, the latter deemed by the state to be illegally built, which then yields a "breach of code." By contrast, the owners of the affected informal housing units claim they were issued licenses permitting construction, sometimes a decade or more before these so-called violations[12] (Figure 3).

From 2014 to 2021, Egypt built 2,983 miles of new regional roads, of the 4,350 miles originally envisaged, many of which are toll highways that are cofinanced by roadside service stations and strip malls.[13] While these transportation infrastructure projects were billed as urban services, in practice they are leased as urban surfaces, extracting revenue for the government. For local arteries and freeways that lack conditions for roadside development, an alternative strategy for financing construction and maintenance capitalizes on the spaces underneath and above these structures.[14] The government leased the spaces beneath most of the newly constructed flyovers to cafes and fast-food joints to generate revenue. Meanwhile, road arteries and urban corridors have been lined on both sides by giant advertising billboards: single and double, hovering over lanes of traffic, these displays have been leased by the Ministry of Transportation to generate revenue. Not unlike the state's complaints that informal street vendors have privatized sidewalks and open spaces, leading to the vendors' eviction and/or relocation, the government itself has commodified the airspace along these freeways with little or no consideration for the urban scape and visual accessibility (Figure 4).

Demonizing Informality: Inclusion, Relocation, and Reconciliation

Informal housing development in Egypt dates to the 1970s, when it emerged in response to the state's withdrawal as a provider of urban services. Predominantly built on agricultural land outside zoning regulations, by 2011, informal housing constituted around 70 percent of the housing stock in Cairo.[15] It is beyond the state's economic capacity or political will to do away with what has become a mainstream form of urbanization in all Egyptian cities and villages. Unlike earlier attempts at the partial demolition of "unsafe areas,"[16] and pilot upgrading projects in the 1990s and early 2000s, the current government's urban scheme hinges on three approaches to urban informality: establishing

Figure 3 Flyover abutting informal housing

Figure 4 Billboards on freeways

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traffic linkages and urban corridors, which often trespass through informal neighborhoods; relocating informal areas from prime real-estate sites; and incorporating informal housing, and the informal economy in general, into the formal system. The relocation process has been accompanied by the state's celebratory discourse of "offering a better quality of life" to those who were moved to new social housing projects. While relocation and redevelopment projects remain the exception,

a systematic campaign was launched in 2020 to incorporate informal housing via the amended Reconciliation Law, requiring all owners or tenants of informal housing units to register and pay certain fees proportionate to their spaces or face fines. The deadline has been extended multiple times, but the plan is moving ahead to formalize informality. Similar state programs have been developed for traffic, crafts markets, and financial inclusion.[17]

The Irony of Urban Greening: Parks as Food Courts and the Commercialization of Public Space

Cairo's percentage of green open space per capita is far below international norms and standards.[18] Many of Cairo's public parks are either fenced off or closed to prevent so-called undesirable activities. Over the past few years, moreover, parks, green medians, and open spaces have been subject to a deliberate process of commercialization, turning green lawns and public plazas into food courts leased to fast-food establishments and cafes. These food establishments range from simple franchise-style outlets to very elaborate designs consistent with their historical surroundings. And while the state has extended this strategy to commercialize "leftover" spaces under elevated freeways, it is in the process of developing a more comprehensive scheme for the miles-long Nile Corniche to convert the public walkway into a series of terraced platforms for cafes, restaurants, and spaces of consumption.[19]

A national campaign of greening (*Ithaddar lil-Akhdar;* that is, "Go green!" or "Get more civilized and become green!"), launched by the Ministry of Environment as part of the Sustainable Development Strategy (SDS): Egypt Vision 2030, seeks to convert buses to electric energy, and microbuses to natural gas, alongside the introduction of monorail, bus rapid transit (BRT), and electric trains.[20] At the same time, main streets and arteries within the existing urban fabric are being disproportionately widened into four to six lanes at the expense of sidewalks and safe pedestrian crossings. This infrastructure development frequently incurs the removal of decades-old trees in blatant violation of the Egyptian penal code, belying the core values of the stated slogan: Go green.[21] In the administration of urban spaces, this project further delimits citizens' right to the city by giving priority to vehicular traffic over alternative modes of mobility, creating unsafe conditions for walking and biking.

Conclusion

Rather than an outright critique of Cairo's current government-led urban projects, this essay attempts to highlight the gap between their stated intentions and associated discourse: of "going green," striving for "slum-free" cities, and promoting a decent quality of life, on the one hand, and the everyday urban experience of the majority of inhabitants, who are increasingly excluded from public services in the face of spatial inequalities.

As the government touts its development plans for the largest purpose-built capital, the tallest tower, the widest bridge, and further superlatives, we ask: How can the "New Republic" be accountable to its citizens, rather than, through shiny edifices, seek to compete with its regional peers? Will the state's strategy of commodifying public assets, such as sidewalks, parks, and the waterfront, prove sustainable, prioritizing as it does the privatization of the city's open spaces over public access? Might the investment directed to the NAC be better designated for urban regeneration projects that revive the city center and serve otherwise marginalized communities?[22] Similarly, how might the state's investment in infrastructure dedicated to vehicular traffic, which currently enables the segregation of informal neighborhoods, be redirected to public transit serving the majority of the urban underclass?

These and other related questions raise a fundamental issue concerning urban governance: while the state, as the guardian of public good, has the right to advance public interest over private claims, it is critical that channels exist whereby the different constituents can voice their concerns and aspirations to be incorporated into these grand urban visions.

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By Chendan Yan

The Right to the City:

China's Urban Villages, Gated Communities, and Beyond

7

By spring 2021, what many expected to be a brief period of pandemic confinement had become a yearlong, seemingly endless bad dream. Today, as countries make patchy progress toward recovery and vaccines are distributed, albeit unevenly, "back-to-normal" life is slowly being reimagined and starting to emerge.

This is a time when dense urban areas present more risks than urban spontaneity and liveliness. Yet it's the anticipation of the latter, in part, that makes one human. While an uncertain future awaits, it's not too soon to revisit Henri Lefebvre's famous concept of the "right to the city," or a "demand … [for] a transformed and renewed access to urban life."[1] This idea is further, and most famously, explained by David Harvey, professor of anthropology and geography at the City University of New York: "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 … the freedom to make and remake our cities."[2]

The original definition of the right to the city goes beyond basic human rights and access to resources. This "renewed access to urban life" empowers city dwellers to shape the city as they see fit by exercising their rights to participation and active civic engagement. The alleviation of inequality and the pursuit of greater urban inclusivity are fundamental to the general concept. What does the right to the city mean in different regions of the world, and, for that matter, how might it evolve in a post pandemic world?

