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**PUBLIC SPACE AND THE BANNING
OF HOMELESSNESS IN
COPENHAGEN:**

EVERYDAY SPATIAL PRACTICES AGAINST THE
COMMODIFICATION OF LIFE.

NICOLÁS PALACIOS CRISÓSTOMO



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ABSTRACT

Since April 2017, legislation fining people in ‘encampments’ in public spaces was enacted in Copenhagen. This regulation was tightened by July 2018 becoming an effective ban, where the subject of the fine was expelled from the administrative limits of the municipality. The measure comes as an ineffective way to deal with homelessness as it does not address the conditions that lead to it, working as a de facto ban on homelessness, displacing people from one local area to other, in a country where homelessness has been slowly but steadily rising (Benjaminsen, 2017).

To analyse this phenomenon in what is deemed to be the post-welfare Nordic States in transition (Beaten et al., 2016), a series of interviews to different intermediate organization representatives who deal with homelessness-related issues on a daily basis have taken place, as well as interviews with homeless and ex-homeless people. In addition, an analysis of official documents from Copenhagen municipality linked to their urban life strategies for the period 2009-2015 and 2015-2025.

The research is framed under the ideas of ‘actually existing neoliberalism’ (Brenner, 2002) encompassing austerity measures, rollback neoliberal approaches to social services and the framing of neoliberalism proposed by Wacquant (2012) which stresses the penalization of society. These processes have been identified as enclosure strategies, which have been divided into strategies of the annihilation of space by law (Mitchell, 1997) and strategies of commodification, raising questions in relation to who has the right to the city and what is the place of the homeless in this new landscape. In this paper, I argue that the criminalization of homelessness forces homeless people to rethink their relation to public space and develop alternative spatial practices., not just as a form of survival but as well as tools of everyday resistance (Scott,1989).



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“Why should they be grateful of the crumbs that fall from the rich’s table? They should be seated at the board and are beginning to know it [...] Disobedience, in the eyes of anyone who has read history, is the people’s original virtue.”

Oscar Wilde, from *The Soul of a Man Under Socialism*.

1. INTRODUCTION

Imagine one of those days where you are out in the city most of the day walking around, and after some hours, longing for a bench and shadow to sit in, maybe stop somewhere and have something to eat. Usually, at least for me, after some hours in the hectic environment of the city, I look forward to going back home, to be in my place with my rules, where I feel safe and at ease. The reality for millions worldwide is that by the end of the day in many cases, the best-case scenario is someone else’s couch, a bed in a shelter or a protected corner in the street, square or park: sometimes what is called home is the public space. Now portray that you can no longer use that space to satisfy the basic need of sleeping, resting or just hanging around; imagine that your presence has been framed as a nuisance, as an issue to which the answer is to “clear the encampments again and again” (Knuth, 2017), to remove you from the only physical space that supports your existence.

As harsh and emotionally loaded the previous statement might sound, the reality corresponds and discourses such as the one of Robert Giuliani, “you chase ‘em and you chase ‘em and you chase ‘em” (Flagenheimer, Stewart and Navarro, 2015 in Mitchell, 2017a:100) in relation to the homeless, are as alive in 2019 Copenhagen as they were in the early 1990s in New York.

The relation of homelessness and public spaces has been broadly covered in American urban geography in books such as ‘City of Quartz’ by Mike Davis (1990), academic research such as that developed by Neil Smith (1996) with the idea of the revanchist city, that of Robert Giuliani and the ‘0-tolerance’

approach, or with theories such as *the annihilation of space by law*, by Don Mitchell (1997) with criminalization of homelessness as key element. Regardless of the specific focus presented by the authors, one thing is always present as written by Jeremy Waldron (1991 in Mitchell, 2017b:505) is the fact that “homeless people could only be- that is live as humans- to the degree they had access to public space” if not there, where?

This fundamental question takes us to the case of the Copenhagen *zoneforbud* or ‘area ban’, which is a legal instrument which enforces in practice the physical expulsion of the homeless-rough sleepers from the city, while technically, the legal disposition states the eviction of those who live/sleep in encampments in public spaces. In the Copenhagen case, the presence of encampments in public spaces has been identified as focuses of *utryghed*³ and therefore worthy of been removed from the streets.

This research highlights homelessness and the homeless person as key in the contested process, between the capitalist forces for the commodification of public space and the non-commodifiable uses of it. Two elements are the main focus: first, the enclosure strategies pushing for the commodification of public space and secondly, the tactics of resistance of the homeless people against this process.

It is relevant to highlight that this focus on resistance as agency and does not seek to erase the structural conditions or mechanisms behind homelessness but to stress that despite these constraints, homeless people find ways to defy the contextual limitations. The case of Copenhagen offers an exemplary landscape of the means to control space -through criminalisation- but also of the struggle, organisation and experience of the homeless (in articulation with different organisations) which seek to confront the dominating understanding of the uses and conceptions of public spaces.

In this scenario, two elements are key in the research to understand this relation: first, the framing of public bodies -legislative and administrative- public space

³ Translated as unsafe, insecure or intimidating.



and homelessness and second, the effects of this new legal landscape on the relation of the homeless with public space. To address them, two sets of research question will be guiding this thesis:

- 1) How is public space understood from Copenhagen's administration? Moreover, how the concept of 'enclosure strategies' can be helpful to frame this understanding?

How is the relation of public space and homelessness framed in the *zoneforbud* legislative discussion?

- 2) How have the homeless framed the effects of the zone-ban on their use of public space in Copenhagen?

In which ways have they changed their spatial practices in public spaces?

The next section will present the motivation behind this thesis, addressing not just the academics goals, but as well the political aim of this research.

1.1 PURPOSE AND MOTIVATION

The project has theoretical relevance as it does not only cover a gap in the literature in the Danish context, but it also focuses on the link between structural conditions and lived experience, bridging the usual dichotomy present in post-structuralist/modern and structuralist theory by employing a critical realist perspective.

Also, the research has a strong potential for politicisation as it addresses and links the experience of homelessness to broader structural conditions, contesting the neoliberal discourse of individual factors leading to homelessness and taking on the supposed neutrality of the law, exposing it as an instrument of the bourgeoisie consolidated in the state apparatus.

Finally, the research project highlights the need to question the purpose of public space infrastructure projects in Copenhagen, casting the following question: are these projects for the people or to improve the international valorisation of the city? Are public spaces for those who need them -f. Ex: homeless people- or



are sidewalks and public spaces the conveyor belts directing the flow to chain stores?

1.2 HISTORICAL CONTEXT OF HOMELESSNESS CONTROL STRATEGIES

Nowadays, homelessness is experienced by people on a global scale and of course, the differences and nuances are several depending on the region. As per example, a study on the prevalence of homelessness showed that in 2003, 7.7% of the United Kingdom population reported having been homeless at some point in the lives, followed by the United States with 6.2%, Italy with 4%, Belgium with 3.4% and Germany with 2.4% (Toro et al. 2007). According to UN-HABITAT (2005), in 2005 the world's homeless population was around 100 million people and over 1 billion lacked adequate housing, which by 2016 soared to 1.6 billion (UN-HABITAT, 2016).

Even though nowadays the situation of homelessness seems particularly pressing, it is necessary to understand that this phenomenon has been around since early stage of urban life, as well as the regulations criminalizing homelessness, vagrancy or panhandling: historically, there have been legal dispositions as early as in the XIV century during the plague in Europe (Ocobock, 2008). Vagrancy and the laws surrounding it have historically been characterised by a lack of specificity, as “individual merely need to exhibit the characteristics or stereotypes of vagrants for authorities to make an arrest. Thus, vagrancy can mean and be many different things to many people, and therein lies its legal importance as a broad, overarching mechanism to control and punish a selective groups of people” (Ocobock, 2008:1), which finds correlation with the modern discourse on homelessness, linking it to migrant populations as the selected group of ‘undesirables’.

Even though, as mentioned before, vagrancy has been seemingly present throughout history, after the XV century, as the modes of production changed and the labour market shifted to one of surplus, the way that states managed the poor changed alongside. State institutions began to pop up and the laws related to vagrancy adapted not simply to manipulate the labour market (to put people into the workforce) but to control the movement and behaviour of the



underclass, “distinguishing between the deserving and the undeserving as well as local and foreign paupers” (Ocobock, 2008:8). These distinctions between local and outsiders, man and women, deserving and undeserving poor, still resonates in the contemporary repertoire to deal with the homeless, this approach has been “reasserted-with a vengeance” (Mitchell, 1997:934).

As homelessness and vagrancy have seemingly been present in the different stages of society, in the late XIX century as the economic system shifted towards capitalism, the logic underpinning this phenomenon switched “vagrants also provided entrepreneurs in the frontier (in the US) with a cheap supply of labour [...] the police aided employers by housing tramps during the working seasons and arresting them for vagrancy in the off-season” (Ocobock, 2008:19). This shows that even in the earliest stages of capitalism, homelessness has responded to the logic of a reserve, answering to the inherent needs of capitalism and the need to engross the ranks of the reserve army of labour: as Mitchell (2017a:101) puts it “why homeless persists and why it grows – is *not* primarily or in the first instance a housing question as important as housing is; rather, it is a fundamental question of how capital accumulation proceeds.”, under the logic of capitalism then, homelessness becomes a by-product of this system, one which comes handy when the economic cycles shift, from surplus of labour to lack of it.

In the Danish case, the XIX century was no exception in relation to regulations of vagrancy and panhandling, as stated in the March 3rd of 1860 law *on penalty of vagrancy and panhandling*, whereby being in this situation or performing this action, the ‘perpetrator’ would face “a simple conviction of up to 8 weeks in jail or an alternative conviction up to 15 days of jail with water and bread-or forced labour, which emulates the aforementioned approaches of control of the vagrant, homeless and jobless population of the country.

In the XX century, “as mechanisation of industry came through, it had a strong impact in the unskilled workforce.” (Ocobock, 2008:25). Even as welfare programs expanded in the latter half of the twentieth century and focused on the eradication of poverty and reform of the urban poor, homelessness has not disappeared from the public view or imaginary, as “poverty has been increasingly



ghettoised and hidden from view in urban centres, while the wealthy have retreated behind suburban, gated communities protected by private security firms. Signs of failure, those homeless who remain in public, are considered unredeemable and even resistant to poor relief.” (Ocobock, 2008:26).

In the Danish case, during the XX century, the legislation kept a similar position under the chapter 22 of the penal law, which due to different modifications began to add a more present spatial component, and by 2017, jail time was set to be a maximum of 6 months or under mitigating circumstances, the ‘perpetrator’ would receive a warning which could last up to 5 years. The spatial component of the regulation in 2017, was that the proximity to certain places, such as public streets, stations, public transport and supermarkets was an aggravating condition, fast-tracking the conviction starting at 14 days of jail. The Danish case falls within a broader trend in Europe, according to a report by the European Federation of National Organizations Working with the Homeless, “an alarming increase in punitive, coercive and repressive measures to expel homeless people from public space” which aim “to minimise the visibility of people experiencing homelessness” (FEANTSA 2013:6).

Since the revamping of the Danish regulation on 2018, the fine corresponds to the expulsion of the ‘perpetrator’ from the municipal limits, a practice which dates back to the olden days where “repatriation to one’s parish” (Ocobock, 2008:8) was a common practice to deal with the homeless.

According to recent data, Denmark is the highest raising country in relation to homelessness in all the Nordics, contrasting with the recent reduction of it in Norway and Finland (Fig. 1) (Kraka, 2018).

Homeless people per 100.000 inhabitants

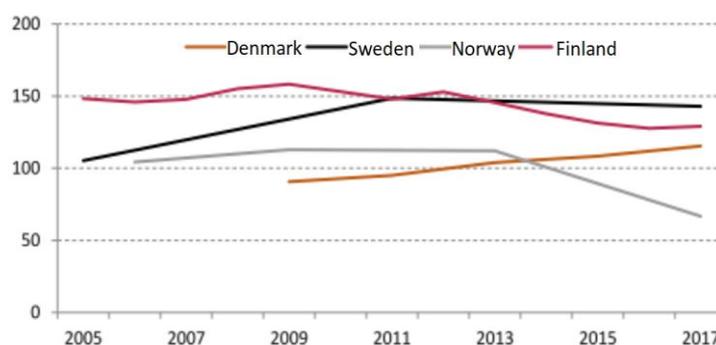


Figure 1 Source: Homelessness Barometer, Kraka, 2018.



This rise in the homeless population has been met in Denmark with punitive measures instead of other approaches. This situation becomes concerning as the data shows that Denmark is within GDP per capita levels similar to those right before the subprime crisis (Fig. 2) and in 2016 with the highest GINI index (Fig. 2) -tied with Sweden- of the continental Scandinavian countries, which of course, are moderate levels. Nonetheless, rising inequality is something that has been noted in the region (Pareliussen & Robling, 2018). In this scenario, understanding the mechanisms behind homelessness in such abundance becomes key to highlight the contradictions of capitalism and its relation to space, but it also becomes key to understand the need of capital to beautify and increase the landed value of the area where alternative non-commodifiable spatial practices take place.

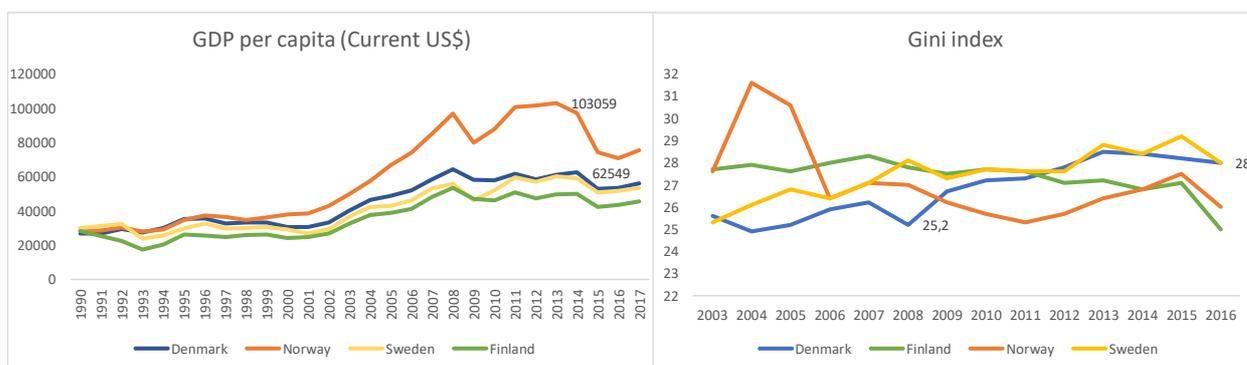


Figure 2. Made by author. Data from The World Bank (2019) and OECD social and welfare statistics (2016)

1.2.1 CASE SELECTION.

The fieldwork leading to this thesis was undertaken in Copenhagen, as an example of a city in what is deemed to be the post-welfare Nordic states (Baeten et.al, 2016) where the effects of austerity-like phenomena, have been addressed in the fields of finance (Kristiansen 2018), municipal budgets (Mailand, 2014), citizenship (Dorf & Rosendahl Nielsen, 2016) and austerity discourses (Seabrooke & Thomsen, 2016). Even though austerity is not directly discussed in this research, it is understood as a background element present in the neoliberal city, therefore its relation to public space and homelessness deserves to be mentioned, especially in a context where there seems to be little research in the recent years, as from a search of the terms “homeless” and “Copenhagen” only six results come



up in Web of Science and 5 of these are related to the psychiatric issues faced by the homeless people.

