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Article

Urban Drama: Power Mediation in Antagonistic Copenhagen

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Abstract

Recent research on participation in Danish urban planning has identified three typical formats of engagement: hearings, dialogue meetings, and workshops. Alongside these mainstream approaches, a plethora of less formalized and experimental formats drawing inspiration from collaborative and performative art practices have emerged. However, common to both the mainstream and experimental formats of participation is a difficulty when it comes to dealing with more strategic issues of power in the city. This article introduces and discusses the development, application, and power analytics of a format that focuses on these issues, the conflict and power mediation method *Free Trial!* conceived by a local nongovernmental organization as a staged court case for high-profile issues in the city, which straddles political theater, deliberative participation, and research. The article demonstrates that advocacy, agonism, and liminoidity are the core elements that make the format effective in handling contentious issues in a constructive and enlightening manner within its created arena. However, it also shows that the handling of issues of power transcends the limits of this arena. To avoid reproducing unbalanced power relations of the city in general, the core elements of the format need to be incorporated among the wider public through an autonomous organization with this as its primary aim.

Keywords

advocacy; agonism; conflict; democracy; liminoid space; participation; urban development; urban planning; urban politics

Issue

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1. Introduction: Participation, Heated Controversies, and New Arenas of Social Drama

1.1. *New Formats of Participation: Developments in Public Governance, Academia, and the Art World*

Public or citizen participation has been an issue of “heated controversy” for several decades, as noted in works of international (Arnstein, 1969, p. 216; Friedmann, 1987; Fung, 2006) as well as Danish planning research (Agger, 2005, 2016; Gaardmand, 1993; Tortzen, 2008). As is the case internationally (Cowie, 2017; Niitamo, 2021), demands for increased public participation made it a legal requirement in planning and urban renewal processes in Denmark through a series of

planning reforms in the 1970s and 1980s (Gaardmand, 1993), and new arenas and formats of participation have since been developed. Recent Danish research has identified three typical formats of engagement: hearings, dialogue meetings, and workshops (Meilvang et al., 2018).

Alongside this development in planning and public governance, new social and participatory tendencies have emerged within both academia and neo-avantgarde art practices from the 1970s onward. Within academia, participatory action research in particular has been leading (Kendon et al., 2007), whereas the developments within the art world have been characterized as “relational aesthetics” (Bourriaud, 2002), “collaborative art” (Kester, 2011), and the “social turn” (Bishop, 2006). By seeping into the professional settings

of planning and urban governance, these tendencies have supplied public participation with new experimental arenas of interpersonal interaction, dialogue, and expression. And due to their sensuous and informal character, they are used in regard to opening planning processes to epistemologically and socially new perspectives internationally as well as in Denmark; these tendencies have primarily been articulated in local urban settings, where practices have moved away from traditional disciplines toward more situated, facilitating, and relational forms of presence (Agger & Andersen, 2018; Atelier d'Architecture Autogérée, 2007; Awan et al., 2011; Cowie, 2017; Fabian & Samson, 2016; Larsen & Frandsen, 2014; Metzger, 2011; Nyseth et al., 2019; Pratt & Johnston, 2007).

1.2. Arenas of “Cold” and “Hot Deliberation” in Public Governance: Displacing and Supplementing Questions of Power

However, when it comes to the ability of these new formats to handle issues of “heated controversy,” as well as general issues of power, the new artistic and experimental formats of participation are struggling—just as their mainstream counterparts always have. They are especially struggling in two ways: First, conceived for explorative and creative purposes, most of the new formats are bent on leveling social, economic, and political power imbalances—or at least displacing them temporarily. Issues of contention and manifest strife are seen as “heated” forms of deliberation where “the stakes are set and views are strongly formed” and “stakeholders are...hardly persuaded by others’ arguments” (Nyseth et al., 2019, p. 14). In pursuing more constructive interaction, these heated issues are either postponed to other phases of a participatory process or diverted into questions of dialogical deliberation—in other words, the stakes of the situation are lowered and thus turned into what Fung (2003, p. 345) terms a “cold deliberation.” Second, insofar as the new formats take on issues of contention, their deliberation and conclusions are much too often marginalized in the overall policy negotiation. The otherwise well-intended and well-executed processes of dialogue thus risk being reduced to varying degrees of tokenism in “engagement theaters” (Arnstein, 1969; Kamols et al., 2021; Pratt & Johnston, 2007).

The displaced handling of issues of power in the new experimental formats—as well as the troubled handling of them in mainstream formats—raises basic questions regarding public participation. Generally understood as a supplement to the political and administrative core of public governance, both mainstream and new formats have certain perceived functions in formally facilitated processes of policy creation or implementation (Fung, 2006). Apart from the involvement of concerned parties and knowledge input, one such basic function is the deliberation on contested issues. On issues of interest to the broader public, the general legitimacy of public gov-

ernance may depend on the handling of such contestation. Moreover, as Fung argues (2003, p. 345), processes of controversy—in other words, “hot deliberation”—may make for more participants and better deliberation and implementation due to the mere psychic energy invested in them. Seen from the perspective of public governance, are issues of contention not too crucial to be displaced in participatory processes? Is the handling of such urban dramas not at the very core of society? The answers to these questions come down to the basic perception and conceptualization of the overall problem of participation.

