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The Role of Private Spaces Open to Public in Reshaping Dubai: Working around Cultural and Religious Barriers

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ÉCOLE DOCTORALE « *VILLE, TRANSPORTS ET TERRITOIRES* »

Thèse de doctorat de l'Université Paris-Est

Aménagement de l'espace et urbanisme

En cotutelle avec l'Université de Balamand

Rachel HADDAD

Le rôle des espaces privés ouverts au public dans la définition des frontières culturelles et religieuses de la ville de Dubaï

The Role of Private Spaces Open to Public in Reshaping Dubai: Working Around Cultural and Religious Barriers

Dirigée par Marcus ZEPF (directeur), Orazio TRUGLIO (co-directeur) et Alain BOURDIN (co-encadrant)

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Dubai: a beautiful station but not for a final destination.

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Abstract

In the beginning of the twenty first century, Dubai entered an accelerated era of urban development with the arrival of mega real estate developers transforming the city's built environment with the construction of large-scale projects under the pretext of improving the quality of life of the emirate's inhabitants as a mean to market these developments.

Mega-developers, aiming at encouraging consumers to visit and spend in their developments, conceived private spaces open to a selected public as if they were providing both indoor and outdoor public spaces for the city's mostly expatriated population. As a result, Dubai has transformed into an easily readable object of consumption.

These developments have a considerable impact on local social practices. In fact, they are commercially successful and attract a large number of visitors, especially young Emirati women, offering them the space to meet, consume and use as a workaround to emancipate from their social, cultural and religious barriers, and that under the umbrella of consumption. These privately owned public spaces became the place for the Emirati population to meet the other (gender and race) and at the same time to confirm its belonging to a specific community.

By doing so, mega-developers are transforming the city into a brand. This process is in direct relation with consumption, which largely satisfies the developers and their commercial objectives on the one hand, but on the other, suits the local ruling elite, as this transformation ensures the diversion of the emirate's both local and migrant population from its socio-political arena.

By shaping the city's urban development, mega-developers crown themselves as responsible of translating the Ruler's vision. As their only guidance, this vision is interpreted differently each time to suit the nature and needs of each project. And in the absence of a proper urban planning system, mega-developers don't seek financial and regulatory incentives when designing their projects as their strong political position enables them to dictate the rules over the city's traditional planning authorities who must adapt to and follow.

Likewise, these mega-developers' projects use excessive architecture symbolism in an attempt to shape the city's identity that, however, remains inherently absent. These projects are conceived and delivered without considering the existing public realm and local context. The overall process involves the mobility of star-architects and transnational design firms, who import their foreign and exotic expertise along with ready-made design solutions that are implemented across the city, resulting in the quasi-absence of the religious aspect in a city (and country) where religion occupies a primordial place.

Keywords: Dubai, megadevelopers, POPS, public space, private space, gender, religion, consumption.

Résumé

Au début du vingt-et-unième siècle, Dubaï est entrée dans une phase de développement urbain accéléré avec l'arrivée de méga promoteurs immobiliers, transformant l'environnement bâti de la ville avec la construction de projets de grande envergure sous prétexte d'améliorer la qualité de vie des habitants de l'émirat, comme moyen de commercialisation de ces projets.

Ces méga-développeurs, visant à inciter les consommateurs à visiter et à dépenser dans ces endroits, ont conçu des espaces privés ouverts à un certain public limité, comme s'ils offraient des espaces publics, intérieurs et extérieurs, à une population majoritairement expatriée. Du coup, Dubaï s'est transformée en un objet de consommation facilement lisible.

Ces espaces ont un impact considérable sur les pratiques sociales locales. En effet, ces endroits connaissent un succès commercial significatif et attirent un grand nombre de visiteurs, en particulier de jeunes femmes émiraties, leur offrant l'espace pour se rencontrer, consommer et pour l'utiliser afin de contourner les barrières sociales, culturelles et religieuses, qu'imposent leur société, et cela sous l'égide de la consommation. Ces espaces privés ouverts au public sont devenus le lieu où la population émirienne rencontre l'autre (genre et race) et en même temps confirme son appartenance à une communauté spécifique.

Ceci-dit, les méga-développeurs transforment la ville de Dubaï en une image de marque. Ce processus est en relation directe avec la consommation, qui satisfait largement les promoteurs et leurs objectifs commerciaux d'une part, mais d'autre part, convient aussi à l'élite dirigeante locale, car cette transformation assure le détournement de l'attention de la population locale et migrante de l'arène socio-politique de l'émirat.

En façonnant le développement urbain de la ville, les méga-développeurs se proclament responsables de la traduction de la vision du souverain. Comme leur seul guide, cette vision est interprétée différemment à chaque fois pour l'adapter à la nature et aux besoins de chaque projet. Et en l'absence d'un système d'urbanisme approprié, les méga-développeurs ne recherchent pas d'incitations financières et réglementaires lors de la conception de ces projets car leur forte position politique leur permet de dicter les règles aux autorités d'urbanisme locales, auxquelles elles doivent s'adapter et suivre.

De même, ces mégaprojets utilisent un symbolisme architectural excessif pour tenter de façonner l'identité de la ville qui, cependant, reste intrinsèquement absente. Ces projets sont conçus et livrés sans tenir compte du contexte local et des espaces publics existants. Ce processus global implique la mobilité des star-architectes et des firmes de design transnationales, qui importent leur expertise étrangère et exotique ainsi que des solutions de conception prêtes à l'emploi et qui sont mises en œuvre partout dans la ville, entraînant la quasi-absence de l'aspect religieux dans une ville (et un pays) où la religion occupe une place primordiale.

Mots-clés : Dubaï, méga-développeurs, POPS, espace public, espace privé, genre, religion, consommation.

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Introduction

“We will move to Dubai.”

That is how my husband started the conversation while we were having lunch at a restaurant located in downtown Beirut, my vibrant city. He invited me to pass on the news that he has accepted a job offer in Dubai, UAE and that we would eventually have to move.

It was so fast—I was aware that my husband was negotiating a new position in Dubai after passing several online interviews and flying over there once for a final face-to-face interview, but it was so quick. I never thought he would get the job and that the day would come where we would need to relocate. I was in a total denial.

I was excited for this new adventure, new life. I wanted to discover a new country with a culture that does not have common ground with my Lebanese background except for the Arabic language, but with a different dialect. At the same time, I was anxious and terrified at the idea of leaving my safe zone where I was raised and that I knew very well. How could I leave my beloved Lebanon where my family and friends were? How could I leave my students and my work as a part-time instructor in two reputable universities?

The move was promising, and the temptation started on the day of the flight. Never having been in First Class before, the experience was complete with all the luxury a person could imagine inside an airplane. It looks like a 5-star hotel with an open bar and diner à la carte, where you can eat privately within your cabin once you close the door. Flying First or Business Class with Emirates airlines entitled us to a complimentary driver who was waiting at the airport in a brand-new Mercedes-Benz with free in-car Wi-Fi to catch up on emails, browse social feeds and send messages en route to the final destination.

After enjoying the journey, I prepared myself for a beautiful life in a place that ranks and advertises itself as the most luxurious¹ and extravagant² city in the world.

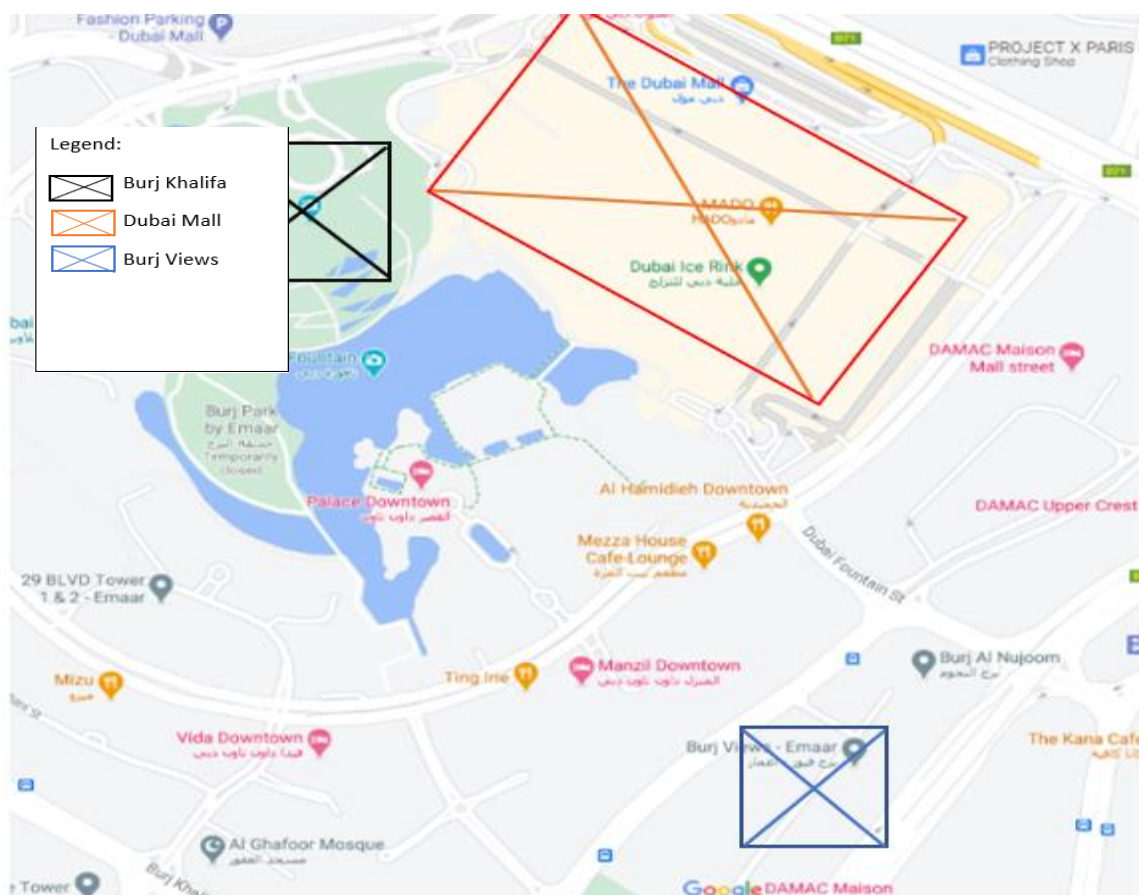
¹ <https://edrajuae.com/live-in-dubai-the-most-luxurious-city-in-the-world/>.

² <https://theculturetrip.com/middle-east/united-arab-emirates/articles/the-15-most-extravagant-cities-in-the-world/>.

1.1 Once in Dubai

I wondered about the extravagant life that I would lead in Dubai and all the fun that would follow the arrival experience. *This is promising*, I thought.

We settled in a 31-storey tower in Downtown Dubai. The luxurious flat had a spectacular view overlooking the tallest tower in the world, the Burj Khalifa,³ a lavish vista day and night. Our building was one of three identical structures called Burj Views Towers, which are situated within walking distance from the world largest mall, The Dubai Mall.



Plan 1: Representative plan showing the exact location of where I live in Dubai and the approximate locations of The Dubai Mall and the Burj Khalifa.

³ Burj Khalifa will remain the tallest tower until the 3,280-foot-tall (1,000-metre-tall) Jeddah Tower in Saudi Arabia is inaugurated. The opening was expected to occur in 2020 and would knock Dubai's iconic Burj Khalifa off its throne as the tallest skyscraper in the world by 72 meters (Lo, 2018).



Figure 1: A spectacular night view from the balcony of my apartment showing the Burj Khalifa and an animation that is projected on its facade. This animation is subject to daily changes.

I began discovering this fabulous city in the early weeks, acting like a tourist in the city I lived in. As a visitor I liked it—it is a city built for touristic purposes where a five-day stay (better during winter) would be more than enough to experience most aspects of Dubai. A few weeks after settling in, I started to feel that this promising and luxurious life was not enough. As a resident, I was less than a fan—I did not like it. I realised that this city is neither as fabulous as advertised, nor as liveable as promised.

At first, The Dubai Mall was my favourite get-away. Being just walking distance from my residence, it is considered as an ideal shopping centre for a newly arrived expatriate woman such as myself. I knew no one, had no job at hand, the kids were at school, my husband at work, and was without a car in a city where cars are a must, especially in its extremely, unbearably hot weather during summer.

The Dubai Mall entertained me greatly—I visited almost daily trying to discover this huge place. It has over 1000 retail outlets with beautiful decoration and layouts for each and every shop. It hosted several “mini malls” inside, such as The Fashion Avenue, a niche for high-end brands and fine dining pop-ups. I kept myself busy, visiting all the entertainment features that The Dubai Mall hosts, such as the world-class Dubai Aquarium & Underwater Zoo,⁴ the VR Park,⁵ and many other family activities.⁶ A real touristic hub.

During the weeks of discovering this gigantic mall and enjoying the feeling of getting lost and then trying to find my way back again, I studied its architecture and I realised that the visitors inside the mall were not evenly or equally distributed between its aisles and its different zones. This observation amused me and made me think that what is happening here is not happenstance. The customers were split in two main groups: the expatriates, who were present around all the sections of the mall but rarely in The Fashion Avenue; and the locals (Emirati population), who are found in and around The Fashion Avenue but rarely in other areas.

I wondered about the reason for this. Why are locals gathering around specific areas of the mall? Why do Emiratis choose the most luxurious area of the mall to visit and not opt for the aquarium (entertainment area) or the food court, for example? Are the developers of the project aware of client distribution within the mall? Did they design the area following a specific study targeting particular clientele and footfall? I had many questions about local and expatriate use of the space after these observations inside The Dubai Mall.

I also wondered about the practice outside the mall, specifically, public space, since public spaces are areas meant for everyone, typically without any exclusion. Do public areas undergo similar social segregation to what I observed in private spaces open to the public, such as a mall? I decided to visit the public parks in Dubai to discover how public spaces are used and practiced.

⁴ The world-class Dubai Aquarium & Underwater Zoo featuring thousands of aquatic animals and a 270-degree walkthrough tunnel.

⁵ They advertise the VR Park as the first-of-its-kind for the Middle East, a unique virtual reality attraction.

⁶ Including KidZania, an innovative children’s ‘edutainment’ concept; the Reel Cinemas megaplex, and the Olympic-sized Dubai Ice Rink.

Public parks are present in this city but hard to reach. Far from where I live and from the residential areas, they are not well served by public transportation. These public spaces also have something unusual and perhaps unique to the world: they charge AED5 (EUR1.23) per person at the entrance. Such an uncommon process defeats the notion of “public” because public spaces should be considered as the “common good”, as affirmed by Alice Beja (2012). She explained that the notion of public space should refer, in the strictest sense, to the idea of a place for all, encouraging both functional and social mixing:

“Il faut que les espaces publics ne soient pas bloquants, mais laissent la place à l’incongruité du quotidien, et restent ces ‘lieux commun’ qui ne nous protègent ni ne nous enferment.” (Beja, 2012, p. 71-72)

I visited several public parks throughout different periods of the day to discover and study visitor distribution. I found that parks were almost empty on weekdays; I encountered few people frequenting them, mainly expatriate mums with their new-borns and toddlers. I related this fact to the location of these places: far from everything and for the most part, none are directly connected to the metro.

On weekends, however, these parks were vibrant and filled with people, especially during winter. I realised that the majority of the visitors are of Asian nationalities, particularly from the Philippines, India and Pakistan (the blue-collar workers of the city). They visit in big groups, sit on the ground, eat homemade dishes and sing, while Indian and Egyptian families like to make barbeques. In addition, very few European families play with their kids, and a few solo males like to run or jog and practice physical activities. Throughout the duration of my long stays at these parks, I never saw a single Emirati (male or female), except for the cashier who sits at the main gate of the park.



Figure 2: A Pakistani family spending Friday, their only day off, at the park.

These visits made me think about the practice of this city. I was wondering why these big, beautiful parks were not frequented by the Emirati population. Why do Emirati people spend their time in malls, and choose very specific sections inside these malls? How and where do they experience entertainment? Where do they go when they need to interact with nature?

1.2 Scientific positioning

In this research, launched after long hours of ethnographic observations in different shopping centres across Dubai, I was able to understand and capture the context within which people—especially Emirati women—interact within privately owned public space regardless of the existing cultural and religious barriers. At the same time, and in some specific situations, I applied the participative observation approach to further understand some of the actions and reactions of these women and therefore better comprehend what is happening in these places. All these observations initiated the question of the practice of these spaces by the local and expatriate populations, as well as the developers of these areas. This was the initial step in formulating some of my potential hypotheses. My research field constitutes the centre of this work, as well as the scientific method used to accomplish it.

To get clearer answers on the questions asked during my observation work, and with little to sometimes non-existent literature on Dubai and its inhabitants, I applied the inductive

approach. The inductive method was followed by deductive research to confirm or invalidate some of my conclusion's results, as well as to answer some of the additional research questions formulated after the accomplishment of the literature review. I applied the deductive reasoning in the aim of testing an existing theory confirmed by Sennett (1979). It explains that people need to socialise since the more tangible barriers they have between them, the more sociable they are, just as they need specific public places where the main and unique function is to bring them together. In Dubai's case, these public places are fulfilled by the POPS (privately owned public space).

At the beginning of this work—primarily through the literature review—it was necessary to understand the notion of public space that has been evoked under different dimensions for several decades. Thus, it was important to shed light on the disciplinary interpretations of the notion of public space while explaining and revisiting its spatial, social, juridical, economic and religious dimensions since public space is today heavily used in the disciplines of political science, sociology and town planning.

This introduction sets the floor to study the creation of POPS and the hypothesis of the failure of the notion of public, especially in Dubai. In a second step, the research questions were formulated after the observation was made and by linking what was studied earlier to the local context. The mobilisation of an Occidental concept in a completely different context validates the need for studying and understanding the complexity of the notion of space under different dimensions and the use of the result to formulate the research question. And finally, links the findings deduced from the interviews with the developers and the users of the spaces (whether public or private space open to public) with what was studied and the initial hypothesis formulated earlier.

1.3 Research objective

Open spaces are particularly useful when they are part of an urban environmental system or network that combines physical activities (walking, running, cycling) with the natural landscape and habitats (Garau, 2015). Open spaces can be public, private or both. The differentiation between public spaces, private spaces and intermediate spaces (also called “common spaces” where the public space is shared for a certain duration of time) is confusing.

1.3.1 Dubai as a case study

Public space in Arab cities does not seem to fit into the traditional definitions created by the West. Mainly mosque courtyards or *bazaars* (markets), as well as the multiple appropriations of this public space—stalls, street vendors and private constructions—contrasted with those found in European cities (Fleury, 2008). Historically, public spaces in Arab cities were mainly dedicated to male occupations. Sex separation is assured everywhere in these cities, even in the topology of the habitat. The *majlis*, for example, is separated from the rest of the house and was and still is the place of meeting between men, while the space dedicated to women was limited to either the fenced indoor garden or a living room inside the house

Dubai experienced spontaneous urban development until the implementation of its first masterplan in 1966 with the discovery of petrol, which turned it from a small fishing village into a vibrant cosmopolitan city. At that time, urban development was almost entirely overwhelmed by the construction of residential buildings and the growth of urban extensions according to a grid drawn by the plan. This necessitated the need to provide social amenities and services at different levels of the city: squares and gardens in neighbourhoods and public parks across the city.

At the beginning of the 21st century, the city metamorphosed further with the arrival of megadevelopers and the evolution of the urban model featuring the construction of large projects such as shopping centres, marinas, creeks, etc., which became fashionable places to visit. At the same time, and along with the transformation of the city, the Emirati—or local population—continued to grow with greater purchasing power. This was mainly due to the nature of their work, particularly within trade activities, real estate and silent business partnerships.

Meanwhile, leisure society established itself following a significant increase in the population's free time. Emiratis do not have to be present at their workplace—noting the majority work in the public sector with short schedules—which permits further reason to justify the need to build more consumer and leisure spaces. This has accelerated the transformation of the society into a consumer one, particularly for fashion and luxury goods, leading private spaces, such as shopping centres, to open to the public and seize traditional public spaces.

Consumption and leisure have gradually joined together, forging a “leisure consumption society” (Augustin, 2001a), and more broadly, a “consumer and leisure society” (Koehl, 1990; Hetzel, 1996), where perception of shopping centres is transformed from a mere commercial place to the new meeting centre. R. Sennet (1977, p. 24) describes this fact as :

“Plus les gens ont de barrières tangibles entre eux, plus ils sont sociables, de même qu'ils ont besoin d'endroits publics spécifiques dont la seule fonction soit de les rassembler.”

Commercial activities can create social interactions (Pradelle 1996; Capron 1996; Monnet 1997). Shopping malls, cinematographic multiplexes and amusement parks have become places of essential public sociability, of experiences of otherness and of self-exposure in the eyes of others. As described by G. Capron (1997):

“Les commerces, comme lieux d'un échange multiforme, tant économique que social, d'expériences de l'altérité, d'exposition de soi au regard d'autrui, régis par des rituels de rencontre et d'évitement, sont caractérisés par des usages publics.”

Thus, both Emirati men and women visit these new private spaces open to the public for different reasons. Against their culture and tradition, they overcome the social barriers that usually prohibit them from meeting via the simple alibi of consumption and entertainment. They also come to show themselves for self-exhibition. The spectacle of the human being is consumed symbolically in the same way as goods (Capron, 1997). Moreover, it becomes a collective ceremony made possible by the availability of people and their deliberate choice to visit the place (Fleury, 2008). Finally, the act of consumption of goods reflects belonging to a social class and a social and cultural identity (Lemarchand, 2008):

“La consommation a besoin pour fonctionner que la puissance des signes renvoie à la différenciation ou la distinction sociale. Que l’on considère l’homme comme un individu ou comme un être collectif, la consommation de marchandises devient le reflet d’une appartenance, de classe, de groupe, mais aussi et davantage d’une identité sociale et culturelle.”

Over the last decade, megadevelopers of Dubai have doubled their ingenuity, generating private developments based on commercial and real estate profitability, and selling their products as if they were improving the quality of urban public spaces by producing new consumption destinations open to public use. R. Rochefort (1995, p. 10) recalls:

“Qu’on l’adule ou qu’on la déteste [...] le constat est là : la société de consommation est loin d’agoniser et elle gagne même tous les jours un peu de terrain.”

We are witnessing the construction of projects that look more like cities: designers are bringing together residential units, spaces for consumption, culture and leisure connected by squares, fountains and gardens.



Figure 3: Marsa Al Seef, a recent open-air mall, where the design was inspired by local historic districts as well as traditional *souqs* in Dubai.

In other words, the production of thematic urban projects to please all tastes will intensify. In some projects, spaces are designed to remind visitors of London⁷ and New York or allude to

⁷ Such as City Walk mall, with its fake façade and decor including telephone booths to imitate British ambiance.

an historical ambiance such as the Italian Renaissance⁸ or medieval cities⁹. The tendency to create comfortable, reassuring places with the sanitised atmosphere of contemporary shopping malls are also proof of this (Sabatier, 2006). The formation of historic roadside developments in city centres, or the development of more architectural atmospheres reminiscent of old shopping streets, turn shopping malls into places of nostalgia (Harvey, 1989; Goss, 1996).



Figure 4: Mercato Shopping Mall in the Jumeirah area of Dubai, a clone of an Italian Renaissance-era city.

1.4 Research question

In recent years, the privatisation of public space has been the topic of many debates in social science disciplines. Studies show that the privatisation of space is conducted in terms of consumption and leisure (Walzer, 1986), but also sometimes because of the growing role of private production or management of public spaces (Sorkin, 1992).

Researchers and scholars point to the reduction in the fiscal space of the public authorities and their relative withdrawal from the production of the city, thus giving space to real estate developers to produce private public spaces (Fleury, 2008). This action has direct effects on the form and uses of public space, such as the processes of exclusion (Fleury, 2008; Voisin, 2000; Goss, 1993).

⁸ See Mercato Shopping Mall. <https://www.dubai-online.com/malls/mercato/>.

⁹ For example, Marsa Al Seef, a huge new tourist, leisure and retail district in Bur Dubai. The district highlights local heritage and was inspired by historical districts and *souqs*, where buildings were designed in traditional Arab style with narrow pedestrian streets and promenades.

Regarding the production of private spaces open for public use in Dubai, it has been realised that the current trend has produced a non-continuous model of open spaces for the public use. The fragmentation of the environment reinforces the cuts between the different sectors of the city and satisfies only the users—the consumers—targeted by these programmes, creating distance from the notion of the "common good" as reflected in the traditional definition of public space.

In light of the above, my research project will examine the impact of modernisation on local social practices while taking into account cultural and religious barriers. I will explore the hypothesis of disguising private spaces open to the public to ensure meeting places between Emirati men and women to circumvent cultural and religious barriers. I will also tackle the practices and processes designed by the developers to produce and manage these spaces. It is equally important to understand the developers' point of view when designing such projects and spaces and to learn if they are aware of the facts mentioned above, as it would explain the high number of visitors to these spaces and the factors of success of the majority of these urban projects. Finally, I will try to answer the following questions:

1. Usually, unwealthy governments are the main reason for the withdrawal of local authority from the creation of public space, and the takeover of private sector to generate private space open to public use POPS (Privately Owned Public Space). In Dubai, the public authority can produce and maintain its own public space, although this is not the case, so private developers are generating high numbers of successful projects and POPS, attracting more and more Emirati and rich non-Emirati customers. Why and how did private developers take over the urban development of Dubai, and what are the factors that contributed to that? By developing private spaces open to public use, private developers are generating a large pool of successful, customer-attracting projects. Hence, what are the criteria considered by the developers to plan and design such successful spaces?
2. POPS in Western countries are the result of a bonus programme called Incentive Zoning, whereas in Dubai, building law is not defined or stipulated in a clear way and incentive zoning does not exist. Therefore, it will be interesting to understand why developers aim to create POPS within their projects while not receiving any advantages from the local planning authority.

3. Public spaces inspire public gatherings and are a reflection for democracy. Considering the political system governing Dubai, can we relate the absence of democracy to the creation of this large number of POPS, where every action is controlled and measured, and indirectly encouraging the withdrawal of the notion of public?
4. In a Muslim country (in the Gulf region generally and more specifically, Dubai) where prayer timings and religious rituals are highly respected by the local population, it is interesting to consider the fact that privately owned public spaces are presented as secular, where the appearance of any religious monuments is only for their ornamental features and spectacular architectural design.
5. As consumption of goods reflects belonging to a social class or group and to a cultural and social identity, can this explain why POPS are gaining ground in Dubai's urban scene and attracting more Emirati consumers? Does it confirm belonging to the community and a cultural identity? In addition, I will investigate why POPS are designed on a commercial basis intended for consumption and entertainment when luxury shops are already present.
6. Does the Emirati woman take advantage of these privately owned public spaces created by the megadevelopers to overcome the social barriers set by her local culture so she can exhibit in front of others and practice socialisation?

1.5 Thesis plan

My readings guided me to the following realities: Dubai entered a new era of development at the beginning of the 21st century. Mega real estate developers landed and transformed Dubai's urban model. They started the construction of large-scale projects to create the city's new fashionable destinations such as malls, marinas, etc. At the same time, with the openness of Dubai to globalisation, the Emirati population continued to grow with a greater purchasing power, thus making malls, cinemas and amusement parks places of self-exposure, essential public sociability and experiences of "otherness".

Within these privately owned public spaces (POPS), Emiratis—men and women—come together, thereby defying their tradition and overcoming social and cultural barriers. These sociocultural concepts prohibit different *non-mahram* genders meeting under the same roof. But those same Emiratis use the consumption and entertainment argument to justify being there, where they then can engage in self-exhibition. This act of consuming goods is a reflection not just for self-exhibition, but of belonging to a social class, and even more, to advance a social and cultural identity.

As megadevelopers in Dubai tend to employ explanations such as improving the quality of life and building liveable urban spaces as primary tools to market and sell their developments, the aim of this research is to explore the subject of POPS in Dubai to understand the dynamics behind their development strategies. Similarly, to understand what makes these places commercially successful and attractive to a large number of visitors—including Emiratis—to meet and consume in.

To further explain these ideas and to answer the research questions, my paper is divided into two main parts where within each several chapters clarify the main ideas and provide a strong argument.

The first part is dedicated to the literature review, where I first review “The Space” (public, private and private space open to public) and its different facets.

In the first chapter, I wanted to understand what public space is, starting with its recreational role. I wanted to know about its political and interactionism roles for the city dwellers. Knowing more about the shapers and creators of these spaces is a must at this phase, and how these places are open to all citizens with no exception.

I also studied the management of public spaces, and the different actors responsible for the production processes. I started reviewing the Western context (European and American) and then moved to what is happening in the rest of the world, more specifically, the Arab context. Further, I studied the subject of privatisation and commercialisation of public spaces, the cause of this privatisation, and how these spaces are being commercialised. This topic will set the groundwork for introducing the concept of privately owned public spaces, known as POPS, and shopping centres. Moreover, private spaces open to the public will be defined, as well as

how these new centralities correspond to new forms and practices, where were they invented, how they became a multi-functional consumer space and a commercial and recreational one, how consumption and leisure will progressively be joined together in these spaces forging a leisure consumption society, and finally, how these spaces are used by city dwellers.

Regarding chapter two, it was necessary to study what private space open to public is in cities, then introduce the concept of Incentive Zoning—the main reason for the production of POPS—along with its advantages and its inconveniences. This chapter explains how the public describes these newly created zones as an example of the privatised public space, and how these spaces are exclusionary and less successful than the ideal public space. I investigate the case of Hong Kong given it is one of the most, and maybe uniquely so, successful stories studied in how to use the POPS in favour of its population. At the end of this chapter, I show if these places can be beneficial and create added value to a city if well managed by law and government.

Once done with the definition of space as public or private open to public, I study in chapter three the juridical aspect of a space from the legal perspective. First, I discover the roots from which the terms “public” and “private” were shaped to understand what the private field is according to law, as well as how to solve the confusion of social publicising of private distinctions, and how to currently distinguish between the public and private. Then I tackle the public-private domain field to comprehend the difference between these two concepts and what kind of law deals with them, and to observe any interactive analysis between the juridical status of the space and the social use and practice of it. Finally, I conclude this part with the analysis and definition of the process of privatisation and publicisation of a space.

The following two chapters are dedicated to the research of gender, religion and their direct and indirect relation to space, especially the public ones, which in theory should be accessible to anyone without restriction.

In chapter four, I study the relationship between the space and the religion. I check the difference between religion and secularism and try to understand how these two can contribute to the creation of societies and spaces from a governmental point of view. Should the state stay away from religion and follow secular thought for planning and society development, or should the government consider religion as an important factor in the planning process and the creation

of a space? Islam will be studied to understand how Islamic conceptualisation of society and space affect the notion of public-private space.

In chapter five, I address the relation of gender to the use of the space through investigating the gender traditions in Middle Eastern societies and females in Muslim society. Can a Muslim woman freely access a public space in accordance with to her social level? Then a study of gender and public space in the Western society, especially the European one, is conducted to investigate the behaviour of women inside public spaces. Then I question the design of public areas in the European context and how authorities encourage gender segregation without making any effort to invite females into the public zone. Finally, I talk about race, racism and homosexuals in public space.

Place-making and urban development are discussed in the last chapter. I talk particularly about the innovative trend of place-making competing with the traditional disciplines of urban planning, design and architecture, how place-making will contribute to the creation of better places to live, and how it could or could not improve the quality of life in a public space. Then a study is conducted about place-making and its relationship with real estate and development, concluding with how place-making can, or may not, lead to the creation of good urban design.

These first six chapters examine closely the topic of “public space” and its different facets, thus preparing the foundation for the second part of this paper, where research questions are studied and answered.

The second part is divided into three main chapters:

Chapter one: Overview of Dubai

Chapter two: Emirati women

Chapter three: Meeting the developers and the authority

The aim of the first chapter in the second part is to study the urban development of Dubai by illustrating the use of real estate market. Factors such as economic growth, financial oil revenue generated by the oil’s discovery, population increase and government incentives to promote general development in Dubai are tackled to see how they contributed to the changes in the real estate market. Once these subjects are covered, I move to Dubai’s inhabitants and the difference

of rules and regulations between an Emirati *watani* and the various categories of expatriates. Then I discuss the private space open to public POPS in Dubai. This section will be divided into two: in the first one I study the POPS as a megaproject and in the second section I study POPS as the megamall. Finally, I study the sociology of consumption and how consumption is considered an expression of class belonging and as a new social model, and how consumers may express emotions via consumption.

In chapter two, I focus on the relationship of the creation of spaces in privately open areas by Dubai megadevelopers to the use of these spaces by the visitors, especially women and Emirati women, specifically. A part of this chapter is also dedicated to understanding and studying the behaviour of Emirati women in the established POPS, notably in the famed The Dubai Mall shopping centre.

For the third and final chapter of the second part, I study the social diversity in Dubai. I want to explore the spontaneous creativity in the usage of civil society for the private space open to the public, and to understand the intention of decision-makers and the megadevelopers responsible for creating megaprojects and POPS, and how they transform these places into areas of consumption and urban services as well as spaces of relaxation and discovery. I will interview different parties and analyse their answers to evaluate and answer the different research questions outlined previously.

Finally, the conclusion includes all the discoveries and answers from my previously conducted interviews with the intention of scientifically responding to the research questions, and closes with new ideas for further exploration.

2. Methodology

2.1 Previous knowledge and approach to literature review

Adequate coverage of the envisioned area of research required a review of a broad corpus of academic and practitioner literature, thus addressing both technical and social science aspects relevant to the topic and to the research question that builds on the existing knowledge and experience of the researcher. Results of the literature review are presented in the following paragraphs, with some parts shown in the rest of the dissertation to make the research easier to follow for the reader.

For the literature review, online tools were used, mostly online university libraries for scientific documents and journals using variations of keywords from the research topic and questions, then expanding on found concepts as needed based on the researcher's judgement and supervisor suggestions.

No specific reference was found when reviewing literature about the UAE in general, or Dubai in regard to its citizens, policy making in projects creation, on the developments of these projects and their implementation in the city. Most of the literature close to the topic either investigates the history of the city (Fazal, 2008; Pacione, 2005; Ogaily, 2015; Emporis, 2008; Nassar et al., 2011) or examines widely some aspects of the topic on an international or national scale (Lemarchand, 2011; Wilson, 2010; Ruby and Ruby, 2006; Louargant, 2003; Mazumdar and Mazumdar, 2001).

Most of the literature on the public and private space open to public deals with different aspects including religion (Kong, 2001; Knott, 2010; Dinham et al., 2012; Habermas, 2008), gender (Coutras, 1989; Bondi, 1998; Juarand, 2012; Rieker and Asdar, 2008), law (Van Lang et al., 1997; Sabatier, 2006; Collignon & Staszak, 2004; Lussault, 2001), and developers (Banzo, 2009; Boutefeu, 2008; Madanipour, 1999; Carmona et al., 2003). Among the very few publications about Dubai and the urban megaprojects-based approach in urban planning—which looked into aspects compatible with this research—only one examined how the isolated development is shaping the city (Aoun, 2016). I could not find any publications on social aspects, how private spaces open to public are affecting social life in Dubai, or how they are being used by the inhabitants of this city, independent of whether they are locals or expatriates.

In this research, many issues have been observed suggesting some solutions, which also emerged in interviews in this research.

2.2 Formation of interview questions

The literature review provided insight into the following:

1. The public space and its multiple definitions

I studied how a wide range of physical places and actors can define and shape public spaces. Different roles of a public space at play in the city (recreational, political and interactionism) were cited to emphasise the idea that “public” is considered as a space open to all citizens with no exclusion.

The production and management of public space was next, defining the actors and how they are involved in the production processes, including an investigation into public space and public domain in Western countries that was conducted to explore how public authorities are involved as the main actors in the management and production process, especially at the local European level. These norms are different at a metropolitan level, where public space is produced by actors who are not the same as those producing public spaces at the local level. Then the topic of privatisation and commercialisation of public space was tackled, and the withdrawal of public authorities in production and/or management of public spaces. After the European world, a study was done on the public space in the rest of the world and how many cities entrust the development or even management of central public spaces to the private sector.

2. POPS and shopping centres

The privatisation and commercialisation of public spaces prepared the discussion on the topic of private space open to public, especially shopping centres. These new centralities correspond to new forms and practices, laying the groundwork to discuss how consumption and leisure have progressively joined together in these spaces, showing how these new areas are forging a leisure consumption society. Finally, it was revealed how city dwellers are taking advantage of these shopping centres for the purpose of consumption and entertainment.

3. The relation between gender and space

In this first part of the paper, investigating gender in Middle Eastern societies, and especially in the Muslim world, was beneficial to the rest of the paper. After the navigation of the gender scope in the Middle East, I continued by studying Eastern European societies. Focusing on the behaviour of women inside public space to see how women fear public areas, I uncovered the precautions taken by the female gender to overcome their fears. Questioning the design of public areas was also addressed in this part: how they are planned to satisfy the male demand, and how the authorities encourage gender mixing without making any effort to invite females to the public zone. At the end of this section, homosexual and the male understandings of race and racism in public spaces were addressed.

4. The relation between space and religion

I answered questions about religion and public space by exploring the difference between religion and secularism in an attempt to understand how these two contribute to the creation of societies. I investigated the role of the state and government regarding religion from a governmental point of view to see if the state, while planning, should stay away from religion and follow secular thought in society development, or if religion should be considered by the government an important factor in the planning process. Then I continued the study of the Islamic religion by exploring how Islamic conceptualisations of society and space affect the notion of public-private space, and the inconvenience of sharing space with the opposite sex. Muslim societies rigidly equate males with public and females with private, thus spaces are not seen as inherently “public” or “private”, but rather with whom one is interacting that makes them so.

5. The relation between space and law

I tried to thoroughly research the position of the law with regards to space, be it public or private. I studied how public spaces are seen in the eyes of the law, but first I tried to outline the roots from which the terms “public” and “private” emerged. I raised many questions to understand the link between law and space, and between politics and public space to clarify the term “private” and its definition according to the law. Then I tried to solve the confusion that social publicity induces on the public/private distinction, and how to distinguish between the

public and private in contemporary times. After that, I explored the public-private domain to comprehend the difference between these two concepts and what kind of law pertains to each, and if there is any interactive analysis between the juridical status of the space and the social use of it. Finally, I concluded this part with the analysis and definition of the process of privatisation and publicisation of a space.

6. The relation between space and its creator

I studied how private actors are making a significant contribution to the production of urban space (developers, producers, managers) since fewer cities are investing in the direct creation of new publicly owned public space given there has been an increase in privatised public space. I observed how the production and management of urban spaces and services in metropolitan development is gradually being transformed into public-private partnerships (PPP). Then I investigated the Incentive Zoning concept, also known as “Bonus Zoning”, and how incentive zoning has the merit of producing and managing urban public spaces in a context of community disinvestment, keeping in mind that these are not public spaces, rather spaces open to the public that have private management. After this, I approached the subject of exclusion—often a result of POPS—which means that spaces are not fully accessible to the public and only certain people feel welcomed. I elaborated on the reasons for this exclusionary environment, and how it is directly connected to the design of the space and the discretionary enforcement of the space’s use.

7. Place-making and urban development

It is the innovative trend of place-making that competes with traditional disciplines of urban planning, design and architecture. I discovered how place-making contributes to the creation of better living spaces and improves the quality of life in public space. I studied place-making’s relationship to real estate and development and the resulting creation of good urban design, where society’s involvement and physical context are the main criteria and involving the local community seems to be the central focus of the place-making approach. I also discussed the concept of “making better places for people”, which should be understood in a broader and more critical sense rather than the traditional take on urban and spatial disciplines. In addition, policymaking, urban planning and design, architecture, functional and morphological characteristics, and regulation planning codes were involved and reviewed to improve the

process of place-making. Finally, I discussed the concept of place-making in changing traditional facets by adding a new social and civic aspect to the process of developing any new projects. A bottom-up approach is replacing old practices with the obligation of surveying local communities living within a project's boundary.

All these findings are provided and used to produce chapter two of this paper. They form a part of the response to the research questions and help in uncovering areas of exploration in the process of developing the questionnaire for the interview, which include:

1. Understanding the developer's strategic thinking (vision and philosophy; the vision of HH Sheikh Mohammed bin Rashid Al Maktoum, Vice-President and Prime Minister of the UAE and Ruler of Dubai; how projects fit into the Dubai Strategic Vision 2021 and Spatial Plan 2020).
2. Discourse on project development and management, and positions of different policy actors in the creation of POPS.
3. Defining developer design philosophy and how they understand different aspects of the city regarding religion, public garden space, project goals and user behaviour.
4. Studying the social practice, culture, barriers and religion of the targeted population that will use the place.
5. Current narratives of local Emiratis after being interviewed, in addition to the constraints and difficulties faced while collecting data from them.
6. Ways in which locals perceive others and how it is affecting the city.
7. Position of citizens in this city, the constraints and opportunities they face, and ways to be involved.

The beginning of chapter two encompasses an introduction and a clarification for the research questions. Dubai will be studied under many facets, and the following parts will be handled:

1. The urban development of Dubai and factors contributing to the changes in the real estate market.
2. Dubai's inhabitants and the difference of rules and regulations between an Emirati *watani* and different categories of expatriates.
3. Private space open to public POPS in Dubai.

4. The sociology of consumption as an expression of class belonging and as a new social model, and how emotions are expressed via consumption.

The interviews following the questionnaire were open-ended and consequently not exhaustive on issues found in the literature. The questions were prepared following a defined research design. The envisioned research follows the following theory: the transfer of knowledge happens through storytelling, which follows a relativist ontology. An interview questionnaire with the aforementioned points is provided in Appendix 1. While conducting the interviews, some interviewees felt like they were being audited for knowledge instead of asked for their insights and opinions gained from practical experience; the questions in the interview were therefore adjusted to be more conducive to attaining more relevant responses.

2.3 Methodological background

Social urban planning research can be broadly divided into philosophical positions, which range across a spectrum of positivist to social constructivist. Positivism is characterised by technical and scientific practice in the social sciences at the beginning of the 20th century, where it was argued that empirical evidence is separate from the values of the policy actor. The social constructivist view is that reality, truth, or reliable knowledge, is constructed by the policy actor through interactions with other actors (Berger & Luckmann, 1966). Positivism ignores the inherent human element in policy making, while extreme social constructivists declared everything as a social construct, being sceptical as to whether scientific claims were better than any other claims (R. Galvin, 2011; M. Hajer, 2004; Lejano, 2012; Robertson & Samy, 2017).

Therefore, in this paper, positivism philosophy will be ignored. The use of social constructivist philosophy will be engaged through developing criteria of what constitutes reliable knowledge, considering that knowledge claims depend on the perspective of the person making the claims, and that knowledge claims must be potentially able to win the assent of any informed person in any culture and anywhere (Harré, 2009). It can rest on myriad social and material interactions, which take for granted the reliability of numerous stabilised norms and relationships (Rieder & Simon, 2016).

Urban planning already relies on knowledge provided by the scientific community, which has its own discursive process of critique between scientific schools (Hildebrand & Lluís Martell,

2012). However, in its diversity of thinking, especially when tackling complex problems such as fragmented cities, the scientific community may produce many propositions for action, sometimes jointly indicating one policy direction and sometimes multiple opposing directions. In the urban planning arena, those who can successfully argue that their claims represent reliable knowledge are likely to dominate the discourse.

What philosophical paradigm, research design and research methods are therefore used in my paper to study the developments of POPS and their integration in the market, in addition to how these new centralities took over the market over public spaces and gardens? What means will facilitate exploration of how these places provide inclusion to the Emirati population on the one hand, and how they attribute to the social exclusion and segregation for the undesired expatriates on the other hand?

In social sciences, three research approaches are normally employed: a) qualitative, b) quantitative, and c) mixed methods (Creswell, 2003; Tashakkori and Teddlie, 1998). For this paper, the qualitative approach will guide the research.

Generally speaking, qualitative research is an approach for exploring and understanding the meaning of how individuals or groups ascribe to social or human problems. Emerging questions and procedures are entailed in the research process, data is collected in the participant's settings, and data analysis is inductively developed from particular to general themes. In this research, I will not use the quantitative approach since it aims to test objective theories by examining the relationship among variables and this does not apply here (Berta, Mauro, Bottero, Marta and Ferretti, Valentina, 2016).

Research approaches are based on different philosophical worldview assumptions. In particular, the main paradigms used can be described as follows (Creswell, 2003):

1. Constructivist paradigm: typically seen as an approach to qualitative research. Constructivists believe that individuals who seek an understanding of the world in which they live tend to develop subjective visions of their experiences. Under this paradigm, researchers look for the complexity of these visions rather than narrowing meanings into few categories of ideas (Crotty, 1998).

2. Transformative paradigm: this approach arose in the 1980s and 1990s from individuals who felt that post-positivist assumption-imposed laws and theories were not able to fully explain real world problems. These theories did not fit marginalised people in society, issues of power, social justice, discrimination and oppression. In studying these groups, the research focused on inequities, thus linking political and social actions.

	Qualitative research
Philosophical paradigm	Constructivist/transformative
Research design	Narrative research Phenomenology-grounded theory case study
Research methods	Emerging methods, open-ended question interviews, observation data, audio-visual data text and image analysis interpretation

Table 1: Main research approaches. (Source: elaboration from Creswell, 2003; Tashakkori and Teddlie, 1998).

2.4 Data collection and analysis methods

In this research, examining policy means uncovering socially constructed meanings and interpretations of findings from the interviews. These meanings and interpretations exist in the world of conversation and text-making, so examining them is best done by directly engaging in dialogue with policy actors (Crevani, 2018; Yanow & Schwartz-Shea, 2015). Therefore, the constructivist/transformative paradigm approach is an appropriate way to examine the claims, narratives and storylines of data in context of policymaking. Consequently, the methodology adopted for this research is qualitative and consists of interviews with key policy actors followed by discourse analysis of interview transcripts.

Policy actors in this research include:

1. Government employees who influence government decision making (henceforth “policymakers”).
2. Project megadevelopers and specialists who are responsible for the implementation of megaprojects and inauguration of private spaces open to public.

3. Private sectors that perform under megadevelopers and produce their desires when a megadeveloper doesn't provide the design of their projects.

Policy discourse is not developed by policy actors responding to fixed written questions, but rather through live discussion and a collection of hermeneutic¹⁰ data through pre-arranged, semi-structured interviews. These can be considered closer to the actual policy discourse situations and more likely to reveal arguments and other interplays that take place within the policy discussion itself (R. J. Galvin, 2011). That approach is adopted as well.

Selection of interviewees was non-probabilistic and involved the use of professional contacts via an international network of contacts established throughout a friend and the university where I teach, as well as most interviewees referring other potential interviewees.

Acquiring data and information was a long, hard process, and it would be impossible without my friends' connections and networks. The selection of interviewees was based on the following criteria, which was confirmed with each interviewee beforehand:

1. A position of decision and policymaking and influence on public and private organisations (4 interviewees).
2. Holding or having just recently left a position in firms responsible for producing megadevelopments and specialists responsible for the implementation of megaprojects and inauguration of private spaces open to public in the private sectors.
3. People who perform under megadevelopers and produce their desires especially when a megadeveloper does not provide the design of its projects (13 interviewees).
4. Inclusion of a number of local females (workers and students) and expatriates, regardless of their origin (Europe, India, Arabs, etc.) (78 interviewees).

It should be noted that at the beginning of the interview process, my request for an interview was rejected many times by megadevelopers by email without further clarification. As an example:

¹⁰ Hermeneutics refer to what people do in everyday conversation in order to grasp each other's meanings and also what social scientists do in order to grasp meanings intended by speech, writings, and other ways of communication of their research subjects (Grondin, 1997).

“Please be informed that your request has been reviewed, however, we regret to inform you that we may not be able to accommodate your request.”

Below is a table showing the list of interviewees along with their positions and the firm or company they work for:

Dubai Authority	Megadevelopers	Private Firm	Users (Women)
Dubai Development Authority	Meraas	5+ Design	Local Students
Dubai Municipality	Emaar Properties	WATG	Local Workers
The Executive Council	Dubai Properties	Arup	Expatriates (different nationalities)
		Majed Al Futtaim	

Table 2: List of interviewees along with their positions and the firm or company they work for.

2.5 Morphology analysis of the POPS

In this research, my aim is to closely analyse the relation between megadevelopers, POPS and Emirati women in Dubai. I tried to do this through observation and interviewing the developers, the governance agents, and a considerable number of Dubai’s inhabitants. Both actions (interviewing and observing) were done simultaneously and whenever I had the chance to collect information.

The objective of analysing the behaviour of women in a POPS and the creation of POPS by developers is to understand:

1. The characteristics of the components of the design of any private project open to public.
2. The elements that govern the relation with the immediate context and the visitors.

3. The aspects of the design that developers implement that are specific to this kind of development.

A morphology analysis can have different aspects and mobilise different approaches. Merlin (1988) considers that there is an absence of consensus on the terminology of urban analysis, and an epistemological weakness as well as a lack of scientific rigour in the approaches taken by researchers in this domain. Attempting to devise a typology of approaches in morphological analysis, Lévy (2005) considers that there are five types of analysis in approaching the urban form:

1. Urban form as a form of the urban landscape (in the sense of urban *paysage* in French), meaning the urban space as understood in its three dimensions with its plastic materiality (texture, colour, materials, styles, volumes, gabarits, etc.), as analysed by G. Cullen (1961), E. Bacon (1965), C. Sitte (1889), K. Lynch (1960), etc.
2. The urban form as social morphology, in which urban space is studied as a space occupied by social, demographic, ethnic groups, and family types, as well as function distribution in the city. Such studies to be found in the works of Durkheim (1960), Halbwachs (1828), Roncayolo (1996), etc.
3. The urban form as a bioclimatic form, which is studied through its environmental dimension, as an urban microclimate in relation to which many aspects can be mobilised: site location, urban fabric shape, orientation, pollution agents, etc. (see e.g., Escourrou (1980) and Hall (1971)).
4. The urban form as the form of urban fabrics (Panerai, Langé, 2001) that consists of studying the interrelations between the constitutive elements of an urban fabric: the lots, road network and open space; the built space on the one hand and their relationship to the site on the other.
5. The urban form as the form of urban layouts (*tracés urbains*), which means the analysis of the geometric form of the city (organic plan/geometric plan, orthogonal plan, radio-concentric plan). Lavedan (1926, 1941, 1952) has proposed a categorisation of these layouts, while Pinon (1994) and Lévy (1996b) have analysed the notion of urban composition.

In my context, the approach adopted is closest to the second, fourth and fifth types mentioned above. The urban form is considered as a form of social morphology since my interest concerns

the general layout of project plans and their relationship to the visitor of the space, and to the city on a larger scale as an urban function with symbolism and aspects related to the partition or the divisibility of a plan. Sometimes, the built areas are analysed in relation to the parcels and the road system, thus mobilising the approach of urban form as a form of urban fabrics.

2.6 Analysis grid and indicators' definition

Based on the study, I consider that analysing the urban morphology of Dubai's POPS is equivalent to understanding the following aspects:

1. The physical image of POPS in contributing to the city's promotion and the adopted economy of fascination, including the project management and implementation (Impact).
2. The role of each project within the city's dynamics and the type of relation to its context (Inclusion).

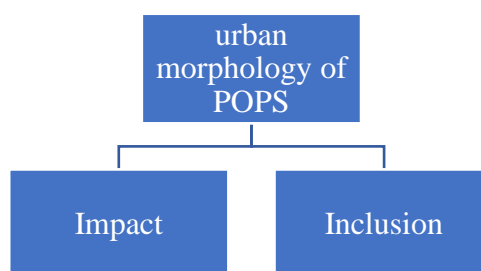


Figure 5: A diagram of the aspects that are addressed in the POPS morphology analysis.

The first aspect of the analysis aims to understand the impact of the project and the fascination dimension through morphology. While the literature highlights this as a characteristic aspect of Dubai megaprojects, I tried to have a detailed understanding of the elements and types of composition that contribute to this image by proposing the following fields for analysis:

1. Type of design: what is affecting the design of the project.
2. Type of incentive to encourage megadevelopers to create POPS.
3. Impact of the project on both the Dubai Strategic Vision 2021 and Dubai Urban Plan 2020.
4. Translation of Sheikh Mohammed Al Maktoum's vision through the design of megaprojects.

5. Planning authority: different planning authorities to get design approval.

The second aspect is inclusion/exclusion in terms of the relation to the city and the acceptance of a specific part of the population, as well as to understand the social practice in these places.

The proposed characteristics to be analysed are:

1. Location of the project (where exactly in the city).
2. Religion in relation to these projects: ablution room, prayer room, etc.
3. Relation to the context at the plan level: introverted, connected.
4. Management of the projects: accessibility, right of access, conduct, security, etc.
5. Targeted population: intention to satisfy a specific population.
6. Presence of attractions.
7. Presence of iconic and specific shops.
8. User behaviour.