In this scenario, is necessary to highlight that lately Copenhagen has been the scenario for struggle in relation to the rights of homeless people (Nørgaard, 2018). First, as the legislation has turned increasingly aggressive towards homelessness and secondly due to the salience of NGOs and civil society groups involved in this topic, with their headquarters in the city. Even though homeless people represent around 0,12% of the Danish population, since 2009 the number has been raising slow but steady, from 4,998 people to 6,635 people in 2017 (Benjaminsen, 2018), turning the questions on homelessness into not one of quantity, but one of their quality of life as their material and spatial existence is threatened, in a country which represents the epitome of income equality -number 7 in the income inequality index- (OECD, 2017).

1.3 THEORETICAL BACKGROUND

Cities under actually existing neoliberalism (Brenner & Theodore, 2002) offer a bleak image of what the near future ought to be, with rampant privatisation of services, as well as a rollback of welfare-related policies and institutions and a strong focus on an austerity discourse. In this context, the last decade has brought a series of political, social and economic situations which have set new obstacles and issues, such as the economic crises and the subsequent austerity policies -leading to- austerity urbanism (Peck, 2012) reshaping the urban are forcing us to re-ask the of who has the right to the city? Moreover, for whom cities are being created under the new shapes that capitalism is taking. In this context, the production of homelessness raises questions and issues which have been addressed in the literature mostly through the lens of the punitive perspective in the US (Mitchell, 1997, 2003, 2006; Blomley, 2010, 2011) or through what is understood as geographies of care (DeVerteuil et.al, 2009; Conradson, 2003; Johnsen, 2005; Milligan, 2010).

First, in relation to the punitive perspective, I agree with the relevance of understanding of material and legal instruments in the understanding of homelessness in the neoliberal city, nonetheless, I consider that the focus is misplaced, being



the legal implications the main focus and the homeless, homelessness and their spatial practices a secondary element in the understanding of the struggles over public space. Second, I consider that the perspective of geographies of care, misses the point as it mostly presents a non-critical perspective in the understanding of care institutions and charity, as elements which perpetuate injustices as the to-go choice under neoliberal poverty governance (Hennigan, 2017; Johnstone et. al, 2017), leaving in hands of mostly ‘intermediate organizations’ the responsibility to fix a structural issue, professionalizing in this way a series of charity-oriented actions.

In this chasm, there seems to be the little connection between public space and the homeless as active players in the equation, engaging and contesting the different strategies of driven by capital towards the commodification of space. As an example, in the case of Denmark, there is extensive research in relation to homelessness and homeless encompassing a wide range of dimensions, such as health and shelter (Benjaminsen & Bastholm-Andrade, 2015), risk of homelessness (Benjaminsen, 2016), policy-making and housing policies for the homeless (Benjaminsen, 2013, 2014; Højring, 2019), and descriptive statistical profiles (European Commission, 2011; Benjaminsen, 2018; Busch-Geertsema et al. 2014). Nevertheless, it seems that there is little research on the spatial dimensions of this phenomenon, with few exemptions being the work of Kristine Juul, which is mostly focused on west-African immigrants and their survival strategies (2017), nonetheless it does not engage with the recent legal landscape, as the fieldwork was carried out before the discussions leading to the current zone-ban.

The following sections, will unravel the theoretical puzzle behind this research, inspired by critical realism, the theoretical discussion starts from a more abstract level framing this discussion within neoliberal capital, funnelling to more ‘concrete’ concepts and ideas, such as the resistance tactics employed by the homeless, which find their place in the empirical level of reality. Figure 4 in page 33, summarizes the theoretical discussion,



1.3.1 SPATIAL DIMENSIONS OF NEOLIBERAL CAPITAL.

To address the understanding of public space and the role it plays in capitalist societies, it is necessary to also address the shapes that capitalism has taken in the recent years, especially after the 2007 economic crisis and the series of issues branched from it. In this context, the reach and impacts of neoliberalism and neoliberalisation has been deeply and extensively addressed in the academic fields related to the urban (Brenner & Theodore, 2002, 2005; Harvey, 2007; Tickell & Peck, 2002) which has as well spawned critiques to the use of the term as an overarching concept which obscures more than clarify the complexities and effects of capitalism in urban society (Harvey, 2016; Wacquant, 2012) or even to the point of stating that it is dominant but dead (Smith, 2008). In this scenario of opposing and divergent understandings of neoliberalism, it becomes necessary to re-address the concept, due to the depth of the recent economic crises and political turmoil present at the global scale.

In this research, the definition of neoliberalism is that of Loïc Wacquant (2012:66), understood as a compartment process of “articulation of state, market and citizenship, that harnesses the first to impose the stamp of the second onto the third”. This definition opens the door to understand the mechanisms behind this process as layers, permeating and restructuring, the state and society. Wacquant develops three theses to explain this re-structuring of these layers under neoliberalism:

- Neoliberalism is not an economic but a political project; it entails not the dismantling but the reengineering of the state
- Neoliberalism entails a rightward tilting of the bureaucratic field and spawns a Centaur-state
- The growth and glorification of the penal wing of the state are an integral component of the neoliberal Leviathan

These three elements work together, re-defining the functions and approaches of the state, tilting the state functions from left to right, and as a consequence strengthening the penal and criminalising approach as a core element of neoliberal urban governance. This neoliberal approach creates a centaur-state



(Wacquant, 2009), where “deregulation for social and economic elites is contrasted with an expansive and disciplinary ‘mesh’ thrown over marginalised groups to correct their conduct and to inculcate habituation to precarious low-wage labour” (Flint, 2018:250). The ‘mesh’ is composed by a managerial approach to poverty, and secondly, of different penalisation strategies, a mixed approach is preferred to ‘deal’ with socially marginalised groups, as, in the case of homelessness in the US, a strongly penal approach has been adopted, which:

“promises to help resolve the two dilemmas marketisation creates for the maintenance of the social and political order: (1) it curbs the mounting dislocations caused by the normalisation of social insecurity at the bottom of the class and urban structure; and (2) it restores the authority of the governing elite by reaffirming ‘law and order’ just when this authority is being undermined by the accelerating flows of money, capital, signs and people across national borders, and by the constricting of state action by supranational bodies and financial capital.”

(Wacquant, 2012:76)

For Wacquant, a key element present in neoliberalism is the normalization of social insecurity answered through the penalisation of society. Nonetheless, this approach is not articulated within a broader set of strategies of spatial abstraction, such as enclosures or commodification, strategies which bring a series of mechanisms working jointly with criminalisation to displace the socially marginalized from public spaces.

This answer to social insecurity should be framed within the tendency in capitalism towards the abstraction space -which will be developed later- as it seeks for its homogenization, for the removal of difference and perceived threats, to turn space into a mere medium of exchange. The penal approach has two cores: on one side, acts as a fix for the ‘social dislocations’ or contradictions emanating from the neoliberal capitalist order and also, through control and normalization allows or facilitates the process of spatial abstraction, easing the way for the homogenization and therefore commodification of space.



Lastly, it is necessary to address the economic history of the last 10 years, where economic crises have shaped certain discourses, such as that of austerity. Under this context, neoliberalism redoubles its efforts by exploiting the inherent crises in capitalism. In words of Paul Krugman, austerity is a tool for which “economic recovery was never the point; the drive for austerity was about using the crisis, not solving it.” (Krugman, 2012: n.p. in Sevilla-Buitrago, 2015, p.40). Here, the opportunity comes in the shape of deepening the already existing neoliberal institutions and practices, which meant in the case of public space, the opportunity for new enclosures, or for new forms of appropriating spaces of public use and practices, using the already revamped criminalizing tools to push away the undesirable from public spaces and in this way increase the value of the surroundings.

1.3.2 PUBLIC SPACE UNDER CAPITALISM

What is public about public space, and what is particular to it? Is it just the left end of the public-private dichotomy? Just a legal status? Or defined by the free access and seemingly non-exclusionary nature of it? In practice, the public space seems easy to identify, usually understood as the streets, sidewalks, the parks, plazas and many other spaces which at first look offer the idea of openness and publicness. Nonetheless, there seems to be more to it as we try to understand the role it plays under capitalism. Public spaces seem to be overly contradictory and contested, and here two dimensions of this concepts will be developed, a) Public space as a property regime and b) public space as a social relation:

a) Public space as a legal status of ownership, seems at first glance to be an unproblematic definition, usually imbued with adjectives such open, free, non-exclusionary and associated to the state or public institutions as its manager, “urban spaces and their property regimes -for all sorts of reasons- tend to appear ‘settled’. Property -like space-appears as an unproblematic apolitical backdrop to political life.” (Blomley, 2004 in Mitchel, 2006:148), nonetheless public space does not exist in a vacuum of property rights, its existence is relational to other property regimes and social relations, especially to the penalisation of urban life, as the state -and more increasingly private policing- has the right to exclude from



public space (Blomley, 2000 in Mitchell, 2006:149), due to different rulings and/or laws in relation to the ‘right’ or ‘proper’ uses of public spaces.

As explained by Mitchell (2006), under capitalist accumulation, the aim of owning landed property is to have it increase in value. Here public property, or more specifically public space, plays a key role in this process of accumulation, as it creates or can be moulded into a factor which contributes to the increase of private landed property value, “is necessarily determined in part, by the practice, laws, and meaning that determine the use of public property.”(Mitchel, 2006:149). This not only means interdependence between public and private property but interdependence between public and private owners fostering a stakeholder-like approach, where there is a vested interest in the increase of the value of both property regimes, which as mentioned earlier is enforced by penal approaches, enclosure or commodification logics.

b) Even though property rights are key in the understanding of public space, especially under capitalism and neoliberal urban governance, it cannot be separated from the social dimensions shaping the understanding of what is public about public space. Don Mitchell (2017b), defines public space it is “—a space representative of, and conducive to, the ‘public’ that had been created in the Keynesian era—”, this question leaves the ends open to the theoretical interpretation of public space, as the ‘public’ is what is understood to be the public seems to be a reproduction of the hegemonic groups in society, as Fraser (1990) wrote in her critique to Habermas (1962/1991) in relation to a *bourgeois masculinist* understanding of the public sphere.

In his 2014 article ‘*Contestation and Bracketing*’, Carl Cassegård writes about the contrast between the public sphere and public space, and how uses of public space have been framed in literature between approaches of contestation -the struggle for public space- and bracketing as where “action takes place in the presence of strangers and that publicness is conceived of as resting on norms governing the interaction between strangers” (Cassegård, 2014:696). These two dimensions of public space are opposed; therefore, their explanatory power is limited as it is, mainly for two reasons: first the theoretical division between



contestation and bracketing, speaks of non-heterogenous spaces, spaces which are homogenized or as ideal scenarios functional to one of the two dimensions- contestation or bracketing- leaving out the possibility for a heterogeneous or dialectical understanding of space.

In the other hand, public space is understood from this perspective of one where the contestation and bracketing practices take organized forms, such as demonstrations or public forums, which leaves out the everyday uses of public spaces and the non-spectacular forms these uses take, which can still have contestation or resistance elements and or serve as spaces for dialogue and exchange of positions. In the case of homelessness, their use of public space and their spatial practices do not (in most of the occasion) fall into neither of these categories, as their use of public space does not usually take spectacular forms and the bracketing is performed by the pedestrians towards the homeless, bracketing their existence from the public space, or in a more simple way, ignoring their presence.

Another way to understand public space could be as the middle ground or middle level, as Lefebvre (1970/2003:89) puts it “a terrain suitable for defence or attack, for struggle”. Lefebvre, fuelled by the remnants of 1968, proposes as much of his work in *The urban revolution* an utopian understanding of the different scales of space, in this case what he calls the middle level (mixed, M), between the global and the local, which can also be understood as the space between the total public (commons) and total privatization, where public space, as the arena of these struggles. This wider definition gives spaces to include in this contestation everyday practices as it does not necessarily define the struggle as organised nor spectacular.

For Don Mitchell, public space is to be understood as a constant struggle, a dialectical flow between the forces of capitalism and the uses of the space. According to him, “[public space] has never been guaranteed. It has only been won through concerted struggle, and then, after the fact, guaranteed” (2003:4f). Through this is possible to understand that public space is not a given in urban order, but an historical achievement which consolidates in the rights of access,



use and inclusion, all of these mediated eventually through laws and/or institutions which define the limits and range of these rights and how inclusive these spaces become.

For the case of Denmark, the researchers Stanfield & van Riemsdijk (2019) study two public parks in the Copenhagen area to highlight what is understood to be 'the public' in the Danish society and for whom and how these spaces represent or exclude publics which do not fit this image of the other. Even though their case is focused on the immigrant population and how they are represented and included in public spaces, their research tells about how the official discourse existing in Copenhagen in relation to its image as a city full of diversity (City of Copenhagen, 2009) does not correspond to the actual materialization of their representation in public spaces by the local government, as it ends up contesting the everyday uses of space by residents with immigrant background.

1.3.3 ABSTRACT SPACE AND SPATIAL ABSTRACTION STRATEGIES

Lefebvre's (1974/1991) the production of space, with an ever-increasing amount of citations in Scopus as shown in Figure 3, can be said to have shaped the understanding of space in geography and several other disciplines. Within the plethora of topics undertaken in this seminal work, the concept of *abstract space* is key to understand the struggles over public space in the capitalist society.

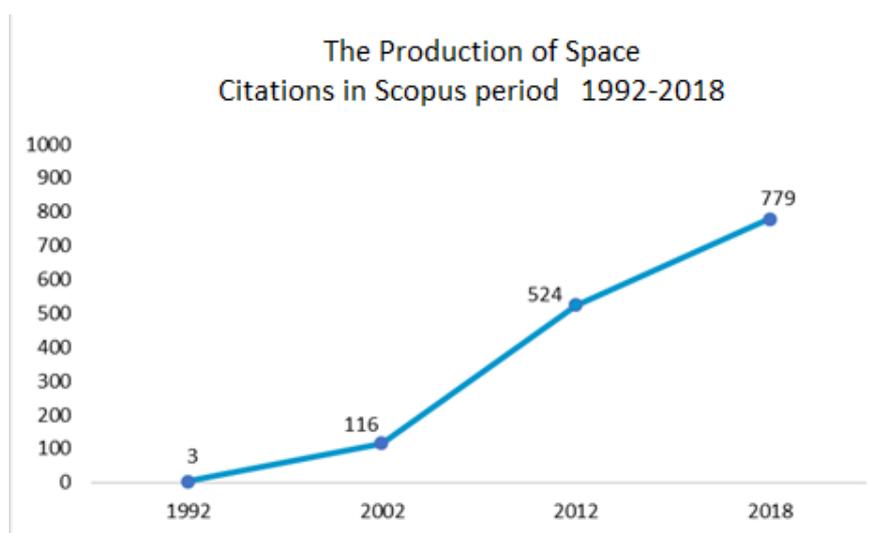


Figure 3 Increase in citations of the 'Production of Space' By Henri Lefebvre. Source: Scopus.