1.3. The New Arenas as Basic Moments of Social Drama

At the intersection of art, public governance, and anthropology, Turner (1982) has provided specific concepts for another perception of participation. From this vantage point, the more or less open, creative atmosphere created in participatory arenas and their temporary leveling or displacement of power imbalances in the political field outside the arena can be paralleled with the “liminal spaces” that are so crucial for the rites of passage and handling of crises in tribal societies as well as for theatrical and legal processes in modern societies (Turner, 1982, p. 9). As such, they can be perceived as basic, anthropological elements in the reflection on and development of alternative structures of society and other power relations in major issues of contestation, or what Turner terms “social dramas” in the city as such—much in line with the agonistic perception of power and democracy of this article, which will be dealt with briefly in Section 4.2. In other words, integrating Fung’s and Turner’s vocabularies, the new formats of participation can be perceived as “minipublics” (Fung, 2003) constituted by other ways of handling heated controversy or urban drama.

This article introduces and discusses the development, application, and power analytics of such a mini-public, which focuses on issues of contestation and power—the participatory format Free Trial! (Pulse Lab Jakarta & Participate in Design, 2017, pp. 71–74). Conceived by an NGO in Copenhagen as a dramatized legal trial for high-profile issues in the city, it straddles political theater, deliberative participation, and research. The article is written on the basis of the authors’ own experiences as action researchers (Kindon et al., 2007; Larsen, 2007) and co-inventors of the Free Trial! format and includes documentation of two cases of enactment of the format—the Christiania Conference in 2004 and the high-rise hearing in 2007—in the form of field notes, mail correspondences, photos, and documents, such as white papers, newspaper articles, and official planning documents from the City of Copenhagen.

We first present the polarized, political context in which this format as well as other new formats of participation were developed. Second, we describe the specific political conflict—a governmental plan for “normalization” of the “free town” of Christiania—that led to the

conception of and the first experience with Free Trial!, and we present its central constituents. Third, we discuss the initial theorization of the first experience, drawing on theories of planning, democracy, performance and anthropology. Fourth, having moved from the outside context of division and conflict and gradually closer to the constituents of this mini-public, we move out again into the general public of the city and reflect on the experiences with negotiating the format practically in different contexts. Finally, we conclude by discussing its main theoretical and political potential—that is, other ways of handling urban drama—in the structural context of a divided urban democracy.

2. The Great Divide of Urban Politics in Copenhagen

Following a decade marked by violent confrontations surrounding urban renewal projects, the 1990s became a period of experimentation with new institutions and formats of participation in local democracy in Copenhagen. To reduce the distance between the central municipal government and local neighborhoods, an experiment with district councils (*bydelsråd*) was carried out; as a response to the conflicts surrounding urban renewal, a new so-called integrated and area-based approach was developed (*kvarterløft*). These newly invented institutional arenas (Cornwall, 2004) became seedbeds for experiments with citizens' participation and co-creation at the local level (Agger, 2005). After a decade of experimentation, the programs of the 1990s became institutionalized in more permanent but also less ambitious institutions of local democracy in the form of local councils (*lokaludvalg*) and area-based urban renewal (*områdeformyelse*; Nyseth et al., 2019), with the latter now inscribed in a new urban renewal act.

The development of the new arenas of local democracy was accompanied by a turn toward relational aesthetics in the Copenhagen scene of activism, art, and urbanism, which led to new collaborations among artists, urbanists, and institutions of local democracy, often in the form of participatory and aesthetic projects aiming to include marginalized groups or perspectives in the renewal of public spaces (Fabian & Samson, 2016; Larsen & Frandsen, 2014; Vind & Balfeldt, 2016).

While the new institutions and experimental formats of participation are arguably an extension of local welfare and democracy, they are only one side of the story of urban policy and planning in Copenhagen since the 1990s. The early 1990s also saw the birth of a new paradigm of Copenhagen as an entrepreneurial city and a new growth-oriented coalition among the state, the city, and private interests (Andersen, 2001; Desfor & Jørgensen, 2004). The result of this growth-oriented trajectory was new large-scale urban development projects, initially on the island of Amager (the Orestad project) and later along the city's harbor front. These redevelopment schemes were organized in the form of so-called public asset corporations (Noring, 2019) and public-private

partnerships; they were politically adopted with a minimum of public consultation, causing a high level of public controversy and conflict with the Orestad project and a new high-rise development on Krøyers Plads in the inner harbor of Copenhagen, as conflictual epicenters of "hot deliberation" in the 1990s and 2000s (Andersen, 2001; Desfor & Jørgensen, 2004; Larsen, 2007).

The two opposing trajectories that emerged in this period produced a dualism (Andersen & Pløger, 2007) and a great divide of urban politics and democracy that, together with the high conflict level surrounding strategic urban development, haunted the city of Copenhagen in the following years. The innovative and artistic experiments with new institutions and formats of participation were confined to the level of local and neighborhood democracy, while centralized and strategic urban policy was left largely untouched as a domain of efficient policy for a narrow political elite.

The Free Trial! format was born in the context of this antagonistic climate of strategic urban development as an attempt to straddle the great divide. Emerging from the milieu between the scene of alternative urbanism and local democratic experimentation, it was an attempt to use a theatrical and deliberative format—a facilitated political microcosm, a mini-public—to deal with strategic and conflictual issues head on.