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Part one: Literature review

1. Public spaces in metropolitan policies

1.1 Introduction

If Alain Bourdin (2005) considers that the methodology of creation and augmentation of the value of a city is done by urbanism, many others consider that public spaces constitute the showcase of the city toward the outside. Their hollow form and their physical emptiness make them unique; the public space is first and foremost an empty space of constructions, large enough but always surrounded by built forms contributing fully to its definition (Fleury, 2008).

Manuel Castells in *La Question Urbaine* (Castells, 1972) defines the centre by three dimensions: political, religious and economic, but Bourdin in *Faire centre* (2019) assures that there is much more to say about the definition of a centre beyond the three dimensions mentioned by Castells. That is why in the following part I will study the formation of centres and public spaces and their different facets to try to understand what defines them and the different functionalities of these centres. I will emphasise my study on public spaces specifically and how these spaces can act as recreational areas.

Then I will talk about the political and interactional role for the city dwellers. We will see who the shapers and creators of these spaces are and how these places are open to all citizens with no exclusions.

I will then move to learn about the management of public space and the different actors responsible for the production processes. These managerial and productive aspects will be studied in different contexts, starting with the Western scope (European and American) before moving onto the rest of the world.

The subject of privatisation and commercialisation of public space will then be addressed, with significant interest in understanding the cause of this privatisation and how these spaces are being commercialised. This topic will set the foundation to introduce POPS and shopping centres. Private spaces open to public will be defined along with how these new centralities

correspond to new forms and new practices, where were they invented, how they become a multifunctional consumer, commercial and recreational space, and how consumption and leisure will be progressively joined together in these spaces, forging a leisure consumption society. Additional queries include how these spaces are practiced by city dwellers, why they visit these new centralities, and what they expect while being in these spaces

1.2 Type and formation of a space

Public spaces constitute the showcase of the city towards the outside. According to an urban marketing approach, city centres, and in particular their public spaces, become privileged places that display the identity of a city and sell it abroad (Fleury, 2008, p. 114). But these centres are not only the expression—or the quintessence—of the territory, but also its accelerator and producer (Bourdin, 2019, p. 28).

Public space is considered as the perfect place for sociability, gender diversity and citizenship (Lussault, 2001). Sociologists, political scientists, geographers, planners, town planners, etc. each elaborate on his/her own definition of the public space with its own concerns, leading to a complexification as enriching as it is problematic (Fleury, 2008, p. 17).

1.3 City centres and public space

After my readings, three figures for the centre stand out: that of the keystone centre, resulting from a city or a territory; that of the centre producing a city or territory; and that of the centre defined by a network.

Bourdin (2019) in *Faire centre* describes these centres in a town. He confirms that centres can result from a group of components in the city and form a unifying place *lieu federateur*. This can be found in some towns, organised into neighbourhoods, with each having its own central location (for example around a well), social organisation and specialisation(s). It happens that each of these districts form such an autonomous and supervised unit that the doors of these areas are closed at night. It is thereby creating a special system operating on the basis of complementarity (often a corporation and a district by profession).

The centre of the city brings together the activities that everyone needs and that manifest the

collective identity. This centre can be considered as the adhesive, or as Bourdin described it, “the cement” that holds the system of complementarities together: religion, civil and military power, the strategic resource for all (water supply, for example) and a place—often a large public square—allowing celebrations that feature the entire community.

In such cities, the centre occupies a very limited space; sometimes it is difficult to discern because the city is not organised on a centre/periphery model, but on an assembly of cooperating units which are found in the centre. It functions as the place of gathering, social unity, compromise and of the exercise of justice.

There is another type of centre, referred to by Bourdin (2019) as the “entrepreneurial centre” where these areas organise and produce an animated city.

And there is yet another way to create a centre. The centre is not always of a city or a territory, but it can polarise a network or a community. For example, in Catholicism, which is a very centralised and hierarchical religion, the Vatican is the best possible illustration of the centre of a community.

Apart from religious phenomena, there have also long been network centres. The specialty of a city (often a capital) was undoubtedly linked to the presence of highly qualified professionals in the city, but also to the fact that they were at the centre of a network, often of global extension (Idem, p. 32, 33).

Thus, we see the three figures—the keystone centre from a city or a territory, the centre producing a city or territory and the centre defined by a network—outlined.

1.3 Different functions of centres

Alain Bourdin (2019) considers three major functions for a centre.

1. The centre to order

First of all, the political, military and economic command. The command centre remains fairly easy to identify, and in its more traditional versions, often combines various types, including

regulatory matters such as courts. In many cities and countries these are usually found in the centre and the importance of the turbinial is set in proportion to that of the city.

2. The centre to exchange

The commercial function seems inseparable from the centre. A figure immediately comes to mind: the market which forms the centre of the village or small town, then the central market of the big city through which the products pass to be sold in small markets or at retailers. There is also the commercial centre of the department store that serves as the symbol of the “just in case” of industrial society: having stock that meets all needs. It is a modern organisation that symbolises the idea of a society of abundance.

3. The centre to welcome

Bourdin talks about the centre receiving the poor and migrants, from abroad or the same country, although this also applies to travellers or visitors. In the old capitals, big stations are located at the limits of the centre or in its heart (Orsay, Brussels-Central) to serve the airport, except for centres of the seaside towns. He also notes that in the traditional centre are the great institutions of socialisation and education, especially for the elite. Later, universities would settle there, long before setting up campuses outside the cities.

A fourth function could be further added:

4. The centre to entertain.

City centres offer a social spectacle for those who visit. The relationship of certain users with the centre is essentially in a playful, recreational register based on the pleasure of the spectacle of the city.¹¹ The staging aspect of the centre is accentuated with street art and events of all kinds. In these centres rumours are born and different elements of the social order and social codes appear, from the more anecdotal (the layout of sidewalks or public lighting) to the most radical (public executions).

“ [...] le spectacle de la ville qu’elle se donne a elle-même ou au visiteur. Le centre offre-on a envie de dire depuis toujours, mais sans doute le percevait-on d’une autre manière – une ambiance (ou plusieurs). Un Bouquet de sensations.” (Bourdin, 2019, p. 64)

¹¹ According to a survey carried out in 2001 by Bourdin, Charmes, Lefevre & Mele.

1.4 Centres as recreational areas

Centres in general, and more specifically public spaces, had to be defined very broadly as a system of places and actors, inscribed in a geographical context on several scales. The places that forge this system are individualised within the urban space by their openness and their practice by the public, but they also present a great diversity of forms and uses. These places are shaped-created by actors, or more precisely, by their practices for the public, their decisions and strategies for managers, decision-makers or investors, and by the interactions between them at different scales, from city level through to the neighbourhood level (Fleury, 2008, p. 8).

Public spaces can take different forms, styles and sizes, but what makes them unique is their hollow form, *en creux* (Thiberge, 2002), and their “physical emptiness” (Barbichon, 1991, p. 112). The public space is first and foremost an empty space of constructions. The street, square or garden—the uncovered areas—are the first forms that come to mind. Other public spaces, however, may be empty spaces of construction but covered, such as passages. However, public spaces are not completely empty areas, they are mostly designed for one or more types of use or function, whether moving, walking, strolling, trade or recreation. The proposals are more or less numerous.

In addition to the landscape design of the urban ground itself (roads, sidewalks, various coverings, etc.), objects can be placed to contribute to the design process. Street furniture also adds to the definition of the public space, whether by objects specific to outdoor spaces (signs, traffic lights, streetlamps, monuments and statues) or objects common to outdoor and indoor spaces such as benches, fountains, trees and other plants, etc. Light and sound also contribute to shaping public space, including illuminations of the façades of certain streets and soundscapes from street parties or in shopping centres. Therefore, the design layout and the furnishings are a major characteristic of public space. This is even more the case in European cities where urban wasteland can also be transformed into a public space, albeit the layout of transformed wasteland is less particular of a public space than the physical emptiness and the practices that take place there (Fleury, 2008, p. 95).

A public space is defined by the physical presence of city dwellers: the public must be able to stand or walk on it, even if other modes of transportation can be carried out. Public space is

therefore above all a space where individuals interact [...] with both objects and spatial forms (Lussault, 2003b, p. 334). The public space is strictly uninhabitable (no one can claim to own it) and yet it must be appropriated to remain lively (Sansot, 1991, p. 78). Public space presents the characteristic of a variation in the distribution of positions, occupations and appropriations of users (Barbichon, 1991, p. 111). This variation is made according to multiple temporalities, starting from the very brief occupation (waiting at a place for a meeting or use of a telephone booth) through to arriving at a more or less durable appropriation (homelessness, a sidewalk concession for a café, etc.) (Fleury, 2008, p. 95).

Public space must structure and organise the urban space and ensure its continuity (Gourdon, 2001). It is a mixed space, both in terms of mode of displacement and activities, but also from the point of view of the public who in all their diversity, must have access to it (Ghorra-Gobin, 2001a). This combination must then allow a public space to ensure a political and social role. A. Leménorel (1997, p. 430), for example, speaks of the structuring and unifying power of the street for its capacity to create through its multifunctionality, specific social practices and sociability. It is therefore also a space for sociability, sometimes considered a sociability of proximities or even of neighbourhoods (Paquot, 1997), as “cold sociability” (Joseph, 1995, p. 12) in its interactionist version, or consequently of citizenship or “civility” (Lussault, 2003b). On the other hand, the social division that exists at the scale of the entire urban area correlated with urban sprawl also has an important consequence on the use of public space (Fleury, 2008, p. 102).

Visits of public places are largely conditioned by the lifestyle practiced by the city dwellers (Bourdieu, 1979). Urban parks, for example, are places that increasingly focus on gathering, sociability and leisure activities. There has never been so much appropriation of these green spaces by the public; they seem to have become one of the symbols of the European public space. Despite opening hours and tight regulations, these public spaces are increasingly frequented. Small area public spaces constitute space of proximity within neighbourhoods and for the larger of them, a true centrality in the city, especially on weekends and throughout summer. The public sociability to which they give rise are thus at the same time linked to proximity and centrality. Each day these parks are gaining more importance in a dense city which, despite new policies of displacement favouring pedestrians, remains marked by a strong presence of the automobile, an important element of annoyance.

The types of activities in these parks have diversified considerably over the past two decades. Traditionally places for strolling, today they are also places to practice various outdoor sports, whether deambulatory activities and training (running, cycling) or ball sports (Escaffre, 2005, p. 68-80). So many of these physical activities are practiced primarily in the parks, but these practices are developing more in the streets and squares, even on slabs inherited from modern urban planning where the inclined land lends itself well to sports and leisure activities (Escaffre, 2005, p. 93) such as “urban gliding” (skateboarding, rollerblading, scooters, etc.).

Globally, sports activities in centres and buildings that were heavily built during the 1930s and dedicated to this purpose are gradually giving way to activities in the public space, even if the equipment is not presented (Augustin, 2001b, p. 27). In fact, green spaces give city dwellers sporting opportunities that are unrestrictive and adapted to their desires, whereas the classical model sees membership, training and competition at the centre of the stratagem (Augustin, 2001b, p. 29). The diffusion of sports practices in green spaces corresponds to a “new sporting urbanity” (Escaffre, 2005) and once again highlights a new type of public sociability marked by individual practices that are displayed in public.

In addition to sports, green spaces are increasingly used for educational purposes or for cultural activities for children. For example, gardens are set up in local squares to familiarise small city dwellers with nature, as is the case in Paris or Berlin. In fact, today’s cultural policy passes through urban parks, where films are projected, music festivals and outdoor exhibitions are organised. Urbanites are using green spaces as meeting places more often, even if it is between known friends or family members. The practice of picnicking, for example, tends to occur in all European major parks for the middle-class community.

These public spaces are therefore highly valued today as symbols of freedom as well as in terms of practice and representation. It is not possible to understand public spaces without putting them in the context of Western democracies, which do not have the same history nor the same meaning within contexts of dictatorship or young democracies. The history of Western democracies has largely been written in the street, even if other places have counted (Tartakowsky, 2006) centres as places for expression, as described by Bourdin (2019): “*Le centre lieu de l’expression comme l’air de la ville rend libre.*”

H. Lefebvre (1968; 1974) submits a reflection that takes into account the inhabitant and the reality of everyday life. For him, the city is above all “gathers” and the street is one of the places that allows this gathering (Fleury, 2008, p. 32). The public space is then considered as a space open to all citizens with no exclusion, which is the antithesis of a community space. Public spaces are not community spaces in so far as they are not only used by people from the same category or belonging to the same community. They hold together heterogeneous elements and, as such, reflect this quest for “living together”. They link the plurality of individuals and communities and bring different lived worlds to political visibility (Ghorra-Gobin, 2001b, p. 13-14).

Moreover, political activity plays a major role in a public space.

“Many more activities are frequently happening in public space including play, recreation, and travel. These activities are treated as less important than politics in parts of this literature, particularly when engaged in by those who are not also extremely marginalised.” (Forsyth, 2000, p. 124-125)

Forsyth (2000) points in the same direction, arguing that public social sciences play a major role: “See physical public space as at least partly overlapping with the political public sphere” (p. 124) or “as a location of some form of fraternity among strangers”. In this view it is an area where the poor can share locations with the rich, and where a kind of “polymorphous sociability” occurs (Idem, p. 125-126).

Another approach is interactionist. For historical reasons, this approach has considerable place in the analysis of urban public spaces, particularly in France. Distancing itself from the idealised representation of public spaces as places of neighbourhood sociability, it defines them as places of “cold sociability and feeble links” (Joseph, 1995, p. 12).

In conclusion, these three types of approaches (recreation, politics, interactionism) also evoke the diversity of public spaces and their recompositing. Indeed, not all public spaces grow equally and gain similarly in a city; they do not evolve in the same way. The place by itself is all that matters. If the public space is defined as a space practiced by the public, it is because this public is attractive for urban functions. These conditions largely affect the use of public spaces, especially as the urban space is increasingly specialised on a functional level. Thus,

public space is defined both as a system of places and as a system of actors at different urban scales (Fleury, 2008, p. 105).

After reviewing public space and talking about its various approaches, I will study the producers of these public spaces, addressing who is responsible of the production of these spaces and who takes over the management. The new centralities, shopping centres and their creation will then serve as an introduction for the following chapter on POPS, likewise considering who is responsible for the production and management of these new public spaces, and why and how they emerge in cities.

1.5 Production and management of public spaces

Many actors are now integrated in the production processes of public space, which was not previously the case. From this perspective, the notional public/private couple must of course be used with caution. The terms “public” and “private” cover a great diversity of actors (Fleury, 2008, p. 117).

Today, a number of actors play a major role in the production of public spaces, whether they are specialised in the field or not. Involved are the mayor, promoter, representative of the state, urban planner and even the contractor, who contribute significantly to the definition of the practices and representations of the city through their speeches. It is also through their decisions in terms of planning, management methods and regulations that these actors transform the city. In Europe, the invention of public space as a category of reading—prompted by scientists and professionals in the city—has profoundly changed the image of the city (Idem, p. 106).

In Western countries, public space, however, remains a space that more or less coincides with the public domain where public authorities are very involved. Public authorities are therefore the main producers of public spaces who can also either support the decisions of private actors or challenge them. As with the private actors, the public actors are numerous, whether in terms of country level (local, metropolitan or national), status (elected or official) or even profession (architect, landscape architect, designers). Between these two (private-public) exists the para-public or semi-public actors who are sometimes owners and/or managers of public spaces, as seen with social landlords or mixed economy companies (Idem, p. 107).

At the local European level, the public sector appears as the main actor. It is on this level that the public space is practiced and appropriated *sine qua non* of its existence. The criteria of age, gender or social class weigh heavily. Depending on whether they are young or old, men or women, executives or workers, city dwellers do not practice public spaces in the same way and their "arts to do" vary.

In addition to the public, other local actors exist, such as retailers, who are a special separate category. Even if they do not live in the neighbourhood, they can be counted along with the residents living there. Those traders also contribute to the animation of streets and squares. Other actors who are not space users but still play an important role at this level include local elected officials or most notably technicians, who are often frequently present on the spot. Lastly is the addition of the roles of certain public service officials—police or firefighters—for whom public space is part of everyday life.

At a metropolitan level, public space is largely produced by different actors to those who produce public spaces at a local level. First and foremost, it is constituted by the public authorities who act on many levels beyond the local level. These are both elected officials and administrations in charge of infrastructure development and management, displacement management and law enforcement. These skills cannot be exercised at the local level in a large metropolis (Idem, p. 111).

The production of public space therefore takes on a particular meaning in the centre of European cities. Numerous studies conducted in the 1990s highlight the processes of privatisation and commercialisation of public space (Waltzer, 1986; Zukin, 1995; Sorkin, 1992). As described by K. Mitchell (2000, p. 444):

“The fundamental changes that all of these scholars outline is the increasing privatisation and commodification of public space.”

They relate to a massive withdrawal of public authorities and a statement of the private sector in the production and/or management of public spaces. Some of these studies particularly criticise the security system and the increasing control over individuals and bodies (Wolch & Dear 1993; Smith 1996), or even the “militarisation” of public spaces (Davis, 1998). These dynamics are generally related to a double phenomenon of inclusion and exclusion

(Zukin, 1995): the former sees new public spaces are considered as places for the middle class and the wealthy (Smith, 1992; 2003), while the latter notes changes in form and modes of regulation, such as forbidding “undesirable” groups (homeless people) to enter these public spaces (Mitchell, 1995; 1998). The public spaces of suburbs (malls, theme parks, gated communities, etc.) and central spaces (shopping streets, water fronts or parks) are involved as well. Some of these authors end up with the idea of a necessary politicisation of public spaces (Low & Smith, 2005), considering that private actors have had to invest in the production of new public spaces following the abandonment of traditional public spaces to purely technical and functional logic (Ghorra-Gobin, 2001a, p. 12). Although these new spaces, such as gated communities, may create value for its customers/inhabitants, it can still destroy the value for the inhabitants of the neighbourhood (Bourdin, 2019, p. 14).

More generally, today we can observe in the heart of metropolises a “commercialisation of public places” (Zepf, 2001, p. 68). The urban public place is the object of a growing economic attraction. Producers of urban places (politicians, urban managers, civil servants, urban planners, etc.) have entered a logic of urban marketing, promoting the city to attract groups of customers who seek to consume the attraction of a specific public atmosphere. All kinds of actors in the form of certain media figures, young dynamic sportsmen, serious businessmen, families with children, etc. are invited to participate in the show (ibid).

In terms of management of public spaces, many cities entrust the development or management of their central public spaces to the private sector, following the North American model (Zukin, 1995). By putting public spaces at the heart of their actions, public authorities try to act more or less directly on the practices of the city and changing practices by working on the shape of public spaces. In a European context, public actors theoretically work to build public spaces in the interest of as many people as possible for the common good (Fleury, 2008, p. 119).

1.6 European shopping centres: a space both commercial and recreational

Globally, the traditional centre is losing its symbolic role. Whether social, political, religious, juridical or academic, these centralities are no longer holding an important place in the practices and representations of the city centre (Bourdin, 2019). With urban growth and the development of transport, secondary centralities have developed in the suburbs: cities, shopping and leisure

centres, employment hubs such as airports, etc. The emergence of these centralities corresponds to new forms and practices.

Fewer and less diverse in form, public spaces are part of a discontinuous space-pattern where modes of displacement and travel are predominantly motorised. They are no less busy than those in downtown, but unlike them, they usually correspond to one function—shopping centres are the best example—and take a different direction marked more by consumption and leisure than by culture and heritage, indicating a fairly large break with their surroundings (Fleury, 2008, p. 104; Bourdin, 2019). The drift of the centre towards a place of spectacle and representation, and the explosion of centrality in a variety of special places, is affirmed by Bourdin (2019, p.125):

“Dans les villes récentes et sans véritable centre, notamment en Amérique du Nord, cette formule s’impose d’emblée. Ailleurs elle se développe dans les espaces de banlieue, en faisant évoluer la formule, souvent très centrée au départ sur l’hypermarché et qui au fil des années, enrichit son offre avec une diversité de formule et l’adjonction d’autres fonctions, en particulier les loisirs. Ainsi se créent des centralités périurbaines, mais sur un spectre assez limite et très souvent dans une assez grande rupture avec le territoire avoisinant.” (Idem, p. 123)

In this context of strong dispersion, which pushes public sociability to assemble in a few particular types of places, it is important to draw a picture of public spaces as they present themselves today. City centres and secondary centres converge on the path of functional specialisation, and the practice of these spaces are more of consumption and leisure—a change also resulting from the strategies of the various public or private actors.

The shopping centres in the European city originate from passages and department stores invented in Europe in the 19th century (Péron, 1993). Shopping malls in their current form were born in North America and are called the “shopping centre” (Crawford, 1992). They spread to European cities as of the 1960s. This process is a part of a long-standing trend of indoor public sociability (Korosec-Serfaty, 1991). It is also from the development of a form of sociability linked to commodity that the consumption and leisure society has helped to reinforce, wherein trade alone can be a creator of social interactions (de la Pradelle, 1996; Capron, 1996; Monnet,

1997; Bourdin, 2019). Shopping centres are therefore nowadays a type of essential public space.

The shopping centre became a multifunctional consumer space, both commercial and recreational (Sabatier, 2006, p. 152), where department stores, various businesses, and a range of public and private services (banks, travel agencies, restaurants and fast food, etc.) are located. It is a closed space with air conditioning built around a central alley lined with shops leading to department stores. This central alley most often benefits from landscape and architectural treatments. It is also equipped to accommodate social life, with benches, fountains and a food court. A wide range of activities are also proposed (exhibitions, traditional festivals, shows, etc.), so that the shopping centre appears from the outset as a place of multiple social happenings, among which leisure, in particular strolling, are at the top of the list, unlike what was common for the previous generation. The leisure functions are constantly being developed, so that we now talk about “fun shopping” (Frieden & Sagalyn, 1992; Sorkin, 1992). Today, R. Rochefort states:

“Qu’on l’adule ou qu’on la déteste [...] le constat est là: la société de consommation est loin d’agoniser et elle gagne même tous les jours un peu de terrain.” (Rochefort, 1995, p. 10)

Leisure society has emerged with the considerable increase in free time (Fleury, 2008, p. 59), and consumption and leisure have become increasingly important since the 1960s, a phenomenon that J. Dumazedier (1962) and J. Baudrillard (1970) were among the first to highlight. Consumption and leisure have progressively joined together, forging a “leisure consumption society” (Augustin, 2001a), and more broadly, a “consumer and leisure society” (Koehl, 1990; Hetzel, 1996).

In fact, the absence or slowness of the public authorities in responding to this demand for leisure has “catalysed the development of private commercial offers of goods and leisure service” (Sabatier, 2006, p. 178). Shopping malls, cinematographic multiplexes and amusement parks are becoming places of public sociability that cannot be ignored. G. Capron (1997, p. 30) describes this phenomenon as the following:

“Les commerces, comme lieux d’un échange multiforme, tant économique que social, d’expériences de l’altérité, d’exposition de soi au regard d’autrui, régis par des rituels de rencontre et d’évitement, sont caractérisés par des usages publics.”

City dwellers visit shopping centres for the purpose of consuming or entertaining. They also come for a show: that of the commodity first and then that of consumption itself (Baudrillard, 1970; Debord, 1968), much in the same way as the loafer in passages in the 19th century (Benjamin, 1989). The spectacle of the human being is consummated symbolically in the same way as the goods. Moreover, it finally becomes a collective ceremony, essentially made possible by the availability of people and because they have deliberately made the choice to frequent the place (Fleury, 2008, p. 60). Barbichon (1991, p. 119-120) indicates that in a system where the spaces of relations are composed in a dispersed, distant and discontinuous way, individuals find a deep satisfaction in experiencing the tangible presence of humanity, or the crowd, under a form of almost ceremonial spectacle.

Even if they call into question a public sociability that was once anchored in proximity, shopping centres today constitute places of life and places of sociability (Lestrade, 2001). Indeed, as R. Sennett (1979, p. 24) describes:

“[Plus] les gens ont de barrières tangibles entre eux, plus ils sont sociables, de même qu’ils ont besoin d’endroits publics spécifiques dont la seule fonction soit de les rassembler.”

In this context, public sociability is now more associated with the centrality, as well as to particular times of the week or the year with weekends and evenings being key moments. If shopping centres have been directly considered public spaces in the United States, however, they are struggling to be considered as such in Europe, especially in France. It is true that these spaces, which belong to large distribution chains or to specialised companies, are governed by private law that does not include them in the definition of the ideal public space established in the 1970s in Europe. However, public authorities are more accustomed to this evolution since shopping centres are often included as part in the planning programme of a region (Urban Plan, 1988; Sabatier, 2006), but was necessary to wait until the 1990s for these to be considered as public spaces in their own right (Fleury, 2008, p. 63-65).

Thus, “since the 1990s, the questions are no longer exclusively about trade in its strictly

economic aspect but tend to reflect on the role of the commercial function in the organisation of social life” (Gasnier, 1998, p. 84). Researchers have, however, put in place new terminology intended to better reflect changes in the practices, forms and management of these spaces, from “new public spaces” (Didier, 2001) and “publicised private spaces” (Sabatier, 2006) to “private spaces of public use” and “common spaces” (Lussault, 2003) or “societal spaces” (Lévy, 2003), and “private spaces of public use” (Decroly et al., 2003). In France, for example, the clearest definitions of a space are those of the jurists, with the public domain (inalienable), public property and all the legislation that has been built around spaces receiving the public, which stands out from that concerning private spaces not receiving the public.

The fact is that an increasing number of public spaces that are privately run spaces open to the public head towards the direction of social privatisation, since it partly modifies the conditions of access (Decroly et al., 2003; 2006). The owners and/or managers of these places show, according to most authors, a desire for greater security and social control. Many of these public spaces are therefore, as with the latest shopping malls, frequently set up under the “panoptic prison” mode of Jeremy Bentham to create a sense of security for merchants and buyers (Decroly et al., 2003, p. 11).

These shopping centres are controlled by video surveillance devices and private security guards who preserve a conducive atmosphere for consumption, evacuating any conduct or persons likely to disrupt customers. This security system is often criticised as it sometimes leads to reserved space for exclusive users—generally belonging to the middle classes and its corollary—leading to the exclusion of certain groups of the community. Specific arrangements and regulations also ensure a selection of customers without a physical closer of the space: whether by installing “sadistic” arrangements (Davis, 1998) such as benches that do not allow for lying down designed to drive homeless people away, or simply “the establishment of a system of signs [...] guaranteeing the marginalisation of the poor populations” (Decroly et al., 2003, p. 12).

As a side note, there are shopping centres that are more made for the poor (not the homeless, who are excluded everywhere in different ways), for example the Plan de Campagne in Marseille, or Majed Al Futtaim Malls in Dubai. In Trafford, the road is divided only by a strip of tarmac, which might as well be a boundary between two worlds because on one side is more than GBP7 billion of new infrastructure, an island of new stadiums, luxurious shops and hotels

surrounded by waterways, roads and railway lines. On the other is one of Britain's most economically deprived areas, ethnically diverse and blighted by unemployment and decrepit industries. A new metal sculpture of shimmering lime, green and yellow outside the 1970s shopping centre cannot disguise its down-at-heel appearance, while inside, shops advertise items costing less than GBP1. There are pawnbrokers, burger restaurants and market stalls selling jellied eels and whelks (Reuters, 2012).¹²

The tendency nowadays is to create a comfortable and reassuring place by simulating old-fashioned road layouts in city centres or by working on the architectural atmospheres reminiscent of historied shopping streets. The deliberately sanitised environments of contemporary shopping malls also testify to this (Sabatier, 2006). Public spaces are therefore increasingly spaces for nostalgia¹³ (Harvey, 1989; Goss, 1996; Fleury 2008). Even a certain number of places retain and develop their "living-room" status, that is to say, they "allow halting, slow walking" (Korosec Serfaty, 1991, p. 57).

As in North America, privatisation in the European context is often associated with commodification (Zukin, 1995). Primarily, it concerns the production of new public spaces, primarily shopping centres, public spaces of private status. But by following the American work on "public-private partnership" (Zukin, 1995; Brown, 1997) and the readings done by American authors such as S. Zukin (1995), I could conclude that this evolution is considered as a withdrawal of the public authorities for the benefit of the private sector, and as an infringement on public space considered as necessarily belonging to the public domain (Fleury, 2008, p. 82).

The issue of the privatisation of public spaces is also reflected in the analysis of new residential spaces on the outskirts of cities. These have collective areas: non-private green spaces, roads, networks, collective buildings, swimming pools, playgrounds, etc. which do not belong, as with the city, to the public domain. Their development is done by the private sector and their management is the responsibility of new forms of co-ownership. These new forms of co-ownership are distinguished from traditional co-ownerships that managed small collective areas, such as courtyards, staircases or corridors of a building. As for their use, it seems almost

¹² <https://www.reuters.com/article/uk-olympics-stratford/stratford-a-tale-of-two-worldsidUKLNE83H01120120418>.

¹³ The return to the centre belongs in part to the realm of dreams or nostalgia (Bourdin, 2019, p. 129).

exclusively reserved for residents. J.-M. Decroly, C. Dessouroux and M. van Crielingen indicate (2003, p. 15):

“These private public spaces, apart from the fact that they are reserved for a certain type of users, have the specificity of being separated from other public spaces. This is the last stage of privatization, the partitioning, which is explained by the desire for greater security of these places.” (Fleury, 2008, p. 82)

1.7 Settlement in public spaces vs POPS

As Forsyth (2000) recalls, it is possible to distinguish three types of rules for formal use: general rules, which are valid for all and everywhere without distinction; the rules specific to public spaces, which are not irrelevant to the private sphere (closing times of parks, free movement on sidewalks, etc.); and finally, those prohibiting behaviours or activities that are “stopping interference with use by others” (Forsyth, 2000, p. 123).

Compliance with rules is controlled by the police (mainly for the general rules) and by other public officials such as guards or the municipal police (for the others). Like any space, public space “results from a sequence and set of operations and cannot be reduced to a single object. As a result of past actions, it allows actions, suggests or forbids them” (Lefebvre, 1974, p. 88-89). The same set of rules are found more or less in public spaces of private status, it is the owner who defines which usages are allowed within the limits of private law. They can therefore be more restrictive, as is the case for shopping malls or playful enclaves, where the use is more standardised than in streets belonging to the public domain. In these places, rules and norms are controlled by security guards and security agents belonging to private companies (Fleury, 2008, p. 101).

Another type of rule, unwritten this time, is induced by the presence of several people in the same place. Thus, on a street, in a train, metro station or shopping mall, relationships based on “mutual strangeness” (Quére & Brezger, 1992-1993) are formed and each becomes aware of the presence of others. As C. Ghorra-Gobin (2001b, p. 13) describes, “This ability to learn from the other and from other things is essentially the result of the power of anonymity.” But these relations are governed by implicit norms of behaviour: they are socially organised by rituals of exposure or avoidance (Goffman, 1973).

As for the processes of exclusion, already seen clearly in public spaces of private status, they also seem to be developing in traditional public spaces (Fleury, 2008 p. 85). Even if the situation is very different from that of the North American context, where the homeless are much more numerous than in the European context, many studies have recently focused on the role of the homeless in public spaces in European cities (Damon, 2002; Zeneidi-Henri, 2002; Marpsat & Firdion, 2000; Belina, 2003). In particular, the diffusion of “sadistic” installations and layouts (Davis, 1998) in the streets and squares (Bouché, 2006; Terrolle, 2004) was noted. In addition, the public authorities are increasingly required to establish regulations to avoid the presence of “undesirables” or even force them to leave. They also often seem to settle conflicts of use between homeless people versus residents and traders to the benefit of the latter (Froment-Meurice, 2007).

1.8 American public space

The only public spaces that have emerged in the North American suburbs are shopping centres. The result is “a negative representation of public spaces where, the spontaneous and unplanned meeting that encounter between individuals, is perceived as spaces of disorder” (Ghorra-Gobin, 2001a, p. 7). Thus, there has been a dissociation between urbanity and traditional public spaces, which has not long been perceived as a problem, and which is very different from a European context. Traditional public spaces, and more generally city centres, have been gradually abandoned to the most disadvantaged, excluded or precarious categories of the population, whose numbers have increased in tandem with levels of crime.

Largely fuelled by media’s portrayal of violence, a feeling of insecurity developed in all sectors of society, particularly among middle-class residents in wealthy suburbs (Davis, 1998), who felt that they and their properties were under threat and that the public authorities were unable to put an end to the situation. The development of shopping centres and gated communities cannot be understood outside of this evolution. These two types of spaces offer “an idealised living environment that combines sociability, security and leisure to form a protective and comfortable envelope” (Decroly et al., 2003, p. 15) while the allowing for further preservation of real estate heritage (Blakely & Snyder, 1997, Le Goix, 2002).

1.9 Conclusion

As seen above, public space constitutes the vitrine of the city towards the outside. What makes it unique is its hollow form, physical emptiness, and emptiness of construction; an empty space large enough, but always surrounded by built forms, thus contributing fully to its definition.

Public space had to be defined very broadly as a system of places and actors. Thus, we see three figures for the centre coming through. First, the keystone centre, resulting from a city or a territory; secondly, that of the centre producing a city or territory; and lastly, the centre defined by a network. They are shaped and created by the practice and the physical presence of city-dwelling/ actors. Public space is therefore above all a space where individuals interact with both objects and spatial forms, and while uninhabitable, these spaces can be appropriated by the users.

Public spaces which are symbols of freedom and public sociability by allowing the gathering are places for all. They play different roles in a city: recreational, political and interactional. The public space is then considered as a space open to all citizens with no exclusion.

The production and management processes of public space integrates many actors nowadays, including the mayor, the promoter, the representative of the state, the urban planner or even the contractor. A number of them play a major role in the production of public spaces, independent to whether they are specialised in this field or not.

In Western countries, public space, however, remains a space that more or less coincides with the public domain, where public authorities are very involved. Public authorities are therefore the main producers of public spaces. At the local European level, the public sector appears as the main actor, but at a metropolitan level, public space is largely produced by actors who differ from those who produce public spaces at the local level. The production of public spaces thus takes on a particular meaning in the centre of European cities. Studies conducted in the 1990s highlight the processes of privatisation and commercialisation of public space. They relate to a massive withdrawal of public authorities and the rise of the private sector in the production and/or management of public spaces.

Commercialisation of public places can be observed in the heart of metropolises today, seeing the traditional centre—regardless of its social, political, religious, juridical or academic nature—lose its symbolic role. These centralities are no longer holding an important place in the practices and representations of the city centre. This phenomenon will be explained further in the following chapters.

In terms of management of public space, many cities entrust the private sector to manage and even develop their central public spaces. This privatisation is about management more than ownership of the space. In the next chapter this topic will be detailed, and a study will be conducted on how BID (Business Improvement District) works along with an explanation of how private companies take over the public authority in terms of management.

The final part interpreted shopping centres to introduce the following chapter about private space open to public and to reveal more about these emerging centralities that correspond to new forms and practices. Contemporary shopping malls were born in North America as the shopping centre, but originally these spaces hark back to 19th-century in Europe. Consumption and leisure have progressively joined together in these spaces, forging a leisure consumption society that positions shopping centres as multifunctional spaces combining commerce and recreation. They are becoming places of public sociability. City dwellers visit the shopping centres for the purpose of consuming or entertaining; they are here for a show, that of the commodity first and that of consumption itself. These new centralities will be discussed in the following chapter in detail.

2. Private space open to public in a city

2.1 Introduction

The nature of the lived experience is that which surrounds the everyday space of the city dweller; a landscaped nature that is reassuring and familiar and is accessible to the practice of the city dwellers who may or may not be used to it, or may or may not frequent it, regulated or transgressive. The practices of the inhabitants of the traditional city can be discerned from the ritual practices of the peri-urban dwellers (Boutefeu 2008).

In a traditional city, where the private gardens are the rarest, the practiced nature is that of squares and public gardens, or less ornamental urban parks. However, as soon as it is feasible, urbanites go towards natural and rural spaces outside the city, “*les espaces du ‘Dehors’*” (Banzo, 2009, p. 73). In a study done on the social demand of nature in Lyon, Emmanuel Boutefeu shows that the most frequented spaces are the closest—generally the squares located in the district. They are places of relaxation and meeting. For weekends, city dwellers seek calm and greenery in urban parks. The attractive urban park gives access to soothing, enjoyable and pleasant nature that makes its visitor forget that s/he is in the city.

“Toute enclave de nature jouit d’une position extra-territoriale: elle est perçue hors la ville. Par voie de conséquences, ce havre doit être calme et propre, gage de sécurité et de naturalité.” (Boutefeu 2008)

Studies show that city dwellers are receptive to a greater presence of fauna and flora in the city.

“Même si certaines espèces sont écartées ou évitées, la diversité est clairement ressentie et recherchée.” (Clergeau, 2007, p. 35)

These spaces are urban public space. Although the notion of “public space” refers to an open sociological category, not determined, it is hard to find any definition of the term that is not related to the city (Madanipour, 1999; Carmona et al., 2003). Beginning with the marketplace of medieval times, public space developed in the city (Weber [1912], 1978; Bahrtdt, 1974; Habermas, 1991). The characteristics of public space—to be specified in juridical, functional, normative, social and symbolic dimensions—are mainly assigned to urban public space (Siebel

and Wehrheim, 2003). Public streets, public buildings and parks, the postulated common accessibility of public areas, the “*blasé* attitude” and “reserve” of metropolitans first described by Georg Simmel (1971), the structural symbols of consumption... all these elements take shape in the city and exert their influence on urban life and the city’s appearance.

In the past 50 years, understanding public space has commanded the attention of a virtual army of scholars from many disciplines: social scientists including sociologists, anthropologists and environmental psychologists (Anderson, 2004; Castells, 2000; Lewis, 1961; Low, 2003, 2000; Nasar, 1998; Whyte, 1988, 1956); designers including architects, landscape architects and city planners (Bacon, 1974; Garvin, 2002; Gehl and Gemzee, 1996; Jacobs, 1993; Lynch, 1960, 1981; Marcus, 1998; Olmsted in Beveridge and Hoffman, 1997); and popular observers, including journalists and photographers (Hiss, 1990; Jacobs, 1961; Vergara, 1995). They have traced the functions and uses of public space and documented its changing purposes and character (Birch, 2010, p. 119).

For some time now, scientific reflections on the form and function of public urban space have been extended to focus on particular urban developments that can be summarised under “the privatisation of public space” (Kohn, 2004). Sociologists and political scientists comment mainly on the “end of the public space” (Sorkin, 1992) or “the emergence of private cities” (Frug 1999; Glasze, Webster and Frantz, 2005). Observers ask, “Who owns the public space?” or “Who owns the city?” (Fainstein, 2005) and not only fear the loss of public space but also see a risk to civil liberties. As publicity is perceived as a constitutive element of modern societies—so the reasoning goes—the consequences of privatisation will not remain limited to a change of proprietors but may also put pressure on open democratic society (Nissen, 2008, p. 1130).

Recently, many urban areas have moved away from the creation of publicly owned open spaces toward privately owned public open spaces, or “POPOS”. These POPOS take many forms: concrete plazas that separate a building from the sidewalk, glass-windowed atriums in downtown office buildings, rooftop terraces and gardens, and grass-covered spaces that appear to be traditional parks. These POPOS regularly fail to achieve the goals of the “common good” public space, in part because they are often exclusionary; they only feel welcoming to certain people, and they only permit a limited number and type of activities (Schindler, 2018, p. 1093). Private actors make a significant contribution to the production of urban space (developers,

producers and managers). On the other hand, local authorities play a key role via interventions on land supply, definition of land use, contractual delegation and social exclusivism. Public spaces tend to disappear in favour of private urban planning (housing estates, shopping malls, public-private spaces in the downtowns). Public spaces in cities, especially in the United States, were subject to depreciation and disinvestment in the second half of the 20th century (Le Goix, Loudier-Malgouyres, 2006, p. 29).

In this chapter I first explain the purpose of creating private space open to public. My target will consist of understanding these spaces, who the creators are, why the spaces are created and how these places are managed. I will outline how the production and management of these entities is guaranteed, and through that, the Incentive Zoning programme. I will also discuss the transformation of these places into new consumption and socialisation zones, and if it is true that these new private places open to public are encouraging exclusion and creating exclusionary environment along with the gated community. Hong Kong will then serve as an example of how to transform a POPS into a beneficial concept for city dwellers.

2.2 The city's need for public space

Belatedly, various factors show to public authorities the importance of the existence of urban public spaces. Among these factors, city centres see the quality of public space as a way to regain attractiveness *vis-à-vis* peripheral cities and peri-urban fabrics. Then, facing the competition of periphery shopping centres that front their comfort and unlimited services, the link is quickly made between the vitality of downtown shops or main streets, and the quality of their urban environment. More generally, the qualities of a public space of proximity are rediscovered with the increasing congestion of American cities and the advent of sustainable development (Le Goix, Loudier-Malgouyres, 2006, p. 30).

Privatised public spaces are often clean and well-maintained; they feel safe and comfortable to many (Weaver, 2014, p. 30). Yet, a number of social scientists and geographers have asserted that privatised public space is problematic and a poor substitute for traditional public space (Hackworth, 2007, p. 66). It is exclusionary. It segregates. It is sterile. It diminishes opportunities for free speech.¹⁴ It prevents people from different walks of life from interacting

¹⁴ "Le centre est le lieu de l'expression comme l'air de la ville rend libre." (Bourdin, 2019, p. 69)

with one another. It also raises concerns from a local government perspective: there is a fear of loss of democratic process when corporations and other private entities control public space and the public realm more than citizens do (Schindler, 2018, p. 1097).

About the accessibility of these places, Schindler (2018) notes:

“Further, though POPOS are sometimes outside along public streets, they are also often located inside office buildings or on rooftops, and thus are hidden from view and involve barriers to entry that some members of the public would not feel comfortable crossing. And while municipalities typically require that these spaces be open and accessible to the public during daylight hours, they often provide little additional guidance about how the spaces may or must be used. The result is that private developers and their security guards, who manage both the private and public space within the commercial building, generally set and then enforce all the rules.”

Fewer cities are investing in the direct creation of new publicly owned public space, and there has been an increase in privatised public space (Low et al., 2005). The New Urbanism is immersed in it, reviving the traditional city model, even if the public space is not necessarily of public status or management. Finally, it is important to note that public spaces have recently been reinvested as “public good” for their founding role in the functioning of urban society (Le Goix, Loudier-Malgouyres, 2006, p. 33).

2.3 Management of public spaces by private actors

The production and management of urban spaces and services in metropolitan development is gradually being transformed into public-private partnerships (PPP) (Le Goix, Loudier-Malgouyres, 2006; Zukin, 1995; Sijpkens and Brown, 1997). The management of public space is another dimension that is largely talking about the partnership of the United States and Canada, and between the weakened financially public community and the local economic actors (Carella, Schindler, 2016).

As one commentator has noted, the legal structures that govern purely public spaces tend to fall within the freedom-of-assembly jurisprudence (Schindler, 2018, p. 1121). In contrast, when we speak about purely private spaces, it is the law of property that governs and the right to

exclude that dominates those discussions (Síthigh, 2012). Private property is also often governed by contract law. Thus, we have clear, distinct legal rules governing both traditional public spaces and purely private spaces.¹⁵

The restructuring of the Central Business District was born in the 1970s and 1980s (Ghorra-Gobin C., 1993). Business Improvement Districts (BIDs) are now classic tools for local entrepreneurs and office and retail owners to supplement or increase the services traditionally provided by municipalities in terms of cleanliness, safety, environmental urban improvement and economic dynamism. But it is also a way to defend and assert their own interests in the sector where they are located. Today, every major US city has one or more BIDs (or related names) in its territory, typically concentrated in business sectors and trading areas that have experienced or are experiencing a decline in activity. BIDs Board of Directors are made up of local economic actors and representatives of the city council and its services (Arden, 2010).

Business Improvement Districts generally allow the management of the public domain, which effectively complements the action of the public (Briffault, 1999). In some cases, they go beyond their missions by becoming engaged in planning actions such as the installation of street furniture, participating in projects to restructure green spaces or the construction of police stations, and assuring the exclusion of populations. Then they work to assure their professional reintegration (Vindevogel, 2005). It is clear that the intervention of the BIDs helps to pacify and enhance central neighbourhoods that were once suffering from signs of decline, such as the degradation of the urban environment and the marginalisation of a part of its population. They help to make them more attractive and capture and maintain a wide range of employment and activities and in doing so, they preserve a fiscal resource for the social programmes of the municipality while simultaneously counterbalancing the attraction of the suburbs as a more competitive living environment (Vindevogel, 2005).

As an example, San Diego pays particular attention to public spaces. It launched the revitalisation of its downtown, which is strategically promoted by the city as central space to unify movements and social interactions. On an economic level, in 1992, the local business associations created the Downtown San Diego Partnership (DSDP) whose main mission is to

¹⁵ POPOS are interesting from a legal perspective because they are neither purely public nor purely private; rather, they fall somewhere in between (Terzi & Tonnelat, 2016).

enhance and energise commercial and economic activities. In July 2000, the DSDP set up a property-based Business Improvement District (PBID) to improve the image and functioning of the downtown's urban environment. The PBID is financed by a redistribution to the DSDP of the property taxes of the offices and businesses owners perceived by the city. The creation of the programme was submitted to city council for approval and resulted in a five-year contract between the city and the economic partners. In 2005, the DSDP renegotiated the continuity of the programme for a period of 10 years, but under the condition that members of the DSDP and owners and contractors' partners voted on its renewal. A review of its activities is thus carried out each year to demonstrate the interest and efficiency of the system (Briffault, 1999; Le Goix, Loudier-Malgouyres, 2006, p. 29).

The Atlanta City Council serves as another example, which recently agreed to transfer use and control of portions of three downtown streets to a private developer as part of a larger development deal (Trubey and Stafford, 2016). An additional instance of this type of privatisation involves suburban neighbourhoods that are governed and managed by Homeowners Associations (HOAs). HOAs generally comprise groups of private individuals who live in a given neighbourhood. While the streets that run through those neighbourhoods might technically be public streets, there is often a feeling of exclusivity, especially if one has to pass through a gate or entryway to access the neighbourhood (Callies et al., 2003).

2.4 The multiplication of private collective spaces

Many authors agree on a trend of postmodern urbanism moving towards private modes of producing urban spaces, following the logic of commodification (Sorkin, 1992) in response to certain deficiencies of a city such as insecurity (Davis, 1990; Marcuse, 1997). This logic is based on contractual modes of regulation that govern co-ownership subdivisions, shopping centres and business centres. From the theoretical point of view, these spaces are in fact governed by property rights, functioning as “clubs” providing exclusive service to their members. These members are bound, by a form of contract, to a co-ownership or to a private company that manages the space in question. These contractual modes appear an attempt by private institutions to manage collective spaces (streets, sidewalks, squares and leisure spaces) and to prevent negative externalities of urban growth through the control of the neighbourhood, social exclusivity, protection against delinquency, etc. Other dimensions are added to this first operational extent, notably related to security strategies. In a caricature-like way, the actors of

the real estate promotion have spread theories of defensible space to popularise solutions for private security of the subdivisions, town planners, municipalities and security companies (Marcuse, 1997).

“De plus en plus observables dans le centre comme dans le périurbain, la multiplication des immeubles sécurisés et des lotissements développant des morphologies d’enclaves se perçoit comme une manifestation physique, visible de la rétractation des espaces publics au profit des espaces privés.” (LeGoix et al., 2006, p. 3)

Gated communities are thus often presented as symptoms of urban pathologies, accentuating social exclusion and segregation. But this diffusion of security ideologies also responds to an individual demand from residents for a strong control of their environment (Le Goix, Loudier-Malgouyres, 2006, p. 30). According to Capron (2006), closed residential gated communities to huge land allotment do not have a very clear definition, neither socially nor morphologically. The construction of a closed and secured Latin American residence typology comes up against the difficulty of establishing clear boundaries between several objects that highlight implementation of the closure and social privatisation processes at various scales.

Jacquin and Capron (2010) affirm that gated communities are not the space of trust and friendliness that they claim to be. It was observed that there is a total contradiction between the image mobilised by the developers and the experience of the inhabitants. The advertising on these subdivisions is inspired by the lifestyle of middle-class residences in the state, suggesting that these areas are happy places for families. For residents it is on the contrary—these areas are a symbolic link made between the dead ends and the very familiar experience of *vecindades*,¹⁶ or houses shared with extended family.

2.4.1 The creation of private public spaces by private sector

In 1961, the city of New York inaugurated a new mode of production of public space that has since spread widely across the United States. Incentive Zoning is based on the private promoter's assumption of the realisation of equipment or programmes of public interest in

¹⁶The *vecindades* are old colonial mansions converted into one-to-two room apartments distributed around the central patio. It is a popular traditional habitat of Mexico City and other Latin America cities that determines a way of life where the confinement of private spaces is compensated by an intense use of the patio.

exchange for advantageous authorisations going beyond the framework of the regulations of construction or zoning. Public authorities therefore authorise bonuses—a higher density, a greater building surface or an elevated level/height of the building—provided that the promoter assures urban, social or cultural benefits for the target population (community benefits) such as public circulation spaces, green spaces, percentage of social housing or provision of services for occupants (for example, home care for the elderly).

Authorisations and counterparts are determined by a negotiation process between the developer-builder and the community (Murphy et al., 1996; Renard, 2000). A zoning ordinance, decided by the municipality, supervises the negotiation, specifies the sectors concerned, the special authorisations and the services to be provided (Le Goix, Loudier-Malgouyres, 2006, p. 31). In Los Angeles in the 1960s, when the Central Business District revitalisation policy was launched, the Community Redevelopment Agency initiated the Incentive Zoning Programme. In exchange for a license for increased surfaces and building heights, it asked developers to create public space at the foot of buildings. Today, the majority of public open spaces in downtown Los Angeles, at least in the Central Business District, are built within this framework, and are therefore private (Loukaitou-Sideris, 1993). The idea behind such a trade-off is that the public space will counteract some of the negative effects of density, such as crowding or loss of light and air (Schindler, 2018, p. 1096).

Some developers of buildings containing POPOS were given the opportunity to provide these public spaces in exchange for the ability to build larger buildings than otherwise would have been allowed. Others were required to provide them because their buildings were over a certain size or located in a particular district. POPOS take various forms, including plazas, arcades, terraces, rooftop patios, widened sidewalks, through-block spaces and offsite but nearby parks (Kayden, 1978). POPOS ordinances have resulted in a large amount of privately owned public space. In the first years of New York's programme, from 1961 through 1975, Jerold Kayden estimates that 70 percent of building developers obtained the maximum development bonus (a Floor Area Ratio, or "FAR" bonus) in exchange for the provision of POPOS (Kayden et al., 2000).

2.4.2 Guarantee of minimum production and management

Zoning is one of the most powerful tools that municipalities have for extracting public goods from private parties. In the absence of a governmental requirement, the private sector would likely prefer to only provide public goods and services when they receive compensation to do so (Schindler, 2018, p. 1117).

Incentive Zoning – also known as “Bonus Zoning” – “is a legislatively pre-set bargain” (Ellickson et al., 2013). Sociologist William Whyte (2009) saw bonus zoning as a way to harness the greed of developers who wished to build the largest buildings that they could. Under an incentive zoning scheme that allows for a bulkier building in exchange for a POPOS, the requirements for that POPOS would be set forth in the zoning ordinance itself. This type of incentive zoning has been a primary mechanism through which cities, including New York, have obtained public space in recent years (Kayden et al, 2000; Nemeth and Hollander, 2010).

In other locations, a city might approve a building above 10 storeys on the condition that the developer provides something in exchange for that approval. In these jurisdictions, the city might require a Conditional Use Permit (CUP), Special Use Permit, or other discretionary approval for large buildings in certain districts, and the city will only issue those permits if the developer legally binds itself to provide something in return to the city (Key dan et al., 2000). Thus, unlike the structured Incentive Zoning Programme—which is pre-set and generally applicable—this CUP approach is more discretionary and works on an individualised case-by-case basis (Schindler, 2018, p. 1119). In this instance, the requirements for the POPOS would not be contained within the zoning ordinance, but rather within the discretionary project entitlements as a condition of development approval (Keydan et al., 2000).

Under any of these methods, it is important to recognise that the developer is getting something of value in exchange for the provision of the public space: a development permit to construct a project. Under incentive zoning schemes in particular, developers are gaining a huge advantage. For example, Trump Tower in New York relied upon the city’s bonus zoning scheme for permitting and construction. In exchange for the provision of 15,000-square-feet of public space in the form of public gardens and an atrium, the developer was permitted to construct an additional 200,000-square-feet. This supplementary square footage translated to 20 more floors (Elstein, 2016).