Lefebvre through his description of abstract space identifies it and its existence previous to capitalism and its expansion but its effects and characteristics are very present in the capitalist mode of production of space “On first impression it appears homogeneous; and indeed serves those forces which make a *tabula rasa* of whatever stands in their way, of whatever threatens them – in short, of differences” (Lefebvre, 1974/1991:285), for Lefebvre, the abstraction of space goes hand in hand with destruction, towards a tendency to homogenization even though “abstract space is not homogeneous, it simply *has* homogeneity as its goal, its orientation, its ‘lens’ [...] it renders homogeneous. However, itself is multiform” (Lefebvre, 1974/1991:287), abstract space according to the French philosopher corresponds, to Marx’s *abstract labour* it is to consider it as “a medium of *exchange* (with the necessary implication of interchangeability) tending to absorb *use*” (Lefebvre, 1974/1991:307), that said, abstract space implies not just the commodified understanding of space or its social exchange value, but also the practices, strategies and ways in which it tends towards a totalizing abstraction.

According to Don Mitchell, the tendency towards the abstraction of space, is a necessity in capitalism, “despite all the spatial practices which that will seek to produce it otherwise” (2017b:513-514), but he recognizes the dialectical nature of public space, as always contested and in constant formation. For Mitchell then, this clash between the tendency towards abstract space and spatial practices is what gives way to public space as spaces of struggle, not as a given and where “only alternative practice—practice that remakes space against, or despite, or within abstract capitalist space can create a different kind of space (and must do so if life, or for that matter capitalism, is to survive).” (Mitchell, 2017b:514), here the spatial practices, or alternative spatial practices in everyday life, can offer a glimpse into the creation of spaces outside or at the margins of the all-engorging forces of capitalist spatial production.

The enclosure as a strategy of spatial abstraction.

The Spanish scholar, Alvaro Sevilla-Buitrago, does the theoretical work to give a more concise definition to the concept of *enclosure*, where he uses Lefebvre’s



abstract space to define the “territorial equivalence” of space under capitalism - similar to Mitchell’s ‘homogeneity’- as the “strategic operational and regulatory rationality that allows manoeuvring across heterogeneous types and manifestations of space, rendering them legible for state administration and market mechanisms (Sevilla-Buitrago, 2015:3). Sevilla Buitrago does not shy away from identifying as well the state as a crucial actor, not just in the process of abstraction of space, but also as an agent which uses this tendency to improve the legibility of the territory, similar to James C. Scott’s (1998) understanding of the need of the state institutions to make the territory readable, and therefore functional to governability, legal regulation and to market forces, reinforcing the tendencies to homogenization, limiting alternative spatial practices.

Sevilla-Buitrago’s take on abstract space, or as he puts it ‘enclosure’ addresses the “need for a more rigorous, spatially nuanced analysis of enclosure” (2015:16), while at the same time unravels the variegated nature of this concept, as he shows through a multi-scalar historical analysis of ‘enclosure’ and other strategies of enforcing spatial abstraction. Sevilla Buitrago, firstly stresses that “the use of space to dispossess and erode the commons constitutes a general, recurring feature of the capitalist mode of territorialisation; and, secondly that the spatiality’s of particular enclosure formations vary in time, depending on historical-geographical conjuncture and the developmental path of the territory in which they operate.” (2015:16). This more nuanced and contingent understanding of enclosure, serves as a good theoretical basis to propose the existence of not one strategy of spatial abstraction, but of several different ones, which are context-dependent and can co-exist depending on the material, social and legal conditions present, in other words, this understanding of spatial abstraction, operates differently considering the different potentialities of certain context to be ‘enclosed’ or to clash with existing alternatives uses of space.

Example of this adaption of the concept is the work of Brett Christophers in *The New Enclosure* (2018) which addresses not just the theoretical elements of enclosure but its implications in what he calls the biggest privatisation in Britain to date: Land. In this work, it is possible to understand the key role that land ownership has in society and how it relates to power in its different shapes. Here



enclosure, is understood mostly in relation to the continuum of private ownership and public ownership, and how the later has been transferred to the earlier through private land acquisitions, nonetheless, as we will see later in this research, privatisation is only one of several approaches to enclosure.

Finally, it is necessary to remember that Lefebvre stresses the role of repressive practices and violence in the consolidation of abstract space—therefore of struggle—, but also question concerning the ‘users’ of space is formulated, which is “why do they allow themselves to be manipulated in ways so damaging so their spaces and their daily life without embarking on massive revolts? (Lefebvre, 1974:51). This idea lingers throughout *The production of space*, through the constant struggle and clash between dichotomies of regimes, ideas and concepts guiding the book, for Lefebvre struggle as oppression/ resistance was present in every scale, which makes this book from 1974 still relevant when it comes to the understanding of the struggle against spatial abstraction.

Strategies of enclosure: the role of the spectacle in public space.

Public space is a key element in our urban landscape: parks can be seen as the ‘crown jewels’ or the ‘lungs of a city’ -like Central Park in New York-, public art is encouraged and valued, plazas and squares are seen as spaces of encounter, walkable commercial streets are staple of European capital cities -such as Strøget in Copenhagen-. Public space creates in many ways the image of the city, that image that the tourist, the investor and the yuppie seek. However, what is so enthralling of these images and to what power dynamics the image of public space is functional too. In this research, one theoretical resource considered key to understand and to partially answer these questions, is the concept of ‘The spectacle’ developed by Guy Debord in his *The Society of the Spectacle* (1967/2002), here the world described by Debord, that of immense abundance, is a world produced by the working class (the alienated), but separated from them, nonetheless omnipresent, consolidated in concrete, iron bricks and glass:

“Workers do not produce themselves: they produce a force independent of themselves. The success of this production, that is, the abundance it generates, is experienced by its producers only as an abundance of dispossession. All time,



all space, becomes foreign to them as their own alienated products accumulate. The spectacle is a map of this new world, a map drawn to the scale of the territory itself. In this way, the very powers that have been snatched from us reveal themselves to us in their full power”

(Debord, 1967/2002:16)

In *The Production of Space*, Lefebvre addresses in at least two occasions the work developed by Debord. First by indirectly referring to the idea of the commodity as spectacle, where Debord states that “commodification is not only visible, we no longer see anything else; the world we see is the world of the commodity” (Debord, 1967/2002:21), the world portrayed by Debord is that of space a completely commodified. Lefebvre addresses this same issue but immediately deflects from it, by stating that “abstraction cannot be reduced to an absolute thing” (Lefebvre, 1974/1991:50), and therefore as stated earlier, its tendency towards abstraction, towards homogenization, but never a conclusion.

The second reference to the work of Debord, limits the scope of this work to that of the image, to the world and the gaze and visual perception, which drastically undermines the possibilities of interpretation of his work, where the consideration of the spectacle just as part of the visual, transforms the theoretical interpretation of Debord into one which dwells merely in the world visual culture. (Lefebvre, 1974/1991:286).

Even though referencing to the work of his contemporary, Lefebvre does not fully develop his position towards the understanding of the spectacle and its relation to space, this endeavour was taken later on by Don Mitchell (2018) who addresses the work of Debord, discussing its potential to understand space in the current stage of capitalism, further from the veneer of the image, as he states that the book “is best read not as cultural critique, not as a critique of *images* and their abstracting power, but as a political-economic critique- a critique of capitalism as a *totality* and as a *totalizing force* – and thus a critique of capitalist space” (Mitchel, 2018:4). In this scenario, one of a constant tendency towards the abstraction of space, towards commodification, where everything exchangeable, the use value of space in this case of public space, reaches a tendency towards a



rate of devaluation as Mitchell states “the landscape’s first function is to be mere representation, a desirable image of work and play, shelter and conviviality” (2018:7), space becomes a ‘trading card’ in this landscape, where any use of space which does not comply with this ‘image’ is to be excluded -banned- not just for the sake of the aesthetics, but banned due to its lack of commodifiable potential, infrastructure and in this case public space becomes uninhabitable, there no place for alternative spatial practices.

We are without doubt in an era of material abundance, but it is relevant to re-understand the meaning of this abundance, not as something inherently good, in the case of public space, this material abundance translates into control allowing only certain commodifiable uses of space, or those practices which are linked to ‘productive’ or ‘consumption behaviours, practices associated, in this case to the alienated groups in society, which are the focus of the author in the book (Mitchell, 2018). What is then of the excluded? if the alienated are those where the spectacular dimensions of capital has its niche, what is of, for example, the homeless, which, by definition are separated not just from regular productive activities but also from regular patterns of consumption, what is of the excluded when space -public space- is commodified, therefore separated from them, due to their lack of consumption ability?. Understanding the relation of the spectacle with the commodification of space can offer a deep insight into the dynamics of public space under capitalism and how it affects its relation to excluded groups.

The spectacularization of public space enables commodification as a strategy under neoliberal capitalism; space is pacified and purified. Understanding public space as commodity allows us to use the theoretical flexibility that the society of the spectacle offers as “a critique to capitalism as a totality and a totalizing force – and thus a critique of capitalist space” (Mitchell, 2018:4), but also, as a cautionary tale on the capacity of this force to reshape and adapt through different strategies (enclosures, commodification, fortification, etc), being in that extent space a critical element in the understanding of the spectacle and the spectacle a core element in understanding space, specially commodified public space, which goes beyond the most common strategies such as privatization.



Lastly, spatial abstraction through any of the aforementioned strategies (commodification, spectacularization, etc) has been boosted under the recent crises, where austerity approaches allow to deploy a wider set of tools and actions to enforce neoliberalisation, finding new ways to 'conquer' space, through for example as mentioned by Wacquant (2012) by the deepening of the punitive/penal arm of the state, to in this way ensure a space which is nominally public but which acts as a scenario for direction of flows of capital, creating the (infra)structural conditions for pedestrians to consume in a predictable, safe but spectacular environment where everything is commodity.

In this arrangement, there is no necessary need for privatisation of public spaces, not even for fencing; these spaces become functional to capital as a sidewalk for its flows and accumulation. Here, only spatial practices conducive to production or consumption become acceptable and as citizens become judges of what is desirable and acceptable in these spaces, who is worthy and what and who is deemed worthy to be 'in place', spaces are designed with intent and not everyone has its place in this landscape of the alienated.

Strategies of enclosure: Criminalization of homelessness.

While there is a large body of literature studying the ways in which public spaces are controlled and contested by different groups -being one of them the homeless-, most of the analysed cases are in the United States, such as the extensive work of Don Mitchell (1995, 1997, 2003, 2017a, 2017b). Counted exceptions are found in the European context, such as Bernd Belina's Area bans research in Germany (2007). In the aforementioned works, the subjects affected by criminalizing legislation tend to disappear as the argument unravels and focuses on the relation between control and public space, and where the homeless or the subject identified in the law as the "treat" works as functional to the arguments or as a mere example of the effects of such strategies. The literature in this matter does the work of identifying the legal geographies of the processes of criminalisation but ends erasing the subjects and their agency. In this scenario, it becomes necessary for the literature to highlight the position of the homeless -in this case- as subalterns or as a group, but as one that articulates a position of resistance



towards spatial abstraction strategies, such as criminalization, in different ways and whose experience becomes as relevant to understand these processes as any account of planners, pedestrians or politicians.

Homelessness seen as a focal point of crime and vice has its origins in different geographical contexts, but one example as mentioned in the background section, is in the early XVII century France, where the “state sought new repressive means of controlling the poor, such as urban police sweeps, mass arrests and convictions” (Ocobock, 2008:10). Even though of the historical presence of criminalization of homelessness and vagrancy, in recent history, these practices found their theoretical background in the infamous *broken windows theory* (Wilson & Kelling, 1982), which through a reductionist approach, links the lack of order or visible care on the urban space, with the lack of moral order and therefore the predisposition for crime to occur, being homeless people and their aesthetic one of the groups affected by such understanding of the social and spatial dynamic of crime in western cities.

Another approach to the criminalization of homelessness and control of public space is offered by Brian Hennigan (2018), who addresses homelessness and its relation to criminalization and social rejection, to their role or better put, lack of a role in relation to capitalist production structures, as mentioned earlier in the theoretical section, their non-commodifiable presence is sought to be banned from spaces which are primarily established to contribute to the accumulation of capital or functional to the increase in value of surrounding properties -such as public spaces under capitalism-.

Another relevant argument made by Hennigan (2018) is where he states that to understand “the root of homeless people’s spatial incongruity” is necessary to “focus less on homeless people’s inability to properly consume and analyse their relation to production, their class position” (Hennigan, 2018:2), this proposes a shift in the understanding of criminalizing or displacement efforts -such as zone-bans- of the homeless person to stem from an aesthetic or related root to one of political nature, recognizing the homeless as members of the working class, but at the margins of the productive activities, here “the apparent offensiveness



of homeless people, especially the ‘able-bodied’ homeless, originates because they are seen not to be regularly selling their labour power, not producing new, surplus value through commodity production” (Hennigan, 2018:3). For the outsider, homelessness seems like a choice, especially for the aforementioned ‘able-bodied’ homeless, this creates a reaction in the ‘alienated’ groups, an urge to remove them and condemn their livelihood at the margins of the productive loop.

This framing of homelessness leads towards understanding why the criminalisation of homelessness attacks spatial practices which are not related to economic value creation, such as sleeping or camping in public spaces, as the act of resting is inherently linked to social reproduction and not economic reproduction and therefore it should be limited to the private sphere. As Nancy Fraser states, societies under capitalism present a constant contradiction in relation to social reproduction, as it is a necessary condition, a building block for sustaining economic reproduction (workers have social and physiological needs), but at the same time, the need of capitalism for unlimited accumulation destabilize the process of social reproduction (2016:100). For the homeless, the public and the private merge into a single space, therefore social reproduction is sustained in the public realm, becoming an easy target for spatial control, as these spatial practices do not conform with the ‘image’ of the neoliberal city, the apparent uselessness of the homeless in relation to production, makes them disposable and therefore their presence can be removed from space.

Lastly, the understanding of homeless people as a class has a strong political value, as it addresses and recognizes the potential of the homeless to organize and articulate a class offensive, nonetheless just focusing on articulated political organization, erases the spatial practices carried by the socially excluded on a daily bases in public spaces, practices which are inherently contesting the tendency in capitalism towards abstract space. The following section will address the theory behind everyday resistance and alternative spaces in an urban context.



1.3.4 EVERYDAY RESISTANCE AND ALTERNATIVE SPACES.

Urban resistance is generally addressed in the literature through the social movements' framework (Thörn et al., 2016), which requires the identifying of critical events and dates in these resistance movements. Easy to recall are the May of 1968 demonstrations in France, the 2007 riots in Copenhagen or the 2011 student movement in Chile. Nonetheless, societal change is not merely affected by specific dates and events, but by processes that start earlier and continue for much longer than the specific demonstration or riot. In that sense, resistance is not sustainable in the spectacular forms of massive manifestations, but on the everyday practices and struggles, in what James Scott calls 'everyday forms of resistance' (1989).