3. Initial Conception and Implementation: Playful Contention in a Staged Trial

3.1. Immediate Background: A Free Town, a Conflict, and Two NGOs

The Free Trial! format was conceived by a group named Supertanker, which was established in 2003 as a direct consequence of an antagonistic public meeting about the future redevelopment of the harbor of Copenhagen. A small group of activists, entrepreneurs, and urbanists—including the authors of this article—partly inspired by the participatory experimentation in local democracy, gathered with the ambition of showing how urban redevelopment could be handled differently (Larsen, 2007). The first step toward Free Trial! was taken when Supertanker, in 2003, was asked by the student organization PlaNet to participate in the organization of a conference about the future of Christiania, an internationally renowned alternative community established by squatters in the center of Copenhagen during the autumn of 1971, which quickly evolved into an important, liminoid space of Copenhagen. The same year (2003), the right-wing national government launched a plan for the "normalization" of Christiania. For the residents of Christiania, normalization spelt a de facto dismantling of the place as an autonomous, self-governed community; consequently, the plan was met with fierce opposition, not only from residents of Christiania but also from many citizens of Copenhagen. The situation quickly deteriorated into a hostile antagonism, where polarizing

media coverage contributed to killing off any possibility of constructive solutions, let alone dialogue (Thörn et al., 2011, p. 59).

In the autumn of 2003, the debate about the government initiative to “normalize” the free town was culminating. As civil society initiatives, both PlaNet and Supertanker were outsiders to the conflict, but they saw the question of the future of Christiania as a concern for every citizen in Copenhagen. Thus, the ambition of the conference was to soften the confrontational rhetoric in the fixed and unconstructive climate under the motto that the future of Christiania was too important to be left to the antagonistic parties alone. The idea of staging the conference in the form of a trial emerged as an impulsive answer to the question of how to give equal voice and weight to each of the respective sides in the conflict. Furthermore, the hope was that the trial format would encourage people to argue and counter argue with mutual respect, and if a playful situation could be created, an antagonistic debate just might be prevented (Supertanker & PlaNet, 2004).

However, when approached by the organizers, the residents of Christiania were very skeptical of the initiative (they were preparing their own legal arguments against the plans for normalization)—as was the case with the authorities behind the plan for normalization due to well-founded skepticism regarding the quality of a public debate. An important part of organizing the conference thus was the preparatory face of creating trust and ownership between the conflicting parties and securing that each side of the conflict would be equally represented in the proceedings. The main argument from the organizers was that the specific conflict was a matter of concern for city and country and not only residents and state and that the initiative was an invitation and a challenge from the city’s civil society. As a consequence of this negotiation, the more precise form and script for the trial were a result of meetings and dialogues with the stakeholders (some of whom participated in the trial as “witnesses”) as well as with journalists (who were asked to play the role of “advocates”).

3.2. The Format: Panel Debate Meets Legal Trial

The result of these meetings and exchanges, the Free Trial! format, took the divided and dividing political culture of Copenhagen as the explicit premise for dialogue in order to handle its powerful habits head on. The format was basically constructed partly in reference to the conventional panel debate and partly to one of the most developed arenas for the testing of different lines of reasoning in Western civilization: the legal trial. In short, this format of dialogue and contestation drew the possibility of direct and agitating contributions of interested parties from the panel debate and the firm, objective, and polemical regulation of the legal trial. However, as opposed to the traditional trial, Free Trial! was not about right or wrong, guilt or innocence, but only a test of

the sustainability of different lines of reasoning or cases. No one is accused; no one is to be convicted. There is only a case to be illuminated from different angles.

The “witnesses” (Figure 1), thus, are a panel of knowledgeable people with deep insight into the matter under scrutiny. Their task is, from a position in the hot seat and in a concise and dynamic fashion, to give their very personal and agitating outlook on the matter (number 1 in Figure 1). Then it is up to two “advocates” (trained facilitators on a certain professional and rhetorical level, preferably journalists with their acute sense of debate and of the public sphere in general) to advocate for different perspectives on the matter. Their task is to find support in or refute the statements from the “witnesses” in the service of their respective cases (2). In this way, a situation is reached in which the more or less well-founded lines of reasoning of the “witnesses” are played out against each other (3) in an objective, playful, and dynamic fashion, whereas the “procedures” of the “advocates” act as the guiding threads through it all. After different forms of cross-examination, the dialogue is concluded with the “final procedures” from the “advocates,” in which the essential points of the trial are reiterated.

This works as the basis for a workshop, in which the “jury”—that is, the audience of the dialogical part of Free Trial!—now starts its “deliberation”—that is, formulating new angles on the illuminated case and concrete visions for future action (4). The process concludes with a plenary session where the different groups of the “jury” present their “verdicts” in the form of proposals for general principles or future action concerning the matter (5). After the conclusion of the “trial,” the dialogue in the procedure and the verdicts are transcribed and documented in a white paper, which acts as a testimonial of the “trial’s” objective, playful, and dynamic nature and thus informs and frames the ensuing public debate and political negotiations.