While there is a public process used to establish the rules that create POPOS—like incentive zoning—the rules governing the use of POPOS are typically set by the private developer in charge of the space. Thus, the creation of those rules is not typically subject to public oversight, resulting in a democracy deficit (Nemeth, 2010). This failure is the result of substantial neglect on the part of the cities that have drafted POPOS ordinances. In recent years, some ordinances have been modified to be more specific, dictating certain infrastructure requirements that must be present in POPOS, such as lighting, seating and art. However, and in contrast to public park ordinances, most POPOS ordinances are silent on how (and by whom) these spaces may be used. The building owners generally fill in these details and the rules they create are often quite subjective (*ibid.*).

Interestingly, privately created rules governing POPOS were often historically vague or non-existent; many of these spaces originally had no formal rules governing conduct within their boundaries. The result was neutral spaces that were “waiting to be defined by the user rather than by the owner, but the owners didn’t know that”. At least originally. However, the Occupy Wall Street (OWS) movement changed that dynamic. During their protests, OWS occupied Zuccotti Park, which is a POPOS in Manhattan. The occupation of that space led some owners and managers of POPOS to reconsider their rules (Kayden, 2013).

Incentive zoning, or BID, at least have the merit of producing and managing urban public spaces in a context of community disinvestment. In New York between 1961 and 2000, the Incentive Zoning Programme created 503 new public spaces as part of the construction of 320 buildings in the central districts, mainly the downtown business centre and Manhattan's Midtown. For the purpose of evaluation, a database was produced by the City Planning Department in collaboration with the Municipal Art Society and Harvard University, detailing information from each of the spaces as part of the programme. The results show that the large number of spaces created since the 1960s ensures a high rate of open space for the public in central districts (Kayden, 2000).

The range of public spaces thus created by the Incentive Zoning Programme includes plazas, indoor public spaces, atriums, indoor atrium plazas, buildings steps and other spaces surrounding the ground floor of office buildings or shops. These are not public spaces, but spaces open to the public—private public spaces—that have private management (Loukaitou-Sideris, 1993).

“Certains auteurs parlent ainsi de ‘nouveaux espaces publics’ (Didier, 2001), des ‘espaces privés d’usages publics’ (Decroly et al., 2003), ou encore des ‘espaces privés publicisés’ voire des ‘espaces privés publicisés.’” (Sabatier, 2006)

These are spaces related to economic activity whose purpose is to improve the image of the downtown and to enhance its economic attractiveness. In this respect, the areas treated by BIDs have the same objective of promoting the environment of economic and commercial activities. These two systems thus join the interests of the economic actors involved. However, if a new topic be initiated about privatisation, and how this is denaturing public spaces (Loukaitou-Sideris A., 1993) should be considered.

The analysis of these spaces reveals particular characteristics associated to a private nature. The principles of composition follow an inward orientation of the adjoining structure and a break with the external environment (entry gates and very legible boundaries) that insists on the boundary with the surrounding public space, a significant architectural choice. The management of these spaces shows clear objectives of control by the presence of private security agents, strict regulation and the absence of equipment or furniture that could attract undesirable populations.

In fact, the management policy of these spaces applies to the selection of the user, embodying the repression or removal of undesirable populations (homeless, disruptive youth, etc.) opting to target users who use the services offered (spending money in restaurants, bars, shops) (Zukin, 1995). Likewise, the maintenance of the public space in the context of the BIDs—which remains public in their legal status—seeks to eliminate all the signs devaluing the sector (tags, detritus, deterioration of the furniture) that would translate to a lack of control and an abandonment of space. We see that the objective of controlling these spaces is focused both on the level of cleanliness and on the behaviour of users. Vindevogel (2005) argues:

“De nombreux dirigeants des BIDs voient des références dans les centres commerciaux, dans les parcs à thèmes type Disney ou dans les réalisations résidentielles attenantes comme Celebration (Didier S., 1999). On peut penser que le contrôle est inhérent au principe de gestion d’un espace privé. Dans le cas d’un espace public géré par le public, si l’espace

fonctionne mal et perd son attractivité, la collectivité peut être en déficit mais ne périlite pas, à la différence de l'acteur privé.” (Le Goix, Loudier-Malgouyres, 2006, p. 34)

2.5 Exclusionary environment created by POPS

One of the strongest criticisms of POPS is that they often result in spaces that are exclusionary, which means spaces that are not fully accessible to the public and where only certain people feel welcomed (Nemeth, 2010). There are a number of reasons for this exclusionary environment, two primary reasons being the design of the space and the discretionary enforcement of the space's use (Schindler, 2018).

2.5.1 Exclusion through design

Design is a form of regulation through architecture. Though just as powerful as regulation through law, architectural regulation is less obvious. Many spaces are created to direct behaviour in a way that the architect desires (Schindler, 2018, p. 1130). In POPS without functional amenities such as seating, tables and food service, but with available ledges punctuated with spikes, users would have to look elsewhere if they wanted a place for utilitarian or passive recreational activity (Kayden et al., 2000). An important point here is that underused, exclusionary POPS are quite common; according to Gregory Smithsimon (2008), “Most bonus plazas are designed in ways that limit use by the public.” Further empirical research has shown that developers often intentionally create and design these spaces to make them uninviting to the public and exclusionary.

This research is counter to the suggestion from some scholars that privatised public space is often unintentionally inhospitable, and that exclusion is the fault of planners or modernist design itself (Smithsimon, 2008). Owners intentionally exclude in many ways, including through “locked gates, missing amenities, and usurpation by adjacent commercial activities” (Kayden et al., 2000). Generally, the exclusionary design of POPS can be thought of in three ways: physical barriers to entry, psychological barriers to entry, and uninviting features.

2.5.2 Exclusion through discretionary enforcement of rules and norms

Even when POPS have an inclusionary design and provide the necessary physical manifestations of “good public space”, that alone will not ensure that a space will be successful (Kayden et al., 2000). Schindler (2018) explains how private building owners and their security guards control the operation of these public spaces, and they may act in exclusionary ways if they do not like the way the space is being used by the public. She detailed four methods through which building owners and managers exclude via discretionary actions as follows:

1. Intentional non-compliance with clear rules.
2. Lack of awareness of governing laws and rules for the space.
3. The discretionary enforcement of vague rules.
4. The enforcement of private space norms in POPOS.

A common manifestation of perceived “undesirable use” of a POPOS takes the form of homeless people entering and using corporate atriums (Rosenberger, 2016). Some building owners have gone so far as to actively discourage public use by instructing their guards “to discourage public entry”¹⁷ (Kayden et al., 2000). Some POPS lack formal rules for use, or the rules that they do have are vague and general. In these instances, enforcement is solely at the discretion of the building owners and the private security guards who patrol the space. Even if formal rules do exist, unless and until these rules are challenged, the private security guards charged with their enforcement decide whether they are “reasonable”. It is likely that these private actors are more interested in protecting the interests of their private employers (and the building’s private users) than protecting the rights of the public to use these spaces (Elstein, 2016).

POPS invite a conflict of interest. The private building owner would prefer not to have members of the public disturbing their residents and tenants. The presence of members of the public—especially “undesirable” members of the public—causes problems that might not exist if the space were truly private. That conflict does not exist in the same way with publicly owned

¹⁷ A study conducted by the Manhattan Borough President’s office in 2008 determined that 39 percent of the POPOS “on the East Side [of Manhattan] had cut off access, failed to clear litter or committed some other violation.”

public space, as its function and goal are to provide access and entry to all citizens, at least theoretically (Schindler, 2018). At the core, they are a simulacrum¹⁸—an imitation of real public space. This is a complaint that has been levied against other forms of privatised public space, including new outdoor malls and lifestyle centres (Carusi, 2003).

2.6 Lack of authenticity in POPS

The question of what is authentic—and who gets to decide what is authentic—is in itself somewhat problematic. One dilemma with authenticity as it relates to public space is that truly authentic places are often sought after, and thus colonised and gentrified, which can result in a perceived lack of authenticity (Zukin, 2009). Many consumers of space today seek places that look authentic, but not those that feel or smell that way. Privatised public space can fulfil that desire. It often presents as a “Disney-fied” version of public space—space that looks nice but lacks grit and any semblance of truth (Rofes, 2001).

This issue of authenticity in public space also evokes Laurence Tribe’s famous article (1974) that discussed the value of plastic trees and nature more broadly. One could imagine that privatised public spaces are examples of what Tribe recognises as “artificial objects and settings supplanting those supplied by nature”. The private ownership of and control over a public space often results in spaces lacking a public spirit or character. These features give a sense that the space is fake, or at least less authentic than a traditional public park, and thus not really public at all (Larsen, 2009).

But recently Fleury A. (2008) noted in his paper about public space open to private that new POPS tend to create contented and authentic spaces, both comfortable and reassuring. The deliberately sanitised atmosphere of contemporary shopping centres is also evidence of this (Sabatier, 2006). To attract more customers, old-fashioned road layouts in city centres are designed along with architectural atmospheres reminiscent of the old shopping streets. Public spaces are also increasingly transformed to become places of nostalgia (Harvey, 1989, Goss, 1996).

¹⁸ Simulacrum, *Webster’s Third New International Dictionary* (3rd ed., 2002). For an explanation of simulacrum, see generally Jean Baudrillard, *Simulacra and Simulation* (1994).

2.7 Gated communities

On another level, gated communities are a well-known form of residential private urban planning, widely studied in different contexts in developed and developing countries.¹⁹ The development of gated communities is on one hand a form of urbanism supported by local communities, intended to make the private sector bear the cost of the urban sprawl (developer, and the purchaser of housing), and on another hand an effective long-term way to protect real estate investment. Gated communities—enclosed and private spaces—lead to a postponement of the costs of development and collective maintenance on the private entity.

In gated communities, most of the charges are transferred to the private in exchange for the exclusive enjoyment of the place. Gates and fences ensure and guarantee the residents the privatisation of the community and the enjoyment of places beyond their domestic thresholds, thus adding to the physical cost of the real estate investment and the added value of site interests such as a beach, golf course, park or landscaped areas.

Interpreted, the development of gated communities becomes an active element of the system for metropolitan growth, where fragmented, disputed and impoverished public communities let the private sector lead urban planning. In fast-growing cities, gated communities are becoming a favoured form on the urbanisation front, where densities are low and urbanisation costs are high. In law, the association of owners Property Owners' Association Act (POA) replaces the public authorities for the management and maintenance of public equipment, favouring the particular interests of the owners. As a result, the development of gated communities is widely desired by local authorities for the large tax base that they generate, while the equipment needed for these neighbourhoods (roads, lighting, sewers or various networks) are financed from private funds and used exclusively by residents (Le Goix, Loudier-Malgouyres, 2006, p. 35).

Gated communities can only exist because various actors—public or private, individual (taxpayers-owners) and collective (owners associations, real estate development companies)—have invested interest (Le Goix, Loudier-Malgouyres, 2006, p. 35).

¹⁹ Housing Studies, March 2005, vol. 20, n° 2

“Or la notion d’intérêt général n’existe pas aux États-Unis, où l’on parlera plutôt de public intérêt ou de public good. Certes, le terme français et le terme anglo-saxon se font écho, mais ne se recouvrent que très partiellement. L’un prend son sens dans une soumission aux principes jacobins d’un État centralisé, mais aussi à la définition souverainiste de la volonté générale. Le second s’inscrit dans l’émergence d’une nation de propriétaires individuels et d’une sacralisation de la propriété privée. Ici, tout devient négociation entre acteurs, et la somme des intérêts individuels, bien compris de chacun, constitue l’intérêt public.” (Le Goix, 2008, p. 5)

Public authorities allow gated communities, which are also seen as fragmentation threats, because they have no choice: they are facing a market that appreciates these types of goods, and the establishment of a public-private partnership is becoming very advantageous in the metropolitan development.

2.8 Partnerships of public-private space

Public space is defined as a space created and maintained by a public authority and accessible to all (Ghorra-Gobin, 1993). According to Le Goix and Loudier-Malgouyres (2006), public space is considered as a common good by the dynamism of the communities’ public policies. Public spaces fulfil structuring functions for the city through their capacity for social cohesion, by being places of interaction and meeting with others, and by providing spatial cohesion while constituting the framework of the urban continuity. They thus make it possible to moderate the inconsistencies and fractures between the social groups and the urban territories. It begs the question of whether it is possible to keep this idea of the common good in using public-private partnerships.

Spaces created by incentive zoning (plazas, indoor public spaces, atriums, indoor atrium plazas, buildings steps, etc.) are not public spaces, but spaces open to the public. They are goods with private management, i.e., private public spaces. The main purpose of these spaces to improve the image of downtowns and to enhance their economic attractiveness is related to economic activity. In this respect, and as seen earlier, areas treated by BIDs have the same objective of promoting the environment of economic and commercial activities. These two systems join the

interests of the involved actors (Kaydan, 2011; Shindler, 2005, 2018; Le Goix, Loudier-Malgouyres, 2006).

Traditional public spaces built on municipal funds are few. It is in this regard that the public space is privatised through a tendency to delegate traditional public services to the private sector (Loukaitou-Sideris, 1993). At the same time, analysis of these spaces reveals characteristics connoting a private nature. Le Goix and Loudier-Malgouyres (2006) describe these characteristics in the following paragraph:

“Ainsi, les principes de composition suivent une orientation vers l’intérieur de la structure attenante, une rupture avec l’environnement extérieur, des seuils d’entrées et des démarcations très lisibles insistant sur la frontière avec l’espace public environnant, une qualité et un choix architectural signifiant. Ensuite, la gestion de ces espaces montre des objectifs clairs de contrôle, à la fois par la présence d’agents de sécurité privée et d’un règlement strict et par l’absence d’équipements ou de mobiliers qui pourraient attirer des populations indésirables. En fait, la « politique » de gestion de ces espaces est bien dans la sélection de l’usager ; refoulement de populations indésirables (sans-abris, jeunes perturbateurs...) et ciblage des usagers consommateurs des services offerts (payants, comme les restaurants, bars, commerces). Ces espaces privés diffère donc de la notion de bien commun incluse dans la définition traditionnelle de l’espace public. On peut alors éventuellement parler de privatisation, dans le sens de la production d’un objet public selon un intérêt privé qui le dénature.” (Le Goix and Loudier-Malgouyres, 2006, p. 9-10)

When considering the reasons for the rise of POPS, one can consider the perspectives of the city, the developer and the public. POPS benefit at least two of these three entities. From the city’s perspective, POPS are an efficient and expedient way to obtain more public open space. Although legislative history for land-use ordinances is difficult to find, New York was the first city to develop a POPS ordinance and thus provides substantial information. When they were first incorporated into the zoning ordinance in 1961, POPS functioned as a response to development pressures. They were seen “as a means of increasing light and air and green space, and easing the hard streetscape formed by towering buildings bordered by concrete sidewalks”.²⁰ Over time, the programme in New York has come to be viewed as a means

²⁰ <https://www1.nyc.gov/site/planning/zoning/districts-tools/private-owned-public-spaces>.

through which the city could get “new, high-quality public spaces” without expending its own funds (Kayden et al., 2000). Similarly, in San Francisco, the zoning code (2015) states that POPS exist “to meet the public need for open space and recreational uses”. Here, the creation of POPOS benefits developers as well: the city gets the additional public open space, but the developer often acquires the ability to construct a larger building than would otherwise be permitted under the zoning code (Schindler, 2008, p. 1116).

However, this system of partnership in its urban policy (incentive zoning) did not produce the diversity and the production rate of public space that the municipality hoped for in order to alleviate its budgetary difficulties. On the contrary, this strategy produced a non-continuous grid of open spaces to the public and the fragmentation of the urban environment of the downtown. It reinforced the cuts between the different sectors and satisfied only the users targeted by these programmes (consumers) rather than the entire population of these neighbourhoods (Le Goix, Loudier-Malgouyres, 2006, p. 35).

2.9 New consumption and socialisation places

Since the 1960s, consumption and leisure together have become increasingly important. J. Dumazedier (1962) and J. Baudrillard (1970) were among the first to highlight this phenomenon. Today, R. Rochefort remarks:

“Qu’on l’adule ou qu’on la déteste [...] le constat est là : la société de consommation est loin d’agoniser et elle gagne même tous les jours un peu de terrain.” (1995, p. 10)

At the same time, and due to the considerable increase in free time, this led to the establishment of the leisure society (Fleury, 2008). Consumption and leisure have progressively fused together, forging a leisure consumption society—*société de consommation de loisirs* (Augustin, 2001a)—and more broadly, a consumer and leisure society, or *société de consommation et de loisirs* (Koehl, 1990; Hetzel, 1996). In fact, the development of private commercial offers of goods and leisure services was catalysed by the absence or delay of the public authorities in responding to the leisure demand (Sabatier, 2006, p. 178). Due to that, shopping malls, cinematographic multiplexes and amusement parks became places of essential public sociability. G. Capron (1997, p. 30) writes:

“[les] commerces, comme lieux d’un échange multiforme, tant économique que social, d’expériences de l’altérité, d’exposition de soi au regard d’autrui, régis par des rituels de rencontre et d’évitement, sont caractérisés par des usages publics.”

Consumers and city inhabitants are in these places for several purposes. They are there for the consumption and entertainment factors, but what is even more important than the shopping and the leisure is the display that is present in these places. City dwellers come for a show, that of the commodity first—in the same way as the loafer of passages in the 19th century (Benjamin, 1989)—and that of consumption itself (Baudrillard, 1970, Debord, 1968). What is consumed symbolically is the spectacle of the human being. It becomes a collective ceremony due to the availability of people in these places and their deliberately made choices to frequent the place.

Trade alone can create social interactions (de la Pradelle 1996; Capron 1996; Monnet 1997). B. Sabatier clearly distinguishes these commercial spaces as essentially multifunctional places of purchase and consumption, featuring leisure activities in particular and more generally, social activities (Fleury, 2008, p. 56).

2.10 Developers and public open spaces

As described in the National Planning Policy Framework (2012), a developer is required to provide the appropriate amount and mix of public open space for the size of the development. However, each development is different and can have a mix of public open space provisions within the development or in the form of off-site contributions to help enhance existing neighbouring public open spaces.

In the autumn of 2013, the Open Space Strategy community workshops discussed public open space in new housing developments. The following key principles emerged:

1. Public open space should be designed at the start rather than fitted in at end of the design process.
2. New developments should be designed in *simpatico* with the existing public open space/countryside, not parachuted in.

3. Existing links/cycle routes/green corridors should be maintained and flow through the new area as part of the infrastructure.
4. New housing in existing countryside means that standing residents may have given up their “own public open space”, therefore public open space in new housing needs to be openly accessible to all, not tucked away within new housing developments.
5. Active public open space for older children requires a good buffer zone from housing.
6. There is a need for separate toddler spaces.
7. There is a need for smaller public open spaces/trees/ habitats as this supports health and wellbeing. These could include ponds/streams/plants.
8. Should avoid allocating public open space in the flood plain as this may have limited use as public open space.
9. Public open space is often important in alleviating surface water run-off and flooding.

It is important that the developer involves a chartered landscape architect or suitably qualified person in the design process, which will include site selection, landscape planning (production of a landscape framework/open space plan) and detailed design. Similarly, within the city council, a qualified officer will lead a multidisciplinary team of officers (such as planning, children and youth, housing, community safety, contract management and others involved and experienced in managing open space) in the assessment process. As the design of public open space will impact neighbouring communities, in-line with the NPPF (2012), it is important, where practical, to consult with existing local residents at an early stage in the design process. The consultation highlighted in this document can also be used.

2.11 Learning from Hong Kong

Quality open space in built-up areas contributes to the living environment, particularly in Hong Kong, a locale characterised by compact city development, high rises and intense people flow. Creating open space in private development for public use (POSPD) is therefore an efficient way to improve the urban environment. However, in recent years, public accessibility, POSPD standards of provision and the conflicting interests between public users and private owners—especially those in private residential developments—have become a cause for concern.

In response to these concerns, as of 2008, the Development Bureau of Hong Kong has systematically compiled and published information on POSPD and other public facilities in private developments, with site plans and photos where applicable. The public may check on a particular POSPD from the website of Buildings Department and Lands Department. This enhanced transparency not only facilitates public access to these POSPD, but also encourages the community to help monitor the use of these facilities.

These existing arrangements help achieve integrated design, optimise land use and synchronise the availability of public open space and the community's needs. The existing policy also provides the implementation and management of these facilities. Carrie Lam, Secretary of Development, wrote about a set of refined arrangements that have been introduced to guide the future provision of POSPD, one of which is to avoid provision of POSPD on private land in private residential developments so that individual owners would not be made liable to manage and maintain those public facilities. Promulgated since 2008 by the Development Bureau, this guideline consists of two parts: design and management. The guidelines for the former provide a framework for better design based on the principles of connectivity, appropriateness and quality. The management guidelines meanwhile cover various management and operational issues and standards and aim to strike a reasonable balance between owner obligation and responsibility, and public use and enjoyment of the public open space.

2.12 Conclusion

The assessment carried out on the spaces created by incentive zoning in New York shows that if the rate of spaces realised is interesting, the "public" quality is not there according to the criteria of the municipality, and 41 percent are used only marginally (Le Goix, Loudier-Malgouyres, 2006, p. 35). The city therefore wants to now strengthen its power in the process of negotiation with the private partner, improving the process of incentive zoning via more detailed guidelines on the benefits that the promoters must provide, a more efficient system of regulation with respect to these directions, and review of the compliance of the developers' projects (Kayden, 2000).

Consequently, the diversity and the rate of producing public spaces that the municipality had hoped in order to alleviate its budgetary difficulties for was not reached by using the strategy

of the incentive zoning and the system of partnership in municipalities' urban policy. In fact, a non-continuous grid of open spaces to the public and the fragmentation of the urban environment of downtowns was the result of such implementation, as well as producing cuts between the different sectors. This system satisfied only the users (consumers) targeted by these programmes rather than the entire populations of these neighbourhoods. It differs from the concept of "common good" in the traditional definition of public space. It then therefore possible to speak of privatisation, in the sense of the production of a public object according to a private interest which denatures it.

This part has also shown that members of the public are likely not receiving the benefits of their side of the bargain in exchange for POPOS. Thus, POPOS are thought and seen through a lens of privatisation rather than publicisation. As this section explained, commentators have legitimately described POPOS as an example of privatised public space where framing leads to many of the concerns with POPOS addressed above. Given that they are exclusionary and less successful than ideal public space should be, in addition to all of the problems, should cities seriously consider refraining from the creation of new POPOS? Instead, should they focus on finding ways to create better truly public space? However, given that many of these spaces currently exist, ought cities find ways to improve them and manage their use and existence? And why not take Hong Kong as an example to follow in how to produce a successful POPS meant for the public use without annoying the private aspect of it?

In the two previous chapters of this first section in my paper I tried to investigate public space and private space open to the public followed by the subject of privatisation of a space. Gathering these three terms together (private, public, privatisation), it is important to study the law's perspective on the real meaning of each of these terms and then define what a space is. The following chapter is dedicated to the law defining a space as public or private, clarifying what the legal difference is between the two and the consequences of creating either of these spaces.

3. Public space and law

3.1 Introduction

According to the law theorist H. Kelsen, every action is standardised. From a systematising point of view, every human behaviour is regulated by law. Even behaviour—whether an act or potential act—that is not determined by any juridical standard is subject to juridical order. If a man is free to manifest conduct that is not subject to any norm because he is not legally controlled or prohibited, then it is by law that he is free to act accordingly. He is free only within the limits which are fixed to him by the legal norms which command, prohibit or allow a certain behaviour. “If we can distinguish it in this way, positive regulation and negative regulation of the human behaviour [...] we can speak about closing of the juridical order” (Kelsen, 1996, p. 171-172) thereby indicating that the law would thus, without exception, regulate all human behaviour.

Space is approached by various disciplines such as linguistics, philosophy, anthropology, history, architecture and economics, but especially law, sociology and marketing, to which should be added urbanism and geography. In this chapter, what interests me the most is the law discipline. I need to deepen my research to discover the position of the law in relation to space being either public or private. The notion of public space has already been grasped by several disciplines. Geographers forge their conceptions by sometimes borrowing from interactionist microsociology, on occasion from political science, or by integrating them into intra-disciplinary currents. In this context, if each discipline makes its specific contribution, one should also seek to hear the voice of the law.

It is true that, on one hand, lawyers are somewhat marginalised from the “public space” of social science research, while on the other hand, they exclusively use the concept of the public domain according to their own logic, which does not correspond with the qualifications of space in social sciences. Yet law has created “public” and “private” legal regimes and statutes of space that have an operational normative role. It is thus by exposing the respective insufficiencies of the two legal and social acceptances that geography can bring a dialectical point of view that goes beyond the opposition under which they present themselves at first, or even avoid pitfalls and misunderstandings that are revealed, especially during interdisciplinary debates (Sabatier, 2006, p. 5).

In this part of the paper, I study public space seen by the eye of the law, but first I will try to discover the roots from which the terms “public” and “private” were shaped. Many questions can be formulated to understand the link between law and space, and between politics and public spaces. Trying to understand what the private field is according to law and how it could be defined is necessary as well. I will strive to solve the confusion that social publicity induces on the public-private distinction and how to distinguish between the public and private in our contemporary times. Then I will dig deeper into the public-private domain to comprehend the difference between these two concepts and what kind of law takes over each. I will also explore if there is any interactive analysis between the juridical status of the space and the social use and practice of it and conclude this part with the analysis and definition of the process of privatisation and publicisation of a space.

3.2 Public versus private: an ancient dichotomy claiming two distinct spheres of action

The French-Greek lexicons translate the Greek term *politikos*, in the sense of the “affairs of the city”, as “public” as much as by *politique*, and conversely, the word as *koinos* (common), but especially by *demos* (people), or in the form of possessive *demios* (of the people). It is the Greek civilisation, carrier of rational philosophy, which founded the distinction between two spheres of action. Philosopher H. Arendt explained it as such:

“The advent of the city attribute to man, besides his private life, a kind of second life, his bios politikos. Henceforth, every citizen belongs to two orders of existence; and there is in his life a clear distinction between his own (idion) and what is common (koinon).” (Arendt, 1961, p. 33)

The emerging public sphere is therefore primarily of a political nature and its opposite, the private sphere, is reduced to the lower social structure of the family group. Ardent explains that the distinction between public and private life corresponds to the political and family domains, separate entities, separated at least since the advent of the Ancient City (1961, p. 37). This distinction, however, is not immediately expressed by the terms “public” and “private” since they do not yet exist, but by several other terms, among which that of *polis* occupies the central role.

R. Sennet (1991, p. 32) recalls the ancient origins of the term “public”. He states that the word appears in Greek for the first time in a decree of Solon, and in a form which is strange for us. For Solon, the public is the area in which a Greek is aware of the presence of another Greek. For the Greeks, the sensitivity to the other was understood between “alike” (*semblables*) and “citizens” (*citoyens*). The story thus holds that these so-called “public” affairs were born in ancient Greece as a set of activities, but also events, questions or information through which individuals associate to organise themselves to govern together, hence the term “democracy”. At the same time, public refers to “the people” (*demos*), indicating all citizens and the sphere of their common affairs. When these affairs are of a political nature—an implicit reality since Greek times—all the citizens thus live in the *polis* (Sabatier, 2006, p. 22).

In the Athenian democracy, the citizen, city and state all come together to constitute politics (Hansen, 2001). The field of “the private” is defined as “hollow” or “in the negative”, as opposed to the public, and translated by *idios* (particular, own to), also *oikos* (home, house) and *estia* (home in the religious sense), thus delimiting with less precision a sphere of the remaining non-political activities (Idem, p. 22).

Roman civilisation, having generally taken over many elements of Greek civilisation, inherits this vital distinction. What in Greece is called *polis*, is said in Rome as *res publica*, which can be defined literally as “the business of the people” (Brisson et al., 2000, p. 77). The Latin language sets it more clearly by the use of the new terms *publicus* and *privatus*, whose roots are currently also found in Anglo-Saxon and Germanic languages, and therefore in many additional European languages (Idem, p. 22).

The Latin lexical field of “the public” refers above all to state activities: if the name *publicus*—in its primary sense is simultaneously that which concerns the people and which belongs to the state—its adverbial form *publice* (publicly) means “in the name of or for the State, officially”. Its verbal form, *publico*, (which could be translated as “publicising”) means “to give to the State, to take ownership the State” (Gaffiot, 1995, p. F1272). Whereas the Greeks had established a complex field of political meanings that seized in totality “the citizen”, “the State” and “the City”, the Roman civilisation established an identification of the public with the political state.

In the 13th century, the French language incorporated the adjective “public” from the Latin language, giving it the first Latin meaning of what concerns the people: *Ce qui concerne le peuple*. Then in the 17th century it took on the meaning of “public ministry”, or *ministère public*, which was directly from the Roman *publicus* and defined by the French Academy in the 18th century as *pouvoir public* (public authority) and “the State” as *Etat*. The term “private” meanwhile had already been derived from *privatus* in its unique sense of individual, particular (Dauzat et al., 1991, p. 614-615).

Modern European states have developed as nation states—*Etat Nation*—as summarised by the political scientist B. Badie (2000, p. 2), who explains that the *Etat Nation* is a unique political system invented by Western Europe that took six centuries—the 13th until the 19th century—to establish itself at the scale of the whole of Europe. When born in France, Spain and England, it still coexisted with other forms of political systems, namely the cities, the Empire and the Papacy, from which it had to emancipate itself. The political institution of the *Etat Nation* has asserted itself at an international level as public control (*pouvoir public*) or public authority following on the Roman State model, thus taking on the crucial distinction between public law applicable to the state and private law applicable to the individuals. Inherited from Roman law, the *summa divisio* is still considered as the most important division of law (Lavialle, 1996).

Authors from various disciplines to this day recall the permanence of the public-private opposition based on the identification of the public with the political state (Sabatier, 2006, p. 26). Lussault (2001, p. 38) explains that the public-private partition comes from the interplay of the institutional—and therefore political—system. For P. Claval (2001, p. 24), the definition of the public is of a “juridico-political” nature. Even more clearly for the law, the public power designates, in a common sense of the organist type, the State as the governmental authority, relayed by the administration (Van Lang et al., 1997, p. 233).

In Europe, public affairs were no longer those of the people until the renewal of the Age of Enlightenment. The French Revolution catalysed the emergence of a liberal current in political philosophy and therefore new republican institutions that reintegrated the people into the public domain through the nation (Sabatier, 2006, p. 27) by the 19th century in Europe.

Nowadays, the “space” or the “public domain” is no longer just confined to the community of associated individuals that is the national society of citizens. J. Habermas is considered *the*

contemporary thinker of the reframing of the public sphere since the Enlightenment. Habermas has come to designate the activities associating a group of individuals on a smaller scale—whether at the level of a national society or even at larger societal scales—as soon as these activities are of a political nature and where these individuals act as citizens working for the “common good” with a goal targeting a greater number of people. This denomination of “public sphere” sees “public space” become synonymous with and equivalent to the “public domain” of H. Arendt.

Habermas (1986) identifies the emergence of this public sphere in the meetings, debates and discussions in the 18th century in the salons, cafés and theatres of the bourgeoisie population in the majority of European capitals. In these public arenas, the opinions were uninhibited and uncontrolled by the State, with major references to ideas of individual freedom and democracy (Sabatier, 2006, p. 27).

After the reduction of the public to the state by modern monarchical states, it is not surprising to find that the first citizens’ public conceptions are reaffirmed precisely in opposition to the state institution, due to the development of a liberal political thought during the Enlightenment. This being said, it is understandable that the reaffirmation by the bourgeoisie, diffusion or diffraction of ideas among the people, could have led France towards the mobilisation of all social classes to form the Third Estate. From then on, the bourgeois public sphere would have spread very rapidly across the whole of society, manifesting itself in the political activities of all the non-institutionalised social groupings that developed during the 19th and 20th centuries in Western societies. They developed in the form of circles of thought, trade unions and civil associations, which Habermas defined as “partial public spaces” (1992) (Sabatier, 2006, p. 29).

This analysis, widely used in political science wherein Habermas is a major reference, now finds its prolongation in the constitution of supra-national political entities while at the same time transversal to several societies.

On a global scale, B. Badie explains that the set of durable relations established between individuals and social groups constitutes a “post-sovereigntist world’s public sphere” to which international organisations like UNO or NGOs are always trying to give an institutional framework. He considers that we are witnessing the creation of a vast public space that deals with international issues alongside state systems and out-of-state control, given the

extraordinary proliferation of transnational relations between individuals across borders and bypassing of the State (Badie, 2000, p. 2).

However, on a smaller scale, the European Union appears as an institution created *ex nihilo*, whose specialists recognise the difficulty of using a real public sphere that is free from the logic of technocratic governments and political representation. For the political scientist Y. Deloye (2004, p. 4), the idea of European citizenship would still correspond to the “dream of a post-national political community” despite a consensus on the weakening of the nation state. In any case, Badie (2000, p. 3) says that for the future, the big challenge will be to organise these different levels of citizenship.

Habermas, in one of his most recent works entitled *Après l'Etat-nation* (2000), examines the prospects of recomposing the democratic public space in the current context of globalisation. According to the analysis that follows Habermas' thoughts, the “public spheres” would thus be multiple, and the proof of their citizen character is that they are not circumscribed to a society formed by the grouping of individuals under the framework of the nation state, rather, are social and multi-societal.

3.3 The public-political-citizen in the contemporary era

H. Arendt (1961) insists in one of the most assertive passages of *The Human Condition* that the human is distinguished from the animal as a social being less than a political being. Arendt (1961, p. 33) considers that the *être ensemble* is a Greek invention that would have made man accessible to his true condition of being political, since in Greek thought the capacity for political organisation is not only different, but also the opposite of this natural association centred around the home (*oikia*) and the family.

The political life of a country comes to designate all the activities carried out by the political representatives of the citizens, explaining the expressions “to play politics” or “to get into politics”. Hence it is not surprising that political philosophers insist on the gap between contemporary politics and politics as understood by the Greeks.

“Le politique est démocratique par définition, c'est l'affaire du peuple ; la politique ne l'est que trop rarement.” (Tassin, 1998, p. B2)

The political philosophy inherited from Kant, who wishes to see this gap reduced, is thus by definition idealistic and to him, Greek democracy appears as an ideal to follow and to take as a model. Therefore, to emphasise what remains to be done to reach this ideal, is to advocate democracy and the participation of all members of a political community. This happens when speaking of “public domain”, “public affairs” or even “public space”.

“Tel est sans doute le sens d’un espace public d’exposition, d’action, et de relations mutuelles des acteurs d’une communauté politique : il est le lieu d’une invention.” (Tassin, 1998, p. B3)

It is possible to align with the French Mexican historians F.-X. Guerra and A. Lempérière’s assertions of the various political expressions of public: “public” always refers to politics, to conceptions of community as natural or voluntary association, to government and to the legitimacy of authority (1998, p. 7). But one should keep in mind the remark of the Mexican political scientist N. Rabotnikof (2003, p. 18):

“Many uses assume that the borders of the public also establish the boundaries of politics, even if in this type of debate settles down the difference, that is not trivial between the conceptions of this public-policy in terms of state or civico-community.”

This distinction is important and substantial since the public-political state is a factual reality nature, whereas the public-political citizen takes strong ideal charge (Sabatier, 2006, p. 32).

3.4 The private field of the modern times: an opposition to the public and politics

With the public/private couple operating in opposition, identifying the public with the politics (in its two forms) has as a corollary of identifying the private to all the remaining fields. As for the Greeks, the “private” term does not exist. A “private domain” is retrospectively defined by H. Arendt in opposition to the “public domain”: in negative terms, private affairs are those that are held exclusively outside the public sphere. As E. Tassin clarifies, the private is related to the *idios*, which is particular to each individual, as well as to the *oikos*, the home or the house. Therefore, within Greek culture there are already two scales of expression of the private: the individual and the family group. But by reducing the public to state politics, the private sector was still widening among the Romans, excluding what is considered privately owned

particulier. We realise that the field of the private sector reaches beyond the family to a collective level generally considered social (Levy, 2001, p. 19).

Roman civilisation always relates the private to the individual, and the self to the property. That is how the term *res privata* has been codified by law: a sum of goods possessed by the individuals, as opposed to the *res publica*, or “heritage of the State”. Unlike the Greeks, Roman private property is clearly owned by the individual under one condition: that he is a free man. Roman inheritance is found in contemporary law, which has come to codify the existence of the individual as a private person having a fundamental right to the property, in opposition to the public power (Sabatier, 2006, p. 33). The constitution of the individual as a private person is thus condensed in the notion of private property: it is the power to own and dispose of his body, his conduct, his property, and then later, of his intimacy or his image (Sabatier, 2006, p. 33).

However, the modern and contemporary history of the individual is also the gradual conquest of a sphere of autonomy that the law has codified as a set of freedoms. The individual freedoms, *les libertés individuelles*, face the holistic religious, feudal and monarchical powers, before facing the domination of the State (Castel, 2001 p. 15-16). The importance of these freedoms varies according to cultures (Sabatier, 2006, p. 33).

The “private” is particularly valued in the culture known as the “liberal” Anglo-Saxon, who is in opposition to the power of the state. J. Remy (2001, p. 26) explains that in an Anglo-Saxon context, the private sector is the point of reference, especially since it is not confused with intimacy. The private is the place from which the right to self-organisation takes shape, without the political. That is executive power. In case of fear for public order, the executive must have the prior authorisation of the judiciary to conduct its investigation and to involve the police. The Magna Carta and the *habeas corpus* are at the core of the formation of modern liberties that are based on the capacity to neutralise the abuses of the political power. Sabatier (2006) believes that to a lesser extent, the French Revolution also played an important role in the march towards the establishment of the modern individual with the resulting outcome of the universal model of the *Déclaration des Droits*, which asserts the primacy of the free individual with *droits naturels et imprescriptibles*: rights to liberty, property, safety and resistance to oppression.

Historically, the private sector was first built around the individual as an autonomous person with the right to property and a certain number of freedoms. But the intimate is completed by the *extime*, which always refers to the private sector or to close relations between individuals. A. Moles (1988), a prolific theorist and psycho-sociologist of space, uses a concentric diagram to grasp the areas of space that the individual distinctly apprehends for himself as a point of reference, which he calls “*les coquilles de l’homme*” (the shells of man). He developed an ecological perspective that focuses less on the relationships between individuals than on the relationships between the individual and the physical characteristics of the environment, buildings and objects. Moles characterises the closest proxemics relations of “private”.

The law also defines “private” as the relation between individuals, since private law governs relations between persons in the legal sense of “individuals”. More precisely, the close interactions (inter-individual relations of proximity) are also considered private through the legal distinction between “private meeting” and “public meeting”. This distinction is administratively necessary for the distribution of rights and responsibilities over social activities, especially in the fiscal and penal spheres, but refers to a more fundamental legal concern for the categorisation of social activities.

The 1881 Act²¹ states that it is a fundamental principle that privacy should not normally be of public interest, thereby excluding private meetings from the realm of the law. The definition of a private meeting is based on three criteria. To begin with, a private meeting takes place in a closed room, even if it is not necessarily a private legal status. The other two criteria refer to the nature of social relations: the access to the private meeting must be reserved for the named persons (this is the case of the associations, which gather only their members), and then, control of the identity of persons must always be possible. The “private meeting” is mainly defined by the personal nature of the invitation and the limited number of members. This follows common sense since inter-individual relations are generally described as private, for example in the terms “private discussion”, “private party” or “private meeting”, etc.

²¹ The Law on the Freedom of the Press of 29 July 1881 (*Loi sur la liberté de la presse du 29 juillet 1881*), often called the Press Law of 1881 or the Lisbonne Law after its rapporteur, Eugène Lisbonne, is a law that defines the freedoms and responsibilities of the media and publishers in France and is often regarded as the foundational legal statement on freedom of the press and freedom of speech in France, inspired by Article 11 of the Declaration of the Rights of Man and the Citizen of 26 August 1789. At the same time, the law imposes legal obligations on publishers and criminalises certain specific behaviours (called “press offences”), particularly concerning defamation. Denis McQuail, *Media Accountability and Freedom of Publication*, n 7, p. 116. Oxford University Press, 2003.

Therefore, the division between private and public law tends to integrate into private law all social relations that are not considered political. And since the law only recognises “public” as public power—that means the State and its emanations—the problem of the distinction between the social and the citizen-political is eliminated *de facto*. French law even considerably reduces the interaction between the social and the state-political by considering social relations to be governed by public law when implying a public person, such as the State or one of its administrative emanations (public bodies, public authorities, etc.) (Lavialle, 1996).

According to the jurist J.-A. Mazères, positive law proceeds to legal individualisation of collective phenomena, and by applying the logic of opposition between public person and individual subject:

“L’organisation sociale se trouve ramenée à un ensemble de relations privées interpersonnelles, sous l’égide de la personne publique Etat.” (Mazères, 1995, p. 115-117)

The private sphere would therefore not only encompass the individual and inter-individual, but would also affect the non-political social, including all forms of collective groupings that do not have identified citizen political activity, as well as all the social categorisations that opposed the state. Other authors have more recently emphasised the permanence of this logic of categorical opposition of the public/private couple (Collignon & Staszak, 2004).

3.5 Public/private distinction passing from general interest to public interest

The notion of civil society encourages us to consider the social as somewhat public when it presents a political dimension (Sabatier, 2006, p. 44). This relative distinction of the public/private was identified by R. Ledrut (1981, p. 155) when he suggested examining the relationship between civil society and political society from the point of view of the reciprocity of private life and public life to study the problem of civil society from the angle of private life in the ambiguous sense.

These interests, which are individual but also collective, are therefore subordinated to a general or public interest shared by a greater number, or to those of the state itself (as the sole guarantor of the public or general interest). Thus, the public service responds to the general interest since

it is the set of actions undertaken by the public authority for the national community, or an activity insured or assumed by a public person, serving the public (Van Lang et al., 1997, p. 265). In parallel, jurists and authors in the social sciences also question the confusion that social publicity induces on the public/private distinction. On media activities, medialogist P. Musso follows the philosopher N. Bobbio:

“Bobbio dit que c’est un couple qui est épuisé dans sa portée à la fois théorique et opératoire, ce serait intéressant de s’interroger sur cette remise en cause puisqu’il vient de l’Antiquité et qu’il a structuré la vie politique et sociale pendant longtemps.” (Lacroix et Musso, 1990, p. 97)

Societal and political, both referring to “being together” or “making society”, appear as two domains whose mutual causality is difficult to determine since Western evolution generalises the stato-national form of society, a societal imaginary of which C. Castoriadis speaks and holds to the national ideology. This is exactly how B. Anderson (1983) and Chivallon (2001) explain that today’s societies are national. In addition, the public-political-citizen is reaffirmed at the level of these national societies through the contemporary ideal of participative democracy. It is understandable then that this importance of politics in the constitution of society leads Habermas to consider that a search for the spontaneous and apolitical aspect of society, such as Castoriadis’ pursuit, is in reality an attempt to stabilise a pseudo-natural social system in place over the citizens (Castoriadis, 1978, p. 214).

Other authors privilege the political stake of society without postulating that society is inevitably or must be of a political nature, as with Habermas. Instead, they claim it actually has difficulties holding up without political regulation. In particular, R. Castel (1995, p. 18) conditions the permanence of the “make society” (*faire société*) to the regulatory action of the state, which he specifically qualifies as a social state rather than a welfare state. He defends the political sociology idea that a society experiences the enigma of its cohesion. It is a challenge that questions and tests the ability of a society (what in political terminology is “a nation”) to exist as a whole bound by interdependent relations. This cohesion is ensured as a result of help from the state.

“La solidarité, ciment d’une société, se construit et se préserve [...] Ainsi se trouve fondée en raison une pratique ou une politique se donnant pour objectif de maintenir et de renforcer cette

unité dans la différence qui est le miracle fragile qu'une société moderne peut promouvoir, mais aussi manquer." (Castel, 1995, p. 278)

Moreover, it is not excluded those other models of society do not impose the transition from the social to the societal. Thus, Anglo-Saxon countries are traditionally considered as states without a stato-national ideology or ideal of solidarity because they function on a more communitarian basis. Social groups would then tend to be communities; they are not supposed to "make society" (*faire société*) in a united, solidary way, rather, with multiplicity (Gauchet, 1980; Ghorra-Gobin, 1999). Admittedly, they share citizenship because they belong to the same state and probably develop an imaginary belonging to the same societal group (Sabatier, 2006, p. 46).

Finally, note that at the social groupings level (not of a society), given the difficulty of distinguishing the social from the political, the political activity *par excellence* is considered "public". This political activity imposes the recognition of the publicity of the anonymous individuals' gatherings in a place based on a shared goal. Politics is not an ethereal activity, but it is built daily through a large number of social practices of manifestation or information exchange. Since these individual and inter-individual practices remain private by law, this contradiction is at the heart of the rehabilitation of their political dimension as per the sociologist M. Maffesoli's (1992) reference to what he calls the "*être ensemble anthropologique*".

3.6 The public/private distinction in economy and politics

In the contemporary Western context, the economy is integrated with state policy. It also participates in the economic life of the state through public enterprises, especially in socialist systems. Thus, from the law's point of view, the "economic" refers to the private affairs of private individuals, companies, firms and many other social groups of private legal status, as well as to public companies and those of the state as soon as they become engaged in economic activities. Essentially, economic activity is not form-based for indicating the appropriate law, rather, it is the statute of the actor which defines the applicable law.

"Le droit des activités économiques ne constitue pas en tant que tel une branche du droit et relève tant du droit public que du droit privé." (Larroumet, 2004, p. 39)

Additionally, in many cases private companies occasionally present as somewhat “public”, for example, when a public or private organisation deploys internal or external communication policies it runs the risk of opening a public space within itself, or even of being exposed to public outdoor scenes (Chambat, 1995, p. 95-96). Several economists wonder to what extent a company would not open public communication spaces for negotiation and discussion regarding the organisation, the objectives and the practical methods to achieve them (Fauré, 2004b).

At the centre of several economic theories, the concept of “public goods”, otherwise qualified as “collective”, may be a good example of the public/private distinction produced by economic advertising. In the Anglo-Saxon context, the notion of public goods designates a facility that generally takes the form of services for collective or indivisible consumption, which from the point of view of the beneficiaries cannot be the object of rivalry or exclusion by the prices (Abraham-Frois et al., 2002, p. 39).

The public or collective goods and services in opposition to private goods and services subject to this double principle of rivalry and exclusion are generally the public services provided by the public authorities to all members of the community. However, there are some privately owned services or goods that a large number of individuals benefit from. The example of the lighthouse is classic in economics, but one could also mention the radio as media providing free information. Without going into detail, the degree of publicity arising from the distinction between public goods (or collectives)—or “pure” versus “impure”—the need to treat a legally private good as economically “public” blurs the public/private distinction.

“L’opposition entre biens publics et biens privés ne recoupe pas l’opposition entre public et privé.” (Echaudemaison, 2001, p. 83; Sabatier, 2006, p. 49)

3.7 The public/private distinction in contemporary times

Public and private can sometimes be confused within the highest spheres of the state (Sabatier, 2006, p. 50). As M. Perrot summarises, despite its many contradictions, the public/private distinction remains a factor of rationality because it is at the heart of political theory as well as everyday life (1995, p. 73). Indeed, this distinction structures and organises Western societies

by fixing the right of the opposition between state/society, but also through opposition between individual/society, political/social, or state/civil society. Analysed within the scope of social and political sciences, there is an overlap:

“La distinction public/privé entre en résonance avec les multiples césures, lignes de partage, qui découpent, segmentent le corps social, avec lesquelles elle forme une constellation, un champ sémantique complexe.” (Chevallier, 1995, p. 7)

The public/private distinction cannot organise societies without constituting a cultural thought scheme, which varies according to each culture. The law plays an important role in this anchoring, where its factual contradictions do not impede upon its application and remains visible to law critics (Lussault, 2001, p. 150).

G. Labica likewise confirms the permanence of the global organisation of Western societies according to the public/private scheme. He believes that:

“D’un côté, Etat et Droit, se présentant avec une "dimension" sociale: droit et ordre publics, et de l’autre, individus, relations économiques, exprimées en langage juridique: droit privé. [...] En fait la distinction public/privé relève de l’idéologie de l’Etat qui entend être seul représentant et détenteur du politique.” (2001, p. 33)

Indicating that the conceptual public/private couple operates in the mode of fundamental reciprocity, the public is indeed:

“Le premier terme par rapport auquel l’autre se détermine et détermine à son tour, [...] le premier dans l’ordre logique et aussi dans l’interaction.” (Ledrut, 1981, p. 151-147)

Even today, the public is on the one hand a political state, while on the other, a public sphere in its engagement of citizen policy, especially those the state identifies as from national society and civil society. The tension between the respective factual versus ideal characteristics of these two aspects within the same democratic reality is crystallised in institutional transformations ranging from “general interest” to “public interest”.

3.8 The distinction between the two realities of the public space

The amount of public space in a state is directly related to its territorial policy, which increases in number as it is gradually acquired. P. Allières (1980) shows how the territory, as a concrete form of existence of the modern nation state, is an invention or a juridico-political artefact that was developed by the 20th century in order to explain and legitimise the processes of “definition”, “unification” and “reification of spaces” by the State and successively monarchical, revolutionary and post-revolutionary administrations. What is clear now is that the public space is the essential element of the territory. This is understandable from the start, since the state administratively occupies a space and engages control of its functioning only by declaring it as its own, meaning incorporating it as a territory to the sum of its public goods (Sabatier, 2006, p. 57).

However, public space is also gradually becoming, in a more ideological way, all the space that symbolises the national “making society” or *faire société*. Indeed, a first step towards national symbolism of public space was accomplished when the French revolutionary legislation defined the set of public properties as constituting the “domain of the nation” (Decree of 22 November-1 December 1790 as per *code domanial*). Revolutionary governments have since posed as the emancipators of the nation (Idem, p. 58). The history of law thus reminds us that the post-revolutionary period is the moment when the reality of a nation began to establish its place at the core of the identification of the public with the political state. However, the Civil Code of 1804 still does not recognise special use of public spaces (ibid.).

It was not until late in the 19th century that jurists realised the need to “make the state visible in its dual nature” as “the public domain” and “the private domain”, as explained by C. Laviolle (1996, p. 16). This means to distinguish the whole property between two designations. One is the property of the State or other public persons, those which can be alienated, or whose ownership may change by assignment or sale, constituting the private domain managed by public persons according to the rules of private law. The second is that which must not be subject to a private property regime because it is intended for the use of all and subject to general interest, falling under the public domain and governed by the rules of public law.

This distinction arose after the introduction of private property to introduce the differentiation

between two systems of ownership of public property. It responded to the need for a civil law regime for certain public goods, especially to preserve for them, in a new form, the principle of inalienability from within Old French Law (Venezia & Gaudemet, 1998, p. 23). This was forged by the civil law doctrine of the mid-19th century, of which V. Proudhon is considered the transcriber. This purely doctrinal cleavage would quickly be included in positive law, indicating that it is therefore the distinction of regimes that creates the two domains and not the other way around (Lavialle, 1996, p. 16-17).

This leads to a double legal categorisation of space that public authorities own in the public domain (all property of public persons insusceptible to private property because it is relevant to general interest) and private domain (all property of public persons susceptible to management by the private property regime). This distinction is found in many states that have inherited Roman law.

From then on, the public space, which had been a mere territory-object of the state, became a societal symbol because “public roads, streets and places of the cities and, in general, all the parts of the national territory” (Act 2 of the decree of 1790 named *code domanial*) were now solemnly recognised for the use of the public. That is to say, “assigned to the use of all” as per the formula stated by Proudhon (1843, p. 241) in his Treaty of the Public Domain. This means that they belong as much to the nation collectively as to the public authority and therefore the latter cannot dispose of it as its private domain but must, on the contrary, guarantee the necessary conditions for the experience of the community itself by itself.

As public domain specialist J. Dufau recalls, when the public domain was established, it applied to the goods that are used in a collective way, anonymously by all or almost all citizens. This includes pedestrian and automobile circulating on public lands, roads, walks, bathing on the shores of the sea, and the frequenting of religious buildings by the faithful, etc. (Dufau, 1993, p. 16). Public spaces are places intended for the use of the “public”, or for “all”. These terms define all the members of the national community, which is none other than national society.

The interdependence of “making society” with state-politics thus materialises in space, since the two imaginaries, societal and stato-national, are supposed to actualise and consolidate themselves in places allowing the meeting of the various members of national society (Sabatier,

2006, p. 58). Indeed, with the recognition of this usage for certain areas of public property, legal theory simultaneously joins with philosophy, political science and social sciences:

“Toute collectivité humaine a besoin, pour exister en tant que telle, d’un espace ouvert, lieu des échanges sociaux et aussi métaphore de l’unité du groupe.” (Lavialle, 1996, p. 16)

Public space is supposed to symbolise the unity of national society after having been the only property of the state. Politics, therefore, through the public spaces that it promotes, is the guarantor of this impending unity (Rémy, 2001, p. 26). This is only a stato-national ideology that advocates the establishment of the national society in everyday life in the concrete context of public places. It is precisely the late integration by administrative law of the public/private domain distinction that concretises this ideology in space. By assigning it to a specific type of space, it becomes of symbolic use for national society, therefore affording it accessibility to all. Thus, the public space can be considered as the part of the public domain not built but allocated to public uses, formed by a property and a usage assignment (F. Choay and P. Merlin, 1988, p. 334).