China has experienced a striking 43 percent increase in urban population in the past 40 years, making its rapid urbanization central to global urbanization.[3] In Chinese cities, delivering basic public services and equal economic opportunities to a socioeconomically diverse population would require tackling many challenges—including growing income gaps, massive migration from rural to urban areas, and poor urban planning. Equal access to resources is particularly

complicated by urban villages and exclusive gated communities.

Urban villages, new elements of the recent Chinese urbanization that are unique to China, develop when a rural community is swallowed up by the expansion of a nearby city. A local city government purchases farmland by force and converts it to urban use. To avoid the high cost of housing and employment arrangements, the government preserves a small area of land for the remaining rural villagers to live on. Urban villages exist on the so-called rural collectives land, and rural collectives do not have the right to transfer or redevelop the land.[4] The current land requisition system in China allows local governments to expropriate farmers' land as long as it serves "public interests," which is only vaguely defined. Local governments also decide on the compensation rates when the land is requisitioned, and it puts both owners and residents of the land in compromising positions.[5]

Even as skyscrapers multiply in the area surrounding them, the villagers hold rural identities under the municipal administration system. Even though urban villagers nominally have residential rights in the city, because their official identities belong to the municipal administration system, they are excluded from using the public services the city provides. This means that they do not share their urban neighbors' access to basic resources such as education, housing, and healthcare. When they are in trouble, urban villagers cannot receive help from the city. The central city service does not collect their garbage, and even their sewage is separate from the city's sewer system. Their children struggle to find decent public education. The dynamism and energy of the city are only remotely relevant to urban villagers, whose identities and homes remain unrecognized by urban planning, infrastructure construction, administrative regulations, or public policy.

Urban villages can nevertheless be places of opportunity and transition. They are home to a growing number of rural-to-urban migrants searching for jobs and other economic opportunities in the city around them. As of 2019, 20 percent of China's population and 35 percent of its total labor force were migrant workers, fewer than 17 percent of whom have as much as a middle-school education. Nearly half of the migrants brought their families along when they left home.[6]

At the other end of the social ladder is the gated community, a type of residential community or housing estate deliberately fenced in and walled off from the area surrounding it. Built on land owned by the state, a gated community is nearly a microcosm of a city. It contains various amenities for residents to enjoy, including green space, playgrounds, gyms, spas, and saunas. These amenities enable residents to stay within the community's walls for most of their daily routines.

In China, apartments in gated communities remain the exclusive preserve of the affluent. Critics of gated communities regard them as both a cause and a symptom of discrimination and the widening gap between the haves and have-nots.[7] However, to those who live there, the gated community symbolizes a hiding place, a refuge from governmental control and the city environment. The exclusiveness and cozy confinement of their homes provide residents some autonomy from the government and a sense of personal safety. In 2016, to integrate public and private city land use and improve traffic flow, China issued a government proposal that planned to restrict the creation of additional gated communities. This plan, however, faced strong opposition from the public. Seventy-five percent of 20,000 respondents to an online poll were strongly against the restriction of gated communities, with 65 percent citing safety as a primary concern.[8]

Access to urban resources differs vastly between residents of urban villages and those living in gated communities, but does either group possess the right to the city as Lefebvre originally conceived it? In different ways, both groups are disconnected from the city. Rural migrants to urban villages go unrecognized as city residents and have limited standing to change or reshape the city. And the heightened freedom and sense of security of affluent residents of a gated community exist only in the exclusive microcosm contained by the fences that separate them from the rest of the city network. If the life on the other side of the gate is desirable, it is lived in isolated microhabitats divorced from the larger city environment.

Given that gated communities enable residents to withdraw from performing civic duties and interacting with the city at large, they impede civic engagement and can gradually erode the communal urban experience.[9] Rural migrants lack power and capital to reshape cities, and affluent gated-community dwellers are empowered only as far as their walls extend. How can the right to the city be envisioned when the physical space itself exemplifies exclusion?

Since the early 2000s, the Chinese government has prioritized the redevelopment of urban villages, which often begins with demolishing what's there.[10] The prominent Chinese theme of "harmonious society"[11] has become a euphemism used to justify the local government's massive demolition of buildings in urban areas, including many urban villages. Such destruction is enabled by the current land requisition system. The demolition has given rise to "nail houses," buildings that remain as development proceeds around them. In developer's terms, a nail house is rooted in the ground like a nail that sticks out and cannot be easily removed or pounded down. This term is applied to private housing that belongs to "stubborn" residents who refuse to move to make space for development. In a so-called harmonious society, any unfitting elements must be homogenized to be brought into "harmony" with their surroundings. Nail houses have emerged as a form of resistance against the local governments that mandate the demolition, which nail-house owners consider a violation of their private property rights. Thus, in the attempt to bring harmony to society, government intervention inevitably drives injustice as the government expropriates rural residents' lands for "public interest" purposes that could range from developing urban infrastructure to commercial and residential building, and yet also retains the upper hand in compensation negotiation.[12] A lack of guaranteed land ownership unquestionably limits rural residents' right to the city.

At the beginning of the COVID-19 pandemic, China quickly implemented full-blown lockdown measures that, at their peak, banned the use of private cars and rewarded citizens who reported violators of the strictly enforced rules. From a Western perspective, these measures, along with other restrictions, often seemed extreme. However, they contributed to China's rapid recovery and returned the city to its people. Roughly a year after the pandemic began, China largely returned to normal, although less than 3 percent of its population had been inoculated as of March 2021.[13]

> " A lack of guaranteed land ownership unquestionably limits rural residents' right to the city.

While old patterns of division will likely persist, new forms of uneven access to public space took shape during the pandemic. China has launched a mobile-phone-based "health code" that displays an individual's COVID-19 risk. Only a green code, which indicates that an individual is COVID-19-free, grants access to public space. With China's high smartphone penetration rate of 95 percent,[14] the health code could, in theory, serve as a national passport in the context of the pandemic. Nonetheless, access to public space is denied to elderly or less educated citizens who are unfamiliar with smartphones.