3.3. Dramaturgical Script

The preparations leading up to a Free Trial! are an essential precondition for a constructive dialogue. The selection of witnesses and advocates is considered carefully and in consultation with concerned stakeholders to ensure that the perspectives, viewpoints, and lines of argumentation, put forward in a “statement of claim” for the upcoming trial, are seen as legitimate. Another essential point is that the selected advocates are thoroughly briefed and prepare their respective procedures carefully through research on the case at stake and through interviews with the witnesses prior to the trial. The following list covers the most important parts of the preparations:

- Research on the core questions of the development case and consultation of key concerned stakeholders in order to create balanced knowledge, perspectives, and ownership;

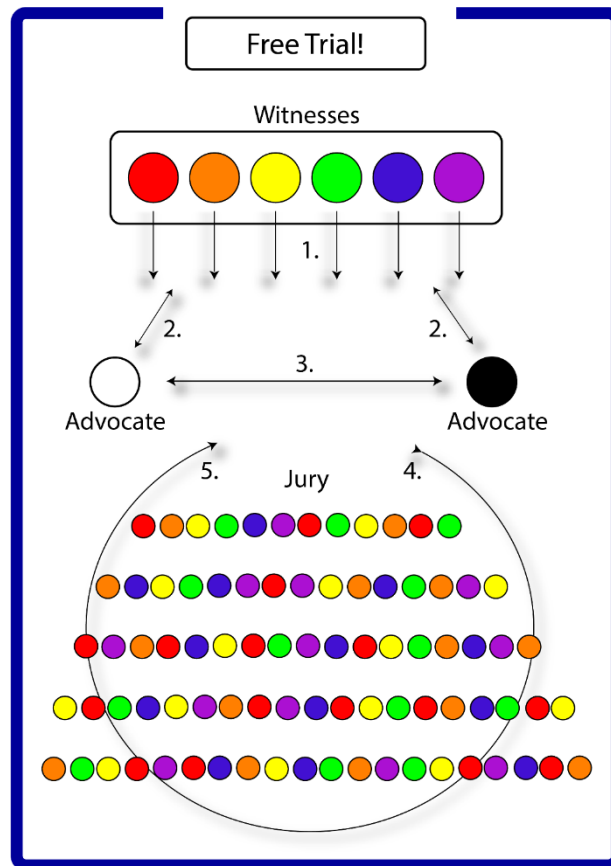


Figure 1. Free Trial! dramaturgical diagram. Source: Courtesy of Supertanker.

- Selection of witnesses in consultation with concerned stakeholders;
- Selection and briefing of advocates and dialogue with witnesses concerning the case;
- Formulation of a statement of claim based on research and consultation and in a way that leaves room for positive and negative angles on both sides of the issue;
- Common meeting with both advocates and witnesses attending the trial;
- Preparation of advocates' procedures through research and interviews;
- Selection and briefing of "trial" and "workshop" facilitators;
- Public announcement of the "trial."

Once the preparations are over, the event itself follows a precise and tight dramaturgy (Table 1), which is essential for the dynamism of the process.

4. Initial Theorization of a Mini-Public: Advocacy, Agonism, and Transition Within a Liminoid Space

The initial experience with Free Trial! was one of accomplishment. The conference ran for two days in February 2004, starting with a guided tour of Christiania and the trial proceedings on the first day, followed by the jury's deliberation (workshop) and verdict on the second day

(Figure 2). The conference was an open, public event in which the participants, consisting of a mix of citizens of Copenhagen, residents of Christiania, students, and urban professionals, were invited through what Fung (2003, pp. 342–343) terms voluntary self-selection. The results of the conference were documented in a "charter" for the future of Christiania (Supertanker & PlaNet, 2004).

In this mini-public, the energy of the conflict outside metamorphosed into a drive for positive change and a sense of being able to do it together. The experience was condensed in the image of a Drug Enforcement Agency officer informally chatting with an avid hash proponent from Christiania as members of the "jury" during the workshop. Following up on this experience, a first and tentative theoretical reflection on the constituent moments of the format was made, drawing on theories of planning, democracy, performance, and anthropology. Three crucial moments in the mini-public were conceptualized accordingly: "advocacy," "agonism," and "liminoidity."

4.1. Advocacy

A basic aspect of Free Trial! is the empowerment of minority perspectives. In the high-profile debates covered widely in the media, the issues are often molded on the same last: the powerful actors with concrete

Table 1. Free Trial! dramaturgical script.

Event	What happens?	Facilitators
Opening	The courtroom opens for participants	Atmosphere: Background music plays, and visuals are displayed on the wall
Welcome	Hosts welcome participants Facilitators introduce themselves and explain the process	Gong-gong sounds The program is displayed on the wall The chief facilitator begins stage direction The advisory panel is seated
Opening procedures	The case in a nutshell: The advocates present their cases: “Honorable citizens, members of the jury, what you will now witness...”	Chief facilitator: Stage directions
Witness statements and cross-examination	All witnesses agitate for their perspectives from the witness stand: Three to five minutes per agitation Advocates cross-examine: One to two question(s) per advocate after each statement	Chief facilitator: Stage directions
Break		Advocates meet with advisory panel and prepare details of procedures
Examination and hearing of witnesses	The advocates present the “evidence” for their cases through examination of the witnesses Each advocate examines the witnesses for five minutes over three rounds	Chief facilitator: Stage directions The advocates confer with the advisory panels between the examinations
Break		Advocates meet with advisory panel and prepare final procedures
Final procedure	The case “in a nutshell”—The advocates summarize their arguments: “Honorable citizens, members of the jury, what you here have witnessed...”	Chief facilitator: Stage directions
Transition to workshop/jury deliberation	Facilitators thank advocates and witnesses, and introduce the workshop process and themes Participants locate chosen workshop tables	Gong-gong! Atmosphere: Background music plays, and visuals are displayed on the wall
Workshop/jury deliberation	Having all placed themselves around the workshop tables, the participants shortly introduce themselves Members of the jury present their views on the case in light of the procedure Participants formulate future visions for development and/or concrete proposals for action Participants develop, negotiate, and choose which visions and proposals to present	Gong-gong! Workshop facilitators introduce themselves and their facilitator role The facilitator keeps track of the time
Break	Participants take a break and prepare the presentation	

Table 1. (Cont.) Free Trial! dramaturgical script.