Referring to B. Anderson's (1983) book, C. Chivallon grasped the need of 19th-century nation states for the existence of places that could be shared by their members to achieve their national community ideologies. The apogee of public spaces can be associated with a modern urbanity that developed within the ideology of nation states. Thus, public spaces masterfully fulfil this dual function of developing a co-presence situation for anonymous individuals while deploying the necessary codes for the feeling of belonging (Ghorra-Gobin, 2001a, p. 135).

Spaces that *par excellence* fulfil this symbolic role of the national society are urban public spaces, particularly in large cities and capitals, which allow for the gathering of crowds during demonstrations of belonging to the nation, such as republican festivals or various national commemorations (Sabatier, 2006, p. 58). The historian M. Ozouf (1976) recalls that some public urban spaces—especially during the 1790s—were invaded by crowds that were not only popular, but by the act of demonstrating, showcasing its national belonging and its recognition of the new political regime resulting from the Revolution. For example, Parisian public spaces such as the Champ de Mars and the Place de la Concorde have crystallised the image of post-revolutionary jubilation.

O. Ihl (1996, p. 189) extends this historical analysis by showing that urban public spaces have retained this role in many festive moments commemorating special periods during the 19th century, and especially under the Third Republic. They were an opportunity to offer a relay point to the new sense of belonging and solidarity. The national holiday of 14 July, for example, is one of those highlights that continues to this day. However, as seen previously, M. Maffesoli (1992b) emphasises that many other forms of collective groupings that are allowed to be repeated daily, ranging from commemorations and celebrations to festivals and fairs, embody the experience of the national society in public spaces.

More broadly, M.-C. Jaillet reminds us that the role of urban public spaces in the cohesion of society is a tradition rooted in the majority of European cultures:

“Les pays latins comme ceux du Nord adhèrent à une même tradition qui valorise la ville et ses espaces publics non simplement comme la scène privilégiée de l’émancipation politique, mais en tant qu’elle en est un élément constitutif : la ville, donnant à voir dans un même espace restreint la société dans sa complexité, ses différences et ses déchirements, obligerait néanmoins à construire, par nécessité de cohabitation, un ‘être ensemble’”, ou un ‘vivre ensemble’.” (1999, p. 146)

Through the means of the law, the public-political state, after having been territorialised in the form of the nation-state, has theorised and granted usability of certain spaces by all that it is the owner and guarantor of. Public space is thus assigned to the symbolic use of the national society by its legal categorisation in the public domain (Sabatier, 2006, p. 60).

3.9 Private property and its rights

As per Roman heritage, property rights since the 18th century have been one of the pivots of Western political and legal thought (Bihr & Chesnais, 2003, p. 4). In France, for example, property is considered as an inviolable and sacred right. As per the famous Article 17 of the Declaration of the Rights of Man and the Citizen of 1789, it is only by a legally public necessity and under the condition of a right and prior indemnity, which is considered as an exception, that a person can be deprived of it. The general interest thus justifies the procedure of expropriation as the only possible way to take over a private property.

For political scientists A. Bihr and F. Chesnais (2003, p. 4) this proclamation of Article 17 would be moderated since it presents limits that were actually imposed in France's history to this inviolable right. On the other hand, the United States Constitution, like other national legal codes, assumes that property ownership should not, except for strict public policy issues, be subject to any obstruction of use (*usus*), enhancement (*fructus*) and alienation (*abusus*). The privative principle is asserted in the French definition of private property by Article 544 of the Civil Code of 1790, which emphasises its force by defining it as the right to enjoy and dispose of things in a manner absolute:

“Le droit de jouir et disposer des choses de la manière la plus absolue.”

Private property values the exclusivity of its usage by its owner(s) and its exclusive appropriation, going as far as to make the exclusion of others a legal requirement, as summarised by the lawyer A. Azuela when elaborating on private property of the habitat. The private nature of housing entails the obligation for the public authorities to guarantee exclusive rights for the occupants (Azuela, 1995, p. 6).

In addition, the private property regime applies to spaces owned by public persons according to the distinction between public and private domains:

“Les biens du domaine privé répondent à des préoccupations d’ordre patrimonial ou financier c’est pourquoi ils relèvent d’un régime général de droit privé [...]” (Lavialle, 1996, p. 9)

The private domain therefore includes all spaces belonging to public persons who, in order not to be subject to general interest or to public utility, may be more freely managed, transformed or transferred. Numerous places directly belonging to the State, or indirectly to one of its administrations or to other public persons, are thus placed in the private domain: forests, ministries, hospitals, town halls, schools, universities, etc. This last case is especially familiar to the student or academic on campus who can read a sign demarcating the limit of ownership as “private domain of the State” on a daily basis. But if the management of the private domain does not respond to the public utility, it is not assigned to the use of all members of the community. The private sector regime thus adopts up the logic of private property by introducing an exclusivity of use, possibly by allowing the exclusion of decisions of the owner, in this case, the public person (Sabatier, 2006, p. 62).

Private spaces are certainly vast and varied, and can be privately owned by an individual, collective or a public person. This last hybridisation of the private and public logic in the private domain indicates that the relativity of the spatial categorisation of the public/private distinction by the law is expressed primarily through difficulties in distinguishing precisely between public domain and private domain (ibid.).

First, the recognition of the public use of goods has not always been easy. Traditionally, goods made available to the public were considered to be *de facto* part of the public domain. In recent years, this criterion has become overly broad, and the law has assumed that not all goods intended for public use deserve to be protected by the system of public estate (ibid.). In particular, this scheme does not only concern the property used by all or almost all citizens, it also applies to property engaged for the private use of certain categories of citizens who are clearly individualised or identifiable. This is the case in cemeteries, for example, which are subject to funerary concessions to the benefit of families; or of halls and public markets including spaces reserved for merchants. Because of vague and uncertain characteristics, the notion is likely to encompass an infinitely vast mass of goods belonging to public authorities. For this reason, the judge added the additional special condition: a public service asset is included in the public domain only if it is also “by nature or by special arrangements adapted exclusively or mainly to the particular purpose of those services” (ibid.). Thus, this criterion of “special management” introduced in 1960 remains deliberately imprecise so that the jurisprudence can decide on a case-by-case basis on the classification of goods (spaces) in the public or private domain (Héméry, 2001, p. 51-52).

3.10 Privative use of public space and public use of private space, or contradictions within the law between legal status and actual use

Considering public space as “a space made available to all” (Héméry, 2001, p. 51), its state-national legal definition symbolically affects the use of “the public” to the public domain. Héméry shows how public domain and public space are two radically distinct concepts.

The part of the public domain assigned to public use (shorelines, rivers, thoroughfares and squares) correspond to public space since it brings together spaces of free access with the often-important social frequentation element. It is precisely the effectiveness of its use by all that

determines the fusion of the two notions. But also, under the general assignment to the use of the public, are hidden designations for certain uses that are more or less private. We can distinguish that in the domain assigned to the public there are two types of dependencies: some are intended for public use by the public (public roads, shores of the sea, etc.), while others are for individual and private use (burials in cemeteries or markets and their stalls) (Venezia & Gaudemet, 1998, p. 46). There are many other cases where spaces of the public domain are temporarily privately occupied under the guise of legal provisions—i.e., necessitating occupancy permits, as with cafe or restaurant terrace tables or open markets on squares and boulevards—or more importantly, under the framework of financial management, with contractual occupancy authorisations, emphyteutic leases and road concessions.

This review of the private use of the public domain leads us to think that conversely, the private domain may be subject to uses that even the law recognises as “public”. Indeed, many areas of the private domain are granted free access for the use by the public, as is the case with universities, but also of forests and meadows. Héméry (2001, p. 53) notes that all places assigned to promenade, rest or relaxation that do not belong to the public domain can reciprocally belong to the public space:

“Au final, le parti pris du juge de limiter, par la mise en œuvre de critères restrictifs, l’incorporation dans le domaine public de biens pourtant accessibles à tous permet de mettre en évidence le fait que domaine public et espace public ne se recoupent pas. La première notion est nettement délimitée parce qu’elle implique l’application d’un régime juridique spécial alors que la seconde est beaucoup plus large.” (Héméry, 2001, p. 55)

This emphasises the fact that, independent of their status, social practices introduce a certain amount of publicity in the private domain.

Logically, this should also be the case for privately owned spaces, and indeed, the private property of a space sometimes successfully accommodates what is considered “public usage”. Many public uses of private property are even considered by law within the category of “private spaces open to the public”, specifically, public establishments or *établissements recevant du public* (ERP). This includes shops, hotels, catering, production or corporate spaces.

The ERP category is mainly used to impose safety standards to hold the private owner more accountable to the public received in said establishment. Starting with the first decree of 1979 regarding the protection of the ERP for the use of *equidaes* (racetracks), a very large number of general provisions for safety against the risks of fire and panic, or to facilitate the access for the disabled, was enforced by ministerial decree. It has persisted to present day and further applies to tents and traveling structures (CTS), outdoor places (*plein air*) (PA), dance halls and playhouses, worship establishments, offices, educational and sporting establishments, summer camps and venues broadcasting amplified music.

Also among these ERP are workspaces accommodating a large number of employees or customers, such as factories and other production centres, private administrations and service areas (banks, businesses). The reception of the public also defines the function of private property as cultural outlets, including as museums or theatres, which in the same way as those belonging to the public or private domain, have the fundamental function of hosting many visitors. An extreme case would be that of the individual house, a type of domestic space of private status *par excellence*, which in the United States can be declared as “open to the public” when it goes on sale and meets the need to multiply potential buyers (Ghirardo, 1997).

The legal acknowledgement of many public uses of places of private status is merely an illustration of its recognition of the exercise of fundamental individual freedoms, also known as “public”. Among these freedoms is the right to assemble, given it is the concrete condition for any grouping of individuals in a place (Robert, 1996).

The current status of the concept of urban public space is that of a paradigm as defined by D. Bloor (1978): the congruence of public initiative and the interest of researchers shows the interdependence of the socio-political context. But this status has given it a multiplicity of meanings. At the end of the 1990s, I. Joseph could see the range of research possibilities around the theme of public space and scientific content:

“La notion d’espace public, tour à tour métaphore de la ville comme lieu de rencontre, de la cité comme centre du débat politique, et de la société urbaine comme société démocratique, peut sembler faire tourner autour du même mot un espace de recherche infiniment distendu par ses objets et ses terrains.” (1998, p. 14)

G. Capron (2002) emphasises that the current polysemy of the notion of public space comes from the diversity of distinct approaches summarised by Joseph. In addition, each discipline gives varied importance to the concrete and localised aspects of public space.

Because of the incompatibility of the sociological and legal grids of reading and the non-definition of the notion of public space carried by the microsociology, social sciences see the emergence of a serious problem of use of the notion of public space to designate these legally private spaces.

While considering public space as any place and so as not to lose the main idea of this topic, private legal status spaces open to public are called “public spaces” without specifying that this is a social qualification in opposition to its legal qualification (Sabatier, 2006, p. 74). If the modalities of social co-presence in areas of private legal status can be similar to those in spaces of public status, especially insofar as the private legal status place develops in welcoming more and more individuals, clarification would be necessary to at least specify the origins and presuppositions of the various and contradictory definitions it incorporates. But this is not always the case.

Overall, the confusion is twofold: between the material and the immaterial public space, and between the legal and social notions of public space. While it already seems difficult to use the latter given its multiple inaccuracies, it seems even less appropriate to use it as soon as we are warned of its paradigmatic status and polysemy, and the confusion it can cause (Sabatier, 2006, p. 75).

3.11 The dialectic between legal norms and social practices of space

An interactive analysis between the legal status of space that attaches a set of standards, and its uses or social practices does not exist in neither geography nor sociology nor anthropology. The role of the status of space has been studied by J. Rémy, who shows precisely that the notions of private and public have a link with the legal and the political.

“Reconnaître ce lien n’équivaut pas à y enfermer notre lecture sociale. Il importe de percevoir la relative autonomie des processus sociaux par rapport aux formes institutionnalisées.”
(Rémy, 2001, p. 23)

B. Sabatier (2006) therefore analyses the social practice of space interacting with its legal legitimised uses, meaning by their public and private statutes. According to him, legal qualifications of the space present above all a comprehensive and explanatory potential that can be summarised in three points underlining the determining place of law in societies and daily practices. At the spatial level, this illustrates the operational role of the distinction between public and private in contemporary societies.

The first is that the legal status of spaces is a concrete reality referring to a fixed global and effective system that is unchallenged in many countries that have inherited Western culture. This refers to the division between public and private spheres, the law between private and public rights, and spaces between public domain, private domain and private property. This system is at the foundation of the two historical realities of the public space: all the places belonging to the public power that gradually acquired a stato-national symbol as “making society” (*faire société*) in the 19th century. The choice to use the imprecise social notion of public space would then be to lose this contribution of legal definitions. It would also imply abandoning all the logic of the actors dependent on the public/private division of Western societies since antiquity. This includes, for example, the weight of national ideology in France sealing the transition from social to societal, or vice versa in Anglo-Saxon countries with the absence of stato-national ideology forging a societal symbolic of public property spaces.

The second point is that the division of public and private space constitutes a normative system. This logic conditions the social practices of space on a daily basis since they are standardised by a system of rules set by the owners of each type of space. Despite its accessibility to all and the wide variety of practices that are allowed, the public domain itself is subject to a number of rules. Beyond common misconducts, a series of permitted behaviours in domestic spaces are prohibited and punishable if they are found in public spaces (drunkenness, indecency, etc.).

In addition, taking into consideration some particularly serious situations—such as major breaches of public order, situations of war or states of siege—has led to the introduction of derogatory regimes that make restrictions or temporary suspensions of public liberties possible (Picard, 2000). With regard to areas of private legal status, their exclusionary potential based on private property rights is generally accepted and integrated into the Western common sense. In fact, the law of private property makes it possible to fix a system of rules of use by others at almost the total discretion of the owner of the space since it is subject only to the respect of

public easements and possibly legislation on ERP. This is the case with ministries, whose protected access is legitimised by the belonging to the private domain of the state.

Similarly, the security services of a prefecture or an educational establishment remain perfectly under the canopy of the law when, following management's orders, they fire an individual whose presence would be considered "irrelevant" or "disruptive". Exclusivity within the private domain is generally seen positively. The greater exclusivity of private property may also be positively experienced by individuals as beneficial owners, for example, prohibiting the entry to the domestic space or residential complex by hawkers, or exerting control over businesses or nightclubs to avoid delinquency.

However, this exclusivity is also negatively experienced by non-owners whose exclusion is legitimised in law but often considered as an injustice. Numerous refusals of admission to bars, discotheques or other establishments open to the public also give rise to lawsuits. The judge is then responsible for verifying if the prohibition of social discrimination (as entered in the Penal Code) has not been violated by the measure invoked by the owner to refuse admission. In contemporary Western societies, private property confers the legitimate power to exclude anyone, as per the analysis of the neo-Marxism of philosopher J.-M. Vincent, who outlines the following:

“Dans la société capitaliste contemporaine, le public et le privé ont à voir avec des modalités d’appropriation de biens naturels ou produits par les hommes. [...] La propriété privée n’apporte la reconnaissance sociale qu’à une partie de la société en excluant l’autre [...].”
(Vincent, 1997, p. 36)

This poses serious problems of social division which are reflected in the social practices of private urban spaces open to the public.

Lastly, everyone's knowledge of this exclusivity means that the effectiveness of legal categorisations solidifies the collective and individual representations and thought patterns and integrates the system of norms relating to the status of a space. By legitimising certain uses, this will help to support some representations (Rémy, 2001, p. 23), which in turn more or less predetermine social practices, influencing them by imposing standardised behaviours on individuals (Sabatier, 2006, p. 77-79).

3.12 The crossed processes of privatisation and publicisation of spaces for a dynamic social geography

Despite its inadequacy, the term “hybridisation” presents a quality of dynamic and open process which emphasises the dialectic between the legal norms and the social practices of the space. To dig deeper it is necessary to use other terms describing these practices alongside the legal qualifications, describing the social processes in a way that would sharpen the understanding of a space towards the public or the private pole. These terms can be “privatisation” and “publicisation” of public spaces, the private domain, or private spaces, since they describe processes that are crossed (Sabatier, 2006, p. 82).

C. Dessouroux classifies two types of privatisations, believing that privatisation can manifest itself in two distinct ways:

“La privatisation peut se manifester de deux manières distinctes. Ou on procède à des mesures qui génèrent ou accentuent le caractère privé d’espaces existants, ou bien on crée ex nihilo un espace doté d’un caractère privé plus ou moins prononcé.” (2003, p. 29)

His socio-spatial reading grid of the public and the private sector is equivalent to that which is adopted here, since it evaluates to what extent a space is open to the public via three different criteria: the legal regime of property, the accessibility (universal or restricted, thus corresponding to social attendance in terms of social composition), and regulation (permissive or constraining, corresponding to the norms).

According to this grid, Dessouroux defines the social privatisation of space as a restriction (in the sense of limitation or reduction) of its diversity or its social heterogeneity. This is achieved through measures establishing a restricted or selective accessibility, tending towards an exclusivity of use in favour of certain social classes (2003, p. 30).

The privatisation of space may also be legal, political or a combination of the three. Dessouroux suggests that legal privatisation of space consists in the change of its status. He does not elaborate on political privatisation but includes the privatisation of public spaces by regulation and measures of “normalisation of behaviour” that introduces more restrictive rules of use (2003, p. 30). This is the case of secured urban public spaces seeking to combat

delinquency or individuals whose attendance is increasingly controlled for reasons of hospitality and security of the area—*motifs d'hospitalité et de sécurité des lieux*—as they are considered as *contraires à ces intérêts* (Dessouroux, 2003, p. 30). But he also considers that privatisation via regulating the *communautarisation* and collective use shows again that it is difficult to distinguish the political uses from the social uses.

In any case, the appropriation aims to establish a strong relationship between individuals and the space—appropriation being a form of social and spatial practice that characterises a privileged relationship to places (Gasnier, 2004, p. 35). A. Gasnier defines the appropriation as an individual or collective psycho-spatial process that reflects a form of freedom to dispose of a space and to hold a pseudo-property according to forms of occupation of places and specific cultural signs. It is in this sense that Dessouroux recognises the appropriation of residential spaces as an exclusive privatisation.

Along with the success of the “privatisation” term, “publicisation” has appeared, which had emerged as a movement of openness and diversification. In this same sense, the social publicisation of spaces began to be explored by several authors in the geography faculty to signify the process of increasing social advertising of a space by opening the diversity or the heterogeneity of the attendance and social practices.

The urban application of this interpretation was initiated by the geographer J. Monnet, who articulated of the notion of publicisation with that of privatisation in relation to the connection between trade, public space and urbanity. Monnet believes that in many cultures, trade seems to have the particular social function of massively ensuring both the presence of the private sector in the public space (the mercantile “privatisation” of the street, crossroads, squares, monuments or of the city) and that of the public in the private space (the “publicisation” of free entry establishments, shops, shopping centres, etc.). This social function makes it possible to constantly update the logic of privatisation and publicisation in a seemingly ongoing conflict throughout the history of cities. Authoritative battling may be a normal mode of how they function though, considering examples such as struggle against the stall’s itinerant or competition between small traders and large companies. It can also be seen in conflict between merchants and unwanted users (on the terrace of cafes, in shopping centres, etc.) or between residents and activities considered harmful or immoral (nightclubs, sex-shops, etc.), as well as ethnic-commercial antagonisms, etc. (Monnet, 1997, p. 72).

G. Capron confirms this through the case of Buenos Aires, wherein the double process of privatisation of public spaces and publicisation of private commercial spaces reveals the porosity of the limits established between the two categories. She thus analyses the shopping centres (her object of study) and underlines that they are one of the places showcasing the re-articulation of the “public” versus “private” on the urban scene: private developers produce spaces intended to accommodate public uses (Capron, 2001, p. 168-169).

Geographer A. Gasnier also mobilises the interpretation of publicisation of shopping centres and further includes multiplexes and peri-urban leisure parks, which seem for him to be centres that are participating in the reinvention of the status of public spaces shared between artifice (Chivallon, 2001; Prost, 2003) and publicisation of private space. Indeed, in his view, the public space that is defined from a legal point of view (urban land law) also has a social connotation. However, shopping centres and leisure parks result from concessions given to private actors. We then witness the design of a private space offer that becomes publicised (Gasnier, 2003, p. 136-140).

The crossed processes of privatisation and publicisation of space are proven to be suited to the analysis of uses and social practices of the public/private scheme. Compared to previous circumstances and regardless of the ownership regime of a space, if it privatises itself by ways of restriction, limitation or reduction of its diversity or social heterogeneity, it becomes publicised when this criterion increases (Sabatier, 2006, p. 88).

The extent to which a space is open to the public is evaluated in terms of social diversity, usage and practices, and can be appreciated by the model of “making society” (*faire société*) specific to the studied social context.

“Cela impose de bien se rappeler l’ensemble à la fois des significations du couple conceptuel public/privé et des rôles de ses catégorisations spatiales par le droit, qui seules permettent de saisir la signification de ces pratiques et de ces représentations.” (Sabatier, 2006, p. 90)

It is this set that manifests the permanent blurring of the public/private distinction through social practice, but which also makes it possible to identify cross-processes that are part of the evolution of the public/private relationship of Western societies individually and generally.

3.13 Conclusion

In this part the law was studied. It was understood that, without exception, law controls every human action, and that the notion of public space has already been grasped by several disciplines, including law.

Historically, it started with the Greek civilisation, which founded of the distinction between two spheres of private and public, and to which the terminology can be traced. The word “public” appears in the Greek language for the first time in a decree of Solon, which states that a Greek is aware of the presence of another Greek. More specifically, “public” refers to “the people” (*demos*), understood as all citizens and the sphere of their common affairs. The French-Greek lexicons in turn translate the Greek term of *politikos* (the affairs of the city) to “public” as much as *politique*. In Athenian democracy, the field of the private is defined in hollow or in negative terms, as opposed to the public definition. The Latin language sets it more precisely through the use of the new terms *publicus* and *privatus*. Nowadays “public” is of a juridical-political nature wherein Habermas is considered as one of the most important contemporary thinkers in the reformulation of the “public sphere” since the Enlightenment Age.

We saw that public always refers to politics, to conceptions of community as a natural or voluntary association, to the government and to the legitimacy of authority, but some scholars consider there to be a difference between politics and publics.

To define the private domain, Arendt considers it in opposition of the public domain. She thinks that in negative terms, private affairs are those that are held exclusively outside the public sphere. Roman civilisation always relates the private to the individual, the self and the property, and that is how the term *res privata* has been codified by law. The Roman inheritance found in contemporary law has come to codify the existence of the individual as a private person having a fundamental right to “the property”, in opposition to the public power. In our current era, the private is related to *libertés individuelles*, which carry importance dependent on each culture. The private is the place from which the right to self-organisation takes shape, without the political or executive power having the right to interfere.

According to the private/public distinction at the social groupings level (rather than of a society), political activity is considered as “public” regardless of the difficulty of distinguishing

the social from the political. Politics is not just an activity but built on a daily basis through a large number of social practices of manifestation or information exchange. This consideration imposes on recognising the publicity of the anonymous individuals' gatherings in a place around the same goal. Since these individual and inter-individual practices remain private by law, this contradiction is at the heart of the rehabilitation of their political dimension.

Today, law plays a radical role in distinguishing between private and public. "Public" is the first term from which the other is determined. It is also logically first in the interaction of the two, indicating that the conceptual public/private couple operates on a mode of fundamental reciprocity. The public is on one hand of political-state and on the other hand of the citizen-policy in its various forms of public spheres, especially those identified by the state of the national society and secondarily from civil society. The tension between the respective factual and ideal characteristics of these two aspects of the same democratic reality is crystallised in institutional transformations such as those ranging from "general interest" to "public interest".

Public space is considered having dual natures: private domain and public domain. What has been made clear is that the public space is the essential element of a territory. This is comprehensible given the state administratively occupies a space and engages in the control of its functioning only by declaring it its own, meaning by incorporating it as a territory to the sum of its public goods. Since 1804, the Civil Code has not recognised special use of public spaces, and as seen previously, it was not until the late 19th century that jurists realised the need to "make the state visible in its dual nature" as "the public domain" and "the private domain" (Lavialle, 1996).

The public domain constitutes all the property of public persons insusceptible to private property because it is relevant to the general interest, while private domain is all the property of public persons being able to be managed by the private property regime. Public spaces are thus places intended for the use of the public, for all. This ideology in space was concretised by administrative law's late integration of the public/private domain as a symbolic use of the national society distinction. This was done when a specific usage is assigned to a specific type of space that belongs to it, and therefore afforded its accessibility to all.

Private properties obey a set of rights. In France, for example, the famous Article 17 of the Declaration of the Rights of Man and the Citizen of 1789 states that the property is an inviolable

and sacred right, no one can be deprived of it, except for a legally public necessity, and under the condition of a right and prior indemnity. The general interest thus justifies the procedure of expropriation, the only possible way to take over a private property.

The private property regime applies to spaces owned by public persons according to the distinction between public and private domains. A special management criterion was introduced in 1960, because of many examples between public domain, private domain, and public domain which is unusually private. This criterion remains deliberately imprecise to keep a margin of flexibility so the jurisprudence can decide case-by-case on the classification of goods and specification of the spaces as in the public or private domain. This same logic is propagated regarding private spaces open to public.

There is dialectic between the legal norms and social practice of a space. B. Sabatier analyses the social practice of space interacting with its legally legitimised uses, meaning by their public and private statutes. According to him, legal qualifications of the space present a comprehensive and explanatory potential that can be summarised by three points underlining the determining place of law in societies and daily practices:

1. The legal status of spaces is a concrete reality referring to an effective fixed global system that is unchallenged in many countries.
2. The division of public and private spaces constitutes a normative system whereby these logics condition the social practices of space daily given they are standardised by a system of rules set by the owners of each type of space.
3. Collective and individual representations will be established by the effectiveness of legal categorisations, thought patterns integrating the system of norms relating to the status of a space.

Finally, the elaboration on the process of privatisation and publicisation concluded that a space is open to public under three criteria:

1. Legal status of the property
2. Accessibility
3. Regulation

A public space could be privatised by changing its status through regulation wherein the measures of “normalisation of behaviour” introduce more restrictive rules of use. Additionally, we can consider that privatisation of space by regulating the *communautarisation* and applying other restrictions to collective use.

The term “publicisation”, which appeared as a movement of openness and diversification, appeared along with the success of the “privatisation” term. The process of increasing the social advertising of a space by opening to the diversity or heterogeneity of the attendance and the social practices explains the social publicisation of spaces.

After articulating publicisation that J. Monnet clarified privatisation in relation to the links between trade, public space and urbanity. Trade seems to have the particular social function of largely ensuring both the presence of the private sector in the public space (the mercantile “privatisation” of the street, the crossroads, the square, the monument or of the city) and that of the public in the private space (the “publicisation” of free entry establishments, shops, shopping centres, etc.).

To conclude, Germain (2006) confirms that zoning—of all the legal qualifications of urban space—remains one of the most structural, not only for the definition of the use of space but also for social relations between city dwellers, including in their daily lives. Its scope is fully realised during crisis or conflict situations, as well as during major interventions on the urban fabric. But can zoning still constitute this trust and be capable of guaranteeing the conditions for the cohabitation of different urban functions and social groups? Legal qualifications maintain their usefulness as resources to “civilise conflicts”, depersonalise them and encourage a minimum of discursive exchanges.

Studying the accessibility of a space triggered my deeper study of this concept from a different perspective than what a law dictates its meanings are. I wanted to see if the accessibility of a space has a direct link to the gender of a person and/or their religion, considering how the gender of a person can give him/her the advantage and right to access or not access any public/private area, as well as how religion affects the perception of public and private or even refute acquired universal notions of a space. Moreover, while designing space, especially a public one, do the creators of said space take into consideration the gender and religion of visitors?

Therefore, the following two chapters are dedicated to research about gender and religion and their direct and indirect relationship with the space, especially public space, which in theory should be accessible to anyone without any restrictions.

4. Space and religion

4.1 Introduction

Throughout history until the mid-1990s, there was comparatively little interest in researching religion, space and place. It was generally limited to topics such as sacred space and pilgrimage (Bhardwaj, 1973; Eliade, 1959; Smith, 1978; Turner and Turner, 1978; Van der Leeuw, 1933) although the work of the Chicago School since 1930 affirms that heterogeneity (social and cultural) is considered as a fundamental characteristic of an urban society (Gagnan, 2002). Even within the discipline of geography, the engagement between religion and the space by itself was of minor interest, often not considered at all in textbooks and rarely in academic journals, with few notable exceptions (Knott, 2010, p. 29-30).

In 1990, geographer Lily Kong reviewed past efforts and considered the trenchant debate concerning the disciplinary territories and boundaries between geographers working on religion and scholars of religion working on space and environment. She then turned her attention to new research foregrounding cultural and social plurality and the consequent contests and conflicts involving both religious and secular agents which shaped the urban landscape. Noting the rise in interest among geographers in environmental theology and ethics, Kong wrote:

“Within the multi-disciplinary literature on religion, much of the attention in the pre-1990s was focused on religious places such as mosques and temples as social centres where adherents gathered, not only to pray, but to engage in social activities as well, thus contributing to the development of a poetics of community.” (Kong, 2001, p. 408)

Kong (2001, p. 409) considers that religion and its rituals apparently function to strengthen bonds attaching a believer to his/her god(s), and that religion and its rituals actually reinforce bonds attaching an individual to society.

By that time, many more researchers had begun to conduct research in religion and geography from an array of diverse disciplinary backgrounds, including humanities and the social sciences (Knott, 2010, p. 30). In the last 10 years, many have observed a renewed visibility of religion and beliefs in the public sphere (Dinham et al., 2012). This has been opened by Habermas’

proposal that “a post-secular self-understanding of society as a whole in which the vigorous continuation of religion in a continually secularising environment must be reckoned with” (Habermas, 2005, p. 2). A growing plethora of publications have reflected on this and versions of this argument, often with surprise that “God is Back” (Micklethwait, 2009). But this God could be a different one than what we know or used to know.

Others have contested the notion that God, religion and belief ever went away, drawing a distinction between the absence of public talk about religion on the one hand, and the continuation religion on the other (Martin, 1965; Davie, 2015). Some have attempted to reassert post-religious positions from highly normative stances, as with the group of New Atheists (Dawkins, 2006). Bruce (2013) has suggested that what is underway is merely a last gasp before secularist predictions of the decline of religion and belief to a vanishing point are finally realised, at least in the West.

In this chapter entitled “Space and religion”, I try to answer different questions about religion and public space. I deeply study the difference between religion and secularism and try to understand how these two can contribute to the creation of societies. Moreover, and from a governmental point of view, should the state stay away from religion and follow a secularistic thought for planning and society development, or should the government consider religion an important factor in the planning process? I then study the Islamic religion and try to grasp how Islamic conceptualisations of society and space affect the notion of public-private space.

4.2 Between religion and secularism

To start, freedom of religion is firmly entrenched in international law and in the constitutions of many countries. Article 18 of both the Universal Declaration of Human Rights (1948) and the International Covenant on Civil and Political Rights (1976) (ICCPR) guarantees everyone the right to freedom of thought, conscience and religion, as well as the freedom to manifest one's religion or conviction by practices and fulfilment of rites (Barnett, 2013, p. 2). Fundamentally, freedom of religion has both a positive dimension—the individual is free to believe in what s/he wants and to profess his/her beliefs—and a negative dimension—that no one can be forced, directly or indirectly, to recognise a particular religion or to act contrary to one's beliefs (Barnett, 2013, p. 3).

The Book of Genesis, a sacred text for Christians and Jews, also advances the doctrine of stewardship, which is a theological belief that humans are responsible for the world and should take care of it. It can have political implications, as with Christian Democracy and the Christian call to “live the Social Gospel”. Christian influence in political and practical affairs may be inspired to “serve the garden in which we have been placed” (Genesis 2:15).

Many environmental thinkers have long believed that a religious or a spiritual view of nature needs to be underpinned by a scientific or practical view and have established a strong link between scientific understanding and morality and care for ecosystems (Palmer, 1998; Kinsley, 1995). Robert Trigg (1998, p. 71) argues that science may tell us “how”, while religion will tell us “why”. Together, science and religion may inspire a stronger society (Narayanan, 2013, p. 135).

The importance of religion in the development of practice and policy is no longer being entirely neglected. In the last decade, substantial scholarly attention has been paid to the conceptual and methodological aspects of the religion–development nexus (Rakodi, 2012a).

If we go back to the original Latin etymology of the word “religion”, we can see that its primary meaning is to seek to connect people, regardless of their differences. Religions must contribute to the improvement of society since their noble role is to push people to improve their behaviours and to find various ways to live well together since the religion’s values are common to all. Respect for humanity is one of these values (Ayachour, 2013). Public space must stay a place where every citizen should not be judged for what s/he believes; it must remain a space for exchange at all levels, especially an intellectual one.

“C’est le cas de toutes les religions qui de ce fait aident à la construction d’un lien social pour des citoyens parfois en manque de repère social. En effet les pratiques religieuses sont largement reflétées dans l’espace public.” (ibid.)

However, secularism allows and defends the practice of all religions, particularly minorities, while ensuring respect for the fundamental principles of the Republic and guarding against abuse of power by governments, clergy or various communities (Hirschornn, 2013).

Religions, on the other hand, can be a *force* of proposition, just like every group of people in a democratic society, on the condition that it is the State (the politicians) that makes the final call and takes full responsibility for the choices (ibid.). H. Paradis-Murat (2013) considers that religion and state coexist within the same society. Both target the same group of people who may claim the same citizenship, but many will refer to a religion or religious movements. The State cannot ignore this reality, and to fulfil its role as guarantor of social peace and the common good, it must develop positive relations with all the civil society groupings, including the churches.

Religion is present today in a different mode than metaphysics, the perspective under which post-metaphysical thought meets religion changes. Habermas (2008, p. 339) states:

“On ne colmatara certes pas la brèche qui s’est ouverte entre la connaissance du monde et le savoir issu de la révélation. Pourtant, dès lors que la raison séculière prend au sérieux l’origine commune de la philosophie et de la religion à partir de ce qui a révolutionné les images du monde à l’époque axiale (au milieu du premier millénaire avant l’ère chrétienne), l’angle sous lequel la pensée postmétaphysique rencontre la religion se modifie.”

Habermas (2008, p. 28-29) considers in his article “Retour sur la religion dans l’espace public, Une réponse à Paolo Flores d’Arcais” that democratic constitutions set limits to the public commitment of churches and religious communities. If “communities of interpretation” want to convince the population of a largely secularised society, they are interested in advancing arguments that similarly appeal to the moral intuitions of their own members as well as those of the non-believers and faithful to other beliefs. He considers that the democratic procedure can only produce legitimacy if it combines inclusion (the participation of as many citizens as possible), discursive training of opinion, and a prospect of reasonable results. It essentially depends on the existence of an undistorted public sphere and a cultural tradition that has not been emptied of its substance to reach the desired result.

4.3 Post-industrial spaces and religion

Religion has always been a tool to shape spaces, alter the landscape, bring agglomerations into uninhabited regions, provide landmarks to population and frame social life. From this point of view, the modes of diffusion of Christianity constitute a privileged field of observation to

understand how a religion does not content itself with just occupying space, rather, it also produces and shapes it. As described by Jean Pirotte (2016):

“Au-delà d’une ‘récupération’ des sacralités anciennes, l’entreprise missionnaire a façonné l’espace en le chargeant de significations nouvelles.” (Prudhomme, 2016, p. 4)

Eliade (1959) says that the sacred irrupts in certain places as revelations (hierophanies), causing them to become “powerful centres of meaningful worlds”, set apart from ordinary, homogeneous space. The experience of such sacred place may be described as the “numinous” (Otto 1917), and experience of the mysterious tremendous in place grants it a “spiritual essence” and a “poetic quality”.

Prudhomme (2016, p. 3) believes that the space of Western post-industrial societies is organised today according to a logic which attaches secondary importance to religion. Religion is not a priority in the definition of spatial planning policies and in the development of urban plans. At best, the construction of religious buildings is considered as an element to be considered for the services that the population needs. No doubt that visible signs of religious presence are not ready to disappear, but most of the time they seem to be traces of a bygone era, and if they are valued, it is as cultural heritage to be preserved for artistic interest.

Taylor (2007, p. 864) describes the task of defining religion as “exceedingly messy”. For Y. Narayan (2013) religion, like sustainable development, is a difficult notion to define and a challenging institution to understand. Organised religion plays in global politics and international relations—Narayan (2013) refers to organised religion in reference to the role of religion in development. However, this reference is far from exclusionary of agnostics, atheists and others. Gerald Larson (1995, p. 280) argues for an understanding of religion as an essentially anthropological construct, comparable with concepts such as “culture”, “language” and “society”. From this standpoint, he argues that while one might choose to not participate in one or any religion, one does not have an option to not to be religious any more than a normal human being does not have an option not to have neither a culture, nor language nor kinship identity. He clarifies that this does not mean one has to proclaim sympathy for a particular worldview; on the contrary, one may even express hostility.

Carole Rakodi (2012b) notes that where religion is viewed sympathetically in development, it is often treated as the “missing ingredient”. However, the fact is that religion’s presence, as well as absence, may present both possibilities and problems in development. This is highly dependent on the local context.

4.4 Planning between religion and secularism

While some scholars argue that government should be separate from religion and planning should follow secularistic non-religious thought, others consider the opposite and believe in the importance of the presence of religion in the planning and development of a society.

Deneulin and Bano (2009, p. 14) answer in the affirmative, pointing out that the secularisation thesis—that as societies modernise, religion will become irrelevant—has failed and religion’s role in humanitarian work and militancy makes development’s engagement with religion mandatory (Narayan, 2013, p. 132).

Sfeir-Younis (2001) puts forth five arguments as to why it is imperative for economists and developers to begin considering religion and spirituality while planning economic development.

1. First, individuals and societies are increasingly demanding that such a perspective be considered in economic policy development because they are disillusioned with the adverse impacts of existing economic policies, such as rising poverty, a widening gender-divide, ecological degradation, war and violence.
2. Contemporary economists are dealing with challenges that are multidisciplinary in nature, often with ethical and moral nuances.
3. Economic policies are not “neutral” to issues such as social justice, equity and governance, and therefore one cannot dismiss the strong influence they exert on these aspects of healthy sustainable development.
4. Civil society—mostly represented by non-governmental organisations, spiritual and religious movements, businesses and academia—has taken a lead in attempting to “humanise” economics suggesting it is time to refocus again on the “human being” rather than “human knowing”, “human wanting” or “human doing”.

5. Economics must become “the science of the collective” in a globalised world. This is because most challenges faced by individuals have collective and global solutions, brought on by the “experience of interconnectedness” of globalisation.

In the opening of *Histoire, Monde et Culture religieuse*, Prudhomme (2016) describes religion in the segment entitled “Quand la religion modèle l’espace”. He considers that religion remains in its establishments—places of worship, schools and/or medico-social works—an essential element of the construction of territories, especially where the weakness of the state leaves the field open to denominational initiatives. This point is clearer and more comprehensible in cities outside of Europe. In this complex relationship to space, however, religion is not always linked to a hegemonic will and the project of controlling a territory to extend its influence. It may also consider that its legitimacy rests less on the ability to impose its authority on a space than on its ability to translate and support the aspirations of the population in the name of the values it claims.

In the investment for the preservation of a material heritage and the promotion of religious symbols (monuments, statues, crosses, minarets, etc.) religion prefers the choice of a commitment to the defence of the interests of the inhabitants. The time of the great sites of construction of new Christian places of worship, which had characterised the interwar period and the post-Second World War in Europe or Quebec, gave way in the last third of the 20th century to a time marked by the erasure of the visibility of the religious. It occurred to the point of witnessing the increase in sales or the destruction of churches deemed to no longer be of patrimonial interest. Favour was placed instead on real estate operations (Prudhomme, 2016, p. 4).

Ferdinand Buisson²², who was Jules Ferry's closest collaborator and devoted his life to the defence of secularism, liked to quote Jean Jaurès:

“Il serait mortel de comprimer les aspirations religieuses de l’âme humaine.”

²² A French academic, he coined the term *laïcité* (secularism) and was famous for his fight for secular education through the League of Education. In 1905, he chaired the parliamentary committee to implement the separation of church and state. He was the author of a thesis on Sebastian Castellio, in whom he saw a “liberal Protestant” in his image.

While discussing religion in a public space at an intervention during Foresight Day in June 2001, Lyonnaise political member Jean-Jack Queyranne insisted on the powerful contribution of religion to the moral progress of humanity:

“Les religions en général, les religions monothéistes en particulier ont puissamment contribué au progrès moral de l'humanité, la sommant de l'interroger sur ses fins dernières, l'arrachant à ses attaches matérielles, l'invitant à se dépasser. Il manquerait quelque chose à l'humanité, si elle était privée de cette exigence qui procède du sens de la transcendance.”

The exclusion of religion from the public space would not only be contrary to the constitutional principle of secularism and some European country 's international commitments, but also deleterious to the Republic itself. The absence of religion can lead citizens to feel less equal than others, and in turn, individuals withdraw from the community because an unknown, denied and humiliated identity always leads to a radicalised identity. To fight against fundamentalism and communitarianism, it is necessary that all those who have faith can live it and practice it without fear and without being stigmatised (Paradis-Murat, 2013).

From the opposite standpoint, secularism must take over religion. One of the widest refrains in the social sciences in the latter half of the 20th century must have been the secularisation thesis outlining that modernity has led to the substitution of religious traditions with rationalism, scientism and individualism. Public life, it argued, has been secularised and that which is religious has been privatised (Kong, 2001, p. 404).

Since the Renaissance, there has been ample movement towards secularisation in various forms and at different rates throughout Europe. It aims for tolerance and respect for different denominations, whereas religious commitment is more the business of the people than that of the state. The Reformation, which not only challenged Catholic institutions at the time but also sought to minimise the clerical mediations interposed between Christians and their God, gave a decisive impetus towards secularism (Queyranne, 2001). In France, for example, the law of 1905 limits and separates the exercise of religion to the private sphere (Aubert, 2013).

Habermas (2008, p. 334-335) believes that religion must recognise the neutrality of the states:

“La religion doit accepter de reconnaître, à partir de raisons qui lui sont propres, la neutralité de l’Etat par rapport aux visions du monde, les mêmes libertés pour toutes les communautés religieuses et l’indépendance des sciences institutionnalisées. De son côté, l’Etat laïque qui, dans sa légitimation par le droit rationnel, apparaît désormais comme une forme de l’esprit et non plus seulement comme une force empirique, doit lui aussi permettre qu’il lui soit demandé de ne pas soumettre ses citoyens religieux à des obligations pour le moins asymétrique.”

Queyranne (2001) mentioned in an intervention during la Journée de prospective that secularism is, for all citizens, a form of freedom that guarantees the choice of everyone’s beliefs. It preserves, above all, the public sphere. He believes that the power of secularism is to allow a collective identity, and thus religious identities, to be exercised not only in the private sphere but also in the public space with the triple condition that it respects the universal values, is not a factor of disorders, and that it does not aim to exert a monopoly of the ideas.

“Surtout, elle préserve (la laïcité), à l’écart de la sphère privée, la sphère publique, un espace où s’épanouit la raison naturelle, que tous les hommes ont en commun, sans interférence de la foi ni des dogmes, sans qu’aucune religion puisse prétendre y imposer le primat de la Révélation qui lui est propre sur les valeurs de la connaissance.”

D. Ayachour (2013) considers that secularism and the division between the state and religion is a smart decision and a well-thought-out concept since it plays a leading role in the quest for equality among citizens and in the search for a happy egalitarian space. P. Hirschornn (2013) believes that the role of the state is neither to promote nor prevent religious practice but to ensure the freedom of everyone in his convictions. This condition is the essence of secularism. It was born of conflict, but also of compromise.

Similarly, H. Paradis-Murat (2013) considers that secularism allows religious freedom. It guarantees the freedom of believers, the opportunity to meet, edit, publish, speak in public space, act with others and work for the common good.

The global West appears to find itself in a liminal space in relation to religion and belief. It is suggested that public talk of religion continues to echo normative Western assumptions of the 20th century about a secular trajectory and a post-religious age (Davie and Dinham, 2016). However, at the same time those norms and assumptions are being challenged by widespread

observations of a new presence and visibility of religion and belief. This has been described as a problem of religious literacy (Dinham and Jones, 2012, p. 187), in which there is a gap between a poor-quality conversation about religion and belief alongside their growing prevalence and visibility. Others are calling this liminal space “post-secularity” (Beaumont et al., 2011; Massimo and Stoeck, 2012), asking whether we are entering uncharted territory where the forces of secularisation (as a social phenomenon associated with modernising), secularism (as a normative political and cultural position) and a newly emergent and sometimes assertive religion must re-learn how to share the public sphere. Others recognise the phenomena but critique or reject the term “post-secular” as inadequate for the complexity they perceive of simultaneously concurrent processes of continuing secularity and continuing religion and belief (Baker and Dinham, 2017, p. 2).

When talking about religion and the space, some governments around the world, such as in Canada, for example, assure the protection of the creation of the religious places in public spaces. Moreover, using Canada again as an example, these spaces are protected by the charters of rights and freedoms, but should anyone want to open an investigation on the protection of the religious places in public spaces, they will discover that town planning is one of the municipal sectors least open to multicultural orientations (Germain, 2004).

In fact, places of worship assure a social function in the spaces where they are located beyond the prayer activities. They assist in the reconstruction of the community and its identity (Smith 1976; Warner and Wittner, 1998). These worship locations also assure proper support and a virtual home to new immigrants (Ebaugh and Chafetz, 2000), likewise ensuring aid for more fragile social categories (children and the elderly) through educational, fun and charitable activities and, more generally, the development of social ties (Germain, 2004).

However, certain places of worship prove to be greedy for space because they are large buildings which contain cultural and community facilities in addition to the prayer rooms. Given this and the aforementioned reasons, municipalities therefore often invoke arguments to refuse or thoroughly review a proposal for a new place of worship that is typically of an urban nature. What municipalities cite most is the “nuisances” associated with frequenting a place of worship, and the protection of the quality of life in its residential neighbourhood. The increase in traffic, parking problems or noise caused by certain ceremonies are referenced

by both town planners and by neighbourhood residents, who are increasingly vocalising opposition to the emergence of new places of worship.

According to Annick Germain (2004), these arguments often hide others, especially when it comes to a congregation made up of “visible minorities”. The construction of the place of worship for these congregations might encourage the faithful to come and settle in the neighbourhood to be in closer proximity and by doing so, change the (ethnic) demographic balance of the area.

Occasionally, town planners and elected officials will do important mediation work to get a project accepted when the inhabitants do not want it. This was the case with the expansion of a mosque in Laval, Canada in a non-immigrant sector. The municipal authorities explained to residents that a noisier or smellier business could have been established on that plot, and possibly attracted unwanted clientele. Engaging a different approach, the spokesperson for the Muslim community—an engineer experienced in intercultural relations—detailed the activities and their frequencies at the mosque.

Following this logic, there is a growing reluctance from municipalities towards any place of worship. What comes through in many of the projects (some of which have been built) is the difficulty for local authorities to recognise religious diversity as an integral part of ethnocultural diversity and thus make room for it (Gagnon 2002).

Municipalities had to remain neutral on matters of religion and could not allow the appropriation of part of the public space for religious purposes, as exemplified in Outremont, Canada, where the municipality refused an eruv facility to Hasidic Jews. The eruv is a thin hanging wire that allows Hasidic Jews to symbolically extend the perimeter of their private space so that they can perform certain activities that are normally prohibited (for example, carrying an object or pushing a pram) during Sabbath (Saturday) or religious festivals. While several other municipalities on the island of Montreal accepted the installation, Outremont has dismantled it on several occasions (Germain, 2004).

According to Germain (2004), the Hasidic community then applied to the Superior Court of Quebec, which recognised the municipality's constitutional obligation to facilitate the religious practice of its citizens as long as this did not cause prejudice against other citizens. This

argument was sharply criticised by the Mouvement laïque Québécois (MLQ), which maintained that the eruv was not used to practice religion but to escape it, since it was a means to avoid religious prohibitions.

In another argument of the court affirming that the zones delimited by the eruv are of a religious character only for those who believe in them, the MLQ postulated that the eruv represented neither more nor less than a “new type of zoning of religious district”, encroaching on public space, while public space had to test secular in order to be inclusive. The Mouvement laïque Québécois had the opportunity to make its voice heard and articulate a discourse on the neutrality of public space that has since spread. The conception of public space and its use is key: some defend an emancipatory secularisation (denied by the controls exercised by Hasidic Jews over their wives and children) while others denounce moral laxity (which, for example, authorises wearing swimsuits in parks).

Anne Gotman (2001) explains that hospitality is literally a space made for the other and if that is so, it is not a question of just any space, it is a question of “propensity to sacrifice part of the home” (ibid., 2001). Therefore, we can clearly see what the development of places of worship for new minorities may represent. As long as the newcomers occupy disused, peripheral, or in short, non-valued spaces, their places of worship involve “no sacrifice” on the part of the host society. The same applies if it goes unnoticed. This was confirmed by a Muslim leader (Germain, 2004) who does not wish to see his Islamic centre recognised as a mosque. He said that “[...] our project is not very large, not very visible, it is a small Islamic centre, we did not ask for the construction of a large mosque [...] we therefore did not test their tolerance and openness”.

When space is tainted or the project is visible, the relationship changes, it becomes equivalent to letting “the other” enter your home. However, this other is embodied as a building and made to last, or in other words, “the other is here to stay”. The relationship of hospitality is then over and perhaps that is where the unease lies.

4.5 Religion in Muslim society

The interest of this topic is in Islamic conceptualisations of society, people and space as they affect notions of “public” and “private” spaces.

The role of women in Muslim society has been the subject of extensive research over the past 30 years. Until fairly recently, much of this literature has implicitly or explicitly focused on the subordinate status of women in a rigidly segregated social system (Antoun, 1968, 1972; Barth, 1961; Fuller, 1961; Mandelbaum, 1988). The emphasis has been on the public-private dichotomy, with the public world of men associated with power, status, control of information and decision making (El-Solh and Mabro, 1994). Women are portrayed as helpless, passive victims whose very identities, status and existence are dependent on their male kin.

The Islamic ideas of *purdah* and gender segregation affect the definition and the social construction of “public space”. Within gender-segregated Muslim societies, males and females experience differential levels of inclusion and exclusion.

4.6 Islamic conceptualisation of space

Islamic notions of public and private are largely contextual. While overall the home is equated with the private world of women and the neighbourhood as the public domain of men, these are not self-contained watertight compartments, rather, open to negotiation and redefinition (Tett, 1994; Fruzzetti, 1980; Smith, 1994).

What constitutes public and private is predicated largely on the Islamic notion of *mahram* and *na-mahram*. *Mahram* refers to a specific category of people of the other sex with whom marriage is explicitly forbidden (a woman’s father, brother, etc.; a man’s mother, sister, etc.). This is a very small number of people. *Na-mahram* are those of the opposite sex whose kinship does not represent any impediment for marriage (Khatib-Chahidi, 1981; Mazumdar and Mazumdar, 1997a, 1997b). This category includes the rest of the members of the opposite sex. It is with a *na-mahram*, who can be kin or non-kin, that interaction and contact between males and females is restricted by Islam. For practicing Muslims, as Khatib-Chahidi (1981) points out, the sharing of space with a *na-mahram* is problematic. Places, both at home and in the neighbourhood, where one is likely to encounter, meet and interact with *na-mahram* people becomes defined as restricted spaces for both women and men. Thus, spaces are not seen as inherently “public” or “private”, but rather it is who one interacts with in them that makes them so (Tett, 1994).

At home, when *na-mahram* male guests arrive, part of the home is redefined as public (Tett, 1994; Khatib-Chahidi, 1981; Mazumdar and Mazumdar, 1997a, 1997b). A front room or the front veranda (in India) is used as the more accessible “public” space where males can interact, conduct business and socialise with men who are *na-mahram* to the women of household. In traditional homes of wealthy Muslim families in India, Iran and the UAE, several rooms (known as the *birun* in Iran, *mardana* quarters in India, and *majlis* in UAE) are set aside as public, while the inside of the home remains private. In the homes of the poor, the public definition is less physical and more symbolic, emphasising the improvisational nature of space (Mazumdar and Mazumdar, 2001, p. 304).

Conversely, when women entertain their female friends, who are *na-mahram* to the males of the household, men are prohibited from entering the interior spaces of their own homes. Sometimes, *mahram* males socialising with *mahram* females of the household such as a wife, sister or mother, have to cut their visit short, end all interactions and leave if *na-mahram* female guests arrive unexpectedly (Vreed-de-Stuers, 1968).