Even though James Scott developed most of his research in South-East Asia in a rural context, it is possible to adapt elements of his theory, as it focuses on everyday practices of resistance which are indeed context depended and therefore take different forms and fashions depending on the setting. In the case of homelessness, the setting is inherently urban, and in the case of the criminalization of certain practices associated to homelessness, such as 'camping' the spatial practice of using the public space to sleep, precedes the legal disposition which criminalizes such uses -in the Danish case -, Scott (1989:38) writes about 'poaching' and how this practice was embedded in customary rights of subsistence in XVII century England, and this practice "as a crime, therefore, entails less a change of behaviour than a shift in the law of property relations. It is the state and its law which suddenly transform these subsistence routines into everyday forms of resistance". Even though such a case could not be farther away from the urban setting and current material conditions, the case made towards the empirical effects of the law in relation to certain practices is still valid, as in the case of 'rough sleepers' or 'urban camps' these practices precede the establishment of criminalizing regulations and stem from need to be in space, due to the lack of other alternatives.

Everyday forms of resistance should not be understood as displacing or replacing spectacular revolutionary practices: they are not mutually exclusive, but a way



to fight the all-encompassing structural conditions which otherwise would dominate every aspect of life, and in this case, of urban life. Here, the demand for the right to the city by the excluded (Marcuse, 2009 in Mitchell, 2018:8) has the chance to be understood as a demand with the possibility to be articulated in autonomy from hegemonic groups, not just through spectacular demonstrations, but by the proposition of everyday alternative spatial practices.

Everyday resistance as well can be understood under the theoretical framed laid down by Michel de Certeau in *The Practice of Everyday Life* (1984/1997), where the French philosopher establishes the difference between *strategies* and *tactics* in everyday practices. A key theoretical framework to understand urban resistance from spatial abstraction can be built on Michel de Certeau's distinction. The first element, strategies, are understood by Certeau as "the calculation (or manipulation) of power relationships that becomes possible as soon as a subject with will and power (a business, an army, a city, a scientific institution) can be isolated. It postulates a place that can be delimited as its own and serves as the base from which relations with an exteriority composed of targets or threats, can be managed. (Certeau, 1984/1997:36), strategies then are the 'plans' sought to be materialised by those in power.

On the other hand, tactics are "a calculated action determined by the absence of a proper locus. No delimitation of an exteriority, then, provides it with the conditions necessary for autonomy. The space of tactics is the space of the other. This it must play on, and with a terrain imposed on it and organised by the law of a foreign power" (Certeau, 1984/1997:37), in contrast with the strategies, the tactic is the approach of the 'weak' and 'excluded' to navigate or resist everyday life.

In contrast, James C. Scott's work (1989) states that everyday forms of resistance are not solely a tool of the peasants, framing this argument under the practices used by landowners to bypass land reforms, such as bribing government officials, nonetheless, as he states later "classes higher in the social stratification typically have a variety of other political resources that allow them to influence elites and officials. Thus, the middle and upper classes in a liberal democracy have a



variety of channels, including political campaigns, lobbying, and legal assistance by which they can influence political power.” (Scott, 1989:53). This paragraph opens the way to re-structure Scott’s everyday resistance theory within Certau’s differentiation of Strategies (Used by higher classes) and tactics (used by the ‘peasants’).

In the case of the homeless in Copenhagen, a simplification of the complexities of their landscape could be to define, the *zoneforbud* legislation as a strategy of spatial abstraction, control and commodification, and the spatial practices of the homeless people as a tactic, which shifts depending on the direction the strategy pushes.

In this research, everyday life is understood as part of a dialectical dynamic between mechanisms, structures and events at different scales and not as an individualising practice, here homeless people are framed in the way as Hennigan proposes “as a working-class faction in need of political organising rather than an abstract population in need of pitiful charity.” (2018:1), nonetheless, it is necessary to understand in the meantime what tactics are used in every day by the homeless and how these tactics hold potential for resistance, especially in the current context of criminalisation.

In the Danish case, I found one source related to the everyday life of the homeless in the city of Copenhagen. The document was the Master’s thesis *Livet Udenfor: En etnografisk beskrivelse af hjemløses hverdagsliv i København og oplevelser af Marginalisering*⁴ (Christensen, 2011). In this research, one of the conclusions of Christensen is that homeless people, or as she puts it “the socially marginalized” and their lives “can be analysed as occupied by a large amount of tactics rather than strategies” (Christensen, 2011: np). This conclusion sheds light on the previous theoretical discussion, connecting it with the actual practices developed by the homeless in the city in Copenhagen. Even though these findings are relevant, the work of Christensen has a marked anthropological orientation for which the spatial dimensions of the phenomenon are secondary to her finding related to

⁴ Life outside: A ethnographic description of homeless’ everyday life and experiences of marginalization.



the relevance of solidarity, community and the identity of the homeless in Copenhagen. On the other hand, the legal landscape in Copenhagen in 2011 concerning homelessness, was drastically different to the one present since the second half of 2017, which as I propose, changed the spatial practices of the homeless.

1.3.5 PUTTING TOGETHER THE THEORETICAL PUZZLE.

The scheme in Figure 4, articulates the different theories discussed in this section. Drawing of Wacquant's (2012) concept on neoliberalisation, the following scheme shows how 'neoliberal capital' through different mechanisms, re-engineers not only the state but also civil society. In the case of Denmark, state-managed capitalism and the welfare scheme adopts a post-welfarist stance (Baeten et al. 2016) articulating different strategies of enclosure. In this process, public space becomes an arena for struggle, where these strategies -commodification and criminalisation- clash with, in this case, homeless people's tactics of everyday resistance, which are embodied in non-commodifiable uses of space. These processes in the constant clash, is what ultimately shapes the uses of public space, nonetheless, of course, the forces in these struggles are asymmetrical, and as neoliberal capital permeates social relations, it weakens civil engagement and state institutions. In this scenario, is where a higher reliance on 'intermediate institutions' comes at play, on one hand, these institutions replace the functions



of the state, but at the same time are necessary to provide support and deliver services, in this case to the ‘socially excluded’.

2. METHODOLOGICAL APPROACH

The following section will address the methodology used for the research process, as well as the epistemological considerations and the philosophy of science used as a lens to understand the overlapping of theory and data gathering strategies as well as the ethical implications and my positionality as a researcher.

The research is inspired by a critical realist perspective, informed by the work of Sayer (1984) and selected chapters from the edited volume *Studying organizations using critical realism: a Practical Guide*, edited by Edwards et al. (2014), as well as using by guidelines the work of Fitzpatrick (2005) in her study of homelessness in the UK. The study employed a multimethod qualitative approach, dissecting the case study of the banning of homelessness in Copenhagen, through three different methodological tools: in a first stage, through document analysis, which

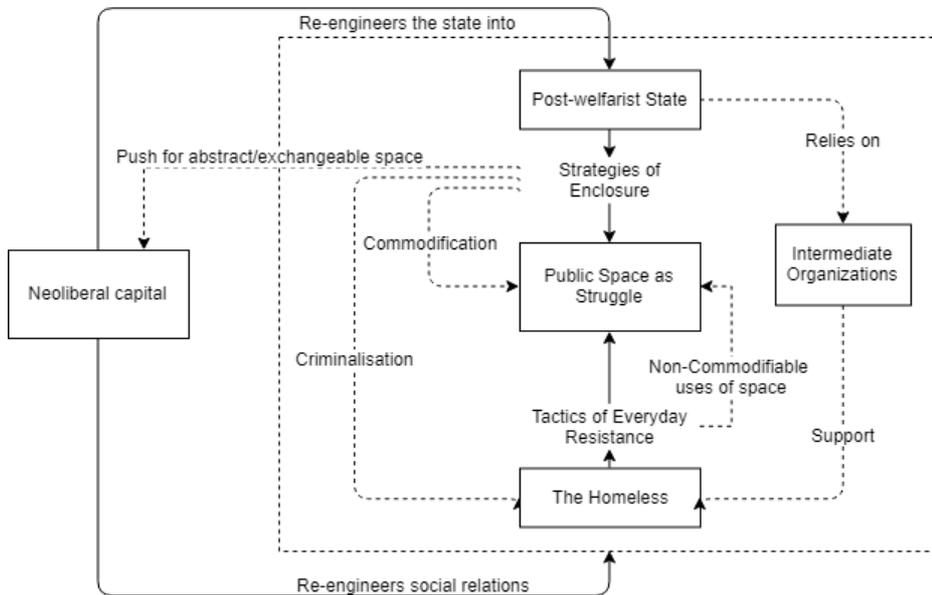


Figure 4 Articulation of the theoretical framework driving this thesis.

seeks to shed light on structural conditions and the understanding of public space in the Copenhagen municipality, by analysing the *urban life accounts* from 2010 to 2017 and other complementary documents, which shows the way the local government has understood its role towards the city and its public spaces.



The second stage uses interviews and fieldwork, under the guidelines laid down by Fletcher (2017), which offers a detailed account of interviewing and analysing the data under a critical realist perspective. Different representatives of organizations working with a wide range of aspects of homelessness in Copenhagen have been interviewed, to understand their role towards homeless people and the legal landscape, as these organizations have an intermediate position between the direct contact with the homeless and the bureaucracy revolving around this phenomenon. This helped to engage with leaders within the homeless community, and from them, try to understand their position towards the increasingly aggressive legislation and their experience under such scenario, as their lives are those at stake under this policy landscape.

On the other hand, to address the lived experience and empirical effects of the current legislation, a series of interviews have been conducted with people who are or have been homeless in the last since at least the implementation of the first set of legal provisions towards the banning of street camps in Denmark. The same theoretical framework has been applied to this second set of interviews, which sought to highlight the tactics and experiences of those affected or with first-hand knowledge of the new legislation.

2.1 PHILOSOPHY OF SCIENCE AND ONTOLOGICAL CONCERNS

This research has been inspired by critical realism as the lens through which the research has been undertaken, this has meant not just understanding the ontological position of this philosophy of science, but also allowing it to shape and be shaped by the different encounters with data, people and events which have been transferred into this work.

As mentioned, earlier, it has been inspired as it is an adaptation of the rigorous process underpinning critical realism as a philosophical position. To do this, several of the principles founding this position has been taken into account and will be developed in the following section.



First of all, it is necessary to highlight how, under Critical Realism, reality is understood. Simply put, it is portrayed as layered (Fig.5), as presented by Fletcher (2017), dividing it into three levels:

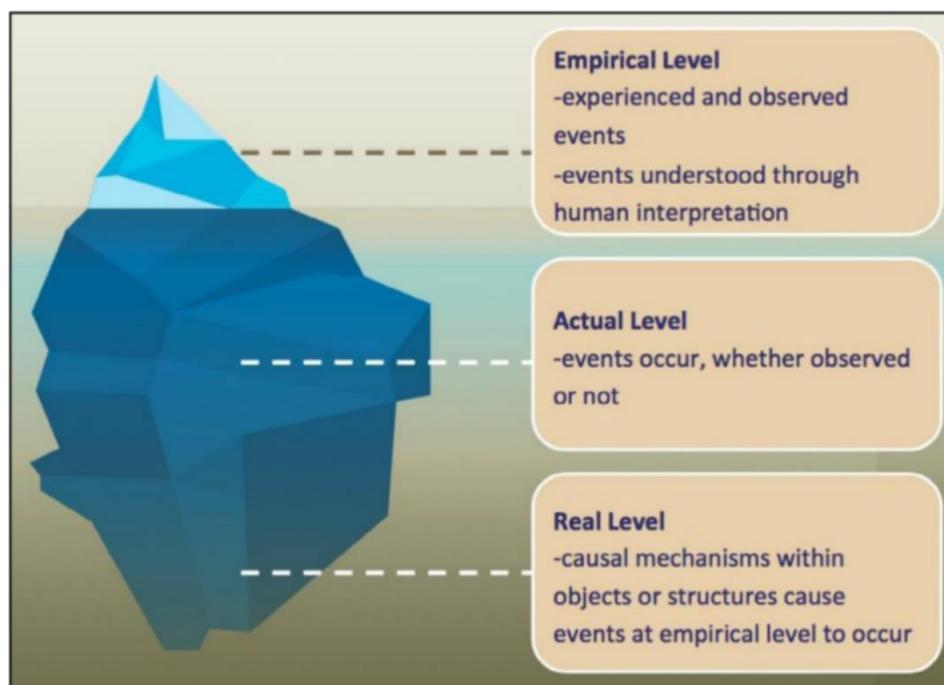


Figure 5 The metaphor of the iceberg is used to show the levels or layers of reality and in which CR grounds its vision. Source: Fletcher, 2017.

This

research seeks to engage mostly with the empirical level when it comes to field-work, allowing the data in combination with the different theoretical approaches offer a glimpse into the depths of this layered reality.

On a first note, the critical realist approach has been chosen because of the primacy of ontology it entails in the research process and not the epistemology, because of its orientations towards, identifying, discovering and uncovering, structures and (generally) causes “and the particular sequences, combinations, and articulations of them at work in specific times and places; whereas for positivists and constructivists it is typically to prove/disprove and justify propositions, theories, and so forth”(Bashkar, 2014:np), as well for the explanatory instead of predictive orientation of this approach (Bashkar, 2014).

A key element in a realist approach is the identification of mechanisms of a reality where not all objects are empirically observable and where “neither objects



nor their relations are given to us transparently; their identification is an achievement and must be worked for.” (Sayer, 1984/1992:87-88). Such a starting path, allows the researcher to understand that primary work is to unravel and shed light on what is underpinning the ‘events’ we fathom at the empirical level, and in the case of this thesis, to understand what mechanisms underpin the enactment of legislation such as the zone-ban and what is behind the spatial practices of the homeless under such legal landscape.

2.1.1 THE NEED FOR ABSTRACTION.

In research, there is the need to address phenomena which is graspable by our material constraints, and as most of the phenomena we address does not comply with the concept of graspable due to its nature, researchers ‘go-to’ approach is that of abstraction (Sayer, 1984/1992). An example of this are economic models are an abstraction of reality, as they simplify the complexity of human behaviour assuming under the assumption of ‘rational choice’, nonetheless abstraction and their explanatory power are a double edge sword, as abstraction if not used with rigor can mean the complete disconnection of the object or phenomenon we are abstracting from, becoming a contentless abstraction (Sayer, 1984/1992). The process of abstraction is a key element for critical realism (Yeung, 1997), as it allows the identification of structure, “which can be defined as sets of internally related objects and practices” (Sayer, 1984:92). Structures are not only composed of grandiose social dynamics but can be found a lower scale without being attributed to ‘individual’ characteristics (Sayer, 1984/1992:92; Fitzpatrick, 2005:5)

For Sayer, abstractions should be framed in a way in which it is possible to identify incidental and essential characteristics of the object we are abstracting from, for which reason it is helpful to distinguish the relations of different types (1984/1992:88), as shown in Figure 6

Type of relation	Description	Example
Substantial	Connection and interaction	Houses are connected by roads and electricity cables, individuals may interact, but they may also bear a purely
Formal	Similarity or dissimilarity	



		formal relation, lacking interaction.
External or contingent	Either can exist without the other. Neither necessary nor impossible for them to stand in a relation	A person and a lump of dirt. Each object can exist without the other, but a person could eventually dig up the lump.
Internal or necessary	One object cannot be without the other, dependant on the relation.	A landlord and a tenant, the first cannot be without the second and vice versa.
Asymmetric internal	One object can exist without the other but not in vice versa	The relation of money and banking systems. Banking cannot exist without money, but money can exist without banking structures.