Event	What happens?	Facilitators
Presentation/verdicts	Each workshop presents their visions and proposals (three to five minutes) followed by questions from the other jurors The presentations end with closing plenary remarks and dialogue	Gong-gong! The chief facilitator gives stage directions during presentations, keeps track of time, and moderates the dialogue
Conclusion of the public hearing	Organizers thank all participants and explain the further process: Documentation, continuing negotiations?	

proposals for the development of the city versus the powerless opponents, who merely react and lead a negative campaign against the proposals. There is half a truth in this reading, but the often one-sided display in the media and at public meetings conceals another half, which is about the more or less underdeveloped visions of the “powerless.” These are the kind of visions that were often mobilized in the forms of workshops that mushroomed in the late 1990s and early 2000s in “cold” forms of deliberation (Fung, 2003, p. 345) of local democratic welfare projects. But just as often, they were brushed aside when the “real” plans for the strategic development of the city were molded in “hot” phases of deliberation. In contrast to this state of affairs, within the trial, the differing takes on future urban development had to be placed on a level playing field, with equal amounts of resources to back the development of their respective visions.

This element covers two aspects of power mediation, among others. On the one hand, relatively vague or weak perspectives are given the opportunity to express themselves with the same analytical and communicative means as the relatively strong in such a way that the case is not about a thoroughly worked out “yes” and, according to some, a sneering, one-sided and reactionary “no.” On the other hand, the confrontation of the respective perspectives takes place through a third party who has no vested interest in the case, but who advocates for a given cause in accordance with the agitative principles of the arena.

In planning theory, “advocacy planning” has been the exponent of this approach. One of the most vocal proponents of it was Paul Davidoff who, in a canonized article from 1965, argued against planning monopoly and technocracy and public participation as a mere “yes–no ballot” for the political consumer (Davidoff,



Figure 2. Elements of the Christiania conference. From left to right, top to bottom: Guided tour, trial, “jury deliberation,” and “verdict.” Source: Courtesy of Supertanker.

1965, pp. 332–333). Instead, he argued for the simultaneous proposal of alternative “policies for the future development of the community” and the participation of planners in “the political process as advocates of the interests both of government and of...other groups, organizations, or individuals” (Davidoff, 1965, p. 332). As in Free Trial!, Davidoff, a lawyer and planner, took his concept of advocacy from legal practice with its implication of “the opposition of at least two contending viewpoints in an adversary proceeding” (Davidoff, 1965, p. 333).

Apart from the political equalization and empowerment, Davidoff argued that the adversary proceeding taken from the legal sphere, on the one hand, invites positive forms of participation and mutual recognition—just as the first application of Free Trial! showed—but it also, on the other hand, allows for the existence of contention and criticism in city planning, which “has not always been viewed as legitimate” (Davidoff, 1965, p. 332)—just as in the contemporary political culture in Copenhagen. This points to the second crucial theoretical moment of Free Trial!.

4.2. Agonism

While attempting a balanced and mutual dialogue, the initial conceptualization of Free Trial! also underlined the perception of the negotiation of urban development as always marked by the presence and use of power. This perception was included through disciplined agitation. It was a clear nod to the underlying interest and engagement of all participants on either side of even the most destructive debates regarding urban development. Again, the procedure of the legal trial was seen as a way to handle and canalize the presence of power in a “heated” form of deliberation, in which agitating participants were enabled to stand by their interests and use of power in the “broad daylight” of a mini-public, where antagonistic tactics were disclosed and handled with the discipline of the legal procedure.

Partly inspired by theoretical currents within radical democracy, this moment of Free Trial! thus integrates an agonist perception of politics. It is a critique of a perception of democracy that claims the possibility of a rational consensus beyond the workings of power and, consequently, perceives popular and possibly contentious participation, beyond the parliamentary election, as “dysfunctional...for the working of the system” (Mouffe, 2000, p. 2)—just as noted by Davidoff (1965) and, in a Danish context, Pløger (2004, p. 77), regarding the daily workings of city planning. According to Mouffe (2000), one of the main theorists of radical democracy, this eradicates the basic, antagonistic nature of human relations between friend and enemy. Hence, to her, democratic politics is about the domestication of this antagonism; the constitution of “forms of power more compatible with democratic values” (Mouffe, 2000, p. 14), where the “them” is constructed “in such a way that it is no longer perceived as an enemy to be destroyed, but an

‘adversary,’ i.e., somebody whose ideas we combat but whose right to defend those ideas we do not put into question” (Mouffe, 2000, p. 15).