Although China has maintained very low infection rates, sporadic waves of new infections, combined with the government's zero tolerance of the virus, mean that life under the "new normal" might never again be as unfettered as it was in prepandemic times. Reasonably free movement within China is no longer a given. During the Chinese Lunar New Year, normally the world's largest human migration, the Spring Festival travel rush, or *Chunyun*, takes place in the country. Billions of people travel from big cities to reunite with their families in other urban or rural parts of China. Among the travelers are students, rural-to-urban migrant workers, and leisure travelers. This year, however, the government urged migrant workers to stay in the cities where they work instead of returning to their hometowns in rural areas, where medical resources are much poorer and awareness of COVID-19 prevention methods is lower. The government implemented numerous measures to make going home extremely cumbersome, tacitly banning homebound travel. Among the requirements for anyone who wished to go home were a green health code, proof of a negative nucleic acid test within the past 72 hours, and proof that the hometown community had approved the person's visit—a multilayered approval process that had to be completed ahead of time.[15] In addition, after arrival, travelers were required to quarantine at home for 14 days, which defeated the purpose of going home

for family holiday gatherings. Airlines refunded purchasers of tickets for *Chunyun* flights, and cities provided various incentives to keep people from leaving during the holiday period.

All of this occurred while Chinese cities were still in a state of incomplete urbanization, exemplified by urban villages, where a shortage of public services and medical supplies drove the further spread of the coronavirus and the absence of official identities for migrant workers hindered effective contact tracing.[16]

The pandemic also resulted in renewed access to urban space. Before the pandemic, the hustle and bustle of street stalls in Chinese cities were a distant memory. Their absence was in part due to the "urban management" departments that had expelled and fined permitless street hawkers because the cities sought the "National Civilized City" accolade promoted by the Chinese government. But as unemployment surged during the pandemic, major Chinese cities encouraged citizens to launch street stalls to boost the economy.[17] Street stalls are now back, trending and creating buzz on Chinese social media. They offer a wide range of products, from the usual street food to high and low art.

Just as cities can spread infection during a pandemic, they can also be sources of economic recovery afterward. But how long will this last?

About the author

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11 The "harmonious society" is a socioeconomic concept in China that serves as a response to increasing social injustice and inequality as China experiences rapid economic growth. It was promoted predominantly by former president of the People's Republic of China Hu Jintao as his signature ruling philosophy.

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By Raquel Rolnik

The Right to the City:

The City as a Global Platform for the Defense of Life

8

The expression "the right to the city"[1] has permeated the vocabularies of urban social movements and urban studies scholars and has now entered the institutional and judicial spheres as well. Debates about the nature of this right abound among jurists and human rights organizations: Should the right to the city be included in a list of human rights, which would expand those of the International Covenant on Economic, Social and Cultural Rights?[2]

This essay is a provocative entry into the debate about the right to the city during the COVID-19 pandemic and beyond. The task of reflecting on the right to the city is not easy because it is about connecting a global process, a problem of a globalized nature that in turn is contingent and situated, and which I observe now from the periphery of capitalism, from São Paulo, one of the economic centers of Latin America. In this essay, I explore two

postulates about the present and one hypothesis for the future:

Postulates about the Present

- Rather than producing a crisis, the pandemic emerged during a time of crisis. Therefore, it is but one expression of a much broader crisis, one that goes beyond health or economics.

- The vision of the postpandemic "new normal" is in dispute. Reflecting on the conditions in which we currently live is essential as we begin to imagine the future.

Hypothesis for the Future

- The right to the city provides a useful, widely encompassing, and global approach to grappling with our ongoing struggles to protect life in all of its expressions.

When the pandemic began, a crisis already existed. But what kind of crisis was it? We refer here specifically to an urban crisis, but the urban context is part of a much broader context, which encompasses political, economic, social, and environmental crises. We are in a crisis of paradigm, of a model for civilization, of the relationships between people and territories, guided by extractive logics and the dictatorship of the compound growth of production, consumption and accumulation. Here, we consider this crisis from the urban point of view.

Before the pandemic, cities were already immersed in a global crisis that was a product of the hyper-capture of built space as a tradable asset capable of generating interest to an incredible mass of surplus capital circulating around the world in financial circuits. A perverse combination of neoliberalism, globalization, and financialization made it possible for investors to move their liquid capital freely across national borders, sectors, projects, and cities. The built environment in general, and housing in particular, became a new frontier of speculation and rentiership. New information technologies enabled investors to concentrate the ownership of dispersed units, extract income flows and data from them, and bundle the units into capital markets, using digital platforms and apps to manage market operations. Built space and urban infrastructure have become the preferred forms of collateral for this global mass of financial capital that floats over the planet seeking a place to dock, so that it can grow bigger and bigger.

The result—everywhere!—is displacement and a large-scale housing crisis, because ordinary people with meager incomes and precarious employment have to compete for space with financially powerful corporations, oil sheikhs, pension funds, sovereign funds of states, and other global players.

Governments actively promoted the colonization of urban space by finance, by creating new financial instruments such as real estate investment trusts and by making public goods available so that public-private partnerships and privatization of services can be used to attract the mass of surplus financial capital. As a result, the most important aspects of cities—access to clean water, housing, healthcare, and education, among others—were transformed into commodities.

The promise of the 1980s that the market would respond to all human needs—that credit was all we needed to attain our basic needs and desires—clearly remains unfulfilled. Instead, communities the world over have witnessed an increase in poverty, a concentration of income, widespread indebtedness, and inadequate access to housing, healthcare, and education.

Moreover, the urban face of the environmental crisis highlights the increasing toxicity of current urban models. For instance, the energy needed for mobility is based on fossil fuels that poison our lungs and destroy our streets and public spaces. Even using water as a source for "clean" electricity has a devastating impact on other uses of the resource by blocking access to life-giving water for thousands of individuals and communities.

The coronavirus pandemic is an expression of the preexisting crises; it is not something external that invaded the earth from another planet. On the contrary, the pandemic is a kind of acute expression of the relationships among human bodies, nature, and territories; it is the product of biopolitics whose

central elements include the toxic nature and increasing speed and intensity of the circulation of capital and goods. And it is precisely the scope, speed, and density of the circulation of capital and goods that spreads the contagion and brings death.

The pandemic also underscored long-term inequalities in cities. When working from home became a principal strategy for preventing contagion, a very important segment of city residents was unable to adhere to the strategy. Housing conditions (including overcrowding), the nature of the work, and the poor quality and high prices of internet connectivity, among other factors, revealed that remote work and similar strategies were designed by the few in direct response to their own conditions and modes of existence. As a result, majorities were condemned to high concentrations of hospitalizations and deaths.