Figure 6 Potential relations between 'objects' described by Sayer, 1984.

For Sayer, it is key to understand the relations within and between objects as he states that “most common errors in social science is the reproduction of common sense’s characteristic unawareness of the internally related nature of human action” (Sayer, 1984:91). Abstractions of mechanism should then “be in a necessary relation to a phenomenon in issue and, therefore, the former must presuppose the latter. Concrete objects are constituted by a combination of diverse elements or forces from where the abstraction is made.” (Yeung, 1997:58), under this framing, it is possible to understand and determine a logical chain, where it

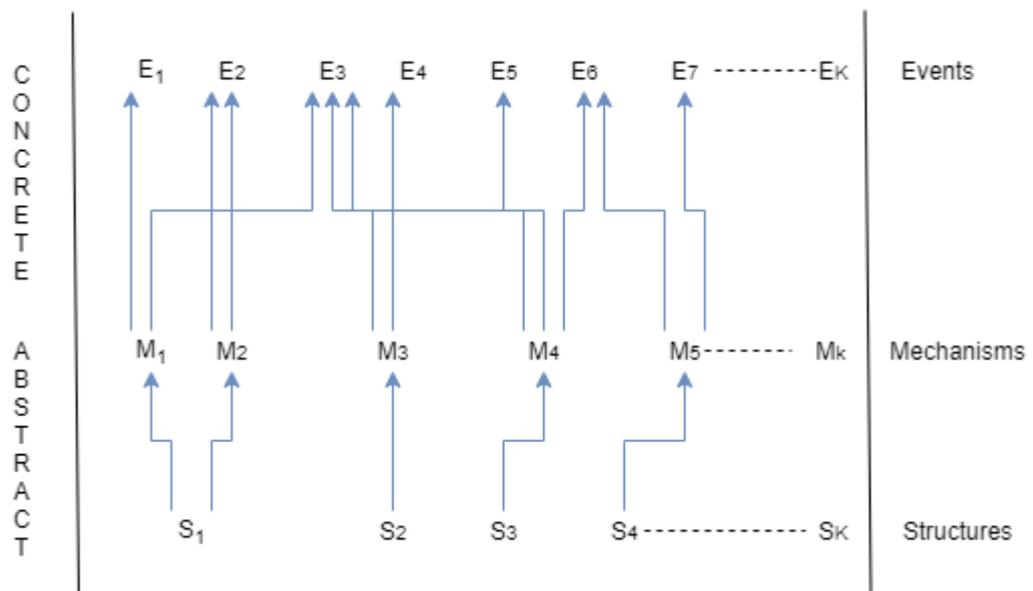


Figure 7 Scheme on a hypothetical set of relations from more abstract (structures) to more concrete (events). Modified version of the same table found on Sayer, 1984.



is possible to identify events, developing from structures which are preceded by mechanisms, as shown in figure 7.

Under this understanding of abstraction, I have developed an abstraction table (Fig. 8), which encompasses the dimensions from most abstract (abstract-theme) to the more concrete (empirical). Framing the different phenomena under this structure, allows not just to frame the problem to study under a critical realist perspective by understanding the different levels or layers or reality, but also allowing me to identify categories and events which guided the research and the scope of the methods used, such as the document analysis and the interview guides. This abstraction table and the categories represented in it were subjected to changes through a process of retrodution, where theoretical concepts were contrasted with the empirical findings which came out of the process of document analysis and the interviews.

Abstract themes	Semi-abstract themes	Empirical/concrete themes
1. Strategies of enclosure	a. Annihilation of space by law. b. Commodification	<ul style="list-style-type: none"> ➤ The criminalisation of homelessness through law ➤ Role of law enforcement. ➤ The role of the political parties/actors ➤ The role of the media in the criminalisation discourse ➤ Changes in legislation related to public space ➤ Impact of tourism and business in public space ➤ Big public infrastructure projects.
2. Post-welfarism	a. Austerity discourses b. NGOization c. Public-private partnerships	<ul style="list-style-type: none"> ➤ Public investment in social services ➤ Austerity discourse in media/politics ➤ Role of the NGOs ➤ The business of social services ➤ PPP in infrastructure



3. Everyday Life	a. Everyday resistance b Public space as struggle	<ul style="list-style-type: none"> ➤ Changes in the perception of public space. ➤ Actions/reactions of civil society. ➤ Relocation of sleeping areas. ➤ Avoidance of ‘safe’ sectors at night ➤ Changes in habits ➤ Tactics or strategies.
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Figure 8. First version of abstraction table. This table guided the interview guides and the first stage of the data collection as well as informing the initial codes in the coding process.

Even though a critical realist structural analysis is useful to identify mechanisms leading to events, there are several limitations which should be accounted for, as Sayer identifies that people and researches can easily attribute to one structure the outcomes of an event when in ‘reality’ another set of internal relations are at action pushing for that outcome. He states as well that this is especially true when a) we need to rely on actors accounts, b) because actions are informed by such understanding and have real effects in structures, c) because social structures are concept-dependant – often on systematically – confused concepts (Sayer, 1984/1992: 95). It is also necessary to understand that under there is a “general risk in the overextension of the structural analysis and approaches which emphasize the rule-governed character of action; this stems from an unacknowledged effect of the observer’s standpoint on what he or she sees: another kind of intellectualist fallacy” (Sayer, 1984/1992:97). These limitations can be prejudicial in the identification of mechanisms and can as well be dismissive of the individuals experiences or in the case of this research, of the spatial practices carried by the homeless, for that reason it is necessary to keep in mind the reach and potential of approach to abstraction and social research, while keeping the guard up in relation to its limitations and pitfalls.

2.2 METHODS

The research process began with the framing of the case study of homelessness and Copenhagen, leading to the collection empirical data; where events are observed at the concrete level of reality or empirical level, using extensive (statistical data) and intensive (interviews, non-participant observations, document analysis) data. These two approaches help us to identify demi-regularities for further



analysis (Fletcher, 2017). The extensive data for this study has been collected from different international data sources such as The World Bank, Eurobarometer and other regional sources, such as the data from the Homelessness Barometer (Scandinavia) and the statistical accounts on homelessness from the National Research and Analysis Centre for Welfare (VIVE) in Denmark.

2.2.1 WHAT IS A CASE STUDY?

For this research, a case study approach has been selected, even though defining a case study as such has been deemed to be a “definitional morass, and each time someone attempts to clear up the mess of definitions it just gets worse” (Gerring, 2004:342 in Flyvbjerg, 2011:302). Nonetheless, as hard as it might be to define, Flyvbjerg stresses the strengths of a case study, such as its in-depth approach, high conceptual validity, understanding of context and process, as well as understanding of what causes a phenomenon, fostering new hypotheses and new research question and finally, linking causes and outcomes and final (Flyvbjerg, 2011). This last point (linking causes and outcomes) is also identified as Van Evera (1997 in McNabb, 2010:238), as a valid situation for the use of case study “when identifying a previous condition or conditions that lead or contribute to a phenomenon.” In this research, the identification of causes and outcomes is key, as based on Critical Realism, the research seeks to identify the mechanisms behind events.

2.2.2 DOCUMENT ANALYSIS FROM A CRITICAL REALIST PERSPECTIVE.

As this research addresses and tries to link structural conditions with lived experience, the approach selected to dive into this first dimension is analysing it through a series of documents (legislation, urban life accounts and complementary documents) developed and enacted by different levels of government, as these documents portray the consolidation of the different discussions, struggles and visions within different governmental institutions or at least the hegemonic position within them, allowing a glimpse into their understanding of what the city is ought to be, what is public space and if homelessness is or not part of this vision and understanding of public space.



Document analysis “is a systematic procedure for reviewing or evaluating documents [...] like other analytical methods in qualitative research, document analysis requires that data to be examined and interpreted in order to elicit meaning, gain understanding, and develop empirical knowledge (Bowen, 2009:27) which main contribution is related to ‘triangulation’- “the combination of methodologies in the study of the same phenomena” (Denzin, 1970:291 in Bowen, 2009:28). In this research, document analysis has been used to triangulate and generate a clearer picture of what is public space for Copenhagen and how the zone-ban legislation frames public space and the homeless in Denmark. According to Bowen, it is possible, to sum up the advantages of document analysis as providers of “background and context, additional questions to be asked, supplementary data, a means of tracking change and development, and verification of findings from other data sources (Bowen, 2009:30-31). In this process, I would also argue, that document analysis allows to contrast results and identify potential tensions between different issuing organisms and in the case of this research, contrasting visions of the city between the local government and the legislative body (parliament).

The documents chosen to understand the conception of Public Space for Copenhagen’s municipality are presented in Figure 9, as well as the documents related to the laws and political discussions which are the current framework of the enacted zone-ban.

These documents offer a unique approach to understand not just the conception of public space in the city, but also allow to see how it has changed in recent years; what has been the focus; and therefore, what has been left out of the city vision that the public administration has for the near future of Copenhagen.

Document	Date	Author	Description
A Metropolis for People	2009	The city of Copenhagen – Technical and Environmental Administration	Visions and goals for Copenhagen 2015



Copenhagen City of Architecture	2010	“	The architecture policy of the city of Copenhagen
Urban Life Account 2010	2011	“	Trends in Copenhagen Urban Life
Urban Life Account 2011	2012	“	“
Urban Life Account 2012	2013	“	“
Urban Life Account 2013	2014	“	“
Urban Life Account 2015	2015	“	“
Co-create Copenhagen	2015	“	Vision for Copenhagen 2025
Urban Life account 2017 (in Danish)	2018	“	Trends in Copenhagen Urban Life
Denmark’s Constitution	1953	Kingdom of Denmark	Paragraph 79 – on public meetings
L 118 - Proposal for a law amending the law on police affairs.	2017	Folketinget	Parliamentary discussion on enhancing the police capacities to enact zone-bans
§ 20-Question S 372 On the zone-ban	16-01-2019	Folketinget	Parliamentary discussion on a question related to the zone-ban
Law on Changing the law on police affairs.	27-02-2018	Folketinget	Law on enhancing the police capacities to enact a zone-ban
Executive Order on the Act on Police affairs.	30/01/2019 last modification.	Folketinget	Consolidated law.

Figure 9 Documents analysed in this thesis, which are divided in Municipal documents and legislation.

In relation to the legislative discussion transcript, it allows us to understand the positions, arguments and alleged precedents, which led to the consolidation into law of the zone-ban.

This leads to the last set of documents, which are legislation/laws of different levels, from constitutional law to police affairs law, which allows to understand the consolidation of the discourses on homelessness to compare the current vision of the city vis-a-vis the legal conditions materialized into the regulation of public space.



2.2.3 INTERVIEWS FROM A CRITICAL REALIST PERSPECTIVE

Interviews represent the most common method in qualitative social science research (Smith & Elger, 2014), which similar to the process of abstraction in social sciences, we assume certain practices and approaches by repetition and use, which does not necessarily translate in scientific rigour.

Now, what can Critical realism offer to this methodological approach? Even proponents of this philosophical perspective have identified that there is a ‘lack of methodological development’ on the application of CR in empirical research (Yeung, 1997:52 in Fletcher, 2017:181), even the father of CR recognizes that ‘if CR is to be serious, it must be applicable (Bhaskar, 2014), therefore understanding how to lay down the principles of critical realism in different methodological tools can offer a different outlook in relation to more traditional positivist or post-modernist approaches to research.

One of the most detailed and recent examples in relation to how to apply a critical realist perspective in interviewing comes from Amber Fletcher’s *Critical realism in qualitative research: methodology meets method* (2017) paper, where she describes her experience applying this philosophy of science in a study of women farmers in Canada and their experience with agricultural policy.

According to Fletcher (2017) CR due to its ontology and epistemology -there is a ‘real’ world, and it is theory-laden, not theory-determined-, can be disempowering for the interviewees, as all the explanations behind reality can be understood as fallible (Bhaskar, 1979 in Fletcher, 2017:188) and therefore the subjects are never totally aware of the complete set of structural conditions which prompt action (Pawson and Tilley, 1997: 162-63). This does not mean that the scientific explanations, hypothesis and knowledge are infallible, “indeed, all are potentially fallible, and participants’ experiences and explanations of a phenomenon may, in fact, prove most accurate in explaining the reality” (Fletcher, 2017:188), as their experience and knowledge can rival that of the researchers and the current understanding of certain matter, which contributes to the production of new knowledge.



Keeping the aforementioned elements in mind, I have conducted a total of 8 interviews, 5 (4 recorded) of them have been focused on the work of different organizations working with/for homeless people (Fig. 10), and 3 (2 recorded) of them have been focused on the lived experience of homeless people under the current legal landscape (Fig. 11). NGO representatives were selected as interviewees, because of their privileged position in this landscape, they have access not just to homeless people and their lives, but also to higher structures, such as the political level, allowing them to be more aware of certain structural conditions which might be lost in the day to day to other actors.

The interviews conducted with homeless people in the city of Copenhagen have been anonymised due to the sensibility of their situation and the content of them.

Interviewee	Organisation	Description
Maja Løvbjerg, (pilot interview)	Gadejuristen (Street lawyers)	A private organisation working to protect the rights of vulnerable people, mostly those dwelling the streets.
Ole (pilot interview)	Sand - The homeless national organisation	Interest group/organisation which provides a space for homeless people to an encounter with others in a similar situation. It is by homeless people for homeless people.
Tobias	Gadejuristen (Street Lawyers)	-
Bo Heiden-Jochimsen	Projekt UDENFOR (Project Outside)	An organisation which works with the most vulnerable people within the homeless, through different projects focused on work on the streets.
Sebastian	Food Not Bombs	Group which shares and delivers food with and to



		the homeless people in the streets, volunteer run.
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Figure 10 Interviews with Organization representatives.

Interviewee	Situation	Location
Anders	Rough sleeper	Nørreport
Oliver	Ex-homeless	Frederiksberg
Asmus	Ex – shelter user	Amager

Figure 11 List of interviews with homeless and ex-homeless people in Copenhagen.

2.2.4 OBSERVATIONS AND ACTIVE ENGAGEMENT IN THE FIELD.

This part of the research was in first-hand inspired by an activity organized by a few of the organizations working with homeless (November 8th, 2018). This was a demonstration carrying torches around the city centre (Fakkeltog) which ended up in Thorvaldsen’s Square -besides the parliament- with a series of speeches from representatives of the homeless communities to politicians, appealing to the of the zone-ban. This experience did not just generate the first interest in this pressing issue, but also gave me the first approach to the context of the local organisation against the criminalisation of homelessness and helped me to identify a few of the key actors involved in the resistance process.

A few months later, the 6th of February I attended an info-meeting at Project Outside, where I got into contact with one of their ‘street-level workers’, who not just explained to me the way that organizations working with the homeless function, but also put gave me his boss’s contact to eventually conduct an interview.