Similarly, neighbourhood streets, particularly in less urbanised settings, become less public and more private when men are at work during the day or at Friday prayers in mosques (Kawi, 1989; Tett, 1994; Joseph, 1978). On Fridays during prayers, when all men are at mosques, women can go out to socialise and visit each other freely (Kawi, 1989). Come nightfall and during hours when men are using the space, streets are defined as public (Wright, 1981).

4.7 Behaviour in public space

It is in spaces outside the home that the chance of meeting *na-mahram* kin and non-kin is magnified. Consequently, women’s mobility in this spatial area is strictly regulated. In traditional families, a woman wishing to go out of home is first required to seek her husband’s permission (Anderson, 1965). If permission is granted, she must conform to numerous protective norms designed to minimise contact and maximise social distance with *na-mahram* males. The first protective norm is the provision of a chaperone to accompany her when in public space. The chaperone could be a related male or an elderly female whose sexuality is no longer a threat to the social order, such as a mother-in-law. Women also often go out in groups (Mazumdar and Mazumdar, 2001, p. 305).

A second norm is the Islamic requirement of modesty in dress code. The dress needs to be appropriate according to the Islamic custom of *hejab* (veils). Females use the physical act of veiling when entering spaces where such encounters are likely (e.g., extra-domestic public space), to maintain social distance, anonymity and to protect themselves from the gaze of *na-mahram* males. Behaviourally, both males and females are expected to conform to the Islamic norms of modesty when in public space. The Quran (Surah, 24: verses 30-31) says:

“Tell the believing men to lower their gaze and be modest. That is purer for them. Lo! Allah is aware of what they do. And tell the believing women to lower their gaze and modest, and to display of their adornment only that which is apparent, and to draw their veils over their bosoms, and not to reveal their adornment save to their own husbands or fathers, or husbands’ fathers or their sons or their husbands’ son or their brothers’ sons or sisters’ son.”

According to Muslim etiquette, a male passer-by in a Muslim neighbourhood is expected to not look up at balconies lest he see the women of the house (Roy, 1979). Additionally, women using public space are expected not to loiter or stray far from their homes and to hurry back after completion of tasks (Tett, 1994; Fischer, 1978).

4.8 Separative techniques

In order to further minimise contact between the two categories of people, other precautionary controls are instituted. In addition to veiling, some forms of transportation have separate sections allocated for exclusive use by women. Public transportation such as such as buses, trams and trains in the UAE, India and Iran have compartments solely for women (Mazumdar and Mazumdar, 2001, p. 304).

There are also specific areas where women are expected not to enter. According to Bateson and Good (quoted in Fischer, 1978), major streets and squares are used primarily by men, as are the tea shops. Women are almost never seen in tea and coffee shops where men spend a lot of time socialising and exchanging information, nor are they frequently seen in *bazaars* (markets) (Papanek, 1973; Rice 1923).

Women are not a common sight in public sacred spaces, such as mosques. Although not disallowed from such spaces, women are encouraged to pray at home. Congregational *jumaa*

(Friday) prayers in mosques are obligatory for men but not for women, who occasionally go to mosques with their husbands. They also attend with female companions during hours of the day when men are not around. When women do go to mosques for congregational prayers, they are separated from *na-mahram* males either by screen or by being seated in a separate room (Mazumdar and Mazumdar, 2001, p. 304).

4.9 Rethinking public and private

Muslim society rigidly equates male with public and female with private. It does so for the following reasons.

First is the Islamic conceptualisation of *mahram* and *na-mahram* and the requirement of maintenance of social distance of a person from *na-mahram* category of people, whether it be in the private space of the home, or in public space in the neighbourhood or city. Depending on the social context, spaces within the home and neighbourhood can be defined and redefined as public and private (Tett, 1994). In this scheme, males and females have their own public and private spaces and both experience differential levels of inclusion and exclusion.

The institutional framework of Muslim society is the second reason. Lacking here are public institutions similar in nature, structure and function to those found in Western societies (Mazumdar, 1981). Family and kin are still largely from the organisational basis of Muslim societies. As Makhoul (1979) points out:

“The public does not really exist as a sphere differentiated into supra-familial institutions of public interest. The few public institutions that do exist in a traditional (Muslim) society are accessible to only the upper and middle strata, who can best take advantage of the emerging opportunities to participate in new institutions. The access of both men and women to the (West-defined areas of) public (spaces) is determined, not by the simple criterion of sex, but by the more complex factor of social stratification.”

Even when limited in scope, activity and mobility, women have important additional domestic roles and exercise power and influence beyond the domestic unit. Therefore, a three-part preliminary typology of Muslim public (extra-domestic) space can be described as follows:

1. The almost exclusively male public areas where women are allowed limited or no access, such as tea/coffee shops and *bazaars* (markets).
2. Gender-neutral public areas, such as parks and gardens that support family-centred activities such as picnics and other recreational outings. Included in this gender-neutral category are spaces women can negotiate under certain conditions, such as if appropriately dressed or accompanied by a chaperone (male or female), and at specific times. Examples of such spaces are public streets, public baths and libraries.
3. The almost exclusive female public areas where men are allowed limited to no access include as neighbourhood shrines, which are used, maintained and guarded only by women for female rituals (Schimmel, 1975).

Religion limits the mobility of women in male public space while simultaneously providing the context, pretext and the opportunity for women to appropriate and convene in female public spaces (Mazumdar and Mazumdar, 2001, p. 310).

If much has been written about the exclusion of females from male public space, very little literature exists on exclusion of males from female space (Beck, 1980; Makhoulf, 1979). Yet male exclusion occurs and is expressed at different levels. It is expressed through different speech patterns adopted by women (Makhoulf, 1979; Minault, 1994). Although a veiled woman can negotiate male public space, this possibility does not exist for men. Infraction of the normative boundaries of female space is severely sanctioned (Mazumdar and Mazumdar, 2001, p.311).

4.10 The Muslim home: a public private space

In Muslim societies, the home is treated as private and relegated a secondary and unimportant status. Life at home is characterised as an isolating experience for women, who are portrayed as voiceless “non-persons” leading routinised domestic lives. Women are denied a formal role in Islam and men’s ideals, beliefs and actions have usually been privileged over those of women (Tapper, 1990).

To conclude, in Islamic societies, the street, square and park are not necessarily public in the Western sense of providing for all. Nor, conversely, is the home exclusively a private space (Mazumdar and Mazumdar, 2001, p. 313).

The notions prevalent in the Western conceptualisation of public space assume that it can be accessible to all and that men and women, as well as all racial and ethnic groups, have equal access to such space. However, even in the West neither this picture nor the assumptions are accurate. For example, in the United States, not all racial and ethnic groups have had equal and unrestricted access to public space (Ruddick, 1996).²³

In the first figure Mazumdar and Mazumdar (2001) illustrate the Western notion of space as presented in the literature; in the second figure they conceptualise space in Islamic societies.

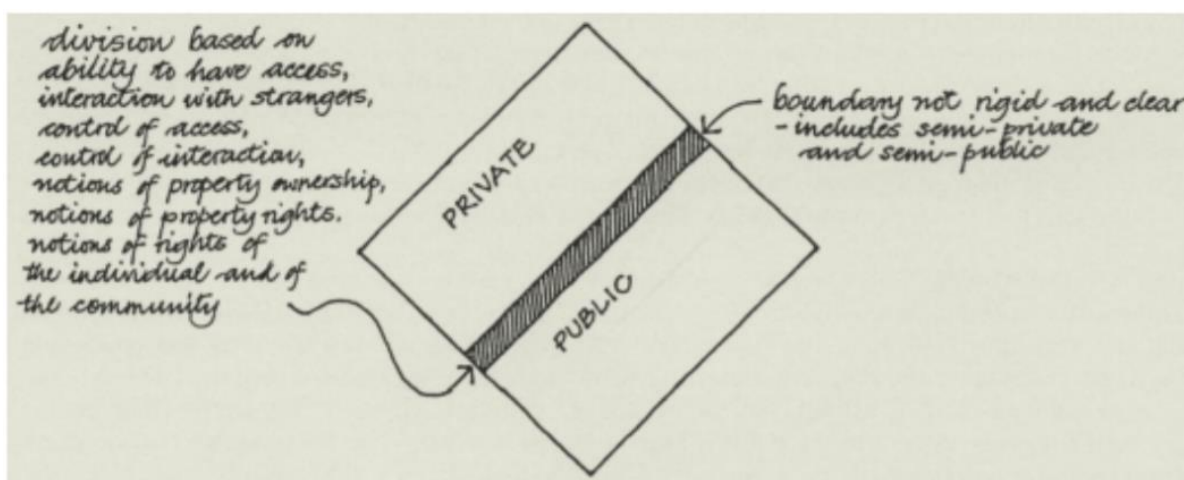


Figure 6: Conceptualisation of space in Western societies. (Source: Mazumdar and Mazumdar, 2001).

²³ The representation of public space as confirmed by Alain Bourdin in the Western sphere may differ when talking about gated communities and secured residences where the limit between the public and the collective private (which is not semi-public private but shared private) is strongly marked.

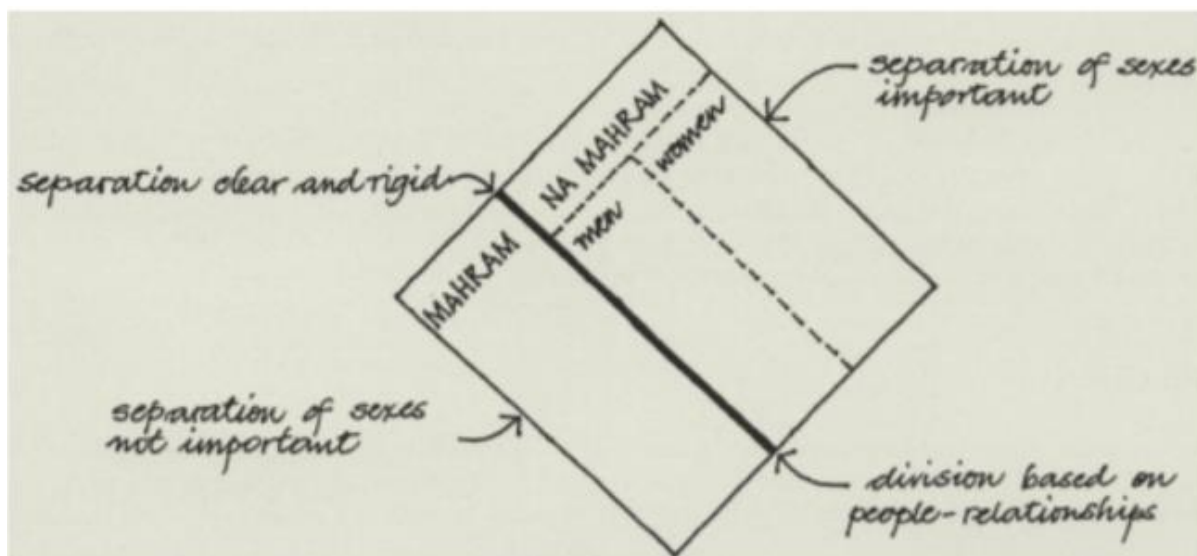


Figure 7: Conceptualisation of space in Muslim societies. (Source: Mazumdar and Mazumdar, 2001).

4.11 Conclusion

Much of the pre-1990s attention was focused on the engagement between religion and the space by itself. The consequent contests and conflicts—involving both religious and secular agents—along with cultural and social plurality that shaped the urban landscape were first interpreted and spotted in new research by geographer Lily Kong, one of the first who focused attention on this.

The Book of Genesis advances the doctrine of “stewardship”, which is a theological belief that humans are responsible for the world and should take care of it. Together, science and religion may inspire stronger society. Religion must contribute to the improvement of society since its noble role is to push individuals to improve their behaviour and to find various ways to live alongside each other given religious values are universal. However, secularism allows and defends the practice of all religions, particularly minorities, while ensuring respect for the fundamental principles of the Republic.

Religion has always been a tool to shape space in pre-industrial society. Its role was to mark the landscape and to bring agglomerations into uninhabited regions, as well as to provide landmarks to populations and frame social life. But Western post-industrial societies are organised today according to logic that attaches secondary importance to religion. Religion is not a priority in the definition of spatial planning policies and in the development of urban

plans. Religious buildings are an element considered for the services that the population needs, any visible signs of religious presence its value is for their artistic worth as cultural heritage meriting preservation.

Some scholars argue that religion should be distanced from governmental decision-making, and from planning processes and the development of a society in particular. Planning should follow secularistic non-religious thoughts. Others believe in the opposite and emphasise the importance of the presence of religion in the planning and development of a society. For those who believe that religion should be involved in planning, they think that the secularisation thesis has failed and religion's role in humanitarian work as well as militancy makes development's engagement with religion mandatory. Others invite developers to begin considering religion and spirituality while planning economic development. Religion remains within its establishments as places of worship, schools and/or medico-social workplaces, and an essential element of the construction of territories, especially where the weakness of the State leaves the field open to denominational initiatives. The exclusion of religion from the public space would not only be contrary to the constitutional principle of secularism and some European country 's international commitments, but also deleterious to the Republic itself. Religion's absence can lead to the following:

1. Citizens feel lesser than others.
2. The individual withdraws from the community as an unknown, denied and humiliated identity, which always leads to a radicalised identity.
3. The necessity for all those who have faith can live it and practice it without fear and without being stigmatised.
4. Lead citizens to fight against fundamentalism and communitarianism.

When it comes to practice, many governments assure the protection of the creation of religious places in public spaces since they assure a social function beyond the prayer activities—they assist in the reconstruction of the community and its identity. These spaces are protected by the charters of rights and freedoms in places such as Canada, where places of worship provide proper support and a virtual home for new immigrants, as well as assuring aid for certain fragile social categories (elders, children).

Despite this human purpose, in some cases municipalities refuse such places by evoking arguments such as general nuisances, protection of the quality of life of the residential

neighbourhood by avoiding parking problems, an increase in traffic, noise. The most important point: a change in the demographic (ethnic) balance of the area as a result of the faithful moving to settle in the neighbourhood to be closer to the place of worship.

Typically, these municipalities had to remain neutral in matters of religion and could not allow the appropriation of part of the public space for religious purposes. In that case and on several occasions, some municipalities dismantled places where some religions used a religious aspect as practice to escape the religion, or a trick to sidestep religious prohibitions.

Religious spaces can be accepted in public space when they occupy disused, peripheral, or non-valued spaces because it involves “no sacrifice” on the part of the host society. However, when the space is tainted or the project is visible, the relationship changes, it is equated to letting “the other” enter your home.

On the other hand, some scholars believe that secularism must take over religion since it is argued that public life has been secularised and that which is religious has been privatised. Since the Renaissance, ample movement of secularisation has occurred throughout Europe in various forms and at different rates with the aim of tolerance and respect for different denominations. Conversely, religious commitment is more the business of the people than that of the state. In France, for example, the law of 1905 limits and separates the exercise of religion to the private sphere. Religion must accept to recognise, from its own reasoning, the neutrality of the state. For all citizens, secularism is:

1. A form of freedom that guarantees the choice of everyone’s beliefs.
2. It preserves, above all, apart from the private sphere, the public sphere.
3. The power to allow a collective identity, and for religious identities to be exercised not only in the private sphere but also in the public space.

Secularism and the division between state and religion play a leading role in the quest for egalitarianism among citizens and for the search for equality.

Returning to Islam and public space, the sharing of space with the opposite sex is problematic. Muslim society rigidly equates male with public and female with private. Thus, spaces are associated with the one who is interacting within them and that therefore makes them

“public” or “private”, rather than inherently being so. At home, part of the home is redefined as public when *non-mahram* male guests arrive. The house itself is also defined as public or private according to the person inside, since religion restricts women's mobility in the male public space.

5. Gender in public space

5.1 Introduction

The relationship between gender and space is not a new phenomenon. It began with the Greeks, for whom *demos* (the people) are a group of the citizens, but this group did not include all the individuals residing in the *polis*. Many living in Athens did not have citizenship, such as women, slaves, prisoners, the Metics and foreign residents (Sabatier, 2006, p. 29). The same applied for the Romans. In fact, according to A. Rey, the adjective *publicus* could result from a cross between the adjective, derived from *pubis* and collectively used to refer to the adult male population that take part in the assembly deliberations, and *poplicus*, an archaic adjective drawn from *populus* (people) (Rey, 2000, p. 2945). This etymology clearly emphasises the fact that in Rome, like in Athens, citizens were exclusively free adult men.

Western societies inherited this Greek and Roman model, but an immeasurable distance separates them from ancient times. The radical book of J.-Y. Guiomar, *The National Ideology*, (1974) was emulated within political science and law by showing that the naturalistic idea of nations had allowed the European monarchical states to justify the reification and unification into a set of individually administered people (Sabatier, 2006, p. 31). Nowadays research on gendered spaces comes from North American schools of thought that privilege Marxist analysis and mobilise notions of patriarchy and social sex, revealing inequalities in access to public spaces, transportation, work and wages (Massey, 1991; McDowell, 1992; Gillian, 1993; Chapman, 1997; Mosconi et al., 2015).

The interest in gender, when considered as a relational category, shows that urban space is the product of the relationship between masculinity and femininity—not only between men and women—which implies the examination of not just the physical space that women occupy in the city, but also symbolic and political space. Gender is understood as a dichotomised and hierarchical system between women and men, and this is reflected in the inequalities of the inscriptions of both in the spaces of the city (Mosconi et al., p. 24).

After studying religion and its relationship to public space, in this chapter I investigate gender in Middle Eastern society, focusing on the Muslim relationship to public space and its accessibility. I answer many questions about this topic with attention to queries formulated

around the relation of females to public space. Following studying women in general, I examine Muslim women in Islamic society and how they access public space. Then I try to understand the social status of a person, particularly females, in these societies and if it relates to their freedom and ease of access to public space. This will answer the query of whether the perception of gender in a space can be changed according to the social level they belong to, or in short: does richer equal freer?

After this investigation into gender in Middle Eastern society, I travel to study Western society with emphasis on the European context. I try to explore the behaviour of Eastern European women inside public space, if these women fear public areas, and if so, what are the precautions taken by the female gender to overcome their feelings.

I then study the design and conceptualisation of public areas in Europe, followed by whether the design of these spaces is conceived to just satisfy male demand. The subject of authority is also mentioned in this chapter, where I elaborate on how the authorities in Western communities encourage gender segregation without making any effort to invite females into the public zone.

Responses to the aforementioned topics are discussed and investigated, in addition to delving into the behaviour of Middle Eastern people in public space and the relation of their behaviour to gender, before covering Europe and ending with homosexuals and the male understanding of race and racism in public spaces.

5.2 Middle Eastern women

Of societies in and around the Middle East, much of the research on modernisation and emerging public spheres challenges earlier understandings of the constitution of a society (Anderson, 2003; Eickelman and Anderson, 1999; Göle 2002, 1997; Salvatore and Eickelman 2006; Rieker and Asdar, 2008). In Cairo, Aden or cities in Pakistan for example, it may be argued that urban public life for lower-class Muslim women is restricted. The “pleasures” of the “modern”, such as cinemas, cafes, parks, concert halls, beaches or promenades, remain difficult for them to access of their own volition. Rather, for these women, this results in harassment in the narrow alleys of industrial townships, long waits at bus stops of unpredictable

public transportation systems, and discriminating work cultures that need to be negotiated due to the compulsion of earning a living (Rieker and Asdar, 2008, p. 6).

In 1960, following the suggestion of Hamza Luqman, son of an influential merchant family and member of the city council, Adeni women received a “*purdah* park” for them to move freely in fresh air. After a lively debate where a competing motion was presented for a park for both sexes, the city council decided to reserve one of its parks exclusively for women and to erect a six-foot-tall fence around it (published as *Takhsis bustan albaladiat lilmuhaggabat* on a female-dedicated page entitled “Our beautiful half” in *Fatat al-Gazira* newspaper, issue no. 1555, 1961).

Meanwhile in Yemen, especially after unification, particular areas were restricted to one sex only. In restaurants, separate “family areas” were reserved to allow women to sit undisturbed, while women disappeared from cinemas entirely. To watch a movie—formerly “women’s most popular entertainment” (Luqman 1960, p. 207)—females rented a cassette from a video store and watched it at home, often in all-female company. Women appeared on beaches draped in black cloaks and refrained from going into water. Still, public transportation remained unsegregated: passenger taxis and buses became places where men made efforts to allow women to be left alone. This challenged the widespread common belief at that time that since men suddenly could not control themselves, women had to disappear from public places (Rieker and Asdar, 2008, p. 52).

Avoidance also spread to many homes where it had not been customary earlier. Most houses in Aden are small, with the entrance directly connecting the street to the living room. If a man wanted to enter a house, even his own, he had to announce his sex via an utterance from outside the door. Once given permission to enter, he was expected to lower his gaze in anticipation of non-kin women being present in addition to crossing the room quickly without greeting and acknowledging anybody (Rieker and Asdar, 2008, p. 53).

In an unpublished manuscript written after interpreting some stories and reading about Pakistani women, Karman Asdar Ali (2008, p. 98) concludes the following:

“Women are depicted, according to this analysis, only through their relationships with men as a mother, a daughter, or a wife. Linked to this loss of identity is women’s

portrayal as a commodity that is traded in the act of marriage to accomplish the preordained role of procreation.”

It needs to be emphasised, like anywhere else, that Pakistani women of different strata and economic class have varied histories and abilities to negotiate state-imposed and social restrictions. Hence, in what Ayesha Jalal (1991) calls the phenomena of “convenience of subservience”, most women from the middle and upper strata, even under the most anti-women regimes, retained social and familial privileges as long as they did not transgress social norms (Rieker and Asdar, 2008, p. 80).

The emblematic case of the Arab city, through the example of Constantine (Raibaud, 2011a), is quite comparable to that of Cairo (Gillot, 2005). In the largest interior city of Algeria, the Victor Hugo courtyard shows the division between two different segments from the perspective of the female experience. There is a part of the courtyard where traditional shops are concentrated and where the many coffee terraces are exclusively occupied by men who stare at female passers-by. The masculine desire expresses itself freely and excessively; the absence of self-control goes along with the risk of slippage. Well perceived by women, they feel uncomfortable in this part of Victor Hugo’s court. To sidestep any problems once there, they avoid lingering, instead hurry, cover their faces or lower their gazes, and adopt the right pace to avoid being suspected of being a simple woman. In the other part of this large central artery, dominated by the trendy clothing shops, multimedia, modern cinemas and bars, young people are dressed in a European manner and boys have a less insistent attitude; the more controlled male desire makes women feel freer in their bodies, and thus they do not hesitate to reveal themselves (Raibaud, 2011a).

The question of the veil in the public space is, moreover, crucial from the point of view of women themselves: for those concerned, it is considered as the best means for mobility without difficulty and as protection against danger. It is also the concrete manifestation in the urban landscape of male domination, inseparable from a desire and sexual power always perceived and glorified as in excess (Hancock, 2008). This ambivalence of the status of the veil explains the divisions of the feminist movement on it (Jaurand, 2012, p. 72).

In the Middle Eastern cultural context, it is difficult to draw an explicit and permanent line between “public” and “private”. Kadivar’s definition of “private” from an Islamic

perspective—as forbiddance of unwarranted inquiry on the one hand and as recognition of the right to freedom in action on the other—does not require fixed, permanent entities (Kadivar, 2003). As El Guindi elaborates in his text, “private” is a flexible concept with temporal and spatial dimensions. Thus, any place can act as a private place for a particular purpose and for a given time, in the same way as homes can constitute both public and private spaces. There is no principle that would make homes permanently “domestic” or “private”: homes are platforms of societal gatherings, weddings, various rituals and receptions of all kinds.

While the simple public/private dichotomy in Middle Eastern studies was noted as problematic some time ago (El Guindi, 1999, p. 77–78), in discussions on the emergence of Middle Eastern public spheres, it has not yet been widely criticised (Rieker and Asdar, 2008, p. 59-60).

The representation of female bodies freely moving through public space are powerful symbols and icons. Recently this phenomenon has been strategically portrayed in cinematic explorations of gender in other Muslim societies, such as in Belkacem Hadjadj’s documentary *A Female Cabby in Sidi Bel-Abbés* (2000), or the cycling women in Marzieh Meshkini’s *The Day I Became a Woman* (2000). The image of individualised freedoms or of women riding fearlessly through public spaces motivates the politics of consciousness raising, economic development and the struggle for rights and equality in society of empowerment (Rieker, n.d).

5.3 European women and public space

More generally and beyond the Arab city, the relationship of females to urban public space is determined by the acute awareness of the risks incurred as a woman. This leads them to favour certain parts of the city, particular modes of transportation and specific schedules. This strategy of spatial avoidance is at the origin of “no women's land” (Di Méo, 2011). It is a mental integration of male dominance over the space leading to a limited practice of the city as compared to that of men in space and time (Jaurand, 2012, p. 72).

We now shift from the Middle East to the European continent to examine gender in public spaces. Europe is well known as a driving force in the field of gender equality, considering that the European Charter for the Equality of Women and Men in Local Life—launched in 2006 at the initiative of the Council of European Municipalities and Regions—includes commitments to greater diversity in the public space (Mosconie et al., 2015, p. 25).

In France, for example, the works of Jacqueline Coutras (1996) and those of Marylène Lieber (2008) have shown unequal access to French cities for women. Guy Di Méo (2011) talks about “invisible walls” that women automatically bypass after incorporating the limits of prohibited areas of public space (Raibaud, 2015, p. 31). Alain Bourdin (2005) discusses areas of great insecurity that develop that are governed by violent gangs or engaged in organised trafficking, with specific reference to drug trafficking. The insecurity is particularly linked to the city and to difficult neighbourhoods with large social housing complexes.

Research conducted by the Laboratory of Planning, Development, Environment, Health and Society (Adess) and the Aquitaine Urban Planning Agency (Aurba) in 2010 and 2011 (Aurba, 2011; Bernard-Hohm and Raibaud, 2012) attempts to measure the weight of gender norms in everyday urban practices. In the second part of the study, women have common strategies for crossing the “forbidden borders”. At night, senior females go out in groups or couples, never alone, and some engage social networks on the internet. Young people also adopt the “group trip” with friends’ strategy or internalise mental maps to avoid anxiety zones. They anticipate their movements and control their physical behaviour in public space by further taking precautions, such as what to wear (avoiding skirts or high heels). This is supported by work conducted by Laura Van Puymbroecke (2014), a student at Bordeaux Montaigne, who indicates that these fears are not imagined but correspond to very real dangers.

In less collective and more individual attendance in public spaces, women indicate forms of restriction of use for the spaces more assertively than men, especially at the end of the day and at night, with a tendency towards the preference for women for a more collective space use (Louargant, 2015, p. 60). Another means for protection to face night dangers is the car, which in this case serves as more than a form of transportation. It also provides security and protection to the elderly and children from risks of public space (Raibaud, 2015, p. 32).

As soon as one adopts “gender glasses” to study the city, it appears inegalitarian. Firstly, empirical studies show that women have smaller spatial power in the city and rationalise their movements according to the obligations imposed on them. The impediments to the practice of the city are as diverse as the women who speak about it. If a comprehensive approach informs us of behavioural variation, it will show us too that male dominance remains sufficiently universal enough for it to be legitimate to consider the existence of a “class of

women”, especially at night. Then, because of urban planning policies, usually displayed as neutral, a whole section of the city is reserved for men. Which average big city today does not have its big sports stadium occupied twice per week by an exclusively male audience (Raibaud, 2015, p. 44-45)?

Across Europe, much free-access sporting equipment designed for youths (skate parks, city stadiums) remind us that boys are the majority users of the city. At the same time, young women are advised not to jog in isolated areas, to stay aware on public transportation or to avoid certain neighbourhoods (Raibaud, 2015, p. 31). We can infer that woman are less well integrated into city, social and professional environments.

The gap widens between girls and boys when the disappearance of the female gender from mixed leisure activities and the withdrawal of girls from gender-stereotyped activities places a greater emphasis on male activities (Raibaud, 2015, p. 37). These results show the domination of men over the public space by their “right of inspection” over the appearance of women, or the focus on “male centres of interest” compared to the unequal interest in places of feminine encounters. Some examples that can be mentioned include sports facilities, cafes, spontaneous places of male assembly; even certain types of delinquency, crime or security are marked by an exclusive confrontation between men (Tummers, 2015, p. 80).

A survey was conducted by Sophie Louargant in Grenoble on the type and nature of spaces sharing common characteristics of being public spaces open to all without any normative constraints of frequenting and use by both genders. In terms of practices and representations of these spaces, women and men jointly noted the fact that these spaces and their uses met a need often described as “indispensable” in the search for *bien-être*. On the other hand, in terms of activities present in the places, they were considered masculine. As a result, the concentration of the male sex on a space can have the effect of associating this place with a more masculine form of sexual belonging.

Therefore, we see the almost exclusive presence of teenagers and/or young men on and near skate park spaces or other surfaces of sports practices where they engage their bodies in technical or sports prowess. Meanwhile, spaces and play areas for children, although resolutely mixed and frequented by grandparents of both sexes and male parents, remain privileged locations for meetings and exchanges of women associated (or not) with babysitting. In brief,

if natural and leisure spaces are available to everyone, they also tend to organise and allow the reading of gendered uses (Louargant, 2015, p. 59-60).

The city is materially marked by spaces and facilities that separate the world of women from the world of men, or private space and public space. These places are not abandoned, they are consistently maintained, developed and supplemented with new equipment that institutionalises the presence of groups of men in the public space (skate parks, stadiums, *petanque*, youth clubs, or rehearsal rooms for amplified music), in tandem with other spaces where dominant male rule prevails (bars and cafes, sidewalks and entrances of buildings).

Finally, and because the planning and organisation of a city remains for the most part a matter of men (elected officials, finance managers, urban planners, transportation conductors), they are at the helm. Men can legitimately be suspected of promoting masculine lifestyles in the public domain to overshadow the lifestyles of women and keep her main interests and activities relegated to the private domain (Raibaud, 2015, p. 45). They are imposing phenomenal domination over the space, promoting feelings of danger in females once inside the area in a spatio-temporal context, especially at night (Bourdin, n.d.) In democratic countries, spatial planning is supposed to obey to the principle of justice for all (Tummers, 2015, p. 67).

The importance of everyday life and the strategic interests in achieving “spatial justice” was highlighted by Henri Lefebvre (Soya, 2010):

“Le genre s'impose comme une catégorie clé, capable d'intégrer la diversité et l'intersectionnalité parmi ses critères.” (Damyanovic et Zibell, 2013, p. 32)

In the same text, the authors emphasise the importance of case studies and show how essential it is to systematically carry out research focused on both social practices and the practice of urban planning, a social practice in itself (Tummers, 2015, p. 78). Spaces are mainly mixed for mobility use, meetings and exchanges between individuals. Because of their public nature, they fulfil essential functions of collective life, but not everyone accesses this in the same way.

For Jacqueline Coutras (1996), the city can be read as a space constructed by social relations of sex that fluctuate according to cultural and social contexts. Her research thus revealed the existence of differentiated sexual urban itineraries. This perspective reveals the presence of a

gendered division that is reflected in the uses of urban space. Gender territorialities in metropolitan public spaces, as they are read in the mobilities in terms of the use and the rhythms of activities, are the expression of forms of differentiation as well as hierarchies between the sexes. This creates a form of symbolic violence (Coutras, 1989; Bondi, 1998) and a place for expression of sexual conflicts (Louargant, 2003).

The question of the “right to the city” (Lefebvre, 1968; Harvey, 2010), the right to centrality, mobility and participation is thus questioned in terms of gender. In the context of urban and/or territorial policies, the main approach developed by equality programmes (oriented towards the promotion of women in the field of employment and personal services) and the Urban URBACT plan was aimed to reduce the gap between girls and boys and to promote actionable integration for women in sensitive urban areas (Louargant, 2015, p. 51-52).

5.4 Being feared in public space

Fear in public space is a common experience for many women worldwide, one with profound impacts on women's lives.²⁴ Researchers have long studied fear and its negative impact on those who experience fear (Koskela, 1997; Pain, 1991; Valentine, 1990, 1992). Women chiefly feared men (rather than other women) while using the public space (Day, 2005, p. 569).

A pilot study revealed wide divergence in young men's experiences of being feared in public spaces. Not surprisingly, their experiences of being feared were shaped by their racial identities and by the meanings assigned to these identities. As Kristen Day (2005, p. 270) argues in her paper, the experience and interpretation of being feared (or not feared) in public space intersects with men's constructions of gender and racial identities, and the ways that men assign racial meanings to public places. Gender is a system based on male dominance, but a domination wherein every man—as raised in adolescence—must strive to be respectful and dignified since he is considered in many contexts as dangerous or even predatory to children and women (Juarand, 2012, p. 71).

²⁴ In 2000, a research team carried out a survey of 6,970 women (presented in *Population et sociétés* N°364, January 2001) from which it established a global index of sexual harassment in the public space (Bourdin, 2005).

Alain Bourdin (2005) cited the work of Peretti-Watel (2000) in affirmation that women in public space are a little more insecure than men, and this feeling increases with age and with a higher-level diploma, while not living alone reduces the feeling of insecurity. Some stereotypes thus take shape:

1. Young, insensitive to insecurity men live in the city centre.
2. Even if the males above experience insecurity, it is the single woman living with children in a large complex surrounded by nuisances who feels in danger.
3. A household of retirees in a village feel greater security and are more afraid of what they know of or imagine cities to be.

These stereotypes are not without relevance, but the statistics offer some additional information. By neutralising other variables to measure the importance of the perception of environmental factors in the feeling of insecurity, Peretti-Watel (2000) found that all types of habitation are equal in the face of feeling insecure, except for two:

1. All other things being equal, in relation to a rural inhabitant, an individual residing in a habitat of high urban density is 1.37 times less likely to feel insecure at home.
2. Individuals who accumulate urban nuisances are 1.29 times more likely to feel insecure than a rural resident.

(Bourdin, 2005)

Men's experiences of being feared or not in public space, and their interpretations of those experiences, contribute to the construction of male racial identities and more broadly, to their understandings of race and racism. In interpreting their experiences of being feared, men attempt to negotiate the boundaries of exclusion that are tied to identity. They exercise control over how they are perceived by others and seek opportunities for themselves. In their efforts, young men may deny, rationalise, accommodate or resist others' fear in public space, each of which has implications for the maintenance of race privilege (Day, 2005, p. 571).

Extensive research on fear of crime identifies who is most fearful in public space: those who are more socially vulnerable, such as older adults, women, low-income groups and people of colour (Box et al, 1988; St. John and Heald-Moore, 1995, 1996; Vander Ven, 1998). Men— notably, young men and men of colour—are overwhelmingly more feared than women,

although findings vary with neighbourhood composition (Chiricos et al, 1997; Day, 1999c; Mahoney, 1995; St. John and Heald-Moore, 1995; Taylor and Covington, 1993). Men are frequently feared in outdoor public places (Day, 1999c; Valentine, 1990). It may be then that the experience of being feared in public space (and the associated anger or shame) may prompt some men to further consider their racial identities or their racial group affiliation (Root, 1997). In this way, young men negotiate their identities as they struggle to circumvent barriers that exclude them from privileged groups and places (Sibley, 1995). Likewise, in some instances, a decision to not interpret others' fear in public space as racially motivated could reflect men's desire not to see themselves as excluded, or their desire not to see the world as rife with discrimination and prejudice.

Fear of racialised others is rooted in the dualisms of culture versus nature and masculine versus feminine. This underlies racist views that distinguish white people from “savages” (Nash, 2003), and that seek safety by drawing boundaries that exclude unlike “dangerous” others (Sibley, 1995). Young men of colour often interact with this tendency towards exclusion by attempting to navigate their identities in ways that minimises perceived differences and that stretches boundaries to include themselves. Responses to fear may thus undermine a potential solidarity between marginalised groups, such as between people of colour across class lines and between members of different cultural groups. Race-based fear also has consequences for those who are fearful in the form of expanded race privilege, especially for white people (Day, 2005, p. 582-583). It matters little whether fear, when expressed by individuals in public space, is “intended” to be prejudicial. The effects are the same regardless of intent (Lipsitz, 1998).

The fear of “the other” is the problem. Bourdin (2005) assures that the fear of “the other” is not new. On the contrary, historical work shows that in most societies, “otherness” is a source of concern. This is limited by the links of belonging and this is why the frightening “other” is generally the foreigner or the one who belongs to a group so distant that the links of belonging to a higher common entity. This exposure to “others” increases considerably every day due to social mobility and globalisation: migration, tourism, multiplication of exchanges, as well as the shift in position of individuals who are taken into the differentiation and less linked to strong affiliations. The main actors and victims of this feeling of insecurity are the poor of the metropolis (ibid), however, overall, this fear is incited by acts of “the other”, which remains unpredictable, despite the world becoming more predictable. This feeling of unpredictability feeds the fear and feelings of insecurity.

5.4.1 Homosexuality and the use of the space

Like all subcultures, the homosexual subculture invests mainly in public spaces where men experience gathering in marginal places that they appropriate, regularly attend and organise according to common codes. These meeting places, which are the concrete manifestation of a homosexual “community” or “tribe” in space, are referred to “gay beaches” in magazines and specialised guides. Among homosexual men, the risk of insult or aggression is well perceived; it is even essential in the relation to space that they maintain (Eribon, 1999) wherein, depending on the situation, involves injunctions for indiscretion or potential visibility. But the awareness of risk is accompanied by taking a calculated or assumed risk, which goes so far as to make them venture into the recesses of urban public spaces diverted by the day or the night for the purpose of meeting and interacting in anonymous sex (Proth, 2002). By that, the homosexual community appropriates spaces²⁵ upon which they impose their own codes, which then appear as interstitial spaces of freedom for those who frequent them. Their existence is at the same time the consequence of a domination and the expression of a form of resistance to this domination (Jaurand, 2012, p. 69-70).

The subject of insecurity felt by a person inside a public space—regardless of if this person is straight or gay, female or male, belonging to a specific race or not—is now being taken very seriously worldwide. This is confirmed by Bourdin (2005), who explains that today everyone agrees to take insecurity seriously, to the point of making its importance a dogma to put things in perspective. This issue is frowned upon, and repression appears to be an essential element in the fight against this insecurity. The instigators of insecurity—readily euphemised as “risk groups”—are the subject of a consensual designation which is particularly focused on “young people from the suburbs”, even if some associate this designation with risk factors such as unemployment and discrimination, while others see it only as the effect of cultural or ethnic dispositions. In France during this last half-century, disturbances to public order have increased steadily, in large part due to infringements of immigration laws and of the legislation on the use of drugs (but in several infringements, it is mainly about the use of cannabis).

²⁵ An inhabitant of a gay district affirms that, according to his observations, in a gay district, it is not the question of fear that takes precedence, but of the modes of appropriation and use of public space (and collective ones, for example in buildings).

According to a CREDOC²⁶ survey, between 1982 and 2004 the proportion of people who felt worried about the possibility of an assault in the street on themselves or their loved ones increased from 35.3 percent to 59.9 percent. In fact, Bourdin (2005) affirms that the distinction between insecurity and risk is never obvious, and usually the city is at the centre of interest in the issue of insecurity and the mounting concerns it arouses because insecurity and incivility are of an urban nature. So, insecurity is in the city, but it can adopt contrasting meanings depending on the urban context.

The analyses drawn from the study carried out by INSEE and the Institute of Higher Studies in Internal Security in 1999 (Perreti-Watel, 2000) try to explain why the feeling of insecurity is stronger in certain urban areas. The hypothesis depends on a combination of causes: greater pressure from delinquency, a concentration of inhabitants whose personal characteristics and vulnerabilities predispose them to feelings of insecurity, and thirdly, the context of their living environment, which if marked by the strong presence of incivilities or various nuisances, can be qualified as “micro-attacks”.

Finally, as a conclusion, the main problematic remains the relationship with “the other” and fear of them. The feeling of insecurity particularly manifests itself in large human gatherings, which are sought out (as major events or daily in the spectacle of the city) by the greatest number of us (Bourdin, 2005).

5.5 Conclusion

In this section we tried to answer many questions about gender and public space, plus the relation between them. It is difficult to draw an explicit and permanent line between “public” and “private” in the Middle Eastern cultural context. The “private” is a flexible concept with temporal and spatial dimensions. Thus, any place can act as a private place for a particular purpose and for a given time, in the same way as homes can make both public and private spaces. However, we can conclude that public space in Middle Eastern society—in Arab Muslim society, to be more precise—are places exclusively for men and restricted for lower-class Muslim women.

²⁶ Centre de Recherche pour l'Étude et l'Observation des Conditions de Vie is a study and research organisation serving actors in economic and social life.

Women in Western cities, particularly in Europe, have more independence and freedom and can access public space at any time. However, this is invalid in several different contexts because public space represents threat for some women (especially young single ones) who at certain times fear the masculine presence of men in these places, leading them to favour parts of a city, specific modes of transportation and particular schedules. This limited practice of the city is led by a mental integration of male dominance over the space. Common strategies are implemented by the women to cross the “forbidden borders” especially at the end of the day and at night, with a tendency to prefer a more collective space.

This promotion of the masculine lifestyle in the public domain to overshadow the lifestyles of women and keep her main interests and activity in the private domain is happening due to the fact that the planning and organisation of a city remains for the most part a matter of men. Males have the control, thus promote and encourage this masculine lifestyle.

Moreover, public space is not just feared by women—even males experience it. Men's experiences of being feared in public space or not, and their interpretations of those experiences, contribute to the construction of male racial identities and to their understandings of race and racism more broadly. This fear and sense of insecurity is fed by the act of “the other”, which remains unpredictable, especially by the anonymous individuals passed on the street.

To add to this point, the architectural features present in a space may contribute to the augmentation of the feeling of fear. Alice Coleman analysed the relationships between architectural features and indicators of social unrest. The list of indicators chosen included waste, graffiti, acts of vandalism, pollution, and the presence of single-parent families requiring childcare. This leads to architectural and town planning that will produce a space deemed unfavourable for delinquency.

The link between the city and insecurity is reinforced by an imaginary of the dangerous city, which populates the political and media worlds with urban scenes of insecurity. First, the large social housing complexes, then the symbolic public spaces—the Champs-Élysées in Paris, France, when it was a place of war between gangs; or when the shopping centre at the forefront of La Défense (Paris) transformed into a battlefield—followed by exits of main stadiums, stations and large places of exchange. In a less spectacular way, empty and insecure places

such as large car parks and vast commercial spaces that are deserted at night. All of this creates an international image for the metropolis. Strong imagery, which became attached to London and Paris in the 19th century, has marked literature and cinema in recent decades (Bourdin, 2005). Yet as a counterexample, Sébastien Roché (2000) affirms that the media does not create violence and that its role is above all to select what makes an event and does not correspond to the common experience.

To conclude, fear in public space and empty space is linked to many conditions: its architectural form, its inhabitants and visitors, the location and the media around it. But what remains is the most important point: fear is the nature of human beings and their relationship to “the other”, especially the fear of “the other”. These large empty spaces intensify the feeling of insecurity for a vast number of people.

The two previous chapters were dedicated to study the relationship of accessibility to public space, religion and gender of those who would like to use these spaces, regardless of rules imposed by the law and the relationship between law and space that classifies it as “public” or “private”.

In the following chapter—and the last of this first part of the paper—I close by investigating how to make and create a successful place, independent of the rules imposed by the law or the use of these spaces according to gender or religion. I search for the optimal elements to make and create better, more advantageous use of place by considering what the challenges are that urban designers faces during this process, what techniques are used and what the factors are that influence the process to generate a desirable end product and successful urban space.

6. Place-making and urban development

6.1 Introduction

Before moving onto the second part of this paper, I wanted end with an investigation of private spaces open to public and the process of creating a successful one. To reach my goal I studied place-making and urban development pertaining specifically to the innovative trend of place-making competing with traditional disciplines of urban planning, design and architecture. I explain how place-making contributes to the creation of better places to live, and how in following these techniques, place-making will improve the quality of life in public space. A study of place-making and its relationship to real estate and development was also conducted to reach the final stage explaining how place-making can lead to the creation of good urban design.

Place-making is known within the Anglo-Saxon world but still new within a European context. For a new place to be successful, society's involvement and physical context are the main criteria. Involving the local community seems to be the central focus of the place-making approach. This part of the paper also discusses the concept of "making better places for people", which should be understood in a broader, more critical sense from the traditional thinking of urban and spatial disciplines. Policymaking, urban planning and design, architecture, functional and morphological characteristics, and regulation planning codes combined should be involved and reviewed to improve the process of place-making.

Today, urban planning and design disciplines are facing new challenges. The concept of place-making is changing its traditional facet by adding a new social and civic aspect to the process of developing any new project. A bottom-up approach is replacing old practices, with the obligation of surveying local communities living within a project's boundary.

6.2 Phenomenology of place

According to Louis Wirth (1939), based on his study of the formation of the modern city, which was confirmed later by Jane Jacobs (1961) and other urbanists, the phenomenology of place has been investigated in more specific terms. Diversity and density, and connectivity and interaction are such terms representing some features of the urban condition. It is even possible

to encounter urban places that were not sought after (Hannerz, 1980), while designed places have become increasingly similar to protected areas or enclaves due to the pressure of emerging interests and desires (Palermo and Ponzini, 2015). What Marc Augé called “non-places” have multiplied—these non-relational urban places devoid of identity, history, networks and social relations are the concrete manifestation of certain trends in contemporary society (Augé, 1992). The “Generic City” is the urban phenomenology that represents this trend and is interpreted by some as a “city without a place” (Palermo and Ponzini, 2015). In this context, it is important to try to understand and care for new urban spaces.

“Making better places” (Healey, 2010) or the “art of making better places for people” (Carmona et al., 2003:3) is how urban design can be understood. Today’s newest transformative idea of the century is “place-making” (MPC Chicago, 2008), and it can be defined as the search for a cooperation between planning and design (Punter and Carmona, 1997; Wyatt, 2004; Vale, 2008). Place-making scale is not only local. This new concept alludes to the topic of producing liveable and sustainable places through various disciplines (Palermo and Ponzini, 2015).

It is easier to understand place-making as an innovative practice instead of learning about place-making from a specific situation (Madden, 2011). This means understanding the connection between emerging experiences, established disciplinary and professional fields (Banerjee and Loukaitou-Sideris, 2011), and the non-contingent difficulties of any project whose goal is to improve the quality of urban life (Healy, 2010; Punter, 2010; Jenks and Dempsey, 2005). Place-making refers to goals that are of obvious symbolic, civic and social interest, but it could also open new opportunities for architectural and urban development (Palermo and Ponzini, 2015). When quality of life improves, possibilities for the use of places become more diverse and profitable, as do their ability to attract (Smyth, 1994; Ward, 1998; Porter and Shaw, 2009). Current place-making experiences tend to improve liveability and urban sustainability through the transformation of public spaces (Gehl, 1987; Carmona et al., 2003; Madanipour, 2003), where the challenge resides in the integration of better traditional design, planning and policy tools (Palermo and Ponzini, 2015).

Place-making is a new, fashionable topic. This trend stems from extensive dissatisfaction with the quality and effectiveness of urban conditions. In this context, town planning or urban design practices regarding the physical transformation of urban contexts are insufficient; the challenge is to improve the quality of life and the resulting effects on a community’s well-being (Palermo

and Ponzini, 2015). “Soft place-making skills” are necessary for attaining these goals (Urban Design Forum, 2009) and the participation of people in the construction of urban places would be an innovative necessity (Palermo and Ponzini, 2015) as people, with their life experiences, are experts (Imrie and Hall, 2001; Madden, 2011). Studying everyday practices of the space in order to investigate possible meanings and emerging needs—with which design should be consistent—is a bottom-up approach (Palermo and Ponzini, 2015) that has been successful in recent new urbanism eco-city trends (Heyen et al. 2006; Wong et Yuen, 2011) and the “smart city” movement (Dierwechter, 2008; Duany and Speck, 2010).

Urban settlements should ensure a varied and balanced functional mix by creating a system of public places that promote social interaction. At this stage, collaboration between public and private becomes indispensable, and governments should take part in the redevelopment of public space, relying on the mobilisation of private resources to implement a shared vision (Palermo and Ponzini, 2015). By definition, the perspective of place-making should be visionary, aware, context-sensitive, community-driven, inclusive, collaborative, sociable, transformative and adaptable (PPS, 2009) and should avoid being imposed, reactive, exclusionary, dependent on regulatory control, design-driven and project-focused (Palermo and Ponzini, 2015). Place-making is a vague and ambiguous topic that brings into play justice, sense of place and the possibility for individual or collective action (Palermo and Ponzini, 2015).

6.3 Place-making and real estate

Place-making could be considered a natural effect to routine processes in real estate (Lall et al., 2009) that renders the property more attractive to the market. By innovating construction methods and making them more sustainable, while also guaranteeing the overall improvement of the built environment, is an important factor in economic value (it improves the market value, product innovation and territorial marketing) (Palermo and Ponzini, 2015). In general, place-making can be associated with territorial marketing initiatives that tend to modify not only buildings’ formal and technological features, but also affect the image of urban space beyond the single structure (Smyth, 1994; Keeping and Shiers, 2004). It seems that current real estate development practices offer ambiguous and reductive images of real place-making issues (Palermo and Ponzini, 2015). For the market, place-making is a communication tool whose effectiveness should be measured by its utility (Ratcliffe et al., 2009). According to

contemporary practice, the main place-making requirements concern “efficient use of land, design process, development form, open space, adaptability, inclusive community, crime, street lighting, light pollution [and] security lighting” (Ratcliffe et al., 2009).

6.4 Policymaking and place-making: which policy for place-making

For Luigi Piccinato, Le Corbusier and other urban planners and exponents of rationalist culture, politics was to stay out of planning and design (Piccinato, 1988). Others, however, believe that politics should take part in the planning process but maintain full and independent responsibility for substantive planning choices (Benevolo, 1963).

The link between policymaking and place-making is not obvious. The question of place-making is asked as a matter of effective coordination between sector programmes, aiming to increase territorial cohesion by following place-based approaches. The declared priority is to seek balance among demands of economic efficiency, social cohesion and environmental sustainability. This balance could be achieved through the use of rigorous, transparent and flowless methods and techniques according to the optimal bureaucratic traditions (Weber, 1922).

The use of seemingly objective measurements and broad support for survey-before-plan practices could provide policymaking with a comprehensive descriptive and interpretative foundation (Palermo and Ponzini, 2015). Therefore, it is essential to involve local knowledge in decision-making by attempting to develop fruitful dialogue with central guidance and to encourage the creation of new knowledge through priority investment in human and social capita. It should also incorporate the delivery of common goods at the local scale and reform processes to involve everyone (Barca, 2006, 2011). This can be achieved through an area-based approach that seeks to identify possible targets/models to be reapplied to critical areas with the goal of creating territorial balance. They are pilot projects, special events that should function as catalysts and generate profitable by-products (Palermo and Ponzini, 2015). It could also be achieved by a place-based approach, which recognises a series of dynamic interdependencies between possible actions and their contexts, individual initiatives and shared or inherited frameworks, potential means and sustainable ends, the physical and social dimensions of the problems at hand, emerging solutions and problems to be placed on the political agenda, and

various policy tools (Salamon, 2002). For Palermo and Ponzini (2015), any place-based approach to policymaking should confront the traditions and experiences of policy inquiry.

6.5 Place-making and contemporary planning and design

Since the second half of the 1900s, urban design theory has convincingly shown that there is a common interest and responsibility between urban planning and architecture and design (Carmona et al., 2003). However, the possibility for developing more fertile interactions has long been underestimated (Healey, 2010).

Planning is going through a serious crisis that is likely to become irreversible (Koolhaas, 1995). While the responsibility for practice is becoming increasingly complicated and demanding, planning theory tends to veer more abstract and elusive. The future of planning depends on the capacity for critical analysis and real guidance of the transformation process, such as material interests, decision-making games, conflict and mediation, and feasible and effective policy action (Palermo and Ponzini, 2015). The notion of “trading zones” can be an attempt to face planning issues (Balducci and Mantysalo, 2013). It refers to potential “area of intermediation” in which conflict might find respite.

It is difficult to debate the place-making issue if not in exhortatory forms (Healey, 2010). According to new models of design and form-based codes, it seemed technically necessary that planning codes become more sensitive to the morphological and typological characteristics of places. Strategic planning focuses on “designing alternative futures and aims [...] (but also) addressing concrete problems in short term; [...] involving all actors relevant in sustainable development processes [...] empowering socially disadvantaged groups and non-conventional actors to participate” (Albrechts, 2010; Albrechts, 2011). Spatial planning is a blend of old and new planning. Moreover, spatial planning can be designed as one of several policy tools for bringing coherence to increasingly fragmented systems of governance. To add, spatial planning is better place-making (Haughton et al., 2010).