On the other hand, very strong forms of organization emerged from local neighborhoods, especially those historically situated at the margins of citizenship. These organizations were the result of histories of self-organization and mobilization for survival and prosperity in the context of scarce resources. During the pandemic, networks of solidarity, invention, and improvisation raised and claimed resources, organized actions, and demonstrated the strength and responsiveness of policies that are defined and designed by the people who need them.

Here comes the right to the city, but what exactly is it? Is it a supposed utopia of integration and inclusion, or is it the colonial idea of development as intervention in cities to transform all spaces into mainstream places? Is it a reproduction of models of urban life that exist in the centers where the most well-off segments of society are concentrated? Does it mean extending the real estate financial complex to the peripheries of the city, to make a toxic urban model available to all? Does it mean the elimination of racialized spaces and submission to the extractive

logics of capital for all? Does it mean the return of the very same environmental crisis?

The pandemic brings an opportunity for rupture, including the rupture of our own utopias of territorial inclusion, which requires the submission of all the forms of organizing spaces and ways of life to the one and only extractive indebted logic of capital markets. We can use the ongoing pandemic as a unique opportunity for the political imagination to give way to our capacity for invention. We can invent a different city, one that is not based on a centralized model but is modeled by and for the city's people and according to the different possibilities for organizing urban life in relation to nature—including the many various ways of being and existing, which all hold lessons for us.

Returning to Henri Lefebvre's notion of the right to the city as an ethos of engagement, it encompasses the possibility of city residents defining their destinies and owning the city, not in the sense of property but rather in the sense of belonging. The right to the city is neither a movement to export a model of an ideal city nor a best urban practice. Nor is it a vision of what a good city should look like. On the contrary, it is a movement to free us from hegemonic models and make it possible to support the existence and development of diverse urban experiences.

We now have an opportunity to build a new urban vision that can emerge from the global and local articulations and convergence of experimentation, organizations, and actions embedded in urban struggles. This is no small task; it's quite the opposite. The territories of existence and resistance to the hegemonic urban logics can be a starting point. The right to the city has to be translated into the right to the diversity of city projects—of popular projects of production, management, housing, culture, and food. It will require a break with the centralized models that are packaged as products designed for the poor and

marginal peripheries in the direction of urban policies from the peripheries: peripheries of the world, peripheries of the cities. The city must be organized around the fundamental idea that it is necessary to break with the production of rent-seeking landscapes and head in the direction of producing landscapes for life, for care.

As a global platform, the demands for the right to the city can also prompt new ways of thinking about rights. While it is true that some movements are working for this right to become law or to appear in an international treaty recognized by the member states of the United Nations, the ongoing struggles and movements in several cities show that the right to the city need not be institutionalized as law. It is not one more liberal right to be added to the list. One of the novelties of the concept of the right to the city is that using the word "right" does not imply or demand that it be translated into national law. With the right to the city, we are engaging in a new way of thinking about cities, but a new form of citizenship—a new way of looking at law—is also at stake.

About the author

Raquel Rolnik is professor of urban planning at the University of São Paolo. She also is a former UN Special Rapporteur on the Right to Adequate Housing.

Endnotes

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By Lorena Zárate

More Than a Slogan:

The Right to the City as Transformative Politics for a World in Crisis

9

The right to the city is a collective tool for transformation. More than 50 years in the making, the right to the city can be seen as a dynamic and expansive political device that connects narratives and advances practices for more just, democratic, and sustainable neighborhoods and territories. At its core are socio-spatial and pedagogical processes that challenge power relations and the distribution of resources at material, symbolic, and political levels. Originally defined as "a cry and a demand,"[1] the right to the city has been promoted by social movements as a shared vision of other "possible cities" and the action-oriented agendas needed to get there.[2] Its values and proposals resonate with those of a reinvigorated municipalist program centered on the feminization of politics and the reconstitution of the commons. The right to the city is not a traditional right but a commitment to assume the responsibility to create caring, anti-racist, and decolonial[3] places where people can live with dignity and in peace.[4]

The grave and multifaceted socio-ecological crisis, sharply highlighted and accelerated in the context of the COVID-19 pandemic, makes the ongoing struggles for the right to the city more pertinent and urgent than ever. Territorial, gender, racial, and class inequities have been brought to the fore by the differentiated impacts of the current health and economic emergency. The locations where people live and work—and the conditions under which they do so—have a direct impact on residents' abilities to safeguard themselves from the virus as well as from unemployment.[5] Essential workers and workers in the informal sector have been disproportionately affected around the globe. Most of these workers are women, many of them migrants or members of racialized groups or both. From access to housing, basic services, and public spaces to universal healthcare and social protection, key components of the right to the city have proved to be central not only to tackling the present situation but also to signaling the path for much-needed mid- and long-term systemic transformations.

Amid ongoing climate, migrant, and refugee crises, local communities are taking the lead with a wide range of far-reaching measures, often moving ahead of national governments and multilateral

organizations and in many cases openly defying existing regressive guidelines and policies. While working with different options and facing serious limitations, grassroots movements, civil society associations, and municipal institutions respond daily to the needs and aspirations of social groups and neighborhoods.[6] Throughout the great variety of initiatives being proposed, two elements appear to be fundamental in terms of *what* to do and *how* to do it: on the one hand, the de-commodification of essential goods and services; on the other, enhanced horizontal collaboration of different actors and sectors in decision-making processes. Confronting corporate power, centralizing and authoritarian tendencies, and multiple forms of violence and oppression, municipalist movements of brave, rebellious, and caring cities are reclaiming the public realm and protecting the commons beyond privatization, entrepreneurial governance, and bureaucratic state apparatuses.[7] The re-municipalization of basic infrastructure and services and the promotion of public-community partnerships, in many cases accompanied by an explicitly feminist approach to politics and policies, are key strategies that make reclamation and protection possible.[8]