This was followed by different days dedicated to non-participant observation in different spaces which were identified -through the pilot interviews- as places where homeless people would gather. The observations were undertaken during March 2019 and spanned from 2 to 4 hours of observation (Fig. 12), in the areas indicated in Map 1. These areas, all of them public spaces, where identified by the interviewees as spaces where homeless people used their time, except for Israel square which offered a strong contrast in relation to the composition of the ‘public’.



Name of the place	Visits	Hours of observation
Blaagaards Square	1	2 hours (from 15.30 to 17.30)
Israel square and Torve-Hallener	3	2 hours (from 12.00 to 14.00) 4 hours (from 11.00 to 15.00) 2 hours (from 16.00 to 18.00)
Kultorget	4	1 (from 11.00 to 12.00) 2 (from 12.00 to 14.00) 1 (from 15.00 to 16.00) 1 (from 16.00 to 17.00)
Noerreport	5	3 (from 10.00 to 13.00) 1 (from 13.00 to 14.00) 2 (from 15.00 to 17.00) 2 (from 11.00 to 13.00) 1 (from 17.00 to 16.00)

Figure 12 Non-participant observations in Copenhagen, during the month of March 2019

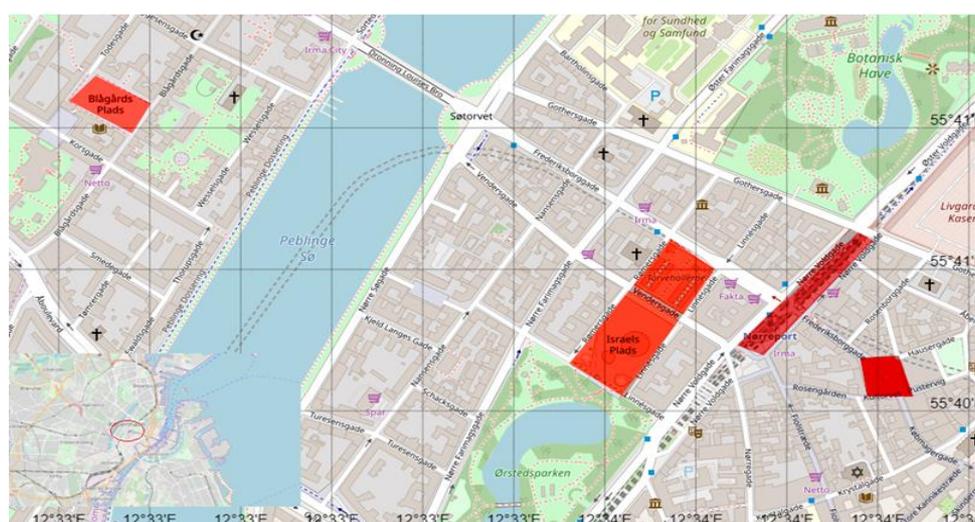


Image 1. Map of areas visited during the non-participant observations. Source of layer: OpenStreetMap contributors, 2019.

The observations of the public space in different hours allowed me to get a sense of who uses the public space and in which ways, where homeless people spend more time and what uses of space they engage into.

Another observation instance in the Sundholm area in Amager was carried out the 29th of March of 2019, under the guidance of one of the interviewees, who spent different stages of his life in this compound. This guided visit allowed me to engage in a more informal relationship with the interviewee. Due to the presence of homeless people and in respect of their privacy, this guided visit did not entail recording of any material, but a few notes in my field journal.



The last in field observation instance was undertaken the 8th of April of 2019, engaging in a sitting titled *Afskaf Zoneforbud* (Abolish the zone-ban), a demonstration called by the organizations *Sand* and *Hus Forbi*, which preceded parliamentary voting to abolish the legislation above. This instance, called for an all-day sitting and all-night sleep-in in front of the *Folketing* to put pressure on the parliamentary members to take down the zone-ban.

2.2.5 CODING AND ANALYSIS

The coding process, consisted as mentioned earlier in this chapter, into creating a first version of the abstraction table, which was informed through theory. This first version led to the first version of the interview guide, which was used in two interviews with NGOs, in what has been identified as “pilot interviews”. The results of this first two helped to identify new topics which added questions and helped to change the initial focus -which was austerity- into the final version of the research, focusing on the conception of public space of Copenhagen city.

The diversity of interviewees allowed to address a broad variety of topics, as the different nature of the NGOs where the interviewees worked/volunteer, gave them different depths of insight into the lived experience of homeless people.

The coding process started with 32 theory informed categories (abstract, semi-abstract and concrete), which were after a first coding stage and a constant engagement with the process of *retroduction* (cf. Fletcher, 2017) expanded to 105 codes, a second time reduced to 91 codes, a third time where they were reduced to 85 codes, a fourth depuration process which took the codes down to 78 and a fifth and last *retroduction* stage, where the codes were reduced to 72, and divided into 3 abstract themes (Everyday life, Enclosure strategies and post-welfare and the neoliberal city). This final coding was used for the analysis and discussion presented in the last third of this thesis.

2.3 RESEARCH SHORTCOMINGS

The following section addresses the topics of the research which even though highly relevant to the understanding of homelessness in the Danish urban



landscape have been left out of the scope of this research, as well as the shortcomings stemming from my own position as a foreigner, highly educated man.

Immigration and racialisation of homelessness

As mentioned earlier in the theoretical and literature review section, there has been work related to homelessness and everyday spatial practices, developed by Kristine Juul (2018). Her focus is located in the influx of ‘new’ immigrants from southern Europe with west-African origins, who pressed by the post-crisis economic scenario in this geographic area, migrated north looking for opportunities. Here, she develops and studies their survival tactics in what she defines as ‘modern hunter-gatherers’, using this example as a critique to reconsider the standards and conceptions of welfare and citizenship in the Nordics.

This research topic is highly relevant for the understanding of criminalisation of homelessness, as the topic has been highly racialised in the recent years, therefore understanding the livelihood of ‘foreign’ homeless people, can yield relevant data for improving the condition and disproving the racialised-fed opinions widespread in the Danish context.

Gender and hidden homelessness

This research did not engage in interviews with any homeless women, not for lack of intention, but due to lack of opportunities. Homelessness and its gender dynamics are extremely complex, and presented a series of practical difficulties, first, what is theorized as ‘hidden homelessness’ were -mostly-women are found: “staying with friends or relatives, fleeing domestically abusive relationships or re-entering relations, as opposed to staying in emergency hostel accommodation” (Savage, 2016). This lack of intersectionality in the research creates a bias toward *masculinist spatial practices*, whereas there is evidence of homeless women “use of public space as a form of resistance, challenging the rules governing public spaces” (Casey et al., 2007).



2.3.1 POSITIONALITY, ETHICS AND LIMITATIONS

Researching should always imply a process of reflexivity in relation to the researchers relative position in matters of class, gender and ethnicity, and even “even if the researcher is from the Global South, in which case some of the access and relational aspects may be addressed, class and educational differences (i.e. material, social, political power differences) remain trenchant markers of different and often precondition exploitation in the research process” (Sultana, 2007:375). In this research, I kept a respectful position towards the interviewees, especially in relation to the homeless or ex-homeless people interviewed, firstly approaching the interviewees through institutional gatekeepers and avoiding engaging in ‘predatory’ research practices, such as stopping them in the street and doing an interview.

Even though the ideal scenario would have been one of co-creation and co-identification of the ‘problems’ in relation to the framing of public space in Copenhagen and the effects of the zone-ban legislation. Nonetheless, the approach and the fieldwork can still be “liberating, as long as the researchers keep in mind the critiques and undertake research that is more politically engaged, materially grounded, and institutionally sensitive.” (Nagar, 2002, in Sultana, 2007:375)

Interviewing limitations and translation of the material.

Even though qualitative research applying interviewing as the main approach, should aim for saturation (Glaser & Strauss, 1967 in Marshall et al., 2013). Limitations in relation to the ‘size of the sample’ of interviewees, have been present in this research, nonetheless, in this case it is pointless to talk about a sample as in this type of research, ‘respondents are not drawn (i.e. sampled) from a target population [...] Put differently, our respondents are ‘cases’, or instances of states, rather than (just) individuals who are bearers of certain designated properties or ‘variables’.” (Crouch, 2006:492). Here, it has been prioritized to engage in in-depth interactions with the interviewees, which were necessary, to understand their spatial practices and the effects of the zone-ban in their daily lives.

In relation to language limitations, the fieldwork has been undertaken by me, a native Spanish speaker, which has meant working in two languages which I



manage with work proficiency -Danish and English-. This has meant not just relying on web services for translation, but also relying on native speakers to contextualize and give meaning to certain paragraphs, especially those of legal nature. Nonetheless, intercultural and interlanguage research opens opportunities and “forces the researcher to reflect on issues around positionality and reflexivity that might otherwise be less thoroughly considered [...] perhaps in terms of exploring the common ground (as well as the differences) between researcher and research respondents. (Crane, 2009:43). In this research, translation has meant a deeper approach to the content of the documents analysed, as well as the creation of rapport with the interviewees, due to their surprise of me speaking their native language -Danish- or the common ground which the ‘lost in translation’ moments created between me and the interviewees.

On a side note, several interviews were planned to be undertaken, nonetheless due to the short time span of the research project, these were not achieved, the following table (Fig.13) shows a list of the individuals or institutions contacted but not interviewed in this occasion.

Actor	Organisation	Reason
Lars Benjaminsen	ViVe (The national centre for research and analysis on welfare)	Did not answer several contact e-mails
-	Homelessness Office at CPH Municipality	Answered, “the topic is too political for us to address it.”
-	Hus Forbi	Could not find a fitting time for the interview
-	Café Klare	Did not answer contact e-mails
Ivan Christensen	Maendenes Hjem	Unable to meet due to workload
-	Danish People’s Party	Did not answer contact e-mails
-	Socialist Party	Did not answer contact e-mails



Zenia Stampe	Radikale Venstre (Danish Social Liberal Party)	Did not answer contact e-mail.
Pernille Skipper	Enhedslisten (The Red-greens party)	Met at a demonstration – could not schedule an interview due to time constraints.
-	Copenhagen Police	Did not answer contact e-mails

Figure 13. List of people and organizations which did not take part in this research but were contacted.

3. ANALYSIS (RESULTS AND DISCUSSION)

The following section will present the analysis, which is guided by the research questions, seeking to answer and unravel the mechanisms behind the conceptions of public space in Copenhagen and the everyday practices of the homeless under a punitive legal landscape. This analysis, will first present the results of the data covered by the different methodological approaches, seeking to draw a common picture from the different sources and subsequently a discussion will follow each section, contrasting the results with the theory addressed earlier on this thesis.

Firstly, a section on elements of “The neoliberal city and post-welfarism” present in the current urban landscape will be addressed, as the neoliberal city is the frame within the other phenomena occurs. Secondly, the “enclosure strategies” will be presented highlighting the imbrications between commodification and criminalization, and lastly, a section on “everyday life” will be addressed, where the spatial practices of the homeless are framed as acts of resistance against the commodification of everyday life.

3.1 THE NEOLIBERAL CITY AND POST-WELFARISM

“The Danish economy has never been stronger. No, we have never had fewer people out of work. We never had the so stable economy as we have now. So maybe in 2006-07 when the crisis was, you could talk about this. However, right now, there a lot of the people who say, we need working labour. So, it has nothing to do with all that (the crisis). This is only the politicians who want to be



tough on foreigners because we have an election this year. This is all that it's about.” This is one of the NGO representatives answer when asked, if the 2007 crisis had relation to the criminalization of the homeless in Copenhagen, here it is possible to see that the idea is that Denmark right now has a strong economy, which should not translate into cut-backs in welfare and social services, nonetheless, ‘blaming the immigrants’ is part of a strategy for political gain within a discourse of austerity which does not correspond to the material conditions of the Danish economy.

The following section presents the more concrete categories related to the concept of post-welfare state, that came out of the coding process, highlighting different elements which together compose the image of the post-welfare neoliberal city and its characteristics.

3.1.1 WELFARE AND ITS CONSTRAINTS

Welfare, or in this case, a post-welfare approach is divided into two categories linked to homelessness, which are the “welfare for whom and the ‘discourses on abundance’. Both of these categories have been addressed, first, in the parliamentary discussion on the modification of police affairs law and secondly, on the answers of NGO representatives and the homeless people interviewed.

Welfare for whom:

The matters of welfare and its connection to homelessness, has consolidated into a highly politicized matter, where one of the arguments can be understood as ‘tough love’ as seen in the parliamentary discussion: “what worries us (Social Democrats) the most, is that we have people in our society that have nowhere to live, living in poverty. That is what we need to address. We do not do it by allowing them just to set up camp in any place. We do it by helping them to have a dignified life. This also means, for them not to live in our recreative areas or under a bridge. This is a way to help them (the zone-ban), and this is the track we would like to pursue”⁵ (Bramsen, at L 118 discussion, 2017). What is understood as help? Also, for whom would this help be? According to Bo, he “never

⁵ Translated by the author



heard before in Danish politics, they are going out and saying, this is only for foreign homeless. It was not just the Danish People's Party (DF), but the Social Democrats (SD)" (Heiden-Jochimsen, Interview, 13/03/2019), this is backed by the aforementioned position from Trine Bramsen (SD) and more bluntly stated by Peter Kofod "we must help the Danish homeless citizens, that eventually are hit by this legislation" (Kofod at L 118 discussion, 2017). There is a strong divide between the deserving poor, in this case, the Danish homeless and the undeserving poor or the foreigner poor.

Discourses on abundance:

"We have shelters, that can house the Danish homeless, we have social services, to ensure that they come out of homelessness, and it should keep being that way [...] these are primarily for the Danish homeless people, and that is the way it should be. Because we cannot help all of Europe." (Bramsen at L 118 discussion, 2017) in the same line as in the section 'welfare for whom' in this paragraph, it is possible to understand that the problem with the services to homeless people, is not the utter lack of money or services, but the key element that they should be for the Danish homeless and not for homeless from other nationalities.

When asked about the social benefits for the homeless people, Oliver, stated that "we get these benefits and the support from the state, but they don't do anything else, they don't build housing, or run the shelters or anything. It is all driven by private people" This position clashes with that of the Social Democrat representative, as it states that the existing social benefits and infrastructure are not sufficient to even house the local homeless.

3.1.2 THE URBAN POOR

"It is a bit like; they are putting words in our mouth when they say that this proposal is criminalising poverty. This proposal does not criminalise poverty. I don't know where someone is getting a fine or prison time for being poor" (Bang Henriksen at L 118 discussion, 2017) a paragraph like this one, exposes the position of what is called in Denmark the 'blue block' or centre-right coalition, in relation to the zone ban and homelessness. There is an understanding that



homelessness or in this case, the need to sleep in the public space, is not intrinsically linked to poverty, nonetheless when analysing the positions within these statements, it is possible to see that there is indeed an understanding of homelessness as an issue related to poverty, but not every poor is the same, as there are “worthy” and “unworthy” urban poor.