In line with the agonist perception, Free Trial! recognizes the basically antagonistic level of power, which needs to be disclosed and mediated in a way “more compatible with democratic values” than either a clear-cut “friend–enemy” showdown or a rational dialogue allegedly beyond power. At the same time, this perception opens a window onto the vital undercurrent of conflicts, which, handled in the right way, can yield an immediate energetic impact on the atmosphere of a mini-public—much as Fung (2003, p. 345) notes regarding “hot deliberation.” This brings us to the third crucial moment of Free Trial!. It points not only to performance-theoretical implications but also to an anthropological and historical level that sublimes the specific implications of the mini-public to another, general level, which will guide the remainder of this article.

4.3. *The Liminoid and the Aesthetic Handling of Social Dramas*

As noted, the effect of the initial, intuitive focus on creating a playful situation to sublimate the antagonistic dynamics of the Christiania issue was immediately affirmed in the subjective experience of the atmosphere at the hearing. This ability of different forms of dramatization to shed light on new perspectives or empower minority issues in social conflicts is well known (Boal, 2019; Hawkins & Georgakopolous, 2010). Free Trial! is akin to a political ritual, a theatrical ritual of participatory democracy like Boal’s (1998) legislative theater, where the aim of the dramatic ritual is to produce novel and creative proposals for political and/or legal action.

In Free Trial!, the staging of the participants in the roles of advocating lawyers, witnesses, and members of the jury creates a partly fictional space in which participants are encouraged as well as forced to step out of their positions and roles in the real-life political conflict and to examine the case from the viewpoint of the assigned roles in the trial. This form of role-playing produces what could be termed a form of “participant objectification.” By way of the assigned role as a jury, the invited public—the “spect-actors,” in Boal’s (1998) terms—see their own position and role in the conflict from a distance and from the perspective of a jury that has to take both sides of the conflict into consideration when forming their verdict. The opponents in the conflict are, in a positive sense of the word, “estranged” (Bloch, 1970) from their habitual selves as political subjects.

As implied in Section 1, the arena created through Free Trial! thus resonates with what Turner (1982, p. 55) conceptualizes as “liminal” or, in modern societies, “liminoid spaces.” These are the intermediary spaces of ritual and performance where the habitual norms, roles, and identities in “real life” are suspended and “participants can try on new identities, new behaviors and ways of

dealing with conflicts, themselves and others” (Hawkins & Georgakopoulos, 2010, pp. 113–114)—in other words, new “protostructures” set apart from and explicitly critiquing the structural norm of society, from which the liminoid space is ritually separated. It is through this, when all in the mini-public goes well, that a sense of “unstructured *communitas*” emerges; when “two people believe that they experience unity, all people are felt by those two, even if only for a flash, to be one” (Turner, 1982, p. 47)—even amid ongoing conflict and between partisans of opposite perspectives, as the Drug Enforcement Agency officer and the hash proponent at the initial Free Trial!.

As such, a liminoid space such as Free Trial! constitutes a potentially crucial moment in what Turner (1982, p. 11) characterizes as the “primordial and perennial agonistic mode” of society—that is, conflicts and “social drama.” As a modern form of a “rite of passage,” preceded by a ritual “separation” from normal society, the liminoid mini-public is the time and space of “transition” acting as a potential “seedbed of cultural creativity,” where “new models, symbols, paradigms, etc., arise” with the possibility that these, in a succeeding “incorporation,” “then feed back into the ‘central’ economic and politico-legal domains and arenas, supplying them with goals, aspirations, incentives, structural models and *raison d’être*” (Turner, 1982, p. 28).

In the following section, several applications of Free Trial! in Copenhagen in the ensuing years will be used as a means to study the practical negotiation and mediation between the liminoid mini-public of “transition” and its potential “separation” from and “incorporation” in

the central domains and arenas of control and growth in Copenhagen.

5. Reenactments: The Tactics of Separation and Incorporation in the Structural Norm of Growth, Control, and Antagonism

5.1. Reenactment: Repetition and Difference

In the years following the initial conception and first experiences with the format, it was applied on several occasions in different places in Copenhagen. Hence, the first experiences and reflections regarding the potentials of this mini-public were supplemented with insights from new angles. Not only was the format repeated in different places, but it was also done in collaboration with different agents and interests (governmental, nongovernmental, and private organizations positioned across the great divide, that is, in both strategic growth and in local democracy and welfare positions) and regarding different cases or themes (Figure 3). In these different reenactments of Free Trial!, the organizing facilitators also enacted different roles within the political field of Copenhagen.

Whereas the insights from these set-ups have been hugely different, the most important of these insights came from the potential of the concept as a tool of power analysis—a tool unearthing the immanent workings of power both among different political agents of the city and between these and the group of facilitators organizing the Free Trial!. The most crucial reenactment of the format was the one dealing with a formal, public hearing



Figure 3. An advocate challenging a witness during a Free Trial! on social inclusion in May 2014. Source: Courtesy of Yann Houlberg Andersen.

regarding a new policy emanating from the core of control and growth in the city of Copenhagen: a strategy for new high-rise developments. After several conflict-ridden planning processes regarding individual high-rise schemes (the aforementioned Krøyers Plads being the most important; Larsen, 2007), the municipal planning authority invited the citizens to participate in the discussion of how and where high-rises in principle should be realized, if they were to be realized (City of Copenhagen, 2007). The insights from this case are summarized below.

5.2. Tactics of Separation: Negotiating the Preceding Balance of Perspectives

An argument often put forward in the literature on participation is that in formal, public participatory processes, one of the most fundamental problems is the equal possibility regarding the definition of the agenda (Cornwall, 2004). This problem lies at the core of the conception of Free Trial!. However, as noted already by Davidoff (1965, p. 332), balancing the perspectives on questions of urban development requires more than a deductive exercise within a small circle of planners or consultants. Nowhere was this clearer than in the public hearing on the high-rise strategy in 2007 (Figure 4).