The Pandemic and Multi-Scalar Politics: Challenges, Tensions, and Opportunities

If the critical and quickly evolving sociopolitical conjuncture has foregrounded fundamental consensus and opened up important opportunities, it has also highlighted significant gaps and deeply concerning tendencies. Preexisting inequalities have increased, and new vulnerabilities have been created. In Latin America, one of the regions most severely affected by the pandemic, official estimates point to a significant increase in poverty levels, with absolute numbers now surpassing those of 1990.[9] Individuals and families live in extremely precarious conditions, and the impacts of evictions are visible

across the region.[10] Homelessness is on the rise in Latin America—and around the world—affecting women, children, and youth, particularly those from migrant, Indigenous, and other marginalized and discriminated-against groups. Women are also more affected than men by associated job loss and additional care work, along with exploding levels of domestic violence.[11] Overall, racialized populations are disproportionately suffering the impact of the virus and the health and economic crises.[12]

Emergency measures—such as rent freezes, moratoriums on evictions, and basic-income payments—have in most cases been insufficient (too little, too short) and don't necessarily reach those who need them most.[13] With few exceptions, empty hotels and office spaces are not being transformed to attend to urgent and long-standing deficits of social housing and community facilities, especially in underserved areas. Meanwhile, private-equity firms and global financial institutions once again seem to be taking the lead on speculating with empty units.[14] Even the rapid conversion of public space to foster active transportation (biking, walking, and other unmotorized alternatives to cars) is rarely distributed equally among neighborhoods and rarely incorporates strong criteria for accessibility (different ages and mobility levels). Outdoor operation of restaurants and other businesses can be a de facto

> " The right to the city is not a traditional right but a commitment to assume the responsibility to create caring, anti-racist, and decolonial places where people can live with dignity and in peace.

privatization of public space that limits its enjoyment to those who can afford to consume and affects people's ability to circulate freely. In general terms, the so-called informal economy, which sustains more than 60 percent of the global population (in many cities and countries, much more), has received little or no support from governments while in many places participants continue to face criminal charges and stigma.[15]

Against such a challenging backdrop, the right to the city and the municipalist perspectives help us to identify and address at least three sets of tensions that have major political and economic implications in the near and long terms. First, as outlined above, cities are central protagonists in global issues, yet they are still not fully considered in most supralocal (provincial, national, and international) decision-making processes. Second, policy responses that strengthen solidarity, coordination, and autonomy often compete against those favoring competency, technocracy, centralism, and even authoritarianism. And third, current massive public expenditures and nation-states' interventions seem to be leaning toward more concentration of wealth and power instead of the redistribution and redress of patriarchal, colonial, and racist harms. These contradictions are certainly not new, but the pandemic has exacerbated their characteristics and repercussions.

COVID-19 cases have been concentrated in urban areas,[16] and almost half of emergency responses have been reported as corresponding to local and sublocal governments and institutions (districts and boroughs).[17] However, national and international funding, equipment, and assistance have not always reached these institutions properly or sufficiently, stretching already-reduced available funds and human and other critical resources. At the same time, administrative constraints and bureaucratic challenges have often been met and overcome with a considerable amount of flexibility and social innovation—including strategies of (re)

municipalization and public-community partnerships for the management of basic infrastructure and services. But despite being the source of many solutions, city representatives rarely participate in high-level negotiations among the nation-states, multilateral agencies, and business leaders who manage relevant supply chains.

While many local communities, city governments, and regions have been strengthening mechanisms of collaboration and collective response to address the crisis, national governments seem to be, for the most part, engaging in competitive behavior. Equally alarming is the widespread understanding of the pandemic as a discrete event that can be managed using traditional centralized, hierarchical, and even militarized measures (clearly manifested in the language and practices of war, including curfews, policing, and internal deployment of military forces). Within this wider national and international context, decentralized, place-based, and horizontal coordination among different actors and institutions stands out, and feminist leadership (frequently but not necessarily in the hands of women) shows what public policy based on care looks like.

A Tridimensional Agenda for a New (Urban) Social Contract

The right to the city is not a conventional right but a vision, a commitment, and a road map for attaining socio-spatial justice. Connecting sectoral and thematic claims, the right to the city has an articulating and expansive nature. Necessarily place-based and at the same time highly networked, this agenda for urban transformation can be seen as a tridimensional narrative in practice that comprises the rights *in* the city, the rights *of* the cities, and the right *to* the city. Although often presented as part of different—and even competing and unreconcilable— perspectives, in this approach these dimensions are in fact interwoven and complementary.

Under the first dimension, the rights *in* the city, the focus on the spatial dynamics of everyday life brings forward the intertwined nature of individual and collective rights (civil, political, social, economic, cultural, and environmental); in other words, a territorial standpoint that provides concreteness to their much-spoken-about but rarely fully grasped indivisibility and interdependence. Not only does the right to the city "localize" (defining local governments' responsibilities) and "make spatial sense" of already-recognized human rights, but it also functions as a platform from which to mobilize and claim new rights.[18] Importantly, this has implications for citizenship and its attached rights, as both of these are removed from national legal status and instead attached to places of residence and the everyday dynamics of inhabiting.

The second dimension, the rights *of* the cities, corresponds to the need to recognize and strengthen a local political community vis-à-vis national governments, international agencies, and multilateral institutions, as well as increasingly powerful and transnational economic and financial actors.[19] Cities and regions are certainly aware of the severe socio-spatial challenges resulting from the interconnected crises of inequality, violence, migration, and climate change, and many are pursuing bold and inspiring measures. Amid the limitations and contradictions of processes of devolution and decentralization, progressive municipalities are claiming a bigger and more equitable share of public resources to fulfill their social mandates. Fostering mechanisms of enhanced participation, transparency, and accountability, several local governments and social movements are strengthening democratic communities.

Finally, the third dimension, the right *to* the city, includes the previous two but adds some crucial elements. In addition to the territorial and expanded approach to rights and democracy, the right to the city contributes principles to deepen and implement

that agenda from a collective and ecological perspective (that takes into account the rights of nature).[20] Paramount in the transformative proposals are the promotion of the social function of land and property, the social production of space, the cooperative responsibility for the commons, and the recognition and support of diverse and caring economies. Thus understood, the right to the city highlights the urgency to alter the current exploitative and unjust urban-rural linkages, which are based on an assumption of infinite economic and urban growth, as well as to respect and guarantee the rights of campesinxs, small farmers, and Indigenous peoples in cities, regions, and beyond.