The worthy:

Simply put, the worthy in the Danish context, are the national homeless or the national urban poor. According to Maja from Street Lawyers, “historically, as the migrants came, there was a discourse that we need to protect the Danish homeless. So, for a time they were kind of like put on a pedestal, and that was kind of the good homeless people [...] it was the 50 years old, white curly haired man, with a dog and a cup in his hand.” (Løvbjerg, Interview, 09/01/2019) Interview, 09/01/2019). This seemed to be the general idea or framing of the Danish homeless. This image became tainted as homelessness, and particularly rough-sleeping became a criminal act, affecting both the national homeless person and the foreigner, blurring the line between local and immigrants, but highlight the common element between the two groups, their class position, as Anders answered when asked how he imagines a better city: “I think we should just have the right to (sleep on the street), instead of being hunted down as homeless regardless of our nationality.” (Anders, Interview, 18/03/2019).

The unworthy:

“We have unfortunately seen a development in recent years, where a large group of foreigners travel to Denmark and live as homeless. In the newspapers, among other things, June 2 this year, they published how these groups are often organized in criminal networks, where the money that is obtained through begging and bottle money goes to middle-men in their home country” (Khader, at L 118 discussion, 2017), the foreign urban poor are stigmatized through the political discourse, first by framing them as criminals and subsequently forging the current legal landscape, where their presence in public spaces become criminalized in practice. Nonetheless, as mentioned earlier, the scope of the zone-ban



legislation has successfully criminalized the presence of the all homeless in public spaces, bridging the distance between the foreigner and the national urban poor.

3.1.3 NGOIZATION

“We have a lot of international work. We have we always said that we have to because there are not many NGOs in Denmark because we have this welfare system, so we never needed NGOs [...] all the employees here, have to go out and see, because sometimes the mentality in Denmark can be, that we know everything. But we are a small country when we don't know so much.” (Heiden-Jochimsen, Interview, 13/03/2019) answers Project Outside representative when asked about the role of the NGOs and international work in relation to homelessness, as he states, due to the presence of a welfare state in Denmark, intermediate organizations such as NGOs are something relatively new. This opinion finds resonance with that of Sebastian, who states, that “the welfare state, even though is a very good and secure structure in many situations, acts as a bandage solution and it dulls people. That means people don't see homelessness seriously because we have the welfare state.” (Sebastian, Interview, 26/03/2019). These opinions suggest that through the history of a welfare state in Denmark, there is a lack of experience and creation of intermediate organisations or civil actors, addressing social issues such as homelessness. Nonetheless, as we will see in the next section, the NGOs have been systematically growing in the Danish context.

3.2 THE RE-ENGINEERING OF WELFARE UNDER NEOLIBERALISM

The Nordic Welfare State model is being dismantled and remains under attack by various forces on the right (Baeten et al. 2016), nonetheless as seen in the previous sections, the perception between the ability of the state to provide social services is not underpinned by this argument, but by that of focalization of resources and not a clean cut on the provision of welfare services. This fits the definition of Wacquant (2012) as it shows more of a re-engineering of the state, probably as part of a process or transition, instead of a complete dismantling of its social infrastructure. In this scenario, is where neoliberalism is expressed in state policy as “liberalization, deregulation, privatisation, depoliticization and



monetarism [...] Neoliberal policies also aim to ‘desacralize’ institutions that had formerly been protected from the forces of private market competition.” (Mudge, 2008:704-705)

This process of ‘desacralization’ starts in the discourse on ‘getting tough on the immigrants’, but on the long run has larger implications, as it does not only seek to reduce their access to welfare or to remove their presence from public space, but to reduce public spending as a whole, which has been seen in recent reforms in the country, “where cuts hit not only immigrants and refugees but also the unemployed, students, and other potentially precarious groups.” (García and Bak Joergensen, 2019). Here is when in Wacquant’s (2012) approach, the harnessing of the state by the neoliberal project, imposes the stamp of the market on the citizens, applying market logics to what once was an universalist welfare model (Belánd et al. 2014).

In such a scenario of re-engineering of the welfare state and under a strategy of focalization of policies and social services, it makes sense, not just to divide the population in the worthy and unworthy, but to enforce that discourse through other strategies. As mentioned in the historical context section, the discourses on the worthiness or unworthiness of the homeless, vagrant, tramps or street dwellers, in the neoliberal city is nothing new as it goes back to the processes of ‘primitive accumulation’, “involving the engrossment of land, enclosure of Commons, together with the breaking down of feudal and guild bonds, violently uprooted whole armies of “master-less men”: “beggars, robbers, vagabonds.” (Marx, 1987:686 in Mitchell, 2011:935). This discourse seems to be brought back to life when capital seeks new spaces to lay down roots, and in the particular case of Copenhagen in a post-welfarist stage, the vision of ‘Wonderful Copenhagen’ allows for new strategies of enclosure justifying the criminalization approach and prioritizing the commodifiable spatial practices over those of the unworthy, mostly immigrants homeless.

Under a criminalizing perspective, the worthy and unworthy dichotomy becomes diffuse, at least on paper, as the effects of the law are -mostly- applied to everyone who is using public space as ‘camp’, and I say mostly because it is still



up to the discretion of the police officer to decide if the camp is ‘intimidating’ or not (l 131). This questionable equality under the law, not just allows for a total removal of all of the homeless ‘misusing’ the public space, but it also allows to glimpse the background of the discussion on use of public space, and that is a discussion of class and the position of the homeless as a very visible group of the underclass. The homeless have to be removed due to their lack of productivity (Hennigan, 2018) or marginal position in the production-consumption cycle, as they do not embody the mantra of the creative city, that which seeks foreign investment, hip neighbourhood, high-class cuisine and blossoming shopping streets.

3.3 ENCLOSURE STRATEGIES.

“So, they put tables and stuff out there, and that is good for you and me, we can sit in the sun get a cafe latte, let's say, everything is good. But for all the persons who don't have anywhere to go and don't have any money, there are less and fewer areas where they can stay.” (Heiden-Jochimsen, Interview, 13/03/2019), Bo answers when asked for whom are the public spaces in Copenhagen, the answer comes up as very straight forward, if you have money you can enjoy these spaces where the chairs and tables of restaurants replace the bench, if you do not, keep going. As raw as this scenario seems, the research provided two main strategies of enclosure of public space in the city of Copenhagen, being the first ‘the commodification of public space’ and secondly “the annihilation of space by law”.

3.3.1 COMMODIFICATION OF PUBLIC SPACE

This semi-abstract theme, nested within enclosure strategies contains the references made in the interviewees to practices and or actions connecting public space to privatisation or exclusion from space due to lack of economic means, as well the passages from the ‘urban life accounts’, emphasising what public space is ought to be and for whom. At the same time, this semi-abstract theme contains five other approaches or strategies to the commodification of space, which are:



Wonderful Copenhagen:

In this category, the documents analysed emphasize Copenhagen as a diverse city, where “buildings should form a contemporary setting for modern Copenhageners [...] buildings and conversions should contribute to a diverse urban life embedded in the finest principles of sustainability” (City of Copenhagen, 2010) or as the plan for Copenhagen 2015 states: “when we talk about a metropolis for people we mean a city for all. Copenhagen will have a varied urban life offering everybody the opportunity to participate irrespective of age, social status, ethnic background, finances or handicap” (City of Copenhagen, 2009). The trend was still present in the 2025 plan, where is stated that “Copenhagen must actively seek to uphold the social cohesion that makes Copenhagen a pleasant and inspiring place to live. The city must be designed so that the people of Copenhagen meet each other across economic, social and cultural backgrounds” (City of Copenhagen, 2015).

Other elements highlighted are those of Copenhagen as a stage for spectacular projects, from architecture as those made by the firm BIG to concerts and festivals, as “every year, Copenhagen host countless large and small open-air events. In July more than 200,000 people attend concerts at the Copenhagen Jazz Festival, Copenhagen Pride, open-air film shows, football matches for the homeless, culture festivals, to name but a few” (City of Copenhagen, 2009).

The pedestrians use of the city streets is also highlighted and has been categorized here as “pedestrianism”, it is framed as one of the key elements in the ‘urban life accounts’ from 2009 and on, together with making Copenhagen a vibrant city, where leisure and design lead to experiences of use of public space, which is congealed in the image of the “café al fresco” which has been consolidated as “part of modern urban life in every part of the city and all year round. The total number of permits for outdoor seating in Copenhagen has increased by 126% since 2010, from 450 permits then to 1,015 permits in 2015.” (City of Copenhagen, 2015).



Touristification:

Tourism is addressed in the documents in relation to how the city should be able to attract them, “A varied urban life [...] attracts tourists, creative people and firms” (City of Copenhagen, 2009), but when asked, the interviewees hold different understanding of the relation of the city to tourists, on how spaces are designed for them, as one of the informants stated “But if you look at something like a signs, how we create signs and information in Copenhagen it's actually very much towards tourists.” (Løvbjerg, Interview, 09/01/2019). The relation of tourists as well depends on the position of the person in relation to them, as one of the homeless persons interviewed stated: “There are many tourists in the city, but the homeless do not feel it that much, we are used to it, we might get some coins in their currency, and maybe if they have we will get some Danish crowns” (Anders, Interviews, 18/03/2019).

The Semi-public:

What is private or public? That grey area is understood differently by each interviewee and by the document's analyses. Nonetheless, spaces such as churches, public transport -especially the metro- and even private spaces like fast food chain restaurants, are seen as publicly accessible.

The documents, especially the plan towards 2015, highlight the public access to privately owned properties, “everyone will benefit from this. high quality, public access to privately owned urban space as well as the open and active use of ground floors are preconditions for a well-functioning urban life.” (City of Copenhagen, 2009), this trend was as well highlighted in the 2025 plan, stressing the areas which became publicly accessible, such as the garden at Carlsberg and the Green Square (Copenhagen wholesale) (City of Copenhagen, 2015).

The Business of the City:

The city is seen as an engine for growth in the ‘urban life accounts’, as well as in the 2015 and 2025 plans, passages like “a varied life gives us an advantage in the competition with other large cities” (City of Copenhagen, 2009) or “Copenhagen is nice and well planned [...] we want to see Copenhagen in the Premier



League of vibrant cities that act as global leaders” (City of Copenhagen, 2015), both plans put an emphasis on the attractiveness of the city and its capabilities for competition in the global market. The 2025 plans, set as part of the goals, into making and highlighting Copenhagen as a ‘city with an edge’ a place with ‘freedom to start up and test new things’.

The Relevance of Aesthetics:

A certain image of the city is promoted in the official documents of the City of Copenhagen, as, the architecture policy of the city states that “the architectural concept of the urban space, the functional solutions and the aesthetics should promote the desired urban life” (City of Copenhagen, 2010), another passage highlights that they “emphasise aesthetics, safety and comfort. Urban spaces should reflect a larger architectural concept that creates the desired settings conceptually, aesthetically and functionally” (City of Copenhagen, 2010). Enforcing this conception of aesthetics, the 2015 plan contains passages such as “we know that urban life arises if people feel safe, if it is clean”, “we have to work together to make sure the aesthetic and environmental aspect are taken into consideration”, “badly treated and dirty urban space does not invite people to an active urban life” (City of Copenhagen 2009). In the context of the official documentation, aesthetics is seen as a booster for urban life and as an asset which invites people to use public space.

3.3.2 ANNIHILATION OF SPACE BY LAW

The zone ban legislation enacted in Copenhagen in 2017, is here used as an example of Don Mitchell’s (1997) idea of ‘annihilation of space by law’ The analysis of municipal documents, legislation and the discussion of it in the Danish parliament, as well as the interviews, reveals information which has been segmented into two more concrete themes, which are ‘precedents’ and ‘effects of the law’.

Precedents:

The precedents to the enactment of the law banning the encampments in Copenhagen is addressed in the parliamentary discussion transcript as well as in the



interviews to the different representatives of NGOs and a homeless person. Here, 5 were the events or topics indicated as predating or fuelling the political discussion on the matter of homelessness and its subsequent de facto criminalization in Copenhagen, these topics were, “Immigration”, “Ease and Safety”, “Misuse of public spaces”, “Sanitary and Aesthetic concerns” and “Presence of encampments”, this last one is strongly connected to each of the other categories, encampments were catalogued as *utryghedsskabende lejre* or “uneasiness inducing encampments”, for lack of a better translation, which according to the parliamentary discussion, are those “composed of people laying in tents, under tarpaulins or similar in recreative areas, under bridges or other places in our society, and therefore induce uneasiness, because usually a lot of people is gathered in one place⁶” (Trine Bramsen, at L 118 discussion, 2017). The lack of specificity of the law in the definition of what is an encampment allows for a wider interpretation of the concept, as well as the high discretionarily given to the police under the modification of *the law on police affairs* (Law nr 131) where they can enact a ‘zone-ban’.

Effects of the law:

In relation to the effects of the *zoneforbud* legislation, the different interviews directed to NGO representatives and homeless people, lead to the identification of 8 more concrete sub-themes, from which 4 were the most repeated and present throughout the coding process, nonetheless ‘economic burden’ a sixth sub-theme is also highlighted, as it is present in the interviews with the homeless people.

The effects of the law can be summarised in, ‘displacement’, ‘criminalisation’, ‘fear and insecurity’ and ‘Rearrangements’, the fifth category highlighted was “economic burden” (Løvbjerg, Interview, 09/01/2019), due to the impact it has on the subjects of the legislation. Maja, from The Street Lawyers, when asked about the effects of the legislation, stated that they “hear about homeless people who seek outside the city to sleep in the suburbs because they are afraid of getting banned from Copenhagen. Moreover, from the people who have been

⁶ Translated by author



affected, we hear about the stress of having to move all the time”. This paragraph illustrates the displacement to which the homeless population has been subject to due to the criminalising efforts; it highlights as well the insecurity which stems from this status of constant movement and lastly shows the need of rearrangement in which the homeless engage to avoid being caught by a law enforcer.

In relation to the “economic burden” created by such legal structures, Oliver says that he “knows some people for the homeless environment, who owes to the Danish railways up to 25,000 Kroner, because they have to sleep in the trains”, in this sense, the law itself generates scenarios where people are pushed to search for alternatives to the potential ban out of the city limits.

3.4 THE SYNERGY BETWEEN STRATEGIES

‘Wonderful Copenhagen’ as coded in the previous section, a city boasting with vibrancy for the modern-Copenhagener, where different spatial interventions and investment in public spaces seeks to make the city more attractive, walkable, vibrant and diverse-at least- in the vision for the coming years.

In Copenhagen, the framing of public space presents a constant tension between the vision of a flourishing diverse city with that of a law which bans what is diverse; it is possible to see the clash between the power of spatial abstraction towards homogeneity and the alternative practices seeking heterogeneity.

The vision of this city, where built environment invites a plethora of urban uses is limited, as “designers may shape a space to attract people from a diversity of ages, races, and class strata, but design may also reflect other priorities like profit” (Stanfield & Van Riemsdijk, 2019:4). In a context where beyond public space, urban development is a profit-driven industry (Stanfield & Van Riemsdijk, 2019), these mostly-non-exclusionary spaces have to conform with the broader frame under which the city is conceived, as mentioned in the theoretical section, private property value is relational to the other properties surrounding it (Mitchell, 2006) and in this case, to the ‘quality’ of the public space in Copenhagen, space which is pushed towards its ‘exchangeability’.