The years leading up to the hearing left no doubt that the municipality, and in particular the Social Democrats that held the office of the lord mayor, was all for challenging the existing low-rise skyline of Copenhagen. Public opinion against high-rises was just as vocal— spearheaded by the movement “Copenhageners Against Misplaced High-Rises” established in relation to the Krøyers Plads development (Larsen, 2007). Thus, the

municipality wanted a public deliberation regarding this issue of conflict and contacted Supertanker, who had direct experiences with both the specific issue and with a concept dealing with conflicts. Soon, however, the first practical negotiations regarding the hearing, and thus the conditions for the deliberation, began—the conditions, so to speak, for the “separation” of the mini-public from the structural norm of conflict in the wider city.

Initially, Supertanker planned the Free Trial! with a considerable prologue focusing on a thorough elaboration of different perspectives on the issue in dialogue with major stakeholders. The reason for this was to broaden the knowledge and balance the perspectives in the hearing as well as the ownership of it, like in the earlier conflict on Christiania. With arguments regarding time and funds from the municipality, this preparatory phase was skipped, and the balancing of the hearing was left to the central organizers and the hired “advocates” (experienced journalists). Even in this small group, it became obvious that even though the municipality, represented by the lord mayor’s administration, expressed a will to deal openly with the issue of conflict, it struggled with the loss of control this entailed (mirroring a general trend in public administrations; Tortzen, 2016, p. 68). This was clearly a case of what Kamols et al. (2021, pp. 20, 29) would term an “abridged” version of Free Trial! and thus a first step in the direction of the hearing as an “engagement theatre.” As a consequence, one of the appointed journalists almost quit because of the pressure to limit the frame of the debate.

Still, the hearing was realized more or less according to the reduced plan as an open event for citizens of Copenhagen and in accordance with the dramaturgical



Figure 4. Free Trial! in the ceremonial core of the Copenhagen town hall: Hearing on the high-rise strategy in March 2007. Source: Courtesy of Supertanker.

script (Figure 5). Maybe because of this reduction, the hearing was marred by few but very vocal expressions of distrust and critique toward the conditions of the hearing in general—a critique which subsequently also was voiced in the press under the headline “Undemocratic Hearing” (Hagelberg, 2007). Whereas the dramaturgical script for the “trial” was met, and the dynamics of agonism, advocacy, and liminoidity created a certain atmosphere at the hearing, the lack of democratic context influenced its real impact. The mini-public did not succeed in negotiating the democratic conditions for its “separation” from the general antagonistic realpolitik of the city.

5.3. Tactics of Incorporation: Monitoring the Surrounding Process

Having partly failed to create the right conditions for a balanced democratic dialogue at the specific hearing due to factors preceding it, other questions arose regarding the participatory nature of the hearing process in general. Two major issues were clear. On the one hand, this specific hearing was the only opportunity for the citizens of Copenhagen to take a direct part in the participatory process regarding the new high-rise strategy. This meant that, even though the municipality acknowledged the conflicts regarding the issue by staging a “trial,” this, in more than one sense, “staged” trial was the only opportunity for citizens to participate directly. On the other hand, the “verdict” of the trial—that is, the produced principles for high-rise developments in Copenhagen—were only meant as inspiration for the formal procedure toward the final vote in the council.

This meant that the municipality—in this case, the lord mayor’s administration, with its double stake as an explicit proponent of high-rises and caretaker of the legally sanctioned negotiation between proponents and opponents—was in more or less complete control of the entire process. This is one of the dilemmas of planning processes in most local and national governments—and a prime example of “engagement theatre” (Kamols et al., 2021, p. 29) and “radically unbalanced power” (Forester, 1987, p. 311), in which issues of power need to be mediated. But in a specific policy question, so manifestly marked by conflict, the lack of general balance, for example, through the development of alternative policy proposals, the integrity of the internal culture of the mini-public is challenged.

Despite these challenges, the Free Trial! still managed to contribute to general public and political debate on high-rise buildings that led to a principled agreement not to allow the structures in the historic center of Copenhagen. The decision was approved by all parties in the city council except the Social Democrats, and to some extent put an end to the heated controversy on the issue (City of Copenhagen, 2008a, 2008b).

Most of the artistic approaches to participation work through the creation of an atmosphere for the participants of autonomous creativity beyond the control of established interests. One of their main defects is their lack of attention to the fact that it is still in a field within the control of these interests, “the structural norm” (Turner, 1982, p. 47), that the possibilities of the liminoid visions are realized. The explicit objectification of power in Free Trial! makes this paradox clear—and



Figure 5. Elements of the hearing on the high-rise strategy. From left to right, top to bottom: Trial scenography, “cross-examination,” “jury deliberation,” and “verdict.” Source: Courtesy of Supertanker.

forces strategic considerations and decisions regarding the political context of the specific hearing.