Let's be clear: These are not naive and unrealizable ideas but concrete elements of a transformative agenda already in the making. They are also international commitments to, and obligations for, social justice and sustainability. The right to the city and many of its fundamental components are now included in the New Urban Agenda, adopted by the United Nations General Assembly in 2016.[21] Additionally, the constitution of Ecuador (2008), the constitution of Mexico City (2017), and several laws and regulations in countries around the world have recognized this right within urban settlements of different sizes and characteristics. Building on social movements and civil society initiatives, municipalist networks such as United Cities and Local Governments (UCLG) and the Fearless Cities have embraced and pushed forward the right to the city.

Multiple voices agree on the need for a paradigm shift in urbanized societies. Some call for more inclusive and green cities, others for a more just and healthy future. The right to the city and municipalist movements are claiming and experimenting with new urban social contracts for emancipating, caring, and wise communities and territories in which everyone can live with dignity and in peace. The profound vulnerability and interdependence of the web of life, laid bare by the pandemic, is something that feminist

scholars and activists have been discussing for decades and that Indigenous philosophies around the world have been teaching and practicing for millennia. What do cities and territories configured by an ethics of care look like? Radical, poetic imagination and collective action have long been tools for transforming societies. Those struggling for justice and liberation have always known that shared utopias represent the horizon of possibilities that keep people walking.

About the author

Lorena Zárate is a founding member of the Global Platform for the Right to the City and former president of the Habitat International Coalition.

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1   Henri Lefebvre, 1996 [1968], p. 158.

2   Intentionally linked to the "another world is possible" propositions arising from within the global, regional, and thematic editions of the World Social Forum since the early 2000s, around which several social movements and allies coalesced and created the World Charter for the Right to the City (2005).

3   Decolonization is here understood as a process of collective awareness and institutional redress of historic and present structures and dynamics of dispossession and oppression of Indigenous peoples and First Nations. It includes material and symbolic dimensions, such as land and knowledge, foregrounding principles of self-determination, relationality, and resurgence.

4   From seven countries, the Latin American Council for Social Sciences (CLACSO) and the Global Platform for the Right to the City (GPR2C) recently received 17 contributions that further explore these topics (electronic publication—in Spanish and Portuguese—available at https://clacso.org/el-derecho-a-la-ciudad-frente-a-los-desafios-actuales-2/). The GPR2C is also currently involved in the collective elaboration of several thematic papers to deepen debates and policy recommendations related to issues such as climate change and environmental justice, the impact of COVID-19, the city as commons, more balanced rural-urban linkages, public spaces, and cities without discrimination and with inclusive citizenship. For more information about this process and related documents, see *GPR2C 2021 Thematic Papers: A Collective Learning Experience on the Right to the City,* http://right2city.org/news/gpr2c-2021-thematic-papers-a-collective-learning-experience-on-the-right-to-the-city.

5   For an analysis of COVID-19 and spatial inequality, including cities from both the global North and the global South, see Klugman and Moore, 2020.

6   Duque Franco et al., 2020. A wide range of materials is also available at https://www.right2city.org/the-right-to-the-city-facing-covid-19/ and https://www.uclg.org/en/issues/live-learning-experience-beyondtheoutbreak.

7   In an early elaboration of this problematic trend, already widespread in the late 1980s, David Harvey affirmed that urban entrepreneurialism is characterized by the promotion of public-private partnerships "focusing on investment and economic development with the speculative construction of place rather than amelioration of conditions within a particular territory" (Harvey, 1989, p. 8).

8   For a recent publication documenting more than 1,000 cases from 2,400 cities in 58 countries, see https://www.tni.org/en/futureispublic. For more on these topics and discussions around municipalist movements, see Roth and Shea Baird, 2017; and Rubio-Pueyo, 2017.

9   According to the United Nations Economic Commission for Latin America and the Caribbean, by the end of 2020, an additional 30 million people were living in poverty and extreme poverty in the region, with a total of 287 million people, representing 46.2 percent of the population (UN ECLAC, 2021, Figure I.19, p. 71). Latin America is considered one of the most urbanized and most unequal regions in the world.

10 Since the start of the pandemic, 24 new favelas have been documented in São Paulo, Brazil (see https://g1.globo.com/sp/sao-paulo/noticia/2021/06/24/pandemia-empurrou-cerca-de-55-mil-familias-para-habitacoes-precarias-e-cidade-de-sp-ganhou-150-novas-favelas-diz-secretaria.ghtml), and at least 10 percent of renters have been affected by evictions in Mexico City (https://www.dw.com/es/desalojos-en-m%C3%A9xico-en-tiempo-de-pandemia/av-54426076).

11 Global data available at https://interactive.unwomen.org/multimedia/explainer/covid19/en/index.html.

12 See, for example, analysis from Brazil (Coelho Nisida and Cavalcante, 2020), Canada (https://www.canada.ca/en/public-health/news/2021/02/cpho-sunday-edition-the-impact-of-covid-19-on-racialized-communities.html), and the United Kingdom (Morales and Ali, 2021).

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15 Chen et al., 2021. According to the International Labour Organization, two billion people, representing around 61 percent of the workers worldwide, are employed in the informal economy; that figure is as high as 90 percent in some countries and regions (UN International Labour Organization, 2018).

16 UN Human Settlements Programme, 2020.

17 Compared with 32 percent from national governments and 21 percent from provincial ones (United Cities and Local Governments, Metropolis, and London School of Economics, 2020). For a complementary analysis of cities' policy responses, see Organisation for Economic Co-operation and Development, 2020.

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19 An important example is the *Municipalist Declaration for the Right to Housing and the Right to the City,* which was launched at the UN High Level Political Forum (New York City, July 2018). More information and materials are available at https://citiesforhousing.org/.

20 Legally recognized already by several countries around the world.

21 See in particular articles 11, 12, and 13 of the New Urban Agenda. Full text and related materials are available at https://habitat3.org/the-new-urban-agenda/.

By Andrew Tucker

10 # Sexuality and the African City:

Expanding Our Understanding of Sexuality-Based Justice in Relation to the Right to the City

A testament to the power and pervasiveness of Lefebvre's notion of the right to the city[1] is the contemporary evolution of the concept to allow us to frame, propositionally, city life and the rights and responsibilities of urban inhabitants as articulated within broader and far-reaching ideological notions, including those related to human rights.[2] While the right to the city has become both a catchall term and a call to arms for a wide array of interest groups that request greater acknowledgment, visibility, and protection, two considerations remain undertheorized and form the basis of this article.