As market mechanisms cannot hijack the uses of space completely and achieve a complete commodification of life by themselves -in part due to the resistance of the city dwellers-, other structures are enacted, and even though the zone-ban legislation has been justified under the arguments that ‘camps’ induce uneasiness, create sanitary problem (Bramsen at L 118 discussion, 2017) and are composed of foreigners who are members of criminal gangs (Khader at L 118 discussion, 2017) in its core, it relies completely in the abstraction of space, where the key issue is the presence of the homeless in public space, that is what is sought to be ‘fixed’, therefore the strengthening of the zone-ban legislation seeks to displace the subjects, remove their presence and their ‘non-commodifiable’ spatial practices, to open the way for the ‘modern-Copenhagener’, that person who enjoys the open air spectacle, who drinks ‘coffee al fresco’ and who walks to work or to the shopping streets, their presence and their spatial practices, are key in making Copenhagen part of the Premier League of vibrant cities by 2025 (City of Copenhagen, 2015), their spatial practices become fully commodified and therefore functional to this goal.

The goal of making Copenhagen part of the Premier League of Vibrant cities comes at the cost re-casting what public spaces ought to be, it comes at the price of annihilating these spaces to open the way for, as mentioned earlier, those spaces flourishing with commodifiable uses. This idea is not new, as defined by Mitchell (1997:305) who wrote: “In city after city concerned with ‘liveability’, with, in other words, making urban centres attractive to both footloose capital and to the footloose middle classes, politicians and managers [...] have turned to what could be called “the annihilation of space by law”. The scenario in Copenhagen is exactly this one, one where liveability, vibrancy and diversity have become attractive adjectives calling for ‘footloose capital and foot-loose middle classes’, enforcing the road towards a ‘wonderful Copenhagen’ by turning to a legal-fix (within other strategies) which “seeks to cleanse the streets of those left behind by globalization and other secular changes in the economy by simply erasing the spaces in which they must live” (Mitchell, 1997:395).



3.5 EVERYDAY LIFE

“We found people on the ground in the worst area of the parks, so people were hiding and were sleeping one and one, it was totally new, so that was the biggest difference we could see.” (Heiden-Jochimsen, Interview, 13/03/2019), That is Project Outside representative’s answer when asked which the effects of the law have been on the homeless population, something as simple as sleeping; an everyday act is transformed into something tactical and a matter of urban survival. The category of everyday life is composed of 2 semi-abstract categories, which are “Tactics of Everyday Resistance” and “Public Space as Struggle”, which will show some of the practices developed by the homeless and the tension existing between their uses of space and the vision of the state of what the city is ought to be.

3.5.1 TACTICS OF EVERYDAY RESISTANCE

The ways in which homeless people use space are indeed different from that of other groups, as the interviews with NGO representatives and homeless people highlighted. It was possible to identify two approaches to the use of public space by the homeless which are in direct relation to the enactment of the zone-ban, first, the ‘Old Tactics’ used by homeless people, that is, before the zone ban and the “New Tactics” or new ways to use public space under this new legal landscape.

The Old Tactics

When talking about his use of public space as a homeless person, Anders says that usually “it is nice to sleep in places where there is a lot of people, to sleep where someone comes and goes, as those places have more surveillance, places such as Nørreport, Kultorget or beside Rundetårn, there is usually police or video surveillance due to the shops.” (Anders, Interview, 18/03/2019), as the interviewee says, being in places with a high influx of people, surveillance and police, made him feel safer. People could sleep in groups, as Anders answers, “3 or 5 people sleeping together gave us a sense of safety and ease (tryghed)” (Anders, Interview, 18/03/2019). In the scenario previous to the zone-ban



legislation, being visible meant being safe, as the act of sleeping in public spaces was not criminalized, and it did not entail displacement from the administrative limits of the municipality.

The New Tactics

The spatial practices come as an answer to the potential of being charged with a fine or a zone-ban from Copenhagen Municipality, as Anders says “the groups of 2 or 3 people, are no longer, instead now, people are sleeping alone or a maximum of 2 people together.” (Anders, Interview, 18/03/2019), according to the parliamentary discussion and data from *Kirkens Korsbaers*, some people are “sleeping standing up, or sitting in a bench or seat, to avoid falling into the category of encampment sleeper⁷” (Lund at L 118 discussion, 2017), statements like this one, show how small practices of tactical nature are adopted by the homeless in relation to use of space, “the patterns, they have changed very much 8 or 9 months ago, they (the homeless) are still at daytime in the same area, but at night time they go out (of their usual places) to sleep” answers, Bo from Project Outside (Heiden-Jochimsen, Interview, 13/03/2019), when asked how has the use of public space by homeless people changed.

3.5.2 PUBLIC SPACE AS STRUGGLE:

Contrasting are the understandings of public space, from one side, the State’s or City’s vision of what Copenhagen ought to be, clashes with the idea and understanding of the ‘users’ of this space. This semi-abstract theme is composed by passages from the official documents and plans of the Copenhagen municipality, as well as elements present in the parliamentary discussion, both representing two different levels of the political apparatus, the national and the local, representing the ‘State’s vision’. On the other hand, civil society, NGOs and in this case, the homeless, represent what is ‘the people’s vision’ of public space.

⁷ Authors own translation



The State's Vision:

The City of Copenhagen congeals its understanding of public space, through different official plans, in relation to the built environment, the Technical and Environmental Division, developed within other an architectural plan (City of Copenhagen, 2010) and the visions mentioned above of the city for 2015 and 2025.

The first mentioned document defines that “the city and its buildings should form a contemporary setting for modern Copenhageners’ lives. New urban development areas, urban spaces, parks, buildings and conversions should contribute to a diverse urban life embedded in the finest principles of sustainability” (City of Copenhagen, 2010:13), this finds an answer as the vision for 2025 as well, where Copenhagen is understood to be “at its best when people meet each other in its outdoors ace, this is when the city comes to life. In 2025, it will have to serve as a venue for a wider range of activities and more freedom of choice” (City of Copenhagen, 2015) another example of this vision, present in the official documents: “The city must be hospitable and clean, and it must be easy to get to where you want to go. Urban spaces must provide a secure and functional framework for a wide range of activities [...] When we develop communities and facilities, the top priority must always be everyday life.” (City of Copenhagen, 2015). Copenhagen administration sees the city as a space for encounter and opportunities, where architecture and everyday life boost each other, nonetheless the framework within what this everyday life is understood is framed within concepts such as ‘clean’, ‘secure’ and ‘functional’ which delimits the uses and spatial practices allowed in public space.

The people's vision:

“Well they're made for the gentry to be like they're made for the people but they're made for middle and upwards [...] They don't want to see what you'd call the disenfranchised people using it” (Sebastian, Interview, 26/03/2019) this was the Food Not Bombs volunteer answer, when asked from whom he thinks public space is made in Copenhagen, when asked the same question, Bo, answered that “there are no plans for the homeless in the Copenhagen we live in.



[...] If you have a place to live if you have an economy, then it is perfect. However, if you do not have anything. It's very difficult.” (Heiden-Jochimsen, Interview, 13/03/2019).

Oliver, one of the homeless people interviewed, when asked the same question, stated that “they (the government) they don't do anything. They don't build housing or run shelters or anything. It's driven by private people, everything and now this crazy law...” (Oliver, Interviews, 28/03/2019). These opinions are highly contrasting with those of the state, where diverse, clean, secure and functional are highlighted as elements which the city aims for, nonetheless, for the interviewees, the access to these amenities and this city is mediated through your social and economic position, a city made for the ‘modern Copenhagen’.

People and in this case, homeless people, have a strong understanding of the implication of legislation over their use of public space, for example, during the demonstration to abolish the zone-ban, several of the signs held by the people, alluded to the paragraph 79 of the Danish Constitution (Image 2) as well as the banners, which imagery was based on the repressive actions of the police towards the homeless under a criminalizing legal landscape (notes from fieldwork, 08/09/2019).





Image 2. Photos from the Sit-in/sleep-in in front of the National Parliament. The pictures show a banner appealing at the article 79 of the Danish constitution, and two banners in which backgrounds is possible to see the silhouettes of police officers, accompanying the mottos “repeal the zone-ban” and “We don’t want to live in fear.”

3.6 TACTICS AGAINST THE COMMODIFICATION OF EVERYDAY LIFE

As mentioned in the previous section, public space is struggle, where homeless people defy through their spatial practices the strategies exerted by the state in its different levels. These everyday spatial practices of urban resistance, such as sleeping in smaller groups, preventively re-locating to less crowded spaces and using public transportation to sleep can be understood under Scott’s (1989:53) everyday resistance theory, as ‘these who use everyday resistance find the claim or exaction they are resisting *unjust* and yet are intimidated by the fear of retaliation from any open, public protest of that injustice’. These practices are not just a mere act of defiance, but as well a tactic for survival, as Oliver states when asked in which ways the homeless resist the new legislation:

“We all know that it cost 7500 (Danish crowns) to ride the train without a ticket. But what should you do if it's 10 degrees below zero outside and you need a place to sleep where it's warm? You're forced to. Yeah, you have to do



something illegal [...] What can you do then you have to eat, or a lot of them have to have a beer or ten a day or cigarettes? You have to steal because you're forced to do it to survive. Of course, no one likes it. I think I wouldn't, but some get so desperate that they simply have to.” (Oliver, Interview, 28/03/2019)

Some of these acts of resistance, have been catalysers of larger processes in the discussion of the effects of the zone-ban in Copenhagen, as one of these cases made it into the parliamentary discussion when a homeless man infringed his zone-ban, while drinking a coffee with a friend while waiting for the bus (S 372 18/19.), or in a more recent event, when a homeless person who slept by himself for 14 days in one of the main commercial streets (Købmagergade), awakened an early morning by police officers, getting a fine and a zone-ban from Copenhagen for three months establishing an ‘intimidating encampment’. This case continued the discussion of what is understood to be a camp and where eventually the court where this matter was being discussed, established that this was not the case, limiting the penalty to a fine of 500 Danish Crowns (Politiken, 2019). In both cases, the spatial practice or the mere fact of them being on public space was framed by the police as an infringement of the legal conditions governing these spaces and as a bold act of resistance.

It is necessary to highlight that these spatial practices are not necessarily supplementary of other forms of resistance and organization, they act as a complementary and are as well part or larger processes which have the potential to become an organized movement or to ‘bloom’ into a demonstration, such as the torch-march of November 2018 or the sit-in/sleep-in outside the *Folketing* of April 2019. Both resistance approaches are articulated, complementary and provide feedback to each other, just as the ‘defiant’ practices of having a coffee while infringing the zone-ban or sleeping in the main commercial street became tinder to larger processes on the contestation of enclosure strategies.



4. CONCLUSION

“A democratic society must value public space as a forum for *all* social groups, where there should be no structural deterrents prohibiting the ability of individuals to participate in public affairs.”
(Springer, 2016:107)

Under neoliberalism, the state and civil society are re-engineered, creating dislocations or contradictions, which are then addressed, according to Wacquant (2012) through the penalization of society. Nonetheless, this process of re-engineering is not just composed by the penalization of society as stated by Wacquant, but also by a revamping of strategies of enclosure of space or spatial abstraction, easing into the planning of cities through the market mantras of entrepreneurialism or in the case of Copenhagen, of ‘The Premier League of Global Cities’.

Both of these approaches -penalization and commodification- are entangled creating synergy between strategies, working towards the control and displacement of the ‘disenfranchised’, who present a threat to the process of spatial homogenization. From one front, the penal wing acts attacking the perceived threat to the ‘worthy’ city dweller emanating from the urban poor, whilst the commodifying wing seeks to remove the non-commodifiable spatial practices, opening the way to new investments. Legislation such as the zone ban achieves both these goals, answering to the concerns of perception of security, by removing the ‘intimidating’ encampments, whilst removing the homeless and their presence, their spatial practices, giving way to ‘the modern Copenhagener’.

The commodification of public space goes beyond the shift of property relations; it is a change in the ways that people relate and use space and in the case of homeless people, the way they live. Therefore, the commodification of public space, is strongly related to the commodification of life, especially of those whose private life is conflated with the public space, here Debord’s ‘spectacle’ and its critique to capitalist space (Mitchell, 2018) or the complete commodification of life, serves not just as a cautionary tale to navigate this world of



“abundance of dispossession”, but it helps to understand the extent of the value of public spaces, real public spaces where contestation takes place, where resistance is exerted against the totalizing forces of capitalism over everyday life.

Even though the current scenario seems harsh for the homeless people of Copenhagen, their everyday practices, and their fight founded on solidarity pushes forward not for a more ‘diverse’ city but for a city which is not merely driven but commodifiable spatial practices. This research tried to glimpse not just into the mechanisms behind the strategies of enclosure in Copenhagen and its effects on the lives of the homeless, but to highlight some of the already existing alternatives to the totalizing forces of capitalistic space.

As shown earlier in the work, some of these practices have been turned into ‘events’ which have engaged in larger schemes of discussions related to the repeal of the criminalization of homelessness. Nonetheless is not enough with the recognition of the ‘Danish homeless’ as worth, as the centre-right wing coalition in Denmark expects, it is necessary to push further within the urban poor, for their mutual recognition as class (Hennigan, 2018) beyond nationality, to eventually curve any attempt of incremental-racialized solutions to homelessness in Denmark.

The relevance of these alternative spatial practices of urban resistance, goes beyond the fact that they are advancing the right of the homeless people to use public space, is that of the presence of alternative spaces, of alternatives to the all-encompassing commodification of life, the alternative beyond the spectacle is already here. Everyday spatial practices of urban resistance give us a glimpse into a different world, giving us the chance to ‘build a new world from the ruins of the old’ (Mitchell, 2018:6).

5. RECOMMENDATIONS AND FURTHER RESEARCH

Even though this thesis did not address in depth the racialization of the enclosure strategies, particularly the discursive background behind the zone-ban, it is acknowledged its relevance as a strategy, which divides the waters within the



homeless, as one of the interviewees answered when asked about the background of the law:

“I do think that it's has been the strategy of the government and the political parties to make this divide between homeless people, because they have nothing to gain by fighting each other and everything to gain by standing together.” (Sebastian, Interview, 26/03/2019)

In this context, as mentioned in the conclusion, researching these phenomena must not just yield academic results but highlight the tensions and bring to the spotlight the spaces where it is possible to build on struggles based on solidarity and mutualism, ideally co-constructing the framing of the problems and co-creating answers to these obstacles.

Lastly, it is necessary to mention two topics which have been purposefully left out of this thesis, as they are fertile ground for further research, first, the role of housing, its commodification as a model ‘on the edge of the market economy and the state’ (Gutzon-Larsen & Lund-Hansen, 2016:263) in relation to homelessness and second, the role of NGOs as mediators between civil society and the state, which might shed light on the mechanisms of re-engineering of the state under neoliberal governance, as these intermediate bodies might act as buffers within social issues and state engagement.

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Interviews quoted in this work.

Interview transcripts and audios available upon request, except for the anonymized interviews.

Oliver, Interview, 28/03/2019

Heiden-Jochimsen, Bo. Interview, 13/03/2019

Anders, Interview, 18/03/2019

Sebastian, Interview, 26/03/2019

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