To conclude, “making better places” is a delicate operation that involves vision, values, processes and behaviour; therefore, it seems necessary to extend thinking from the field of planning to that of urban design (Palermo and Ponzini, 2015). According to some views, urban design should be a branch of planning charged with specific task of developing physical

transformations as the most creative part of the planning process (Palermo and Ponzini, 2015). Urban design cannot only be a project-oriented discipline but is also a field study of urban forms and conditions (Shane, 2011). The challenge is not primarily concerned with the development of techniques but rather the cultural, institutional and social factors that influence the framing of the problems. Actual place-making depends on these conditions.

6.6 The common good

Today's urban places should be understood as a "common good", meaning a good available to all. It is impossible, nor would it be right, to exclude any potential user, but at the same time it is endangered due its free use (Palermo and Ponzini, 2015). In fact, in the absence of rules or self-regulation, the quality of a place could be undermined by usage (Hardin, 1968). For this reason, this kind of asset can be distinguished from a public good, whose protection is by definition guaranteed: no individual can be excluded from use and individual use does not reduce availability to others (Samueson, 1954). The notion of an urban place is often understood in a physical, delimited and literal sense. It alludes to open space, or more precisely, to public space whose attributes take on legal and symbolic characteristics: spaces that are not privately owned and that play a clear symbolic role in collective life. It is useful to regard the idea of the urban place as a common good (Palermo and Ponzini, 2015), therefore considering the quality of a place as a common good, the quality of the development of a place as the enhancement of human capabilities, and the social and territorial cohesion of a place and its evaluation in terms of the sustainability and equity of urban conditions. It also presents the experience of "critical modification of existing conditions" as the guiding principle for place-making projects and reflexivity as a learning method but, more fundamentally, as the recognition of the ethical and social responsibilities of the project for a place (Palermo and Ponzini, 2015).

6.7 The Italian experience in place-making

In Italy, place-making issues play a mere complementary role in relation to prevailing problems of planning regulation and urban development. Designing neighbourhoods or new suburban districts is not a crucial topic today, although in Italy the conspicuous phenomenon of urban sprawl has been increasing for some time (Lanzani, 2003). Place-making does not depend on targeted and innovative skills, rather mainly on the overall effectiveness of urban planning and

design processes in generating desirable by-products. Thus, designing effective spatial plans and implementing adequate development projects should be indispensable priorities for creating good urban spaces (Compos Venuti, 2012).

Effective urban planning and design process → (desirable product = place-making) → good urban spaces

In the case of Italy, planning outcomes have generally been disappointing, and the compounding challenges seem to require important innovations (Palermo and Ponzini, 2015; Palermo, 2004). The Piano Regolatore Generale (PRG) was the main tool deployed. An urban reform only led to the redrafting of some regional acts from the mid-1990s to the late 2000s. Four cities were analysed (Turin, Rome, Bologna and Milan) for their importance in relation to the respective contexts and the cultural importance of their planning in recent years.

6.7.1 Learning from Turin

The *piano-idea* (plan-idea) does not only consist of the formulation of an overall masterplan and design code, but the restructuring of urban form through crucial spatial redevelopment projects as well. The problem concerns disjointed incremental approaches towards real transformation processes. This tells us that it is not possible to assess the real quality of place-making until the projects have been completed. In Turin, the vision required the design of a balanced and well-defined urban structure. The theme of social cohesion is still undeveloped and did not address the issue of equity and living conditions.

6.7.2 Learning from Rome

Conceiving good urban plans and design codes is not enough if implementation processes are not qualitatively acceptable and consistent over time. The place-making issue takes on a central role in local redevelopment and metropolitan reshaping.

6.7.3 Learning from Bologna

One successful example to learn from is Bologna, which was hailed by the National Institute of Urbanism for excellence in urban regeneration in 2012. In general, this project defines a new

place that is sufficiently integrated with its neighbourhood and the city. To reach this phase of maturity, the urban design scheme was greatly improved after review. The development projects complied with sustainability requirements in generating a sustainable urban environment. The Bologna case allows us to reflect on some non-contingent limits of strategic spatial planning and the importance of urban design and key development projects, provided they meet given urban goals and requirements (Palermo and Ponzini, 2015).

6.7.4 Learning from Milan

Real estate governance took over urban development in Milan. In this scenario, urban growth essentially followed the interests of promoters and developers, and major strategic transformations took place through autonomous projects without any reference to real demand. There was no strategic vision due to there being no reliable assumption in outlining the city’s future plans.

Urban place-making learnings from the Italian case study can be summarised in the following table:

Urban place-making	Critically dependent upon the ability to reinterpret and rearticulate good regulation, visioning and sustainable urban development projects
	Regulations and guidelines formulated for areas will not be able to clarify possibilities and effects of urban place-making
	Takes on a central role in local development and metropolitan reshaping
	Not possible to assess the real quality of place-making until the project is completed

After looking at these four cities, different perspectives can be distinguished. On the one hand, too much emphasis is placed on traditional conceptions of planning that cannot be translated into consistent and effective urban development action. On the other hand, unscrupulous discretion was handed over to reckless private players. The aim is to try to identify more balanced, innovative and sustainable perspectives to reach the same maturity level as Bologna

and, partially, Turin. In a nutshell, mixites, diversity and porosity are urban elements required to achieve cohesive and sustainable urban development.

On a wider European scale (looking at Belgium, France, Germany, Spain and the UK) of urban design experiences, one can draw a checklist of requirements needed to create a positive place-making outcome. Generally speaking, these countries produce large development projects in problematic non-places such as brownfields or marginal areas, using advanced design and governance expertise to transform these areas into new urban places, in turn improving their functional and morphological characteristics and the overall quality of their urban structure.

Below is the list of requirements needed to create a positive place-making outcome:

1. The project should emerge from an urban context, designed and developed in its real (physical, morphological and environmental) context.
2. The real possibilities for new urban experiences become a decisive criterion for evaluation.
3. Social and political inclusion, environmental sustainability and urban design quality are essential.
4. The ability of planners (who have a pragmatic and place-sensitive attitude) to use urban design as an exploratory tool (learning from Barcelona).
5. Good place-making is a reflection of good policymaking (learning from Paris).
6. The project should be developed in phases where the process allows for reflection over time, the ability to learn from the implementation process, and the correction and intervention to benefit from adjustment and gradual improvement of the programme.
7. To reveal the importance of cultural and social diversity (involving diverse communities) and equal opportunity to access public space.
8. Integration of different policies within the same spatial framework.
9. Continuity in the local political leadership.

6.8 Planning regulation

Designing new urban places is challenging and demanding. To obtain successful results, designers should learn from available good practices but implement specific thinking for each project given each area has its unique physical, morphological, and environmental context. Therefore, following the international school of thinking to solve and create new urban places

may be disadvantageous. In fact, in the design process, simplicity, uniformity and inflexibility are simultaneously sources of problems as well as opportunities.

Moroni introduces a new planning concept using the term “nomocracy”, giving the public authority a role in the production of infrastructure and basic services. But Moroni’s conceptual framework does not provide a clear hierarchy of issues and choices. Some recent northern European experiences have stressed the need for “mixing scanning” (Etzioni, 1967) to help select the problems having great impact, which should be treated in appropriately differentiated ways (Oosterlunck et al., 2011). Reference to the “mixing scanning” principle therefore represents a first element of distinction and innovation with respect to the two extremes of nomocracy or traditional planning theory (Palermo and Ponzini, 2015). However, only good strategic visions and urban projects can lead to positive results from urban, social and environmental perspectives. It, therefore, becomes necessary to think about innovation in these fields.

Reflecting simultaneously on the trends and criticalities of regulation, we will be able to identify requirements. The three fundamental issues are:

1. Drawing attention to an essential hierarchy of problems and opportunities within a spatial context instead of providing only neat and exhaustive schemes for classifying situations and introducing general guidelines.
2. It is not enough to state economic and social goals and reflect upon land use distribution. Morphological and environmental analysis is essential for substantiating hypotheses, verifying real available resources and exploring opportunities for change through tentative projects.
3. The coherent development of the previous two.

6.9 Good urban projects

The “urban project” is nothing more than an empirical manifestation of a planned action that can be completed. The idea of *projet urbain* has become the key to reviving the town planning tradition (Marinoni, 2005). The crucial issue is not to ensure by-the-book implementation of predetermined proposals, but rather to ensure the sustainability of the emerging results of

ongoing processes through interactions and mutual adjustments (Hill and Hupe, 2002). It is possible to identify some criteria for good urban design, which includes:

1. The legitimacy to question the significance of the criteria regarding a single project, regardless of its context.
2. Architectural and urban features should be justified in place but consistent with their context.
3. Attention to architecture's human scale.
4. Mixity, diversity and porosity.
5. Possibilities for mobility and accessibility should be extended to include social permeability.
6. Connectivity.
7. The evaluation of the by-products that a new project could create in other areas, and for certain social components, of the city.

By that, the production of any common good is not the direct consequence of a deliberate action but the result of a set of conditions, actions and interdependencies.

6.10 Setting a real place-making agenda

Policy action review may be important for setting a real place-making agenda. This involves:

1. The analysis of existing conditions.
2. Updating documentation regarding the course of already-implemented policy actions, their mutual relations, and less commonly, the consequences.
3. Reconsidering the idea of "policy design" and undertaking significant policy action review.
4. Rooting each argument and explanation in their actual places, focusing the hierarchy of the problems and the appropriate structure of rules and tools, and rooting the vision within key development projects.
5. Evaluating policy and design approaches, decisions and effects in their contexts.

Considerations in urban planning:

	What to consider	What not to consider
Urban planning	Share important goals with urban design: place-making	Autonomous fields or a matrix that can generate subsequent policy and design approaches
	Policymaking approaches and tools represent potential outlets for planning evolution	Distinct sets of specific themes, goals and tools concerning only the technical production or transformation of urban settlements
	Explore more problematic realms regarding sense of place and life experience	Bureaucracy is massive but inefficient and does not seem suitable for strategic and project-led initiatives
	The place-based approach provides strong impetus for innovation	Politics have proven to be unable to guarantee the necessary reform
	An action-oriented approach and the evolution of laws, norms and techniques	
	Critical thinking and the ironic sense of the possible are fundamental for rethinking spatial disciplines	

Therefore, to succeed, planning should include a diversification of themes, rules and tools according to “mixed scanning” principles such as strategic visions, development projects, planning regulation, the sense of place and life experience. The fuller and more structured of interdependencies a planning system is, the greater the risk of inefficiency. The production of urban space depends upon the way in which built form interacts with a context’s culture of life experience (Geertz, 1973). Good places are not created on the basis of self-contained projects but happen as the probable effect of certain conditions, actions and interactions.

6.11 Conclusion

As we have seen earlier in this chapter, place-making contributes to the creation of better places to live— “making better places for people”. It improves the quality of life and by that it enhances the community’s well-being experience, rendering the property more attractive to the market and improving its surroundings. This guarantees the overall improvement of the built environment as an important factor in economic value.

In general, place-making can be associated with territorial marketing initiatives that tend to modify not only the formal and technological features of buildings, but also affect the image of urban space above and beyond the single structures. For the market, place-making is a communication tool whose effectiveness should be measured by its utility. Current place-making experiences tend to improve liveability and urban sustainability through the transformation of public spaces, where the challenge resides in the integration of better traditional design, planning and policy tools. The participation of people in the construction of urban places would be an innovative necessity since people with their life experiences are experts.

Policymaking for place-making should be specific to the project. This can be achieved through an area-based approach that seeks to identify possible targets/models to be reapplied to critical areas with the goal of creating territorial balance. They are pilot projects and special events that should function as catalysts to generate profitable by-products. Alternatively, it can occur via a place-based approach, which recognises a series of dynamic interdependencies between possible actions and their contexts.

To make a better place to live, urban design cannot only be a project-oriented discipline, it must also be a field study of urban form and conditions. The challenge is not primarily concerned with the development of techniques but rather the cultural, institutional and social factors that influence the framing of the problems. Actual place-making depends on these conditions. This will generate a desirable product and good urban space. Mixity, diversity and porosity are also urban elements required to achieve cohesive and sustainable urban development. Good urban design assures not just mobility, but also social permeability and connectivity. Architecture should be justified within the context and the evaluation of the design should be done by the product.

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Part two: the role of POPS in reshaping Dubai

7. Introduction

The previous section encompassed the research objective, literature review, acknowledgement of previous work and a study showing the difference between public and private spaces open to public. Following elaboration on the research question of this work, in this part I address the literature review of the first part of this paper with a comprehensive, relevant and up-to-date acknowledgement of previous work while studying the public space and private space open to public.

The aim of this second part is for well-reasoned and well-designed the studies to answer the questions and interrogations previously mentioned but adapted to suit Dubai's context. Results obtained after the investigation and study are detailed, analysed and discussed in the last chapter of this document and suggestions for further research, work and direction are uncovered.

This section is divided into three chapters:

Chapter one: An overview of Dubai

Chapter two: Emirati women

Chapter three: Meeting the developers and the authority

The aim of chapter one is to study urban development in Dubai by inspecting the market in terms of real estate and assets. On the one hand, factors such as economic growth, accessibility to oil reserves, population growth and governmental incentives in promoting development are examined to evaluate their contribution to the real estate market. On the other hand, the difference in rules and regulations that apply to an Emirati citizen (*watani*) versus the different categories of expatriates are described.

Further, the term POPS (Privately Owned Private Spaces) in relation to Dubai is explained in two sections. Section one tackles with the study of POPS in megaprojects, while section two offers the study of POPS in megamalls.

Finally, the sociology of consumption is studied, looking at how consumption is considered an expression of class belonging, a new social model, and how consumers may express emotions via consumption.

Chapter two provides a study that shows the relation between the creation of spaces in privately open areas by megadevelopers in Dubai, and the use of these spaces by visitors, especially Emirati women. As such, a part of this chapter is dedicated to developing an understanding of the behaviour of the Emirati female in the currently established POPS by providing the example of the famous shopping centre, The Dubai Mall.

Chapter three is dedicated to the study and analysis of planning tasks performed by decision makers to create and shape the city of Dubai. Spontaneous creativity in the uses of civil society for the private spaces open to the public is explored, while trying to understand its impact on decision makers. Several ideas are discussed:

1. Who is responsible for creating megaprojects and POPS?
2. The transformation of space into areas of consumption and urban services.
3. Spaces of relaxation and discovery.
4. Discovery across several levels.

Different parties and decision-makers have been interviewed in an effort to answer the previously posed questions and to formulate a comprehensive summary.

Finally, the conclusion includes all the discoveries and answers from the interviews conducted with various women and decision-makers in Dubai, while reiterating the key points of this work and responding scientifically to the research questions of this paper. The closing will present recommendations and new ideas for further exploration.

8. An overview of Dubai's development

8.1 The urban area

In his study of the urban structure in Dubai, Michael Pacione, Professor of Economics, divides the city's urban development into four different periods: 1900-1955, 1956-1970, 1971-1980, and 1980-2005 (Fazal, 2008). According to Pacione (2005, p. 225), contrary to other major cities, this development occurred in a short period:

“In contrast to major Western cities where the transition from pre-industrial to industrial to post-industrial status occurred over a period of two centuries, Dubai has undergone a similar transformation in only fifty years. The decision by the International Monetary Fund and the World Bank to convene their 2003 meeting in Dubai bears testimony to the city states remarkable progression from an insignificant fishing settlement on the Arabian Gulf to a cosmopolitan regionally dominant twenty-first century city.”

Pacione (2005, p. 256) believes that the discovery of offshore petroleum in 1966 in combination with the oil industry revenues contributed to the development of major industrial and infrastructural projects, starting with the construction of Port Rashid and the dry docks and aluminium smelters, to Jebel Ali port and miscellaneous industrial projects.



Figure 8: Jebel Ali Port and an industrial complex. (Source: Pacione, 2005).

According to Al Sayegh (1998), in addition to oil revenues, other important factors contributed to the post-war development of Dubai, such as the local merchant community with its network of international contacts. The merchant group financed large projects, acted as consultants and invested as shareholders in private companies such as Dubai Telephone Company. The merchants gained more power during the Iran-Iraq war stretching between 1980 and 1988 by providing consumer goods to Iran. Pacione (2005, p. 257) believed that this war was of significant benefit to the urban economy as a whole:

“The commercial acumen of the city’s entrepreneurs flourished during the 1980-1988 Iran–Iraq war when Dubai’s merchants engaged in a lucrative trade supplying consumer goods and equipment to Iran at considerable profit to individual traders and to the urban economy as a whole. The war also stimulated growth in the business of servicing international shipping that found Dubai’s massive dry docks a safer alternative to Kuwait or Iranian ports. Since the early 1980s, Dubai’s trade with the other GCC countries and other Gulf states has expanded to make Dubai the busiest port in the region. A third critical factor underpinning Dubai’s post-war economic growth was the liberal economic approach of government that sought to attract inward investment to a low-taxation, business friendly and politically stable environment. This strategy was expressed in concrete terms with the opening of the Jebel Ali free zone in 1985 as

an enclave where businesses could operate outside Dubai's customs and legislative barriers and benefit from a ready supply of low wage non-unionised labour.”

With the decline of oil production, Dubai's primary revenues shifted towards trade manufacturing and on expanding the tertiary sector related to real estate, hotels, restaurants, and construction (presented in Figure 9). The development of real estate included projects such as the iconic 7-star Burj al Arab hotel, Palm Jumeirah,²⁷ Dubai Marina, The World,²⁸ and many other development projects, including gated communities, retail and residential towers.

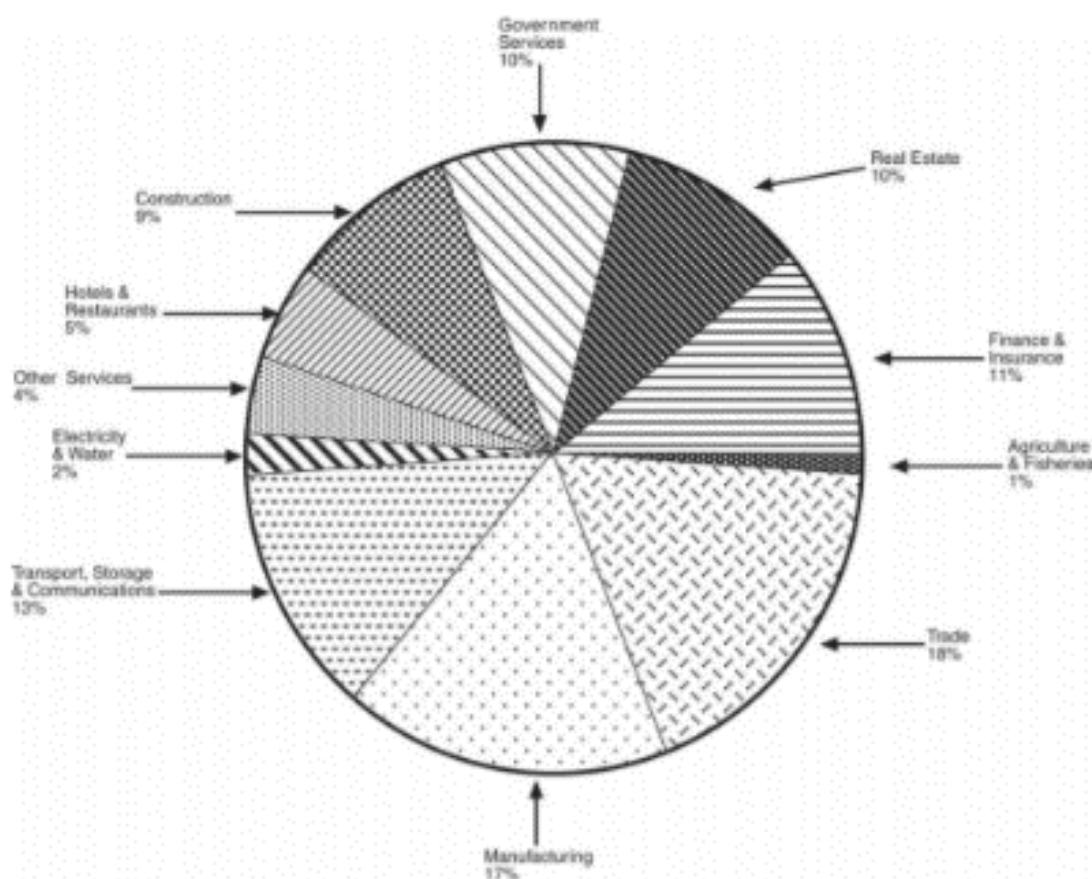


Figure 9: Dubai tertiary sector GDP, 2000 (Pacione, 2005).

²⁷ A USD1.5 billion development of man-made islands in the Gulf to provide 10,000 exclusive residences, 40,000 hotel rooms and shopping and entertainment facilities.

²⁸ Another Gulf Island development consisting of 300 private islands arranged in the shape of a world map, with Britain having already been sold for GBP18 million.

8.2 Urban development

As mentioned earlier, four major phases of urban development in Dubai were identified: 1900-1955, 1956-1970, 1971-1980, and 1980-2009. I will add a fifth category: the period ranging from 2009 until present.

- Phase one: 1900-1955

During this period, Dubai was divided into three residential neighbourhoods:

1. Deira: The non-Emirati region encompassing 1600 houses and 350 shops mainly occupied by Baluchis with a minority of Arabs and Persians.
2. Al Shindagha: It consists of the ruling family in addition to 250 various Arab families. This area did not have a *souq*.
3. Bur Dubai: This region was dominated by Indian and Persian communities and considered the smallest settlement.

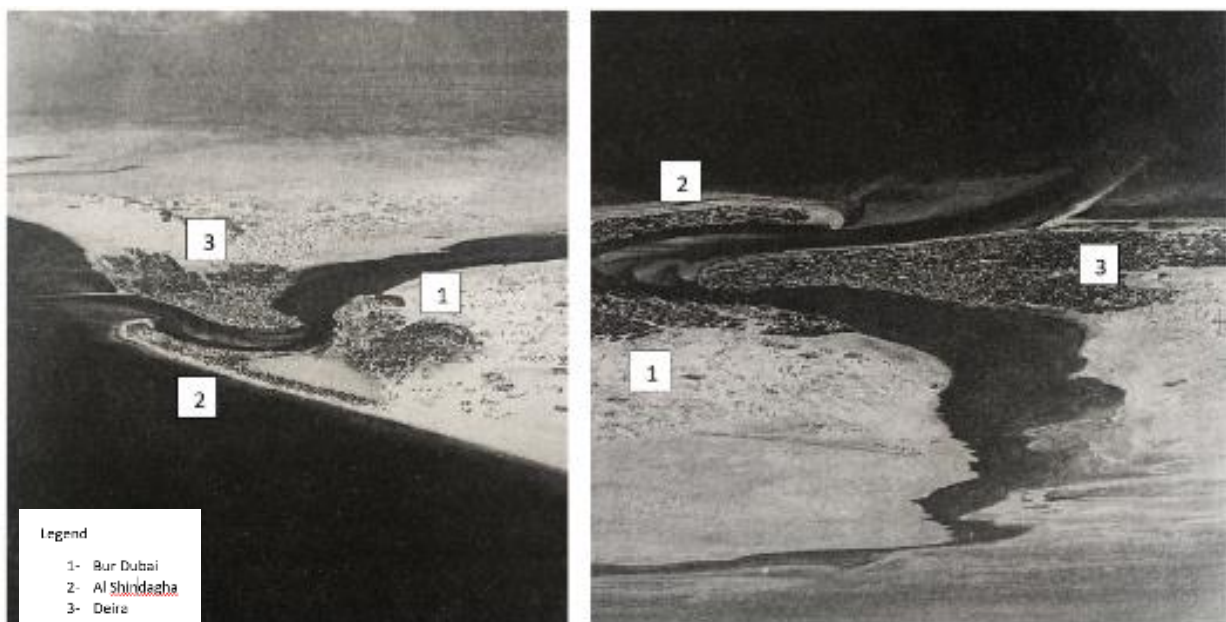


Figure 10: Aerial photographs taken in 1944 reveal the three residential neighbourhoods in Dubai and their divisions. (Source: RAF Museum).

This period was marked by a slow growing economy and a population stretching in an area of 3.2-square-kilometres. The inhabitants lived in houses made of palm fronds due to the lack of resources and raw construction materials, thus the expansion of the urban city was limited (Fazal, 2008, p. 5).

- Phase two: 1956-1970

In 1957, Dubai Municipality was established under the supervision of the city council, whose members were mostly from the leaders of the merchant community (Fazal, 2008). During this period, it was realised that a formal town structure organisation is required in order to support the growth of Dubai. Therefore in 1960, British architect John Harris prepared a masterplan showing a new road system, town centre, town zoning and a guide that detailed the future urban development and its related services.

Land ownership was subject to the Arab-Islamic two-principle law as follows: the land will either remain for the occupant if within a settlement the land has been occupied by a homestead for a lengthy period of time, or it will be at the disposal of the ruler as the only rightful owner. Pacione (2005, p. 260) further explained the process of land ownership in Dubai:

“Thus, in areas where by 1960 solid houses had been built the right to dispose of the plots normally belongs to the residents. In those areas of the city undeveloped by 1960 the ruler may sell the land, lease it, put it to special uses over a set period, or allocate it to the municipality for public utilities. If the land is disposed of without charge, (granted land), the ruler reserves the right to reclaim it at a future date. The titles to plots that were already developed in 1960 may be traded freely and if such plots are required by the municipality landowners must be compensated according to market value. The owners of private land may decide on its uses within certain broad guidelines (for example, they may replace their house with a more modern dwelling, or with a rental apartment block of several stories, or may sell the land on the open market).”



Figure 11: From the book *Showpiece City*, a photograph showing John Harris presenting Dubai's first town plan to Sheikh Rashid bin Saeed Al Maktoum, Vice-President and Second Prime Minister of the United Arab Emirates and Ruler of the Emirate of Dubai, on 19 May 1960. (Source: Reisz, 2021, p. 113).

- Phase three: 1971-1980

After the oil discovery in 1966, major infrastructure and urban development projects were planned. Oil revenues helped tremendously in securing various projects as an effort to promote economic growth (Exporttradet, 2007). Dubai's three residential quarters were connected during this period by the construction of the Shindagha tunnel beneath the Creek, linking the bridges from Bur Dubai to Deira, and Maktoum to Garhoud. The interconnection resulted in the city's urban expansion and rapid development. As described by Gabriel E. (1987):

“The area east of the Creek, around Deira, developed rapidly into the major business banking and administrative centre for the city, the main area for handling coastal and re-export shipping activities, and the location for the international airport. On the other side of the Creek the international import and container harbour was developed alongside the dry docks and several major industrial areas, as well as the landmark World Trade Centre. The building of Port Rashid was also planned, and a large area, (now named Jumeirah), extending towards Jebel Ali was designated for residential use. To the south of the city additional areas were set aside for health, education and leisure/recreation developments. Of particular significance for the structure of the modern city was the growth corridor along Sheikh Zayed Road towards Jebel Ali. Characterised as the New Dubai this zone is emerging as the new commercial and financial centre of the city.”

During the mid-1980s, Dubai Municipality commissioned the preparation of the Dubai Developing Plan by Doxiadis (Ogaily, 2015, p. 76).

- Phases four and five: 1980-2009 and 2009-present

This can be divided into two eras. The first began in 1980 and ended just before the financial crises in November 2009. The second started when the financial crises ended and runs through to the present.

The government realised in the early 1980s that the oil access and revenues were temporary and decided to gradually shift towards other sectors where comparative advantages could be gained, such as trade, transport, real estate, construction, tourism and finance (Fazal, 2008, p. 7). To back up the argument, a study conducted in 2008 shows the contribution of non-oil industries increasing significantly in 2007 to reach 97 percent from a mere 54 percent of the GDP in 1975, as shown in Figure 12. Alternatively, oil industry contributions in 2007 can be deduced to be just 3 percent.

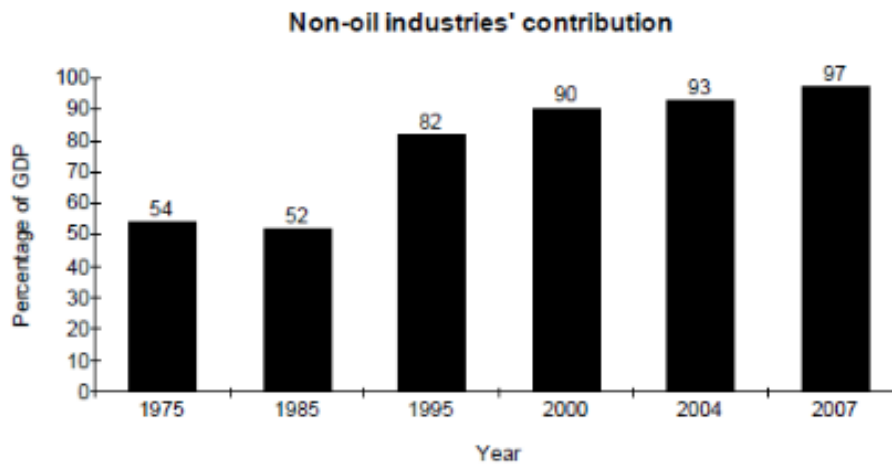


Figure 12: The contribution of non-oil industries to the total GDP of Dubai. (Source: Oryx Real Estate (Mendoza, 2007); UAE Yearbook 2008).

The first part of this period exhibited rapid urban expansion translated into strategic physical spread of the city with a plan envisaging extension by additional built-up area of 501-square-kilometres by 2005. In December 2008, 302 towers were under construction with an additional 505 towers planned for completion within the next decade (Emporis, 2008). Dubai managed to expand its urban area to almost 190 times its original size (Pacione, 2005, p. 260; Fazal, 2008).

In the early 1990s, the government commissioned the Dubai Urban Area Strategic Plan 1993-2012 to guide the economic and physical development of the city into the 21st century considering the following challenges (Idem, p. 261):

1. There was a need for additional accommodation, either residential, industrial or commercial, to meet future needs. The additional urban expansion was catered to by allocating additional land, which was developed under the canopy of the Strategic Plan. Housing structures represented the largest allocation of urban space due to the UAE policy dictating that all national males above 20 years of age shall receive a plot of land of 15,000-square-feet (1400-square-metres). Nationals with a plot of less than 10,000-square-feet (935-square-metres) may be granted an additional plot of 15,000-square-feet (1400-square-metres) to meet the need to construct new dwellings for the accommodation of the increasing numbers of Dubai expatriates present for work (Pacione, 2005). In 2006, the government declared that there will be no distinction between nationals and foreigners regarding the purchase of properties in Dubai (Dale 2006, Dubai Land Department).

2. The necessity for extension of the existing roads and infrastructure facilities due to the fact that Dubai is an automobile-dependent city where more than 95 percent of journeys are made by private cars. Traffic congestion became a growing problem, especially at the main road crossings of Dubai Creek and at the connecting roads between Dubai, Sharjah and Abu Dhabi. The insertion of a rail system also created further road limitations.
3. The establishment of the free zones created a limited interference with the private sector and an attractive business environment where foreign companies could operate freely from Dubai's legal restrictions applied outside these zones (Fazal, 2008).
4. The private sector had an objective of creating an attractive business environment.
5. The development of megaprojects in a series of "cities within the city".
6. The development of free-trade zones (FTZs) where business licences are offered to foreign-owned businesses, thus offering advantages such as zero tax on income and profits without restrictions on repatriation of capital/profit. Among these are:
 - Media City, housing offices and studios of major media organisations.
 - Internet City, home to a number of major international companies designed to provide the convenient environment that enables ICT enterprises to operate from Dubai.
 - Festival City, a mixed-use project located along the shores of the Creek that combines residential, commercial and entertainment.
 - Dubai Marina, located next to Internet City and Media City, developed by publicly listed real estate agency Emaar, which master planned a community featuring residential housing (35,000 residents in 10 districts), commercial and entertainment facilities.
 - International City, designed as a series of country-themed districts with appropriated architectural styling for mixed-use developments housing 21,000 residents in hotels and retail.
 - Downtown, comprising the Burj Khalifa, the world's tallest building at 818-metres-tall, Burj Khalifa, which was named "Al Burj" or "Burj Dubai" before the economic crisis. Burj Khalifa contains offices, hotels and residential units. It is located adjacent to the world biggest mall Dubai Mall.
 - Dubai International Financial Centre (DIFC), the financial centre of the region featuring a 50-storey headquarter building and an additional 14 towers.

The Structure Plan was monitored, implemented and reviewed by a new inter-departmental planning framework. Further, in 2007 IMF published a country report declaring that the UAE has been exposed to a very high inflation rate and production costs in various sectors such as construction have increased significantly. The main cause of the increase in inflation rate was the rapid population growth wherein the supply of residential units could not cope with the demand, thus rental prices increased tremendously and led to the overall prices being negatively affected.

Figure 13 shows a study conducted by Nassar et al. (2011) that displays the pattern of the urban growth between 1972 and 2011. At the beginning of the period, the built-up area was concentrated around Dubai Creek, but in the 1990s, due to real estate purposes, the built-up area expanded to the east of Dubai towards the Sharjah emirate and along the Gulf coast. By 2011, the urban sprawl had extended primarily towards the west coast where Palm Jumeirah Island was built, whereas Jebel Ali Palm Island was still under development, as was a new airport project in the west of the emirate called Al Maktoum International Airport (AMI).

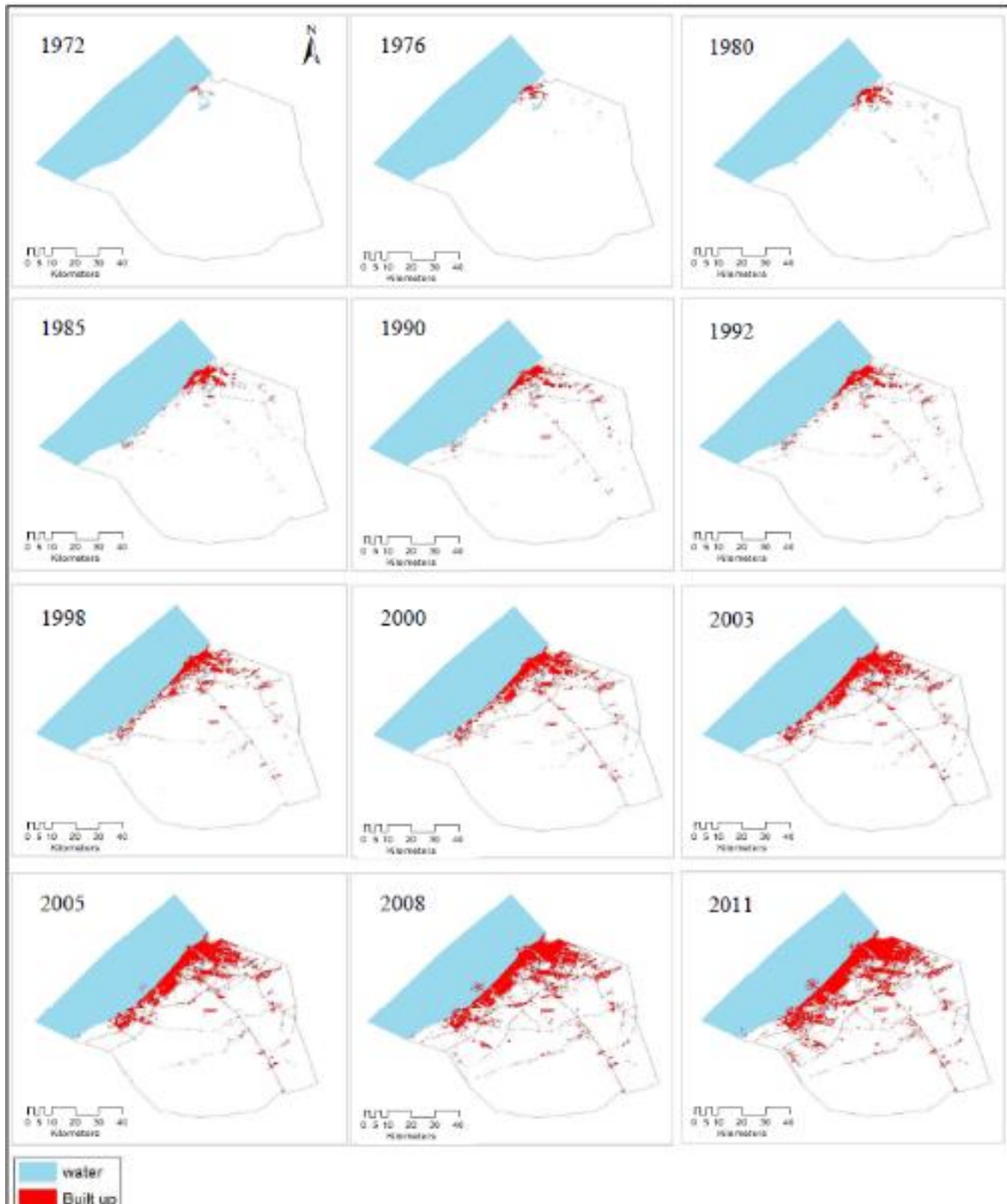


Figure 13: Urban change in the Dubai emirate between 1972 and 2011.
 (Source: “Quantifying Urban Growth in Dubai Emirate: A Geoinformatics Approach”,
 Nassar et al., 2011).

During Dubai's economic crisis, Willson (2010, p. 930) issued a state report saying:

“Half of all the UAE's construction projects, totalling \$582bn, have either been put on hold or cancelled, leaving a trail of half-built towers on the outskirts of the city stretching towards the Desert.” (Lewis, 2009)

According to Ogaily A. (2015, p. 76), planning authority Dubai Municipality commissioned the preparation of several plans as of the 1950s.

1. The Structure Plan in the mid-1990s, prepared by Parson-Harland Bartholomew & Associates for 2012 Horizon.
2. The Dubai 2020 Urban Master Plan prepared by the Dubai Urban Planning Committee in conjunction with the services of AECOM from 2010-2012.

The downturn of the economy from 2008 to 2011 that affected the property market resulted in deserted residential and commercial projects that dominated the urban landscape.

Similar to the first phase, the second phase of this period (post-financial crisis) was directly affected by the international consultancy firms who served as key players responsible for the urban production following a new urban planning mode. This in turn was shaped by knowledge mobility, thus resulting in the production of megaprojects. These megaprojects are the main building blocks shaping the current urban landscape. Not only constructed to fulfil the needs of modern citizens, they also to attract international population and global investments (Aoun and Teller, 2016, p. 256).

Additionally, Dubai's government performed as an open economy structure with minimum interference from the private sector, as per Dubai's Department of Economic Development, creating an ideal location for business activities (Fazal, 2008, p. 10).

As a result of the augmentation, construction levels increased the stock availability of accommodations, which led to a decrease in rental prices, which in turn repelled investments in the real estate markets, thus decreasing the rental prices even more (Fazal, 2008).

8.3 Dubai's inhabitants

In an article written by S. Tabarly (2005), she explained that the rights and duties of the different categories of inhabitants obey a strict hierarchy. The *watani*, or Dubai citizen, or local, and by extension Emirati, is the only individual to have the right of expression and full citizenship. The citizenship of Dubai, and thus the UAE nationality, gives access to all privileges offered by the UAE Federation.

At the top of the pyramid is the emir, his family and his surroundings, as well as the large community of long-established traders of Arab (local) or *Hadramout* (a coastal area in the south-eastern region of the Arabic peninsula) origin. Then come the descendants of the Persian traders who arrived at the beginning of the 20th century and have been present in the region for several generations. This community is represented by the *souq* (shopkeepers and merchants) who dominated the baking profession. Many families in this category hold Arab passports, which despite their UAE nationality having been acquired and maintained over several decades, still does not allow them to participate in the affairs of the city at the same level as natives.

On the other hand, foreigners residing in Dubai are subject to the *kafala* system (i.e., sponsorship) and are under the responsibility and protection of the sponsor or a *kafil* (primarily a Dubai citizen) who sponsors them in exchange for a levy on their income. An essential privilege to the UAE citizenship, the *kafala* system reserves 51 percent of the shares of any company to the Emirati partner; therefore, property rights for a foreign-owned property or business are more like concessions. In addition, all foreigners (expatriates) are subject to the *kafala* system and may be expelled from the country at any time and without prior notice, thus limiting their responsibilities strictly to the professional activity.

Professional and executive expatriates from the Middle East usually work for a few years to raise a decent amount of money before travelling back to their country of origin. During their residency, they enjoy a less precarious economic and social situation that includes long-term negotiated contracts and the possibility to bring their families over. However, this category of inhabitants remains vulnerable and at the mercy of malpractice, clumsy expression or the deterioration of relations between their home country and the UAE. As an example, such a

situation occurred with the Palestinians and Jordanians, who suffered from the pro-Iraqi political positions of their leaders during the Gulf War in 1990.

At the bottom of the social scale, there exists an immigrant population that is replaced with (but very similar to) the slavery statutory that was abolished in the 1950s: labourers are relatively unskilled and “imported” by intermediaries or by the same companies that operate in the UAE as well as their country of origin. The majority of these immigrants are single men from South and Southeast Asia who are distributed across the industries and projects of the UAE, ensuring that the demands for the functioning of the domestic, industrial and service sectors are met. They are recruited with a fixed-term contract in most cases, but the actual income is reduced according to the value of their work. They are often very dependent on their employers or sponsors, who usually postpone their travels, decrease their subsistence allowances and detain their passports. In general, multiple nationalities can be observed coexisting at construction sites all over the Emirates, ranging from low-skilled Pakistani labourers, qualified Indian workers and Sikh foremen to various Arab, Western and Persian engineers and senior executives.

8.4 POPS in Dubai

Considered as a city and a state of the United Arab Emirates, Dubai asserts itself as a sort of archetype to the new city of consumption that relies on the retail trade and megamalls—a fun entertaining recreational trade. As mentioned earlier, the end of the oil era led Dubai to diversify its economy by betting, among other things, on international “shopping tourism”. Since 1996, the city has organised Dubai Shopping Festival, a festival that attracts more than three million visitors and forms a combination of shows and sales. This festival is so desirable and famed that it has encouraged the operators of travel agencies to organise touristic trips specifically for this event (Lemarchand, 2011, p. 47-48).

Dubai is shaping a large portion of its future economy on shopping and entertainment by combining luxurious hotel complexes with shopping malls. The small state of the United Arab Emirates became a shopping destination frequented by a large number of customers from Europe and the Middle East. As a result, consumption is considered as a key element for the creation of POPS.

8.4.1 POPS as the megamall

In the scientific journal *Urbanism* (n: 377), Nathalie Lemarchand (2011) explained that there are more than 58 large shopping centres puncturing the city of Dubai, amongst which are several recreational megacentres such as Mall of the Emirates and The Dubai Mall.

The Mall of the Emirates, inaugurated in 2005, exhibits among its attractions a 22,500-square-metre ski resort with a chairlift, a 400-metre track, and an overall height of 80 metres. It also provides services and amenities such as ski lessons, restaurants, equipment rental, etc.; everything needed to attract more visitors and customers.



Figure 14: Aerial image showing the exterior of the ski arena at Mall of the Emirates.
(Source: www.arabianbusiness.com, 2014).

The Dubai Mall, inaugurated in 2008, features main attractions such as a huge aquarium called The Dubai Aquarium & Underwater Zoo, which contains more than 33,000 fish and over 400 sharks. Add to that the installation of the “Olympic-sized Dubai Ice Rink” and the Dubai Kartdrome with electrically powered karts on top of the building and across the parking walkway surrounded by Dubai’s iconic skyscrapers. The Dubai Mall became the ultimate family entertainment destination. It is also the home of the Dubai Shopping Festival.

As one of the world's largest shopping malls, it has a total retail floor area of 502,000-square-metres with more than 1,200 retail stores, 2 anchor department stores and hundreds of food and beverage outlets over a built-up area of more than 1 million-square-metres—an area equivalent to 200 football fields.

8.4.2 POPS as the megaproject

Previously, fast urban development was not directly linked to the growth of the population, rather it was economically driven by attracting foreign investments and activities in an endeavour to develop a sustainable economic hub. To reflect the Sheikh's vision of development, Dubai has dedicated vast areas of land to the construction of megaprojects and cities within the city (Ogaily, 2015, p. 75). This provided spaces for the creation of POPS in touristic and commercial structures, as well as residential towers.

As a matter of fact, the base of every tower or vertical landscape structure, the “Condenser”, as named in a study conducted by Matthew Wilson (2010, p. 931-932), can serve as a social space or act as an attraction entity such as a *souq*, conservatory, hotel lobby, atrium, pocket park or POPS. If this is the case, then the Condenser's embedded infrastructure becomes exposed, altering the way that towers interface with the ground, eventually forming a relationship between the tower and the surrounding urban region. The Condenser's structure is influenced by the site's form, accessibility and existing infrastructure and as it serves to offer greater accessibility. It leaves the realm of “architecture” and merges the urban convention with infrastructure and environment (Ruby and Ruby, 2006, p. 1-19):

“The Condenser responds to socio-cultural ecologies. In one instance, it might house social spaces similar to traditional open-air Souqs, forming the lower lobby levels of a tower atrium. Yet, the Condenser could house office space, a mall, regional trading spaces, cooperative gardens and markets, cooling seawater walls, horticultural terraces, recreational spaces, a parking helix, and storage spaces. Through these spaces and their processes, the Condenser acclimates to the urban context, preparing for vertical densification. Its flexible spaces and their functions therefore adapt to the needs of each neighbourhood, providing a sense of daily life.”

8.4.3 Sociology of consumption

8.4.3.1 Consumption as an expression of class belonging

The foundation of a consumer community is initiated by the development of industrial and capitalist economies. Referring to Fordism, the industrial society aims to produce a single product at large quantity with lower costs. For such a concept to be maintained requires sufficient purchasing power and identical consumer tastes to ensure the mass procurement of the same product within the market.

First, in relation to consumer “needs”, the exchange of goods in the modern world took a new turn with the introduction of the credit card following the stock market crash in 1929, as demonstrated by the American sociologist Daniel Bell (1979) through the contradictions of capitalism. Then comes the “desire”, which is considered as powerful as the “need” and is defined as the engine of the consumer society. However, World War II delayed its progression, and it was not until 1945 that the United States reoriented its production according to desire-motivated consumption, facilitated further by the introduction of credit card allowances in 1950 (Lemarchand, 2008, p. 66).

From a historical point of view, the premises of the consumer society were set up as early as the 18th century (Braudel, Mackendrick) with the establishment of a “world market”, while by 1899 sociologists started studying the theory of the leisure class and the conduct of the ruling class and its manifestations in a selective and normative consumption (Idem, p. 67).

Péron (2004, p. 103-104) points out that consumer society appeared at the end of the 19th century with the emergence of department stores in the following passages:

“Les grands magasins inculquent un nouveau rapport à la dépense.”

“L’ouverture de nouveaux rayons rythme l’épanouissement de cette première société de consommation. Leur nombre passa au Bon Marché de quatre en 1852 à 36 en 1882, intégrant tout ce que l’époque savait fabriquer [...]”

“Les grands magasins sont, au même titre que l’Opéra, des théâtres de la représentation bourgeoise. Leur éclat dans la ville y affirme l’éminente position de ceux qui les fréquentent. Escaliers et foyers y offrent les scènes où jouer un rôle social et le grand air de l’appartenance : on s’y montre, on s’y côtoie, on en est.” (Idem, p. 106).

The places of privileged consumption, represented by the department stores, were significantly associated with consumer evaluation during the 19th century.

Nathalie Lemarchand (2008, p. 67) considers that the consumption of goods is a reflection of consumer identity related to a social class and culture:

“La consommation a besoin pour fonctionner que la puissance des signes renvoie à la différenciation ou la distinction sociale. Que l’on considère l’homme comme un individu ou comme un être collectif, la consommation de marchandises devient le reflet d’une appartenance, de classe, de groupe, mais aussi et d’avantage d’une identité sociale et culturelle.”

According to Baudrillard (1986b, p. 151), the association of culture and commerce raises many reservations, especially a sign of diminishing culture:

“On voit que le problème de la consommation de la culture n’est pas lié aux contenus culturels à proprement parler, ni au ‘public culturel [...]’. Ce qui est décisif, ce n’est pas que quelques milliers seulement ou des millions participent de telle œuvre, c’est que cette œuvre, comme la voiture de l’année, comme la nature des espaces verts, soit condamnée à n’être qu’un signe éphémère, parce que produit, délibérément ou non, dans une dimension qui est celle, aujourd’hui universelle, de la production: la dimension du cycle et du recyclage. La culture n’est plus produite pour durer. Elle se maintient comme instance universelle, comme référence idéale, et ce d’autant plus qu’elle perd sa substance de sens [...], mais dans sa réalité, de par son mode de production, elle est soumise à la même vocation ‘d’actualité’ que les biens matériels.”

Thus, the trade would alter culture since the ephemeral becomes the foundation. In the long term, however, the mass production of culture wins over the culture of a society. Therefore, stores are the areas of degeneration and cultural transformation, taking into account the

combination of culture/commerce, setting the scene of consumption through its trade markers, referring to the reference of cultural news, *l'actualité culturelle*, and finally, cultural recycling. As defined by Baudrillard:

“Le drugstore (ou les nouveaux centres commerciaux) réalise la synthèse des activités consommatrices dont la moindre n’est pas le shopping, le flirt avec les objets, l’errance ludique et les possibilités combinatoires. [...] Il pratique l’amalgame des signes, de toutes les catégories de biens considérés comme champs partiels d’une totalité consommatrice de signes. Le centre culturel y devient partie intégrante du centre commercial. N’entendons pas que la culture y est « prostituée. C’est trop simple. Elle y est culturalisée. Simultanément, la marchandise [...] y est culturalisée elle aussi, car transformée en substance ludique et distinctive, en accessoire de luxe, en élément parmi d’autres de la panoplie générale des biens de consommation.” (Baudrillard, 1986b, p. 21)

Increasingly stores become the places of everyday life, *lieu de la vie*, with all its characteristics and exceptional aspects:

“Le drugstore peut devenir la ville entière : c’est Parly 2 avec son shopping center géant, où les arts et les loisirs se mêlent à la vie quotidienne.” (Idem, p. 23)

8.4.3.2 Consumption as a new social model: post or hypermodernity

The theories of hypermodernity and postmodernity seek to demonstrate that “consumer practice” is a fundamental principle in society that is established beyond the classical interpretive schemes of a modern society. It is no longer a question of conventional or distinctive consumption relative to social class as defined by Marxism, but rather a consumption of identity affirmation.

From the mid-19th to the mid-20th century, the generalisation of fashion reigned in consumer society in two ways. First through an elitist production, the “Haute Couture”, which introduced seasonality into fashion and therefore the necessity of renewing one’s wardrobe every season. Second, the industrial mass production that is inspired by the Haute Couture and seasonality (Lemarchand, 2008, p. 69). As a result, it can be stated that consumer society was born in the 20th century due to industrialisation, bank credit allowances, economic factors and the

obligation of renewal as inspired by cultural factors (e.g., seasonality and commercials), or rather, advertising.

8.4.3.3 Consumption, the expression of an emotion

Since consumption is a means of self-affirmation, to consume is to be and to appear in a “presentist temporality” (Lipovetsky and Charles, 2004, p. 82). In this situation, the ephemeral and the hedonism favour a hyperconsumption. Consumption is then associated with the paradigm of a hypermodern society, a later stage of postmodern society. As such, the consumer becomes a hyperconsumer.

“À l’affût d’expériences émotionnelles et de mieux-être, de qualité de vie et de santé, de marques et d’authenticité, d’immédiateté et de communication.” (Lipovetsky, 2006, p. 12)

The civilisation of consumption is linked to many values whose forms of expression are defined subjectively by the individual. Thus, the notions of well-being, quality of life or health are established in reference to an initial situation that an individual tends to preserve or improve, and then are realised through the consumption of goods such as cosmetics or drugs. In this context:

“Les satisfactions sociales différentielles demeurent mais elles ne sont plus guère qu’une motivation entre beaucoup d’autres, dans un ensemble dominé par la recherche des bonheurs privés.” (Idem, p. 38)

It is now the “emotional consumption” that dominates what Lipovetsky defines as “*la forme générale que prend la consommation lorsque l’essentiel se joue entre soi et soi*”, leading to the following:

“La phase III [de la consommation] [un] nouveau rapport émotionnel des individus aux marchandises, le primat du ressenti [...]” (Idem, p. 42)

The act of purchase participates in this type of consumption through two categories: one is associated with the necessities of everyday life, described as *achat corvée*; and the other with

the pleasures, the satisfaction of one's desires, thus defined as pleasure-buying or *achat plaisir*. The latter category of emotional consumption refers to hedonism (Lemarchand, 2008, p. 70).