First, left so far undertheorized are the ways in which the concept of the right to the city speaks to another human rights concern especially prevalent and increasingly visible in African cities, namely that of sexuality-based rights. Here we can consider how various sexuality-based social movements, community-based organizations, and nongovernmental organizations now active across African urban spaces can be seen to exist within

a human rights framework but also appear to remain ideologically and practically separate from wider rights-to-the-city approaches and rights-based claims. Second, being cognizant of recent reinterrogations of Lefebvre's work that shift our focus away from legal rights in relation to the state within a liberal democratic framework toward a more holistic interpretation of the right of the city that is both connected to, but also goes far beyond, legalistic relationships between states and their citizens, we must therefore consider what this broader framing means, and could potentially mean, for sexuality-based justice in African cities.

To begin to address the first point, we can appreciate how the right to the city has gained significant purchase in global developmental agendas in recent years. The New Urban Agenda negotiated and adopted by United Nations member states, for example, explicitly highlights how a right to the city is a conceptual aspiration defined and enabled through "legislation, political declarations, and charters."[3] The

idea of the right to the city has also been codified in law in countries such as Brazil.[4] As Mark Purcell has argued, the right to the city is here framed as part of a constellation of liberal democratic rights, whereby the state itself (rather than the city or urban space) becomes the ultimate arbiter as to whether greater equity, access, and liberty can be operationalized at an urban scale.[5] This conceptualization of the right to the city sits alongside, and draws ideological inspiration from, wider human rights–based agendas and strategies to enable legal change.[6] However, largely absent from urban developmental frameworks that draw on the concept of the right to the city and connect it to legalistic and human rights–based work is the role of sexuality. This absence seems especially problematic when one considers the sheer scale of current efforts to enable greater equity and legal protections for same-sex communities across Africa (together with significant backlash in many instances) and the overtly urban dimension of such efforts.

Here we can acknowledge the tremendous efforts of various international organizations based in the United States and the United Kingdom—such as Amnesty International, OutRight Action International (formerly the International Gay and Lesbian Human Rights Commission), and Human Rights Watch—to highlight and address the severe dearth of legal protections for same-sex communities across the global South and especially in cities in Africa. We can also see how the spatial configuration of much of the actual work being done in Africa has a direct and overt urban inflection. After all, same-sex individuals tend to migrate toward cities for social solidarity and safety. Primary and secondary cities throughout Africa are also home to various LGBT organizations that collaborate with international partners to address sexuality-based discrimination and a lack of legal protections. In addition, cities in Africa may well have an overrepresentation of same-sex communities in the large informal sector, due to a variety of structural barriers tied to

sexuality-based stigma and discrimination in schools hindering economic opportunity and access to the formal sector.[7]

There are therefore numerous reasons why we should consider sexuality as a core factor in debates regarding the right to the city within a liberal democratic framework in Africa. Doing so would allow us to widen our conceptual scope and consider ways of operationalizing the needs of various marginalized groups and communities. It would also help us consider how and why sexuality-based rights groups may or may not be able to form political solidarities with other marginalized groups, and to what degree such solidarities may already form an important but largely invisible component of existing political and advocacy activities. Nascent, largely anecdotal evidence suggests that same-sex community groups in sub-Saharan Africa can sometimes closely align with women's groups for certain political processes.[8] (Evidence also already suggests that women's groups may be successful at articulating their needs within a right-to-the-city framework.[9]) An unanswered question is whether other broad-based urban political solidarity movements that include same-sex communities within a right-to-the-city liberal democratic framework can also succeed.

Moving beyond work that has considered the right to the city in terms of legal claims ultimately to the state, we can consider other ways in which a right-to-the-city framework may speak to and help explicate the needs of same-sex communities in Africa to enable forms of sexuality-based justice. Beyond the work of African LGBT organizations to push for legal change—supported by international human rights–based partners such as Amnesty International and Human Rights Watch—we may want to consider how other activities (also in collaboration within international partners) may offer a broader conceptualization of the right to the city for same-sex groups. Here we can start to consider the need for a plurality of

strategies to address a plurality of needs of these groups. As Purcell has argued,[10] Lefebvre's notion of the right to the city can be articulated in multiple ways. And as Marie Huchzermeyer has discussed, Lefebvre's original concept can be seen to situate legal rights not as an end point, but as part of a set of pathways or "opening" to a future in which rights are not simply claimed from the state.[11] Indeed, a key concern for Lefebvre when considering urban space was to limit any possibility of reductionism. For Lefebvre, this manifested primarily in relation to an aversion to class reductionism focused on economic production. However, we may also want to consider how it can apply to other forms of reductionism that need to be countered by considering other forms of agency and other justice-based claims across urban space. For Lefebvre, this means considering the struggles to "de-alienate" urban space—for inhabitants to find different ways to appropriate space in the city and to look at how they can make spaces in the city their own.[12] We can consider the different ways—including but also moving beyond a purely legal right–based framing—by which this process of "de-alienation" may be possible for same-sex communities.

Here we can appreciate how same-sex communities in African cities should not simply be reduced to subjects in need of legal rights operationalized and legitimated often through a human-rights framework. We can also consider the health and economic needs of these subjects, both of which speak to a broader form of sexuality-based justice. The work of the US President's Emergency Plan for AIDS Relief (PEPFAR) in Africa, for example, shows the importance of addressing the sexual health needs of epidemiologically defined men who have sex with men (MSM) and transgender people in cities (where HIV prevalence is highest).[13] This work also shows how addressing sexual health needs also means addressing stigma and discrimination, which not only limit health-seeking behavior (should

public health clinics be discriminatory) but can also place individuals' sexual health at greater risk (due to statistical links between homophobic stigma, depression, and a lack of self-efficacy).[14] For same-sex communities, this means becoming visible and appropriating urban space in cities through community-organized health programs and through strategies to embed sexuality-based sensitivity training in a range of public health clinics.

Along a different conceptual axis, we can also see efforts being made by a range of multinational companies under the auspices of the Clinton Foundation and the Open for Business coalition to support sexuality-based equality in a range of cities in the global South (including in Africa). Here, drawing on the work of Richard Florida,[15] the aim is to make cities in the global South more economically competitive worldwide by attracting a wider talent pool that includes same-sex individuals. Rather than arguing that human rights and gay rights are an end in themselves, Open for Business argues that such rights are a key enabling condition for wider economic prosperity.[16] For same-sex communities, this means becoming visible in urban environments and appropriating urban space as legitimate economic actors who contribute to the prosperity of the wider city.