As a consequence of the experiences with facilitating hearings on the growth side of the great divide in Copenhagen, Free Trial! has afterward been exclusively applied to or in collaboration with positions acknowledging the importance of the democratic process in itself, that is, the local democracy and welfare positions, or the civil society—the milieu in which the format was initially developed. In relation to the Christiania hearing, the format was conceived and applied in an organizational setup that matched its internal culture: autonomous civil society organizations bent on challenging the culture surrounding political contention. So, in a way, it was on the other side, on the growth side of the great divide, seeing itself from a place outside itself—in an estrangement of its own, that it was possible to perceive and then reconceive the protostructure of the format on another level. The implications of this will be teased out in Section 6.

6. Strategic Incorporation: Demands of the Mini-Public Toward the Political Field of the City in General

As noted in Section 1, recent decades have seen a host of new experimental formats of participation in urban planning processes in Denmark. In this article, we have presented one of these formats—a format straddling theater, panel debate, and legal trial. As such, it grew out of a field of urban politics that was also dominated partly by a great divide between traditional welfare perspectives and a new entrepreneurial growth paradigm, partly by a “structural norm” of perceiving and handling conflicts in the city as antagonisms. Thus, in the above, Free Trial! has been presented in relation to the conflict-ridden cases in this paradigm that either inspired it or were the matter that it was applied in relation to.

Today, approaching the fourth decade of the entrepreneurial paradigm, the same antagonistic structures keep haunting the city. Despite so many new formats—including Free Trial!—acting as potential “seedbeds of cultural creativity” (Turner, 1982, p. 28), nothing resembling a “new culture” of public deliberation has been produced when it comes to high-profile and strategic policy and planning issues. The conflicts, their form, and the major stakeholders of the city are the same today as when the paradigm first saw the light of day in the early 1990s. Conflicts regarding the harbor redevelopment surfaced whenever yet another project emerged on the horizon during the 2010s. In recent years, the focus has shifted back to the island of Amager and its vicinity (where the Orestad development is located), as redevelopment projects such as Strandengen (2017), Stejlepladsen (2020–), Amager Fælled (2020–), and Lynetteholm (2018–) have emerged from the close-knit policy network of the municipality of Copenhagen and City & Harbor (By & Havn). And for every step, yet another antagonistic conflict surfaces.

The experiences with Free Trial! have shown that for-

formats with artistic dimensions can make a difference in dealing with issues of power and conflict in participatory processes. Particular practical experiences with the concept have yielded insights into both the internal workings of it as a specific arena of participation (Sections 3 and 4) and its external relations to the specific workings of the field of politics in the city (Section 5). Yet, the experiences and theoretical reflections have also yielded a more general critique of the workings of the general public of Copenhagen and the mini-public’s level of “separation” from and “incorporation” in the structural norm of antagonism in the city. The liminoid protostructure of “transition” may be “separated” from the structural norm, but its “incorporation” leaves a lot to be desired. The challenge to this brings the argument beyond the theory and practice of the specific level of public governance and urban planning.

The argument regarding power in formats of public participation needs to be raised to a societal level, where more general issues of contention, power, and societal development arise. By perceiving formats of participation, these being mainstream or experimental, as mere supplements to public governance, questions of power are more or less displaced by default. The legitimacy and influence of the specific participatory arena or format are already defined externally according to a form of governance whose power relations are already given by the specific political regime of a city. Thus, crucial issues of power and contestation within formal processes of participation will always, by default, be displaced from specific participatory arenas.

The question, then, is: Should participatory processes be seen as essential moments in a more general perception of participation than the one merely integrated into the disciplinary practices of governance? Should participation also be perceived as a matter of “collective action” (Cornwall, 2011), “social mobilization” (Friedmann, 1987), and civic groups “proposing their concepts of appropriate goals and future action” (Davidoff, 1965, p. 334)—and, more generally, as a moment in citizens’ rights to their city (Lefebvre, 1996, pp. 146, 174), which is just as politically crucial (Mouffe, 2000) as the formal policy of public governance?

Therefore, at this point, the argument has to leave urban planning and public governance as such. The presented experiences with Free Trial! are all moments in the unfolding, social, or urban drama of Copenhagen. They are “mini-publican” mirror images of the general, public culture of Copenhagen and thus also windows into alternative developments of this culture. The experiences with the different reenactments of Free Trial! point toward the need “to create alternative, parallel, or counter-institutions as responses to the established procedures” (Spector & Kitsuse, 1973, p. 147). As such, if an experimental format such as Free Trial! is to take its dealing with questions of power in urban development seriously, it needs to point the critique within its own protostructure beyond its own limits, as part

of its “incorporation” in the city. One major point in this protostructure is the agonistic perception of conflict. Thus, Mouffe (2000, p. 17) argues that such a perception “forces us to keep the democratic contestation alive. To make room for dissent and to foster the institutions in which it can be manifested is vital for a pluralist democracy” (Mouffe, 2000, p. 17).

In summary, the format as a deliberative mini-public with power as its manifest object moves to a more general level of power analysis, to a demand toward the general structure of urban politics in which the format is situated. Free Trial! is not only a process of agonism, advocacy, and liminoidity, it is also the active facilitation of this within a temporary mini-public in the city. The basic contradictions, which have been experienced between Free Trial! and the growth- and control-oriented positions, are real contradictions in formal participatory processes in the city in general. Hence, the logical consequence of the contradiction between the basic moments of Free Trial! and the field of politics in the city, in general, is to replicate its facilitating position on a general, public level, as an organization acting in the public sphere in order to mediate relations of power and create more balanced conditions for democratic participation.

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Conflict of Interests

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