8.4.3.4 Identification consumption

Community identification is characterised by places and territories that involve the display of a certain number of real or symbolic signs. Some are defined by practice/behaviour, while others by appearance. This social model will lead to a consumption of identification, which involves the purchase of products selected by the community beyond by the preferential taste of the shopping centres. It occurs when the consumer visits a potential meeting place of other members of his “tribe”. For example, in going to a specialist fish products store, fishing enthusiasts and consumers will meet and be able to evoke and exchange ideas about the comparative merits of several types of products. In addition, some of these stores are exclusive resellers of brands favoured by some fishermen. By gathering in such places, they participate in what is called a “brand community” (Muniz and O’Guinn, 2001), thus recreating a “social connivance” around the product in a “protected” environment. This is what “Max Scheler calls the theory of ‘the identification of sympathy’ to explain the situations of fusion” (Maffesoli, 1988, p. 97).

8.4.3.5 Places and territories of trade: hyperplaces of consumption

Commercial areas are associated with this new cultural consumption and are defined as “purveyors” by providing an abundance of goods to consumers (Lipovetsky, 2006). However, such areas are not considered only as places of “transit” or “distribution” of a distinctive commodity that stems all the way from production to consumption in the social, private and public space. They are also deemed as places of consumption associated with the consumerist path of the individual whether hyperconsumer or "neo-tribal" (Lemarchand, 2008, p. 72).

The postmodern world generates a marketing of lifestyles, where places and territories of trade are considered “hyperplaces” of said marketing. Their layout and architectural design favour the “experimental marketing” that aims to create an ambience of conviviality and desires to introduce consumer pleasure at sale places (Lipovetsky, 2006, p. 61). The act of advertising the product in such experimental theatricality by ways of films or scenography encourages the consumer to try it, to undergo an experience that combines satisfaction of purchase with

experimentation. It is through this context that the places of commerce participate in hyperconsumption or neo-tribalism.

Further, cultural values are fully associated with such trading environments. The created universe refers explicitly to those used to qualify the products sold and in turn, to the values of the company. Shifting the values and the collective interest of the social and economic groups towards the individual repositioned the associated groups around cultural values, expressing themselves by referring to their own way of life, i.e., through self-perception and identity association, such as fishermen, ecologists, cooks, handymen, etc.

The places of purchase that use signs and advertisements as elements of identification are referred to as “spatial referents” or “hyperplaces”, thus leading to “emotional consumption”. A commercial space is a territory of consumption, a space that values the act of consumption by giving it a social dimension. Whether the consumption is associated with the conviviality, the pleasure of the group, or addressed in a way that gives the individual the ability to dispose of “selfish pleasures”, such places and territories are arranged to seduce all customers (Lemarchand, 2008, p. 73).

9. Women and Dubai

9.1 Introduction

Understanding the relationship between the creation of spaces in privately open areas by megadevelopers such as Emaar, MAF, Dubai Properties, Meraas and many others in Dubai specifically, and the use of these spaces by visitors, especially by women and more specifically Emirati women, is complicated due to many factors.

On the one hand, developers in Dubai work in a discrete and private manners, where strategies are so cloistered that one cannot obtain any information. Researchers or concerned individuals will face many constraints in trying to investigate how the developers plan projects, create and consider spaces, choose areas and reach the development phase. As an example, correspondences requesting to meet with the desired party/stakeholder are often replied to with:

“Please be informed that your request has been reviewed, however, we regret to inform you that we may not be able to accommodate your request.”

This was the case for me while trying to approach the megadeveloper Meraas. I followed the legal and logical procedure of visiting their official website, retrieving the contact information and initiating official communication through email to request a meeting.

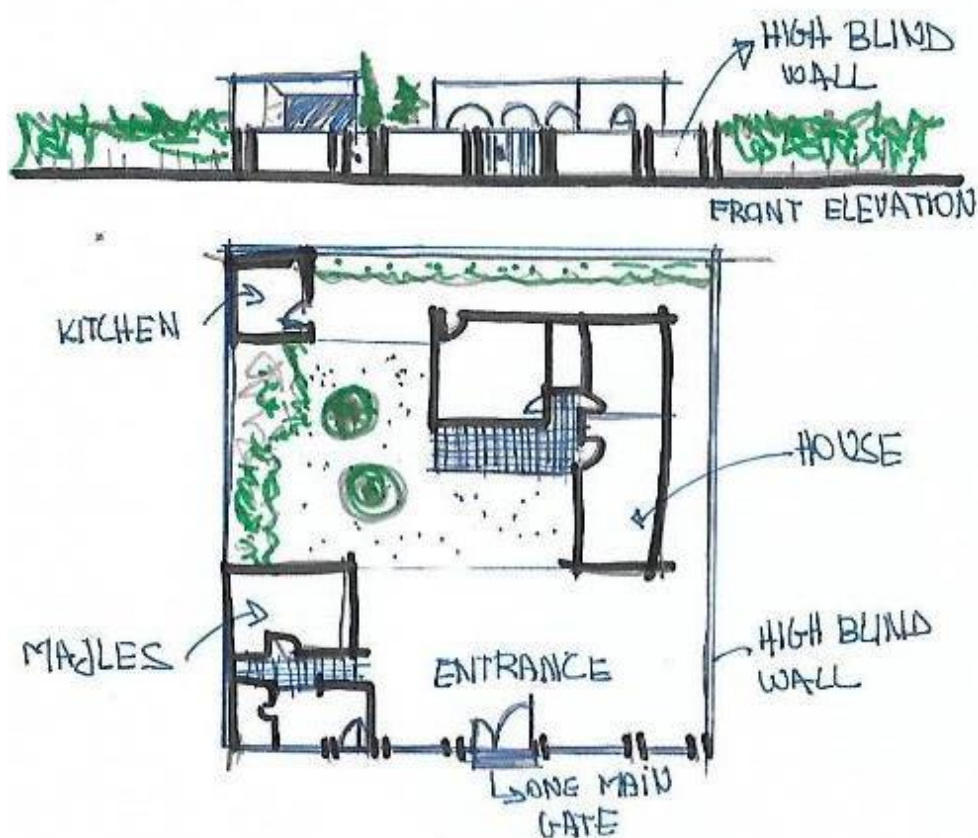
On the other hand, understanding and studying the behaviour of Emirati women in general is almost impossible for many reasons, which will be listed and elaborated on in this chapter.

9.2 Discretion and the art of living

9.2.1 Architecture as a tool

Dubai’s local citizens tend to isolate themselves from the expatriate population by residing in separate private zones of the city called *Sakan al Mouwatinin*, which means “Emirati residential areas”. Expatriates are not welcomed in such areas and are neither allowed to rent nor buy residential units/villas. Further, most Emiratis live in individual villas rather than apartments, located far from Dubai’s central areas and more inland, towards the desert. A high

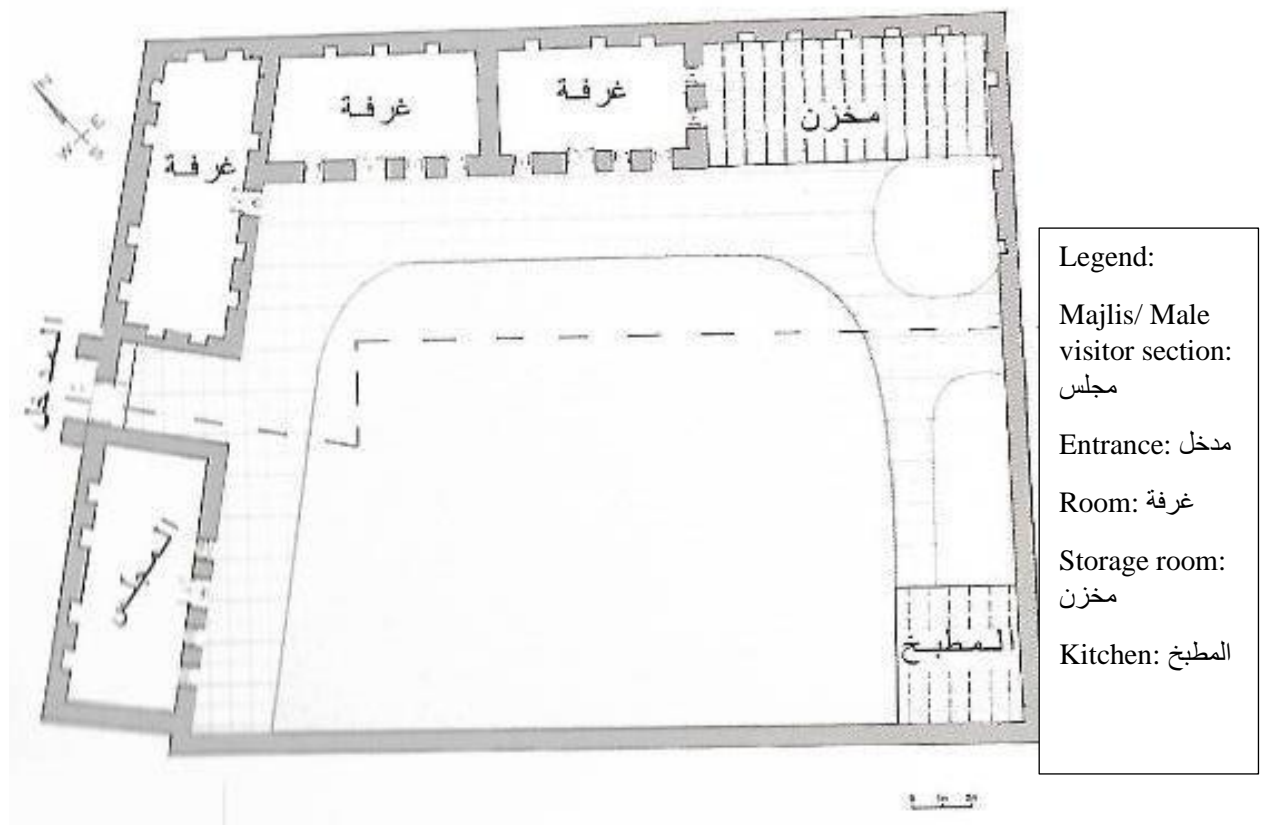
blind wall usually fences each villa to guarantee the privacy of the house and the women living within it.



Plan 2: Floor plan and elevation of an old Emirati house.

In traditional Emirati houses, rooms are distributed around an open courtyard as follows:

1. The kitchen is usually located to the south of the house.
2. The *majlis* (seating area) is located near the main entrance and can be directly accessed from both inside and outside of the main fence.
3. The external entrance is usually accessed by male visitors or the *non-mahram*.
4. The internal entrance of the *majlis* is accessed by the *mahram* of the house only and is considered a pathway linking the private area of the house to the private area open to the public, “public” being male visitors. The females belong to the private areas of the house.
5. Most windows and openings of the villa are designed to overlook the internal courtyard.



Plan 3: Traditional Emirati houses in Dubai. Source: (Dubai Municipality, p. 194).

6. Rooms adjacent to the external wall (if any) may benefit from small openings overlooking the street that serve to introduce daylight and fresh air. They are situated above eye level to prevent passengers and passers-by from peeking in.



Figure 15: Traditional houses in Dubai. (Source: Dubai Municipality, p. 194).



Figure 16: Old abandoned Emirati residential neighbourhood transformed into a touristic area.

9.2.2 The restaurant experience

Usually, the Emirati population does not socialise with other nationalities. This is observed significantly at restaurants and malls. The local population is attracted to specific restaurants, and according to further investigation, for the following reasons:

1. The restaurant is managed and operated by a young local entrepreneur, as found with SALT restaurant, Saddle Café, etc.
2. A popular Western franchise, such as Sarabeth's (New York) or La Durée (Paris), etc.
3. The presence of high-level visitors such as Sheikh Mohammed or his son, Sheikh Hamdan bin Mohammed Al Maktoum. Such places automatically become the new *a la mode* destination where everyone wants to simulate the experience.

Passing by such destinations, an observation of “white and black” (i.e., the official dress code of Emiratis, white for men and black for women) clientele dominates the view with less expatriate presence. The majority are men who sit in groups separate from women.



Figure 17: Emirati customers are observed in their official dress code of black for women and white for men.



Figure 18: Emirati clientele attracted to a coffee shop—the only F&B truck in the area—well-known to the locals.



Figure 19: Opened in a new Dubai Mall extension, Ladurée tea salon attracts mainly Emirati clientele.

9.3 The Dubai Mall experience

Even malls or specific sections of a mall are indirectly dedicated to and intended for the local population, such as the new extension of Fashion Avenue in The Dubai Mall, which houses a number of high-end brands including Gucci, Mikimoto, Dolce & Gabbana, Hermes, Rolex and Cartier in addition to chic food and beverage outlets, including Starbucks Signature and L'ETO. Further luxury retailers are set to make their Middle Eastern debut in the new extension according to Emaar Malls (the owner and operator of The Dubai Mall).



Figure 20: Fashion Avenue at The Dubai Mall attracts mainly the local Emirati population.



Figure 21: Starbucks Signature with a special interior design and a food display to its newly inaugurated location in the Fashion Avenue extension at The Dubai Mall.

The Fashion Avenue extension can be accessed via a lit-up archway located opposite to the ex-Armani Cafe on the ground floor—an indirect and vague entrance that can be challenging to spot by regular mall customers—or via one of the main entrances. The entrance of this extension from the mall is completely hidden by a blind white wall. Once the round white column and the big white wall are passed, an indirect entrance is discovered that leads to the

divinely luxurious extended Fashion Avenue. Such a design plays a role in filtering customers in that area.



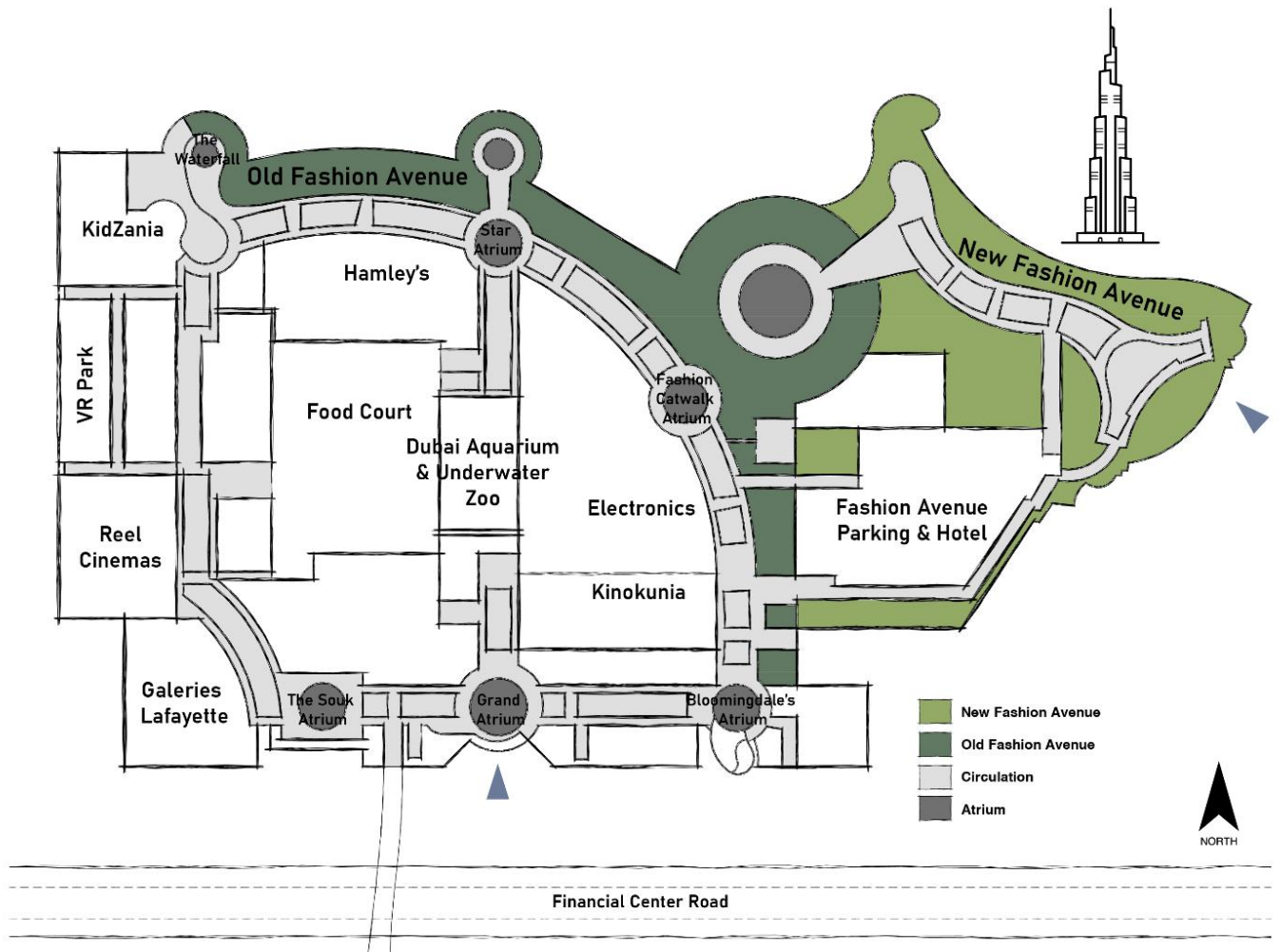
Figure 22: Panoramic view from the second level of The Dubai Mall, showing the hidden access to the new Fashion Avenue extension.



Figure 23: The big blind white wall hiding the main access for the new Fashion Avenue extension.

After navigating the three levels of The Dubai Mall (ground, first and second), one can understand how this new avenue is designed: the entrance of the extension differs from one level to another according to the type of footfall.

Beginning with the top floor (second level):



Plan 4: The Dubai Mall floor plan, Level 2.

According to Rinny Gremaud in a talk for the “Urbanisme”, it is designed for middle-class families:

“[...] The last level of Dubai Mall was designed for middle-class families, where it houses multiplex cinemas, electronic game rooms, amusement parks, access to the aquatic zoo, fast food areas, small shops of candies and mobile phones, electronics stores/CD/DVD/bookstores, clothes for children, drugstores, cheap perfumeries and even medical clinics.”

While still profitable, the second floor is the least noble floor of the mall, intended for those

who travel by metro. Families spend a significant amount of money on junk food and entertainment and are considered the “cash dispenser” of the mall. It must be also noted that the crowds tend to flow down, i.e., to the lower levels, imitating the flow of water. A. Alfred Taubman, one of the American fathers of shopping malls, described this phenomenon as follows:

“Classical mall architects strive as much as possible to locate parking lots and metro access on upper floors to allow for the flow of consumers to spill as magma to the lower floors.”

This could be the main reason behind the absence of a direct link between the Fashion Avenue and the upper level. Since the second-floor clients are the least fortunate, the access to the Fashion Avenue for this population is meant to be totally undiscoverable, unseen.

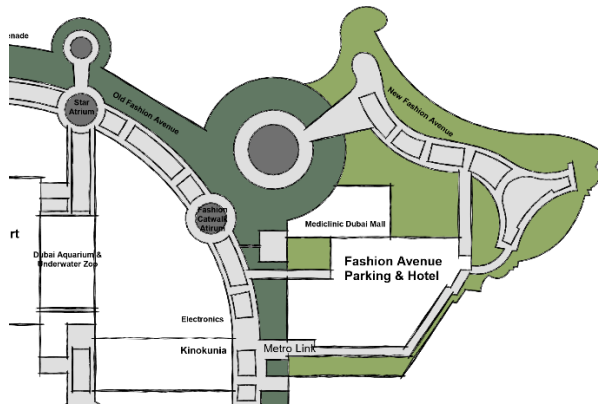


Figure 24: The big blind white wall hiding the main access for the new Fashion Avenue.

Once visitors pass the round column and the big white wall, a new buffer zone will be discovered and will serve as an introduction for the extension, playing the role of filter to screen customers in this area.

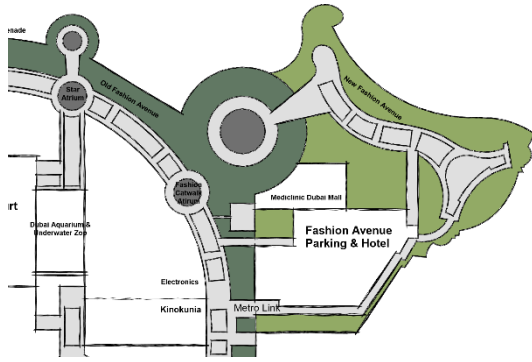


Figure 25: The buffer zone.



Figure 26: Circular atrium surrounded by the extension of shops.

The new Fashion Avenue consists of a large circular atrium surrounded by an extension of luxury brand outlets on the ground floor that display their goods in beautiful, ephemeral vitrines. These shops rent the area for a short period of time to exhibit and sell their products. After crossing this buffer zone, the new extension is reached. This luxurious area sees the majority of footfall come from the Emirati population.

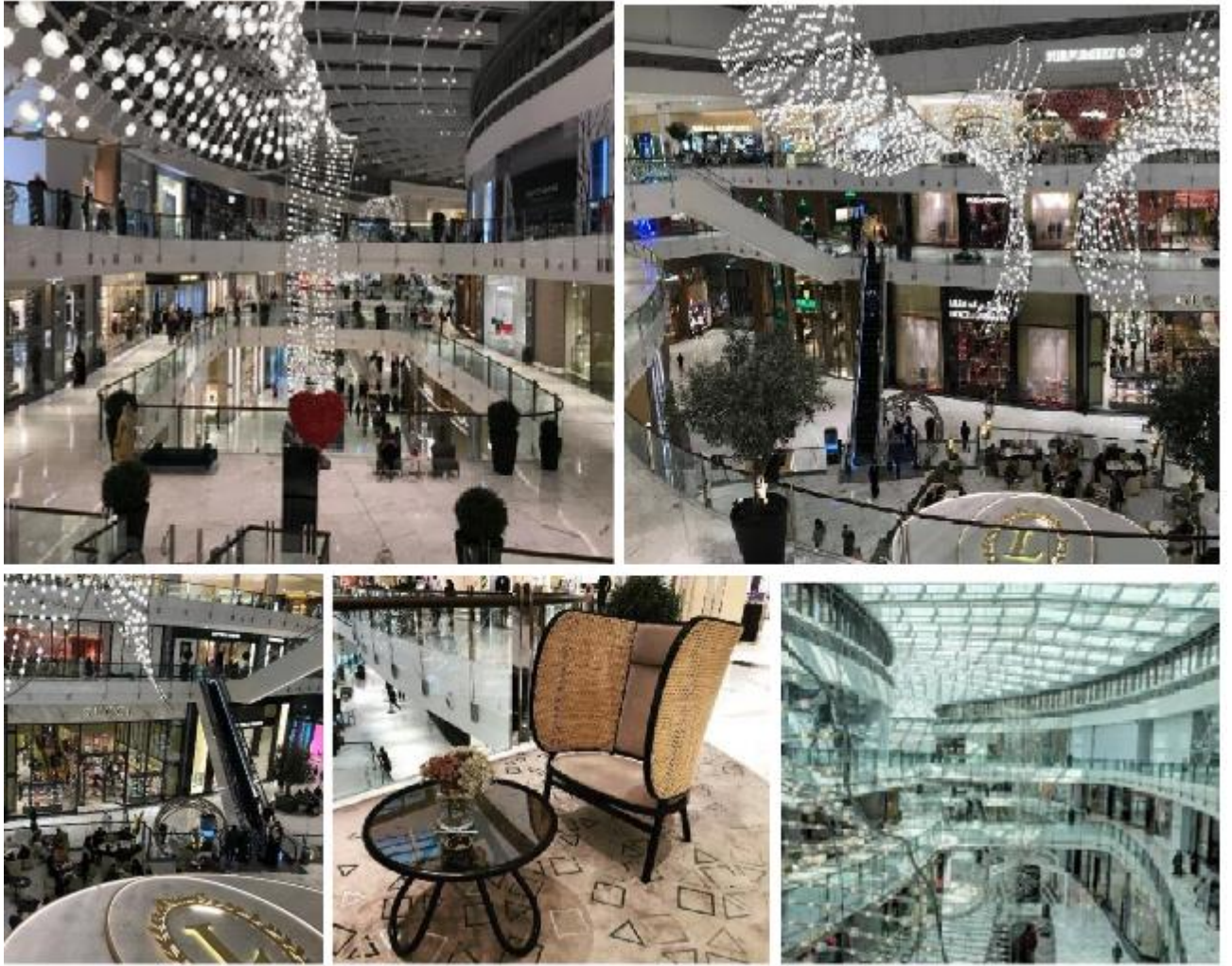
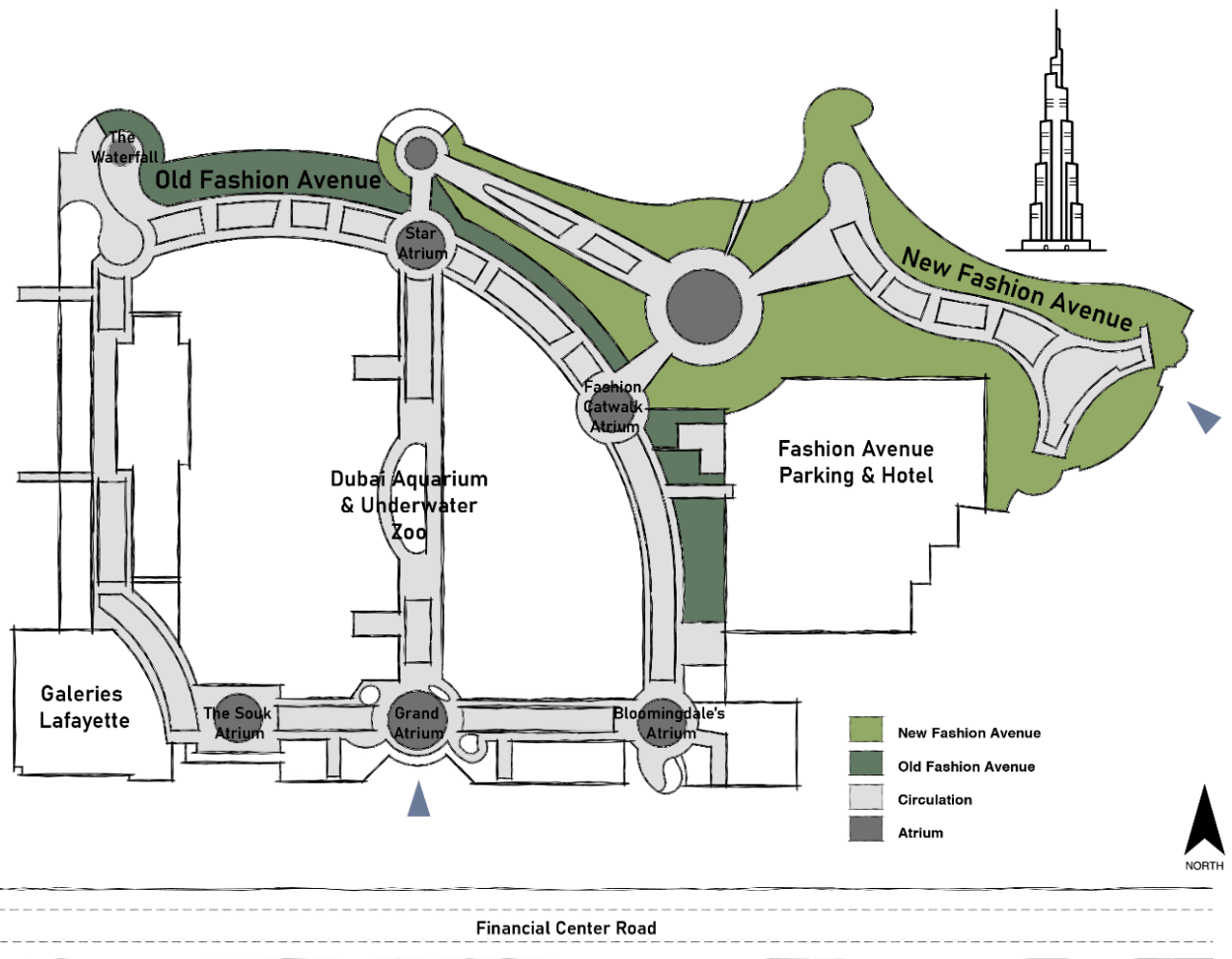


Figure 27: Views of the new extension.

Going down to level one, things change.



Plan 5: The Dubai Mall floor plan, Level 1.

It is important to highlight that the Fashion Avenue extension is accessed through a branch alley and not from the main The Dubai Mall. It is on the opposite side to the Burj Khalifa entrance. The entrance of Fashion Avenue is more visible from this level and a large placard displays its name. A beautiful wooden round table ornamented with flower arrangements in the corridor prepares the customer for arrival in the next buffer zone just before the extension. There, visitors can enjoy the area and striking furniture design, wall decoration and window exhibitions showcasing high-end clothing. After thorough and lengthy observation at The Dubai Mall, it has been seen that this level is the least visited, with occasional customers targeting specific shops.

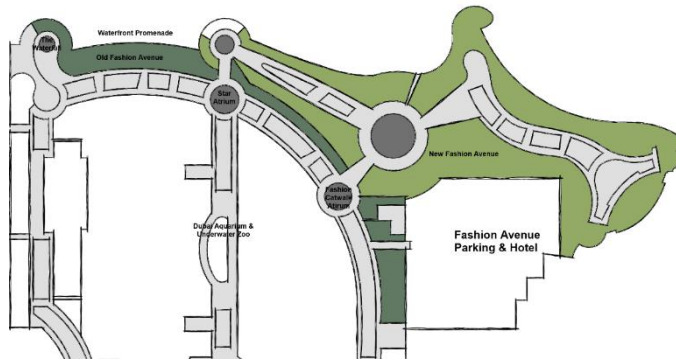
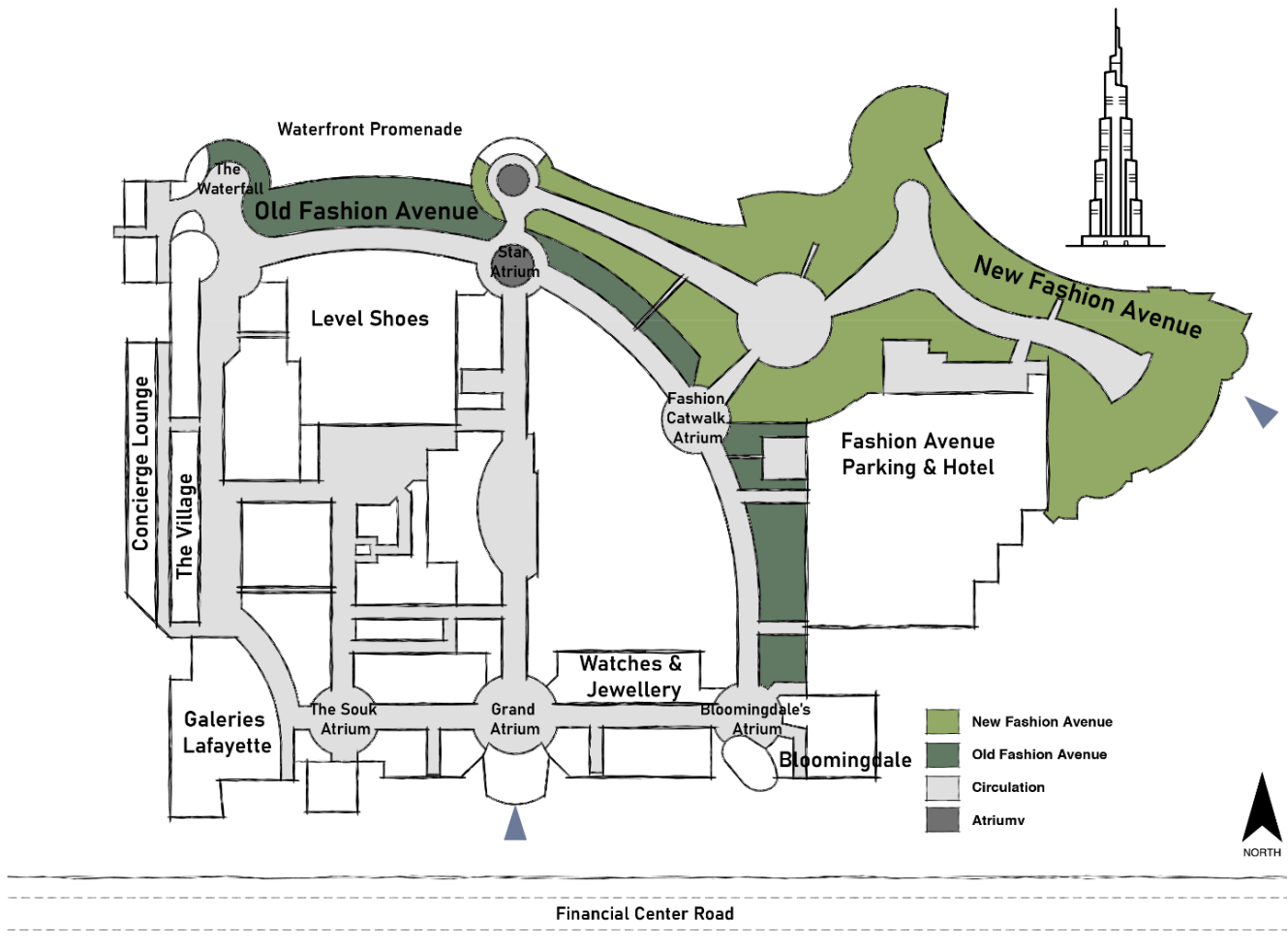


Figure 28: A large visible placard introducing Fashion Avenue.



Figure 29: The end of the corridor directs customers to the new extension from the second level.

Reaching the ground level:



Plan 6: The Dubai Mall, Level GF.

The ground level floor is the most popular and crowded and from where the majority of tourists access the mall. The only way to reach and enter the mall is by taking a taxi in or out. Accessing Fashion Avenue from the ground floor is not easily discoverable as the entrance appears to be a regular deviation in the corridor where a black column partially interrupts the view. This

sends the visual message: “Nothing interesting is behind this column.” In short, the new extension of The Dubai Mall’s Fashion Avenue has no direct entrance from inside the mall.

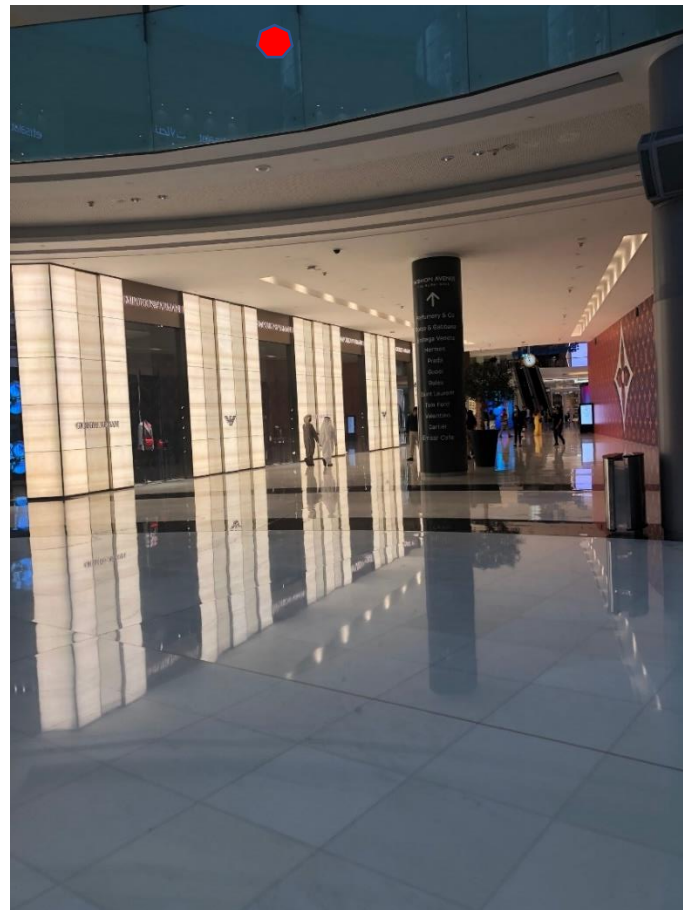
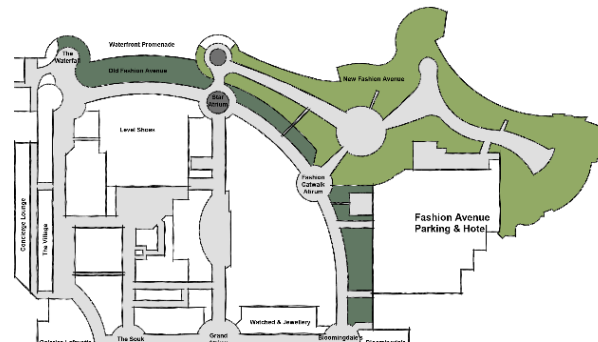


Figure 30: The entrance from the ground level where a black circular column partially hides the view of the new extension.

The only direct and obvious access to the new Fashion Avenue is from Sheikh Mohammed Bin Rashid Boulevard, where wealthy customers drop their cars to the valet charging a small fortune of AED525/car (approximately EUR128.80).

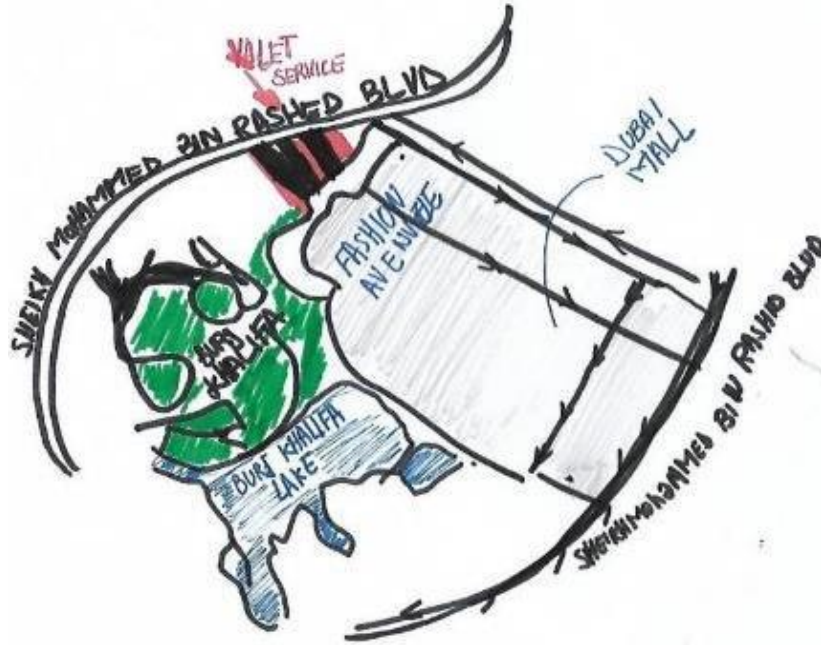


Figure 31: A sketch showing the position of The Dubai Mall and the main entrance to Fashion Avenue.



Figure 32: The main facade of the direct access to the new Fashion Avenue from the boulevard.

An example of advertising to invite Emirati women to experience luxury shopping at Fashion Avenue is a dedicated video displaying three female models wearing the national Emirati *abaya*, fashionable high-heels and bags, and being received by a major-domo, who welcomes them to the beautifully decorated new Fashion Avenue. These ladies navigate the alleys of the extension, weaving through luxury brands, inviting other Emirati women to live the same experience. This is, in a way, associated to the paradigm of the hypermodern society.





Figure 33: Stills from the opening of the new Fashion Avenue at The Dubai Mall advertisement showing Emirati women perusing its luxurious alleys.

After many visits to the Fashion Avenue entrance, it can be observed that the scenes presented in the advertisement are very similar to the actual situation. One can clearly describe it as a 5-star hotel experience, from the entrance through to the stores that proudly display their products in breath-taking vitrines over several floors.

Such advertisements intend to invite Emirati women to a potential meeting place for other members of the “tribe”, which creates an indirect relationship to the *achat plaisir* or *achat corvée*— consumption as a means of self-affirmation. It is a win-win situation for both the mall developer/owner and Emiratis. The owner will gain high-level customers with significant purchasing power while providing Emirati visitors a chance to present themselves and be part of “the show”.



Figure 34: The entrance to the mall via the luxurious Fashion Avenue gate.

9.3 Urban socialities

In this chapter, an investigation is carried out to determine if, when the developers are planning and developing POPS in their megadevelopment projects, they are aware they are designing meeting places for Emirati women that enable them to visit and act freely, thereby overcoming the constraints and barriers of society such as culture, Islamic principles and parental rules. Further investigation is carried out to then determine if the opposite is valid: if Emirati women are purposefully taking advantage of such places to meet-and-greet other Emiratis (male or female) to overcome the previously mentioned barriers.

Private spaces open to the public in the Arab Gulf cities are similarly serving as public places within Occidental countries, where an individual acts liberally and possesses the freedom of expression as described by Habermas (1986) in reference to modern democratic countries. POPS (Privately Owned Private Spaces) open to the public in Dubai include shopping centres, private beaches, working hubs, etc., forming places of places of sociability that cater to human needs. As explained by R. Sennett (1979):

“People have tangible barriers between them more they are sociable, just as they need specific public places, whose main and unique function is to bring them together; in Dubai’s case these public places are fulfilled by the POPS.”

Dubai’s local residents are conceiving a sufficiently bounded space to consolidate desperate energies in order to make things of scale happen, but at the same time, conceive a fractured space sufficiently large through which dangerous feelings can dissipate or be steered away (Jiménez, 2003; Regullio, 2004; Thrift, 2000).

As Manuel de Landa indicates, what matters about each space nested in other spaces is its way of being affected (or unaffected) by specific operations. They are characterised by their capacity to fold, stretch, project, rotate, bend and translate so that they can always open up to other connections and conjunctions. As these spaces verge on transforming into something else—i.e., embodying the concept of remaking urban socialities—they simultaneously remain as is while in the transition period, a space of “anything can happen” (De Landa 2002).

9.4 Understanding the local context

I had the chance to study the above-mentioned concepts while teaching a landscape and public space design course at the School of Architecture and Design at the American University in Dubai. My class was a combination of multiple nationalities; most were Arabs and Indians, and among the Arabs were four Emirati girls.

During that semester, I launched a design project where students had to create a plaza at the heart of Downtown Dubai. One of my Emirati students approached me and said that she was not interested in the project since she was confused and unable to differentiate between a public plaza and a public park. As such, I initiated several discussions with my Emirati students to understand their grasp on public places and the difference between public and private spaces open to the public. Following this, I engaged in the search of several categories of Emirati women to then interview regarding this topic. The group consisted of:

1. Emirati students selected from the AUD university campus, which proved a rich platform. Interviews were performed at the Starbucks on campus.
2. Working Emirati women as well as expatriates from a wide range of ages selected from the offices of the Emirates Towers.²⁹ Interviews were conducted at the Youth Hub within the tower.

It is worth mentioning that the Youth Hub is a private space open for public with no entrance fee, and welcomes “every person”³⁰ willing to sit, work or chat. Individuals working there can freely enjoy a workspace, water and unlimited internet connection. This offer was valid until the end of August 2019, after which only members could enter. To become a member, you must create a membership account on the Youth Hub website to receive an ID card. Only Emiratis and a few expatriates working in the Dubai government acquired membership IDs—everyone else was not accepted. Two security agents (expatriates from the Far East region) stand at the main entrance and harshly ask you to leave if you are unable provide proof of access.

²⁹ Emirates Towers complex is located on Sheikh Zayed Road in Dubai. The symbol of the city, it is considered the headquarter of Dubai’s government. Constituted of two towers, the first hosts luxury business hotel Jumeirah Emirates Tower Hotel and the second is the office building and hub for Dubai’s government.

³⁰ Many conditions apply. The major condition is that the individual should belong to the white-collar category.



Figure 35: Photos showing the Youth Hub interior with open workspace for everyone.

I had the opportunity to interview many women at the Youth Hub prior to being denied entry for being unable to fulfil the requirement of being Emirati, despite the workspace being advertised as open to all visitors.

In addition to several expatriates, two different categories of local women were interviewed. The first category of locals included students and female youths ranging between 18 and 25 years of age, while the second category included working women from age 28 to their 40s. Regarding the expatriates, I interviewed multi-nationals across the globe (American, European, Indian, Arab, etc.). Some of the females were my students, while others were university employees. Further, I interviewed random women spending their time at parks near my house. As a result, a total of 78 women were interviewed and the conclusions are presented in the following chapter.

According to A. Le Renard (2017, p. 8), the population of Dubai is distributed between “Occidental”, “Arabic”, and “Asiatic” as follows:

“[...] le marché du travail est fortement segmenté entre les nationalités, souvent regroupées dans de plus grands ensembles aux frontières floues: on parle couramment à Dubaï des Occidentaux, des Arabes, des Asiatiques. Occidental constitue ainsi une catégorie locale, construite par des avantages structurels et des représentations, et en même temps instable, entre autres parce qu’une partie importante de classe supérieures dubaïotes a deux nationalités, dont l’une occidentale.”

Of the 78 individuals interviewed, interesting results were deduced.

After introducing myself and my work, I reassured and comforted my subjects as the more relaxed they were, the clearer and more honest their answers were. I started asking different questions to each person in front of me and let the conversation guide my questionnaire, while maintaining the predetermined points on my paper so that I would not leave the situation without having well-defined answers for all the questions.

9.4.1 Best place to be while in Dubai

Starting with my first question: Where do you prefer to hang out in Dubai?

The majority of the Emirati students told me that the malls are the best place to meet with other Emirati friends and have a cup of coffee, but what was more interesting was the answer of other Emirati girls who prefer to hang out in outdoor public parks. When I asked about the name of these parks to be more specific, they mentioned La Mer and JBR. The developers of JBR³¹ and

³¹ Jumeirah Beach Residence, also known as JBR, is a waterfront community project located in the Marina area of Dubai. It is a residential development. The Walk at JBR is a 1.77-kilometre strip on the ground and plaza levels of the complex. It was developed by the megadeveloper Dubai Properties. The Beach at JBR is a retail complex by megadeveloper Meraas Holding constructed on the beach shores facing JBR. The development is comprised of four district plazas, multi-level parking, as well as retail and food and beverage outlets alongside entertainment facilities.

La Mer³² created these private facilities to serve as outdoor malls, where many retails, restaurants, coffee shops and minimally landscaped areas can be observed.

After studying their plans and visiting these places, a large number of retail outlets, restaurants and coffee shops can be seen, versus the minor landscaped area dedicated to hanging and strolling. Further, urban furniture such as benches are omni absent to encourage visitors to sit at restaurants and spend money instead of convening outside for free.



Figure 36: The Beach JBR (upper image) (Source: <https://www.e-architect.com>); La Mer project (lower image).

³² La Mer is a beachfront developed by the megadeveloper Meraas Holding located in the Jumeirah 1 neighbourhood. It incorporates contemporary design for the shops, restaurants and cafés, leisure and entertainment facilities along 2.5 kilometres of white sand.

Emirati girls were confused by the nature of places: they could not differentiate between a private development project and a public park, noting that public parks in Dubai are recurrent and tend to be big and well-planned enough to accommodate thousands of people. Some famous parks include the following:

1. Al Safa Park, a 64-hectare urban park.



Figure 37: Al Safa Park before the canal's construction. (Source: <https://www.dm.gov.ae/>).



Figure 38: Extension of Dubai's canal that wiped out half of Al Safa Park. New development projects are popping up and replacing existing green parks. (Source: <https://whichschooladvisor.com>).

2. Creek Park, the second largest park in Dubai, featuring vast acres of lawns, botanical gardens and children's play areas.



Figure 39: Dubai Creek Park. (Source: <https://www.thenational.ae/>).

3. Mishrif Park, a 5.25-square-kilometre family-oriented park in Dubai.



Figure 40: Mishrif Park. (Source: <https://www.eccgroup.ae/>).

4. Zabeel Park, one of the largest parks in the city at 47.5 hectares. It is home to a number of seasonal activities like the flea markets and art fairs. It is also buzzing with families and children in the afternoons, especially around the designated barbecue areas.



Figure 41: Zabeel Park. (Source: Itravelfroml.ams).

5. Al Barsha Pond Park., provide recreational and environmental benefits to the community. Ranging from small, cultivated gardens to massive theme parks. The 52 acres of beautiful greenery are spread around a large man-made pond.



Figure 42: Al Barsha Pond Park. (Source: <https://morethanjustdobyu.wordpress.com/>).

6. Al Mamzar Beach Park, one of the last remaining gated beach parks in Dubai, occupies a massive space and has acres of open grassland attached to a number of beaches.



Figure 43: Al Mamzar Beach Park. (Source: <https://www.trfihi-parks.com/>).

Moreover, the same question was asked to working Emirati women and different answers were obtained. Working women are exhausted from work and do not have the energy to meet up with friends after work, instead preferring to go back home and relax. However, if they have to go somewhere, they prefer meeting at a friend's house or in coffee shops outside the mall.

For working and student expatriates, hanging out could happen in a plaza or square near their houses, in public parks, in relatives/friends' homes, or malls.

This is related to the culture of each person and the community to which they belong. For example, Egyptian communities prefer to hang out in public parks as they tend to be happier outdoors taking advantage of greeneries for picnics and outdoor celebrations. Select public parks where barbequing is allowed are often visited. Indian communities' answers were divided into two categories: the unwealthy and the wealthy. For the former category, women hang out in the streets and plazas near their houses and in popular restaurants neighbouring their residences. On Fridays, when the weather is good or moderate, the whole family visits the park to relax and barbeque. Malls are visited occasionally on festive and special days. For the latter category, they behave in a different manner. Wealthy Indian women mainly hang out in malls

and at the houses of friends. From the interviewee answers, I also discovered that the rich Indian community is more tolerant than women of poorer communities.

For the European community, hanging out could occur mainly in plazas near their residences, on the beach and occasionally at malls. Coffee shops and nearby parks were also a great place to catch up with friends, with whom they like to meet up, and to socialise with others overall. Additionally, European expats like to read, meditate and stroll in the parks, in addition to playing with their children and enjoying good weather.

The study of expatriates is limited to the above and further investigation is focused on the local Emirati women with regard to their *mode de vie* (way of life).

9.4.2 *Barr*, the best place to be

Second question: What do you prefer, going to the mall or visiting a public park?

Almost without exception, the Emirati women and students chose the mall. Few hesitated before picking an option. The only one who chose a public area was still confused however, and finally decided that the public area is better for her than malls. The majority agreed that malls are better for avoiding the hot and humid weather that dominates Dubai. I tried to convince them that the five-month winter season in Dubai from December until April is cool and pleasant, but they were confused, telling me that the mall is a cleaner environment, and their traditional black long robe (*abaya*) will stay cleaner away from the sand and dust.



Figure 44: Outdoor temperatures in my car: 25 degrees Celcius on 12 January 2020; 48 degrees Celcius on 12 June 2019.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
High °C	23	24	27	32	37	38	40	41	38	35	31	26
High °F	73	75	81	90	99	100	104	106	100	95	88	79
Low °C	14	15	17	20	24	26	29	30	27	23	19	16
Low °F	57	59	63	68	75	79	84	86	81	73	66	61

Figure 45: Dubai temperature variation throughout the year. (Source: <https://www.holiday-weather.com/dubai/averages/>).



Figure 46: The national dress for the Emirati population. (Source: <https://www.visitdubai.com/en/see-thrill-play/heritage-and-culture/dress-and-fashion>).

Things became more interesting after asking them about their preference for the mall or the desert.

All Emiratis chose the desert without exception. They call it *barr*, which means “the wild land”, a place where they belong and feel safer and happier. They forgot all about the sand and dust previously mentioned and keeping their *abaya* and fancy shoes clean, expressing instead that they were more comfortable and familiar with the desert and feel as though they were born from the sand.

I asked about the activities practiced in the desert. What do they do? How do they pass their time? What activities do they practice?

They explained that the majority of Emirati families own land in the desert, or if not owned, they can rent it from the municipality for a minimal fee. Around this land they build a big, long fence (a wall) to cover the interior area and preserve the privacy of women and families. This land is called *Al Izba*.



Figure 47: A photo sample³³ of what is called *Al Izba*. (Source: <https://www.tripxtours.com/>).

Al Izba hosts extended family (grandparents, uncles, aunts, children and grandchildren). Everyone there is occupied with a specific task. For example, men start the fire from wood and prepare *Karak* tea on it (*Karak chai* is made of black tea leaves, crushed cardamom, or sometimes cardamom-flavoured evaporated milk, saffron and sugar, but the key ingredient that gives the required colour and taste is the evaporated milk). It is the only place where men are involved in household tasks (fire and tea). Women feel more relaxed in desert: they remove their traditional black *abaya* and wear a long cotton dress called *jalabiya* (usually worn at home in the presence of family members) and carry out their activities comfortably.