What is becoming clear, however, is the need to think carefully and very critically about the impact of various internationally supported processes designed to address the needs of, and enable justice for, same-sex communities in African cities. We can see a series of shortcomings in singular strategies based on human rights, HIV/AIDS, or economic development designed in the global North and implemented in cities in the global South.[17] Human rights–based processes, by themselves, can have limited efficacy in countries such as Uganda, where human rights become articulated with the rights of the postcolonial

(heterosexual) nation, in opposition to the human rights of same-sex communities.[18] Human rights–based processes to effect legal change are also at risk of being co-opted, as has been documented in South Africa, to serve the needs of small subgroups within same-sex communities that are most able to benefit from legal change. Such subgroups can insulate themselves (due to their financial and social capital—and historical racial privilege) from wider societal discrimination and those who suffer such discrimination and who are unable to exercise their rights, including those who inhabit former apartheid-era designated townships.[19] HIV/AIDS programming can place undue attention on men and transgender groups to the detriment and sidelining of women who have sex with women. Here, groups such as PEPFAR legitimate the focus of their activities based on the greater biological risk of HIV infection of MSM and transgender people, ignoring the severe social risk of "corrective rape" and other forms of gender-based violence experienced by lesbians and other women who have sex with women. Economic-development processes focusing only on the needs of large multinational corporations in the formal sector can exclude individuals in the far-larger informal sector, which, as outlined earlier, may have an overrepresentation of individuals with same-sex desire.[20] Returning to Lefebvre, we may also question the degree to which the aims and needs of companies enmeshed in the global capitalist system align with the desire to create cities that are not reducible to economic exchange or to a marketable commodity.

The need to consider sexuality and sexuality-based justice in relation to the right to the city can apply to rights-based claims within a liberal democratic framework. But it can also apply to approaches positing a more radical process of transformation in cities; these approaches go beyond rights by themselves and involve other forms of de-aliena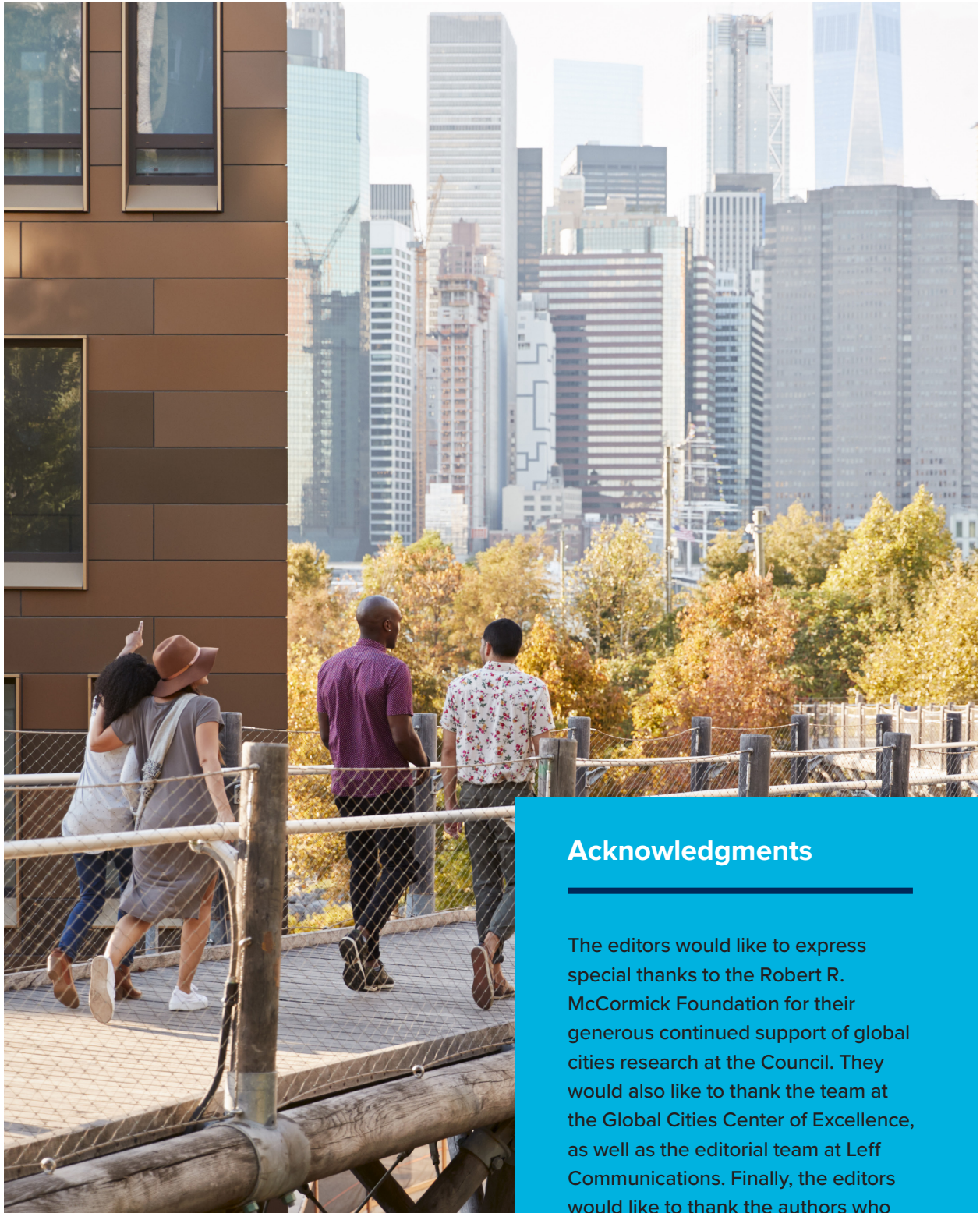tion from the city via other forms of visibility and appropriation of space. What is crucial, however, is to be mindful and critical of strategies driven by outside international actors. To return to Lefebvre once more, this means appreciating how "autogestion," or processes by which individuals imagine self-management in all areas of life, must become increasingly important moving forward.[21] International agencies, donors, and actors have indeed been vital in attempts to shift harmful perspectives and agendas that limit the possibilities for sexuality-based justice in African cities. However, it is also crucial that attention is paid to the localized strategic and pragmatic approaches by which same-sex communities choose to engage and navigate both their relationships with international allies and their attempts to become de-alienated from urban space to make the city their own.

About the author

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