“Aisha”, a 20-year-old student who was interviewed at the university, described the meals prepared in the *Barr*. She was so specific in proudly presenting traditional Emirati cuisine. Below is a list of some traditional Emirati plates according to “Aisha”:

1. *Mashbouth*: made of red meat, chicken or shrimp and boiled in stock (bone broth) with the addition of spices (dried lime powder or *Loomi*). In addition to rice are fried chopped onions, potatoes, tomatoes, green peppers and other vegetables. The

³³ I tried to get a photo of an *Al Izba* of occupied by an Emirati family, but this was strictly restricted. The Emirati population is so protective that no one can violate their privacy.

meal is cooked for at least three hours with minimum heat to extract the flavour and obtain a delicate, soft texture.

2. *Biryani*: a rice dish loaded with spicy marinated chicken, meat or shrimp in addition to caramelised onions and saffron.
3. *Salounat*: a traditional stew prepared in the Arabian Gulf where chicken, lamb or seafood is added alongside some vegetables.
4. *Thereed*: a slow-cooked stew made of chicken, lamb or goat in addition to roasted vegetables. It can also be cooked with vegetables alone. This heavily spiced stew is served on top of a traditional thin Emirati flatbread called *Rigag*.



Mashbooth



Biryani



Salounat



Thereed

Figure 48: Some traditional Emirati dishes.

In the *Barr*, Emirati family members play traditional games, listen to the stories told by the elders, solve family problems, and make picnics, among many other activities, but their favourite ones are ATV riding and dune bashing.

What can occur at the *Al Izba*—an outdoor place far from the comfort and privacy of the home—that cannot be done outside an Emirati house is that family members can sleep over in

the *Izba*. This is an important special event and moment for the Emirati girl, who does not usually have permission to sleep outside her home, or even to leave the house without the presence of her elder brother or parents.

Thus, for Emiratis, the best place to be to enjoy their time is the desert. However, this is only feasible during the wintertime when the temperature is moderate and nights are cold (but beautiful around the fire). They belong to this place.

“Fatma”, a 25-year-old Emirati yoga instructor—maybe the only one in UAE—told me, “The best place to be at night is the desert.” She likes to lay down outside her tent and stargaze when spending time away from the confinement of her room. I asked her if she dreams about marriage and love while relaxing in the desert, but she instantly denied it, was confused, embarrassed and ashamed. I had addressed an important and shameful topic, and she refused to answer.

I also asked the expatriates where they prefer to spend their time, in the desert or the mall?

The majority answered, “the mall” and rejected spending time in the desert. Regardless of their origin, belonging and culture, they believe that the desert is a hostile environment, unsafe, too sandy, far from the city, and an unsuitable place to spend time, especially with the existence of fauna and flora that are not well known to expats which could thus be dangerous. Expatriates preferred the comfort of the mall, air-conditioning, clean tiled floors, and the presence of CCTV cameras and security guards. They continued: “Spending time in malls, even if for just window-shopping, is far better than the desert.”

What is considered unsafe and uncomfortable to expatriates is considered as the most entertaining, happiest and safest place by locals. The *Al Izba* life is an occasional event experienced by Emirati families during winter, weekends and vacations. In summertime, and when weather is inconvenient to desert life, Emirati women prefer the mall over public spaces.

I investigated further to discover more about this preference. Why it is so recurrent? What makes the mall so special so as to prefer it over public spaces?

9.4.3 Malls, the respiratory

After examining the answers obtained from Emirati women, in addition to spending many hours at The Dubai Mall, it has been observed that Emiratis never go to the mall for shopping purposes and never alone. They are always accompanied by another female Emirati friend, rather than a parent or a brother.

According to my students, parents do not tolerate their daughters spending time outdoors at late hours of the night except if in malls, and as long as they are accompanied by their friends. This was confirmed by Mohammed, a 54-year-old Emirati father whom I met while interviewing megadevelopers. He permits his daughter (17-years-old) to go to the mall even if she is not escorted either by him or any of her elder brothers but forbids her strolling around the neighbourhood parks because he considers them dangerous and inappropriate places at her age. But youths do not need permission for mall outings, instead, they just inform their parents and request a credit card. Parents tolerate the presence of their daughters in such a public place alone without their presence despite it being against the country's culture and religious tradition, and even knowing that they will be under the same roof as other males. This last point is prohibited in Dubai culture; we can recall from previous parts of this paper the organisation of an Emirati house, where a *mahram* male receives other *non-mahram* male guest outside the house in a small separate room called *majlis* to avoid a *non-mahram* person seeing the female in the house and thus preserving their privacy.

This parental tolerance is explained by Natalie Lemarchand (2008), wherein she considers the consumption of goods as a reflection of belonging to a social class and to a cultural identity. She explained that whether we consider a man as an individual or as a collective being, the consumption of goods reflects belonging, class, group and also a social and cultural identity. Peron (2004) discussed the same idea by calling it "the social belonging", where he considers that department stores serve the same role as the opera: these places are the theatres for the bourgeois. Their successful presence in the city affirms the eminent position of those who visit them frequently. Their stairs and corridors offer the scenes to play a social role and feel that you belong to the society:

"On s'y montre, on s'y côtoie, on en est."

Muniz and O’Guinn explained that this fact is a new social model that leads to consumption of identification. This involves the purchase of products selected by the community and beyond the preferential attendance of a network of shopping centres that are themselves associated with this community identity. Thus, by going to these stores, the consumer goes to a potential meeting place of other members of his tribe.

Therefore, Emirati parents accept the presence of their daughters in malls as a way to assure their social status and confirm their belonging to the small, enclosed Emirati social “tribe” in Dubai. This is an important and valid reason to overcome the cultural and social barriers of Islamic Emirati societies mentioned previously in this paper.

As such, visited places are marked by certain types of behavioural aspects, while the social values attributed to them in turn affect those who go there (Assaf, 2013). What parents consider as a social belonging is not translated in the same way for the youths, especially Emirati women, who consider the mall not only as a means of society-belonging purpose and related to the “tribe”, but for a more important purpose. To a certain extent, malls are a secret place to exercise freedom. They are a potential meeting places to encounter people of the opposite gender and different nationalities, areas to feel a tiny breeze of autonomy, all while assisting the “life show”, especially considering that what is acceptable in the mall under the umbrella of shopping is not what is accepted outside the mall’s walls.

“Maryam”, a 20-year-old student at AUD, was very clear about this point and expressed this gem without hesitation, restriction or fear:

“المول متنفس من قيود العائلة والمجتمع. مكان أهرب إليه حيث أغير جو وأتسلى”

Translated, she confirmed what was said before:

“The mall is an outlet from the restrictions of family and society, my respiratory. A place I escape to improve my mood and enjoy the entertainment.”

Emirati women go to the mall to be part of the show and not for the shopping experience at all. Their presence has nothing to do with *achat plaisir* nor *achat corvée*. In this case and as per Fleury, instead of shopping, Emirati women visit the mall for the spectacle of human, which is

consumed symbolically in the same way as the goods. It is a collective ceremony made possible by the existence of people and their deliberate choice to frequent this place.

POPS are becoming the object material of a growing economic attraction, where producers of such places (i.e., politicians, urban managers, civil servants, urban planners, etc.) have adopted the logic of urban marketing, thus developing the mall in a way to tempt and attract customers for the consumption of specific public atmosphere. Dubai's local and expatriate communities are invited to participate in the show.

Emirati girls envision the shopping centres of today as places of vibrant life and sociability where they wear and exhibit their special *abaya* (a fancy *abaya* just for the mall), new luxury brand heeled shoes, bags, make-up and special perfumes to prepare themselves for the unplanned meeting and assembly of people, particularly members of their own society.

During a 2018 interview with Riny Gremaud following her world tour of shopping centres for the Revue Urbanism, Antoine Loubiere evoked the idea of liberty felt by women in shopping centres in Islamic countries:

"[...] mais vous ne vous étendez pas sur la place des femmes dans ces lieux (shopping malls). Or, à Dubaï, les shoppings malls peuvent offrir des espaces d'apparente liberté aux femmes d'autre pays musulmans [...]"



Figure 49: Images from within the mall showing Emirati women navigating the alleys of the shopping centre dressed in their expensive special *abayas*, high-heeled shoes and branded bags.

In malls, Emirati women experience a degree of freedom that does not exist outside of that place: they can walk freely in the shopping centre's corridors, sit in specific coffee shops at tables neighbouring male customers without any constraint, and talk to other Emirati or non-Emirati strangers. As such, they appreciate this unique and expensive freedom. According to L. Assaf (2013), such mall freedom is not only experienced in Dubai, but also in the other emirates, such as Abu Dhabi.



Figure 50: Emirati women publicly showing affection, talking and holding hands in the shopping centre.

“It is not uncommon for young couples to drive separately all the way from Abu Dhabi to Dubai to a meeting point, have dinner together, and then set off for Abu Dhabi again” (Assaf, 2013). It is their space to break the chains³⁴ imposed by society and forget about social and cultural barriers. Every person needs to feel sociable, explains R. Sennett (1979). People need specific public places where the only function is to bring them together. In these places the spectacle of the human will be consumed emblematically in the same way as the goods. This becomes possible by the existence of people in the place who have deliberately intended to visit the mall for such a purpose, whereby the place then becomes a collective ceremony.

³⁴ All malls in Dubai post signs at entrances instructing visitors of its "Courtesy Policy". It advises visitors to wear respectful clothing and avoid overt displays of affection, among other things.

Privately run public shopping centres create a sense of security for merchants and buyers through security systems such as video surveillance, as well as private security guards, who are present to preserve an atmosphere conducive to consumption or to remove any conduct or persons likely to disrupt customers. Specific arrangements and regulations are also highlighted to ensure the selection of customers without a physical closer of the space. The Emirati public appreciates this system of allowing mall access for exclusive users—generally the middle and upper class—while excluding certain groups of other communities.

9.4.4 Belong to a community

I asked Emirati women if they prefer to visit a specific mall, and if so, which?

For most Emiratis, The Dubai Mall is preferred over all others because of its location being in proximity to their residences since the majority live outside Downtown Dubai. After questioning them, I received unclear answers such as they love this mall because it has everything a person needs. However, are all malls not alike? Famous malls in Dubai are big enough to provide “all that a person needs”. I was not convinced and suspected their love of The Dubai Mall was due to another reason. After further interviews and investigation, I discovered that it is due to the inauguration of the mall’s new section, Fashion Avenue.

The megadeveloper Emaar opened the doors to the massive extension of The Dubai Mall, thus adding ample retail space to the world’s largest shopping destination. Three levels of the extension have opened with some of the spaces on the top floor designated for perfume shops, while the first and ground floors are for fine jewellery. The spaces for dining and fashion are spread across all levels. The mall’s roof design allows for an abundance of natural daylight through the installation of massive skylights, where shoppers can enjoy the views of the iconic Burj Khalifa as they wander within the mall. Moreover, exclusive design concepts await visitors such as collections of art pieces from all over the world and Instagram-worthy corners. It was announced that the expansion would add another one million-square-foot of built-up area³⁵ and more than 150 brands, and many restaurants. So far, most of the shops that have opened are fashion brands.

³⁵ <https://gulfnews.com/business/retail/look-dubai-malls-massive-extension-opens-1.2185681>.



Figure 51: Tweet from 8 March 2018 announcing the new Fashion Avenue at The Dubai Mall.

Emiratis at The Dubai Mall are mainly focused on this new extension; they believe that this space is a reflection of themselves: unique, luxurious and fashionable, yet discreet, given it can be accessed through the main atrium of the old Fashion Avenue via an indirect entrance. The Avenue houses many high-end shops, which makes this part of the mall very selective and enticing to Emiratis, who like to show off in front of other Emiratis. This extension satisfies the need for association to a community identity, an argument supported by some of the obtained answers. In full honesty:

“We like to visit places where other Emiratis exist.”

This fact was explained by Alexandre Grondeau and Boris Lebeau (2017) in an article entitled “Las Vegas, de la capitale du jeu au paradis fiscal”, where they outlined that the feeling of being privileged or considered as a VIP attracts more people to new places.

“[...] à Dubaï ou Abu Dhabi, autres paradis d’une clientèle riche qui apprécie les repaires codifiées de la ville générique pour très riches. La montée en gamme de ces galeries marchandes et leur mise en retrait volontaire des abords du Strip illustrent la recherche de discrétion alliée au sentiment VIP des lieux où tout le monde ne doit pas pouvoir accéder.”

The same question was asked to the expatriates living in Dubai: Which mall do you prefer to visit and why?

City dwellers visit shopping centres for consumption of goods or entertainment and most of them wear their casual clothes and sneakers. On the one hand, Westerners do not like to show-off by wearing branded clothing; their main purpose is to buy what they need and to entertain their kids in air-conditioned play areas at malls. Contrary to this, Arabs’ main purpose is to go for shopping and to visit specific restaurants unavailable outside the mall. I would also like to note that mall car parks are spacious and free of charge so there is no struggle to park. It is an easy destination experience.

When I asked the expatriate about their preferred shopping centres, I received different answers. The majority preferred the mall closest to their residence because they can access it by foot, they are familiar with it and they know the shops’ locations. Most of them avoid The Dubai Mall because they consider it so huge that to walk around the inside and travel/journey to buy what is needed is exhausting, in addition to the overcrowded parking problem. They think it is more of a touristic destination than a mall.

It appears that outdoor parks offer expatriates what the mall provides for the Emiratis.

9.4.5 Emirati women and other women

I then asked the expatriates how they perceive Emirati women in malls.

The majority answered that Emiratis are good-looking. They told me that they like to observe how they are dressed, how elegant they are, how sophisticated, the way they fix their make-up, the smell of their perfume. Some mentioned the high heels, noting it is not a very smart or comfortable way to visit a shopping centre. Others were curious about the Emirati community: they think that their lives are so discreet, hidden. In malls, they are also this way, in addition to

calm. They tend to visit specific areas and shops. They also agglomerate, always hanging out in groups of two or more, never alone, and rarely with kids and men. But why are they rarely seen with children and males?

After several interviews, I learnt that the mall is the destination of single Emirati girls (unmarried and non-working), especially students. As soon as she lands a job, her position grants her the freedom that was otherwise only found in malls. Meeting with other Emirati and non-Emirati individuals at the workplace creates a social environment. She will feel sociable and will have the opportunity to assist the show of human beings, interacting with the opposite gender under the same roof, a need usually satisfied inside the shopping centre by younger Emirati. This was confirmed by speaking to Emirati workers at Emirates Towers. They all agreed that they do not hang out in malls anymore; instead, they strictly visit the shopping centres for the purpose of consumption of goods. After work, they are tired and satisfied, so their own home or a friend's house become the best places for relaxation.



Figure 52: An Emirati woman at work sitting next to an Emirati man who is showing her dress under her *abaya*.



Figure 53: A photo of employees during a workshop showing Emirati women shoulder-to-shoulder with other Emirati and non-Emirati women and men in the same space.

I then reversed the question and asked Emiratis how they perceive expatriates in a mall.

I received different points of view. Some were annoyed by how expats dress for mall outings; they are aggravated by people wearing shorts and crop tops despite the rules and regulation of malls clearly indicating that no disrespectful clothing nor industrial clothing is permitted. Moreover, they feel embarrassed and uncomfortable when they see an expatriate woman hugging her companion or boyfriend, again, even though Dubai's rules and regulations state that any disrespectful display of affection—hugging, kissing or even holding hands—is unauthorised and violation of these rules can lead to severe penalties.

The Dubai code³⁶ states (p. 6):

“Holding hands for a married couple is tolerated but kissing and petting are considered an offence to public decency. Public displays of affection, as well as sexual harassment or randomly addressing women in public places, is liable to be punished by imprisonment or deportation.”

Some Emiratis tolerate the presence of non-Emiratis because their ruler, His Highness Sheikh Mohammed bin Rashid al Maktoum, tolerates it and advises the acceptance of expatriates as they are hard workers involved in the country’s development.

Additional responses included expressing curiosity in how other cultures dress, act and behave. There is particular interest in Occidental cultures visiting the malls, which harbour all types of nationalities and the possibility to observe them. So, they are here in the mall to travel through culture and discover the female role in the other parts of the world.

³⁶ The guide aims to set the standards for social ethics and mutual respect that shall be followed by all of Dubai’s citizens, residents and visitors in respect of the Emirate’s culture, religion and habits. This code of conduct was done by the Government of Dubai and approved by The Executive Council.

9.5 Conclusion

Dubai is the stuff of fascination and fantasy (Lavergne, 2005) for tourists and expatriates alike. Moreover, Emirati women and young Arab expatriates who have had the chance to grow up in this city experience an urban space loaded with constraints as well as with possibilities of emancipation.

It is important to characterise the “spatial dimension of social norms” (Banos, 2009) in Emirati cities and when visiting specific places, to account for these moments in a new way. This means to reinvent them by circumventing the rules, norms, culture and religion in spaces visited by young Emirati females for the purpose of emancipation from social norms. It should also be mentioned that using POPS as a workaround, as discussed earlier, corresponds to a moment in the life cycles of these young Emirati females, and are part of everyday sociability for this urban generation.

The accessibility of urban public space or private space open to public in relation to gender and nationality will first allow the emergence of a topology of meeting places in UAE cities and the standards associated with them. Each place has a social value and reputation, which depends partly on the type of population that frequents it. This matter reveals a certain tension between the constraints weighing on the sociability of locals and the temptations offered by the cosmopolitan city. This tension gives rise to strategies of diversion to provide possibilities for places, while balancing the border between the transgressive and the respectable, which in turn questions the definition of the urban space in the cities of the Gulf.

To conclude, it can be clearly stated that the creation and implementation of POPS (whether aware of its internal practices or not) are involved in the complex idea that the present is ruptured from the past, especially considering the use of space by local females to overcome religious and social barriers. Will this lead to the establishment of new norms and practices for the future? Are we witnessing a new emerging culture of Arab societies that has overcome the restrictions of a religious past and is creating new trends of its own to meet modern life's requirements within the walls of shopping centres?

10. Meeting the authorities

10.1 Introduction

The agglomerations of cities whose councillors consider that with the opening of a shopping centre will revitalise their city, renovate its town planning and regenerate the local economical fabric (which was in decline for certain period a time) are numerous. Many examples around the world exist as a proof of the creation of well-controlled and managed private public spaces, as exemplified by Liverpool or Birmingham.

For several decades, the Gulf had been at the centre of the circulation of goods, people and essential capital to grasp the modalities of current economic globalisation (Hanieh, 2011), rather than being phantasmagorical “stage of capitalism” that would embody the worst scenario for the future (Davis, 2007). Dubai's urban society, singular but unexceptional, is shaped by uneven contemporary circulation on a global scale as it constitutes commercial crossroads and a centre for organising production with a large, qualified population at their service (Sassen, 1998).

Dubai has literally set itself up as a touristic destination with superlatives. At desert latitudes exhibiting an inhospitable climate, the spectacular world-record boasting architecture upon which it builds its reputation (iconic buildings such as the tallest tower of the world, Burj Khalifa; the largest shopping mall, The Dubai Mall; the most luxurious hotels, etc.) justifies why many people visit the city from far corners of the earth. Nonetheless, these unprecedented proportions also make Dubai forever dependent on tourism and catalysts (world exhibitions, major international competitions, world congresses, etc.). There will likely never be a sufficient local and indigenous demand for gigantic malls and the surrounding hotel infrastructure that makes malls profitable (Gremaud, 2018, p. 33). Furthermore, this gigantism logically fits into the discourse that Dubai has created: previously there was only the desert, but today there is a superabundant and ultra-complete provision of goods and services, leisure and shopping; everything is created from scratch and in colossal scale, since it is the world itself that has been imported. It's a demiurge fantasy, recreating the world and bringing it to you, while filtering in the best, or at least, the most profitable. The architecture of Dubai fully expresses this.

Of course, the implementation of giant shopping malls is denounced by Swiss writer Rinny Gremaud. In her book *Un Monde En Toc* (Seuil, 2018), she reveals a form of standardisation, which spares no part of the planet. We should rather discuss a patchwork of urban models that stage the cities of the Gulf and are sometimes exported to other countries—namely Egypt, Jordan and Morocco—where they do not necessarily succeed in their goals, as indicated by Sami Ibrahim’s thesis (2020). Such a concept undoubtedly makes them fascinating or repulsive, depending on the point of view.

Dubai is a huge construction field, a “boom city” that benefited from oil revenues in the 1970s and resultingly has considerably transformed itself. Since then, the government has adopted an economic diversification strategy. The city was built through the recruitment of hundreds of thousands of workers of various nationalities including Nepalese, Sri Lankan, Bangladeshi, Indian and Pakistani (Le Renard, 2017). Most of its population is foreign, leading to large migratory flows, making it impossible to obtain a UAE nationality, even for individuals born and bred in the country.

In this context, the passport, beyond the difference between national and non-national, plays a leading role in the formation of social hierarchies and the dynamics of racialisation. One cannot understand the social structure of Dubai without considering its hierarchy of passports and links to colonialism, as is the case in different areas of the world affected by colonisation (Mignolo, 2001, 2012).

In this part of the thesis, I want to look “behind the curtain” of Dubai to discover what is happening underneath the urban mirage and publicity. I would like to uncover the diversity of Gulf cities and explore the spontaneous creativity in the uses of civil society for the private spaces open to the public and to understand the tools that decision-makers (in this context, megadevelopers, who are the main stakeholders for creating megaprojects and POPS) use to transform these places into areas of consumption, urban services, and spaces of relaxation and discovery (discovery on several levels: of others, products, the space itself, etc.).

10.2 Interviewed parties

I interviewed many different parties in Dubai and aimed to speak primarily with megadevelopers in addition to the initial managers of these projects. I tried to understand their

know-how, their work, how the projects are executed, and their target audience. Then, I interviewed the responsible authority that grants approval for projects to try to understand the Dubai Urban Plan 2020 and Dubai's Strategic Vision (Dubai Plan 2021) and how they are implemented by the developers. I also sought to address the power of authority in real life, and their influence on project implementation. Finally, I spoke with a private development firm that works for the megadevelopers and who are in a way responsible for the shape production and architecture of the projects, or how people engage the space and function of each development.

During the interview requests, I faced unanticipated difficulties, such as the unfamiliarity of interviewees with social science endeavours, and the fact that I had nothing to sell, which caused misunderstandings. Another obstacle was the relational mode of the employees of this neoliberal business city (Le Renard, 2017), which shapes the presentations of the self to others. It was sometimes challenging for me to conduct the interviews with some individuals who were unconsciously adapted to an attitude expected of a job interview, which meant presenting their answers in a positive light and putting themselves forward. In most exchanges, however, I was able to reach a more sincere level of self-narrative and comradery.

Another struggle encountered was the reluctance of business executives to open the doors of their organisations for me. It was only after many fruitless and obstinate attempts that the help of my husband's friends and his network enabled me to reach four megadevelopers, three public authorities and four private companies as listed in the chart below. I received permission to interview people who were eligible to provide non-confidential data due to the fact that they were at the top of the hierarchy, whereas my attempts with other higher-level stakeholders at the very upper level of the ladder failed.

I conducted 13 interviews, most of them with people in "qualified jobs" arranged through prior contact. As Cartin Lundstr (2010) noted while investigating white middle- and upper-class people, being identified as a "white woman" and having a social academic status helps considerably. I tried to present myself in the image of a respectable white woman by highlighting my professional status in addition to making efforts regarding hair and clothing choices. However, my efforts were not enough to give the impression of being completely accepted: many of the situations endured during this investigation were dominated by a

persistent feeling of unease, in contrast to my interviews with Emirati and expatriate females, where I felt more comfortable as they were more cooperative.

The people I interviewed have different backgrounds and nationalities. All my contacts were expatriates working in Dubai with the exception of three Emiratis, two of whom work in the public sector, the other being a second-degree Emirati (a Palestinian who acquired the UAE passport³⁷) working in a private company that belongs to a well-known Emirati businessman close to His Highness Sheikh Mohammed.

Below is a chart showing the names of the institutions I visited as well as the owners. To preserve the confidentiality of my interviewees and respect their desires to remain anonymous, I presented each person according to the company s/he relates to, for example if Mr X works in the megadevelopment Emaar, he will be named Mr Emaar, and so on.

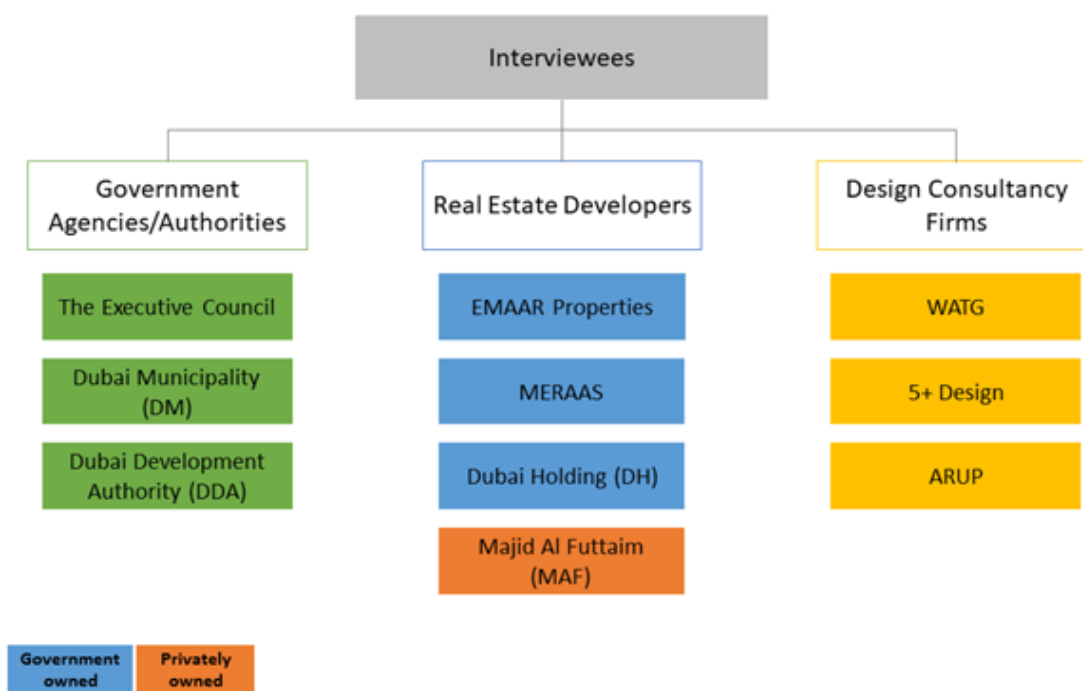


Table 3: Chart listing the name of the institutions visited as well as the owners of these institutions.

³⁷ According to Federal Law No. 17 of 1972 on Nationality and Passports, amended by Federal Law No. 10 of 1975, every Arab individual who was residing in one of the seven emirates in 1925 or before and who continued to reside therein until the effective date of the Federal Law No. 17 of 1972; ancestors' residence shall be deemed complementary to descendants' residence.

I prepared a questionnaire as a guide for my interviews.³⁸ I initiated the conversations by studying the other party (the institution) on a managerial and personnel level to reach its strategic thinking. On a second level, I shifted to how the project is managed and developed to reach an understanding of the developer's design philosophy. When done with this first technical part, I moved to the social level to learn about the social practices of the projects to understand whether the developers are taking social aspects into consideration when designing and conceptualising their projects.

In this chapter, I try to understand the developers' strategic thinking (vision), who they are, what their vision is, and how this vision is translated through their project's philosophy. Then I investigate their knowledge of the authority's strategic plan for Dubai—i.e., are they following His Highness' vision in planning their projects—and if so, how are they embedding/translating this vision into their projects. I ask how they see their developed projects fitting into both Dubai's Strategic Vision Plan (Dubai Plan 2021) and Spatial Plan (Dubai Urban Plan 2020), and if they are aware of the differences and characteristics of these two plans.

After concluding the first section of this part, I move towards more specific technical questions related to the development and management of projects. I question the planning authority that gave the developers approvals, which guided me towards understanding the legal nature of the projects produced by the developers and whether they are a private space open to public (POPS) or something else.

Once complete, I tackle the benefits and incentives a developer receives while designing these projects, especially if dedicated to public use while they remain private (POPS). I also question the management of developments to learn how developers manage these POPS in term of rules of use, conduct, security, etc.

³⁸ See Annex 1.

10.3 Understanding the developer's strategic thinking (vision)

10.3.1 The interviewees

Who are the people I met with and what is their vision?

- Emaar

According to Mr Emaar Development Director at Emaar Development:

“Emaar is one of the largest developers in UAE. Established over 10, almost 15 years now. Its main focus is real estate development that started with flagship projects, well-known projects like Emirate's Hill and Dubai Marina. Then we spread over many areas in Dubai, including the Downtown and Burj Khalifa projects. Now we are having many masterplans, some of them joint venture with other developers, some of them our own solo projects.”

According to *Forbes*, Emaar Properties is a real estate development company located in the United Arab Emirates (UAE). It is a public joint-stock company, listed on the Dubai Financial Market, and has a valuation of AED35.6 billion as of June 2018. The company operates internationally providing property development and management services. With 6 business segments and 60 active companies, Emaar has collective presence in 36 markets across the Middle East, North Africa, Pan-Asia, Europe and North America. Emaar Properties Dubai is one of the largest real estate developers in the UAE and is known for various large-scale projects such as developing Burj Khalifa, the tallest building in the world.

Mr Emaar defines the company vision as the following:

“To be the number one real estate developer in the world. That is our vision and ambition—to go beyond the UAE and become at least one of the first developers globally. It is about creating prestigious projects and it is important to build up the brand, which we've been working on for the last 15 years. We have excellent brand recognition. It is part of our product offering, to provide an excellent brand and standards. Our clients have confidence in our product and we have a premium on that.”

After checking Emaar’s website, I could not find their vision written out clearly, but what I did find was a message from the company chairman H.E. Mohamed Alabbar, which I will consider the vision of Emaar. Alabbar wrote:

“We are sharpening our strategy to be one of the world’s most valuable, most innovative and most admired companies. Our goal is to be an unstoppable company that creates enormous value for our shareholders, stakeholders, and the economy.”

Between Mr Emaar and the company chairman, the vision is not 100 percent clear but there is the common ground of transforming the company into a global institution that excels and where its reputation and work exceeds the UAE to reach the world.

- Meraas

Mrs Meraas, Chief of Design Department at Meraas and North25 for 11 years (since its inception), has worked on every single project delivered. For the last two years she has been involved in many Dubai Holding projects. A huge spectrum of projects—AED56 billion worth of work—have been designed and delivered here in Dubai. She defines Meraas as the following:

“Meraas is a developer setup initially on behalf of Sheikh Mohammed bin Rashid Al Maktoum. So, it’s a private development, it is not publicly listed, and it was here to build and transform the city in a leviathan legacy for the people of the city. Meraas actually means “legacy” and the three ones (III) that you see on the logo are about Sheikh Mohammed and his two sons. Meraas is always about creating change in the city of Dubai. We are trying to have a long-term impact not only on the social economic of the people of the city but also on the wide GDP of the city, and the economics of the city related to tourism or business or real estate the most fundamental market of the GDP of the city.”

Mrs Meraas then cited the vision of her company. It is an architectural vision, a design vision. She believes that Meraas has always been a design-focused company despite being a real estate company. It considers how to deliver something new and unique for the city of Dubai to transform the lives of the people who live or visit. But it is also about creating places that have human scale, something Dubai did not have before Meraas began to design the city. It’s about

building places for enjoyment and not just destinations where you do something specific and leave again.

The official website of Meraas provides the company profile and goal, which is similar to the explanation that Mrs Meraas gave but in beautiful advertorial phrasing. They use Sheikh Mohammed's discourse and, in my view, most importantly, they crown themselves the "connector" of the city:

“Dubai is a great city. We’re focused on making it greater, and we’ve made a good start. Our destinations, neighbourhoods and attractions have elevated Dubai’s status among global cities—as one of the world’s most desirable places to live, work and play. But we’re not done there. Our journey from a developer to a connector is enabling us to diversify operations and expertise into a growing number of sectors, from retail to food, leisure, entertainment, hospitality, healthcare and technology. We’ve worked with some of the brightest minds in the business for over a decade to create a lifestyle that appeals to a global audience and a city that people want to be a part of for generations to come. By contributing to an urban culture where the next generation of ideas led by businesses, start-ups, small and medium entities and entrepreneurs can take root, our destinations and attractions welcome millions of visitors.”

Summarising the self-introduction from the official website, Meraas mentions global cities (Dubai is aiming to be considered one), tourism (Dubai's first target), the new generation and a pleasant city to live and work (HH Sheikh Mohammed's desire and goal).

- Dubai Holding (DH)

Mrs Dubai Holding, Director of Urban Planning, has been an employee for the past 11 years. Prior to that she worked with American consultancy Parsons International. She did an internship with Dubai Municipality, providing first-hand experience with the public domain and knowledge of the planning practice and legislation in Dubai. Her definition of Dubai Holding³⁹ and the vision of the company is:

³⁹ Dubai Properties is the real estate development arm of Dubai Holding. Its diverse real estate portfolio comprises mixed-use contemporary residential and commercial developments. Dubai Holding is a global investment holding company that develops and manages a number of companies focused on investments, financial services, real estate

“It’s a holding company that has many entities or other group of companies within it. So mainly we have, for example, Dubai Properties Group that is the real estate arm, and there are other many companies like Jumeirah Group that is hospitality (the Jumeirah Hotels in Dubai and worldwide). There are also all the other TECOM projects, the free zone which has within it Media City, Internet City. They also started Dubai Healthcare City. All these megacities specialised in different industries. There is also the Dubai Retail, which manages the retail spaces within the corporate, and there is Dubai Asset Management, mainly dedicated for leasing residential entities because leasing commercial entities goes under Dubai Retail.”

I also met with Mr J.C., an ex-employee of Dubai Holding who has 20 years of experience in the domain between Australia and GCC countries, of which the last 6 were in Dubai. He worked on the developer side for Dubai Holding. He elaborated on Dubai Holding’s role, informing me that it is constituted of a centralised development team who provide development strategies to all of the individual companies within the portfolio, such as Dubai Properties, TECOM, Jumeirah Hospitalities, etc.

“Whenever they’ve got a business plan for a development or to expand their business in a particular way, then we from a development standpoint come and see how we can assist on a number of levels. It could be related to purely advice on what would be the best way to develop a particular site, it could be getting all the research done for them to work out what the market demand is, where they should be sort of developing next, and of course all the centralised functions of appointing consultants, managing the consultants and the design management companies.”

When it comes to the company vision, Mrs Dubai Holding explained that going global is a mandate of fulfilling the vision of Dubai and its ruler:

“We are working together to add to the emirate’s world class projects. From the beginning, it’s the mandate of the company to put Dubai on the map. So, if you look back 15 years, Dubai was not that well known and Dubai Holding, with other megadevelopers, started doing

(Dubai Properties), specialised business parks, telecommunications and hospitality. Its majority shares are owned by Sheikh Mohammed bin Rashid Al Maktoum, the Ruler of the Emirate of Dubai.

their best to make people know about Dubai, to attract investors, tourists, industries and to see how Dubai progresses under that mandate.”

She considers megadevelopers the main reason for Dubai’s worldwide status; they worked hard to make the city famous. Their delivered projects are associated with the present reputation of Dubai and were done as such to fulfil the vision of HH Sheikh Mohammed for his emirate. The idea of producing in line with the Sheikh’s vision is well-documented on their official website:

“Dubai Holding has played an instrumental role in diversifying Dubai's economy across multiple industries. Collectively, our companies represent our involvement across 12 industries, continually driving support and growth of a sustainable, innovation-led economy in line with the UAE government's Vision 2021.”

The role of megadevelopers in creating a certain image for Dubai and making it famous was confirmed by Le Renard in her book *Le privilege occidental*, where she infers that Dubai’s reputation has been built through its many iconic buildings, such as the tallest tower in the world, the largest shopping mall, the most luxurious hotels. In other words, the bigger, the better. Dubai’s starchitecture⁴⁰ trademark was united and developed by private megadevelopers who together are assuring the city its reputation of being the *à la mode* destination, a hub, and thus keeping Dubai on the map.

10.3.2 Sheikh Mohammed’s vision

After introducing their company profiles, their positions, the works they deliver and the company visions, I noted that the majority used the Sheikh’s vision to describe their missions and advertise their projects. That made me curious. I wanted to know how this could be possible and how each developer embedded Sheikh Mohammed’s vision in the projects and developments they deliver.

I asked everyone about their awareness and knowledge of Sheikh Mohammed’s vision, starting with megadevelopers and private consultancies to the public sectors, including The Executive Council, where the Sheikh’s vision was supposedly prepared and announced.

⁴⁰ As named by Davide Ponzini in his book *Starchitecture scenes, actors, and spectacles in contemporary cities* (2016).

What is his vision? Sheikh Mohammed bin Rashid Al Maktoum laid out his comprehensive world view in a 2006 book entitled *My Vision*. In this book, His Highness' political, economic and philosophical vision was described. There is a detailed account of how the UAE and Dubai have been guided to their present-day status as international centres, renowned for their high-quality services, luxury tourism, knowledge economy and creative human skills, in addition to the drive towards sustainable human and structural development sought by the UAE.

According to *Al Masar*, the official monthly magazine for Dubai's Roads and Transport Authority (RTA), issue 31 in January 2011 presented a list of what Sheikh Mohammed believes the challenges over the next two decades will revolve around. This included who will go farther in raising the bar on performance; keeping pace with the rapid developments in various fields; applying advanced concepts of modern management focused on customers service and satisfaction developing resources; simplifying procedures; fostering the spirit of creativity; unleashing talents and capabilities; serving the business community; creating excellent investment atmosphere; supporting the private sector and encouraging free enterprises.

None of the individuals that I met and interviewed were aware of this vision, however, each company translated it the way it thought would suit its needs most/best.

Emaar believes that in a way, His Highness Sheikh Mohammed wanted to create the city of tomorrow, possessing a vision that Dubai will position itself globally as one of the major hubs, providing the best infrastructure and standards living to its residents and guests. Emaar considers that it is operating under this vision and hence are taking the initiative from the beginning to work on megaprojects that translate it. Mr Emaar thinks that Burj Khalifa is a prime example of how such a project suits the Sheikh's vision on positioning Dubai globally.

Dubai Holding translates His Highness's vision in a different way, assuring that their projects are meant to place Dubai on the map by transforming the city into a metropolitan, and in doing so, are fulfilling the Sheikh's vision. Mrs Dubai Holding explained that His Highness decided to transform the city of Dubai into a metropolitan, which means expansion in the urban area of the city. Megadevelopers were created to do this job and create strategies that follow the vision; city expansion and urban sprawl is their job. Mrs Dubai holding further elaborates how each developer has its own mission and translation of the vision:

“Nakheel,⁴¹ for example, was created to expand all the urban areas into the sea and add to the waterfront area and beach line, so by looking at the Palm Jumeirah, for example, you can see the huge number of added kilometres in terms of the beach front plus other projects, but that was the main mandate of that. Plus, doing other projects like International City. It has nothing to do with the beach line, but it complements the development itself. As you know Emaar was there to put out high brand and high-end prestigious project and properties, so people who are looking for this kind of investment and living experience can find it in Emaar developments.

Dubai Holding was meant to create all the free zones (Health City, Media City, Internet City) and to be a hub for all entrepreneurs, investors, plus hotels and residential. So, it invested in the city itself and expanded all the way along the city. It meant to add more destinations to the emirate and to transform it from a city around the Creek (that was mainly centred around Deira and Bur Dubai) into a metropolitan; to expand all the urban area towards the desert and towards the beach side.”

For Meraas, the understanding of Sheikh Mohammed’s vision was much more specific and detailed. Mrs Meraas specified that their vision is the same as the Sheikh’s, which is “growing the economy of tourism”. A vision very different to those of Emaar and Dubai Holding. According to her:

“His Highness’ vision and the governance drive to open up new avenues for tourism to bring more footfall in the city of Dubai; we translated this idea by creating places that intrigue others to come and visit Dubai.”

She explained that many of projects that they produced were about opening new types of destinations and areas that would not only be great places for people to live in or for residents to enjoy, but also places that attract tourists and enhance the tourism of Dubai. Then the interview deviated, and I realised that it was more of an advertising campaign than a translation

⁴¹ Nakheel is a Dubai-based developer whose projects form an iconic portfolio of master communities and residential, retail, hospitality and leisure developments that are pivotal to realising Dubai’s vision. Nakheel’s waterfront projects, including the world-famous award-winning Palm Jumeirah, have added more than 300 kilometres to Dubai’s original 70-kilometre coastline, paving the way for the development of hundreds of seafront homes, resorts, hotels and attractions. <https://www.nakheel.com/>.

of His Highness' vision. Selling Meraas products was the point. She clarified her point by recalling projects Meraas realised, and how these projects are well-suited to tourism and how a tourist could spend their entire stay in these new destinations, enjoying their vacation without needing to leave the project. Meraas provides everything to entertain tourists to the maximum. She began citing their completed projects and the fun experiences a person could have at each of them.

“Al Seef, for example, is a heritage area. Heritage tourism in Dubai is very small but if you look again to all the global cities equivalent to Dubai, people go to those cities because they have fantastic exposure to the culture and heritage of that country and that nation. If you come to Dubai, there are some fantastic examples of that. Recently we are working for Dubai Municipality on transforming the area of Deira and how you can showcase again all the souqs in that area. You’ve got the old museum of Dubai too. And there are lovely bits across the creek, but it was never really anything or any places that you could really fully be immersed in a culture experience of the UAE or the GCC or particularly in Dubai. There are just sort of pieces awkwardly together. So, Al Seef is about creating destination where you could stay. You can actually live in a traditional house in the middle of the city right on the creek, which was the backbone of the original part of the city 100 to 50 years ago, and you can have a great meal there. If I was taking my parents five to six years ago, before we did Al Seef, you would go and do some of the old souqs and some of the traditional parts of Dubai but could not really stay there for more than two to three hours. Now you can stay there for a full day and can actually stay for a week because you stay in our hotel there.”

Mrs Meraas then finished her speech with a shocking statement assuring that their aim is focused on growing the city of Dubai rather than just being a developer and making money; it is about creating a great economy for the people and for the financial economy of the city. She asserts that they are a privately owned company but that their aim is not the financial gain but the wellbeing of Dubai's inhabitants.

This is kind of speech that I should hear from a governmental organisation, not from a private institute, or in this case, a megadeveloper. Regardless of the owner of the development and the mission that they share with His Highness, they are and will always be considered a private company. That it came from Mrs Meraas was intriguing and made me think about how a governmental institution would describe the vision of Sheikh Mohammed. Seeking answers, I

went to the municipality of Dubai then to Dubai Development Authority to probe how these two governmental institutes translate the vision in their projects. To conclude the hassle of searching for the correct answer, I went to The Executive Council of Dubai, where I would supposedly find clarification on His Highness' political thoughts and vision for his city.

Dubai Development Authority, known in Dubai as DDA, works in parallel to Dubai Municipality but in different region in the city. DDA⁴² is mainly the authority for all Dubai Holding, Meraas and North25 projects. They are handling about 4-million-square-feet of Dubai, more than 50,000 plots and over 100 development projects. It believes that it shares the same vision as His Highness Sheikh Mohammed. Ultimately, they must make sure that the development is sustainable and supportive of Dubai's community, ensuring its happiness as a number one priority in the projects developed. Again, we are witnessing a new vision for His Highness, but this time from a governmental entity. Sustainability and inhabitant happiness are what DDA think His Highness is looking for in the new projects implemented under their zone of governance.

When I asked how they make sure that the developers are incorporating His Highness' vision into their projects, and likewise, the happiness of the community, the answer was short and simple. Mr DDA thinks that all the projects realised under their area already comply. As the majority of the developments are already aligned with the vision in one way or another, any critical projects that they think require modifications would see them bypassed by the developer to get approval from His Highness directly.

Dubai Municipality is the oldest government authority in Dubai, established in 1954. Nowadays, Dubai Municipality is one of the largest governmental institutions in the UAE, considered as one of Dubai's leading growth and development institutions in terms of its smart projects and services.⁴³ The municipality is responsible for regulating, managing and often operating municipal services. That includes regulating and organising the way that physical development the city take place, as well as controlling buildings, the environment and the

⁴² Dubai Development Authority is a Dubai Government entity established and named pursuant to Law No. 15 of 2014 and Law No 10 of 2018. The change reflects the entity's new broader mandate overseeing development control, municipal, economic and immigration functions across select free zone clusters and other communities by various master developers throughout Dubai.

⁴³ According to Dubai Municipality website: <https://www.dm.gov.ae/about-dubai-municipality/>.

natural environment. Thus, both man-made and natural environments are of great interest to Dubai Municipality.

For Mr Dubai Municipality, Sheikh Mohammed's vision is very ambitious. Dubai Municipality considers that His Highness wants Dubai to always be at the forefront of the region and the world. To do that, Dubai Municipality needs to build a new plan, something flexible and able to accommodate and balance all aspects. Mr Dubai Municipality explained:

“When new projects take place, we fully understand the basis of these new plans because it either brings in direct form for investment or creates new opportunities for additional tourism or jump starts a new economic sector that was not there in the past. We understand where they come from because we know how much the economy is important for Dubai. Dubai, unlike other cities in the region, doesn't enjoy a large oil reserve, so we have to continuously think how we can create new economic opportunities and how we can enforce existing sectors and make them stronger. We always have new target; we have already achieved the 15 million tourists, now we are talking about the 20 million tourists and that's quite challenging. The hard side of tourism in term of facilities, in term of infrastructure, but also other sectors such as the service sector, the high-tech sector, the services, is we need to be very dynamic.”

Mr Dubai Municipality insisted that if Dubai loses tourism, it will not be able to sustain itself, but they have to make sure to keep the city in good balance in terms of important uncompromised fundamentals. To do that, the authorities must be—and are—very flexible with new developments taking place.

Even for those two governmental institutions, which should be and are doing the same duties in assuring the successful functioning of the city, the translation of the Sheikh's vision varies. They do not share the same thoughts or interpretations of the vision. For Dubai Municipality, the vision is about tourism and keeping Dubai at the forefront to assure the target, meaning it should be flexible and adapt the law to the developers' ideas and projects. For DDA, the vision is about sustainability and happiness, which they assure by being flexible with the law and supporting the community of Dubai.

Where is the truth? What really is the exact vision of His Highness Sheikh Mohammed for his city? To find out, I went to The Executive Council, what I considered the place for reliable, relevant explanations.

On 24 February 2003, the late Sheikh Maktoum bin Rashid Al Maktoum, in his capacity as the Ruler of Dubai, issued a law establishing The Executive Council of Dubai, which reads as follows:

“Executive Council Establishment and in the light of the law referred to, The Executive Council of Dubai has been formed by Law No. (3) of 2003 on the establishment of an Executive Council for the Emirate of Dubai. The Executive Council is the main decision-making government entity in Dubai, with regard to maintaining the city’s security and order, providing public utilities and achieving economic and social progress in the city.”

The tasks endowed upon the Executive Council of Dubai are:

1. Set high-level policy for the Council in various fields under the supervision of the Ruler, and supervise its implementation.
2. Take the measures necessary to implement federal laws including developing laws, statutes, decisions and local orders.
3. Endorse draft laws and decrees ahead of submitting them to the Ruler for final approval and issuance. It also takes decisions necessary for implementing these laws and decrees.
4. Prepare the draft annual budget and follow up on its implementation after its approval, and prepare the closing account.
5. Endorse development plans and monitor their implementation after their approval.
6. Approve draft regulations and issue them upon approval from the Ruler.
7. Supervise the sound implementation of laws, regulations and decisions.
8. Endorse agreements signed with oil companies.
9. Establish and organise government departments, institutions and authorities in line with the interests of the emirate, and monitor these entities’ work.
10. Supervise work coordination among departments and ensure their sound workflow.
11. Any other tasks assigned to the council under this law.

I met Mr Executive Council, who has worked there for 11 years as a Strategic Advisor in the General Secretariat of the Council. He explained that The Executive Council tried to find a written document expressing the vision of Sheikh Mohammed but all they found was two texts. The first one was written in the 10 years prior to the Dubai Plan 2021, whereby the Sheikh spoke about Dubai as a city of business and finance (دبي مدينة المال والأعمال). They adopted this idea and considered it the first vision of the Sheikh. The second vision they found can be surmised as, “Dubai, number one globally” (دبي رقم واحد عالمياً).

“If we search properly, we will not find a written text and speech about the Sheikh’s vision. Perhaps there is one document that can express clearly and explicitly the thought of Sheikh Mohammed Al Maktoum, the eight principles he announced earlier at the beginning of this year:

1. The Union is the Foundation

Dubai is an integral part of the UAE and a pillar of the federation. The Emirate's destiny is entwined with the UAE's destiny, its well-being is vital to the UAE, and its people are ever-willing to sacrifice for the greater good of the country. The Union's interest is above local interest, the Union's laws transcend our laws and legislations, the Union's policy is our policy, and the Union's government priorities are our government's priorities.

2. No One is Above the Law

Justice is the basis of a strong and proud nation, and guarantees prosperity and stability. No one is above the law in Dubai, starting with the ruling family. The law does not discriminate between citizens and residents, rich and poor, male and female, Muslims and non-Muslims. Justice delayed is justice denied.

"Injustice anywhere is a threat to justice everywhere".

3. We are a Business Capital

The Government of Dubai aims to improve the lives of its people by strengthening its economy. Dubai does not invest or involve itself in politics, and does not rely on politics to ensure its competitiveness. We extend a hand of friendship to all those who hold good intentions towards Dubai and the UAE. Dubai is a politically neutral, business-friendly global hub that focuses on creating economic opportunities.

4. Three Factors Drive Growth

Dubai's growth is driven by three factors: a credible, resilient and excellent government; an active, fair and open private sector; and public and government-owned flagship companies that compete globally, and generate an income for the government, jobs for its citizens, and assets for future generations.

5. *Our Society has a Unique Personality*

Our society is a respectful and coherent one, bound by tolerance and openness. It distances itself from all forms of discrimination and biases. It is a disciplined society, committed to its promises, timelines and covenants. We are modest about our successes, perseverant in dealing with challenges, charitable and generous in achieving the greater good, and open to everyone.

6. *We Believe in Economic Diversification*

Economic diversification has been the foundation of our unwritten constitution in Dubai since 1833. The changing times and the rapid developments make our commitment to this principal everlasting. Our new goal is to create at least a new economic sector every three years that will be productive, contribute to our GDP, and generate jobs.

7. *A Land for Talent*

Dubai has always relied on talented tradesmen, administrators, engineers, creatives, and dreamers for its success. The Emirate's prominence, sustainability and competitiveness depend on its capacity to continue attracting skilled and talented people, and nurturing the brightest minds to generate innovative ideas. We have to continually review and renew our policies and procedures to ensure our appeal to talented individuals. We must build the best environment in Dubai for the world's leading minds.

8. *We Care about Future Generations*

The destiny of our future generations must not be affected by the fluctuations of regional politics and global economic cycles. We invest and create valuable assets for them. Our fundamental rule in this regard is that the government should, under all circumstances, own economic assets that are worth at least 20 times the value of its annual budget. We work towards maintaining a secure future, and we are focused today on ensuring the prosperity of our future generations.”

Earlier, I mentioned His Highness's publication *My Vision*. I read it to see who had the correct answer and who had translated it best. I discovered that Mr Executive Council was the one. In

his book, Sheikh Mohammed clearly mentions that his sharp vision is more of a mission for Dubai to become an international, pioneering hub of excellence and creativity, and as a ruler he is striving to make it in the world's premier trade, tourism and service destination in the 21st century. He also wants Dubai to take the lead in security, safety and dynamic growth, without neglecting that all-important element of trust. He will never accept Dubai settling for anything less than first place.

According to Mr Executive Council, aside from the eight principles mentioned above, there is no clear and explicit formulation of the Sheikh's vision. The Executive Council consider the Dubai Plan 2021, with its six pillars, the Sheikh's vision, in a way.

10.3.3 Dubai's Strategic Vision (Dubai Plan 2021)

Mr Executive Council mentioned the Dubai Plan 2021 in response to my interrogation of Dubai's vision and the Sheikh's requirements and plans for his emirate. Mr Executive Council was confident that the answers I was searching for could be found in the specific plan entitled Dubai's Strategic Vision 2021. To learn more about Dubai Plan 2021 and its effect, I asked the governmental entity about it.

According to Mr Executive Council (who developed the 2021 plan), they simply wanted to create a unified vision for Dubai which positions the individual—or man—at the centre. The main focus of Dubai's 2021 plan entails how the individual must have a set of qualities that will hopefully lead to happiness. This individual must also be able to bear his own responsibility, be literate, live a healthy lifestyle and have the ability to participate in the society.

Looking at the main website of this strategic plan,⁴⁴ The Dubai Plan 2021 describes the future of Dubai through holistic and complementary perspectives, starting with the people and society who have always been, and always will be, the bedrock of the city. This aspect describes characteristics that Dubai's people need to have in order to deliver on the city's aspirations in all areas. It also examines the society needed to support and empower these individuals in achieving their goals.

⁴⁴ www.dubai2021.ae.

The plan addresses the urban environment (both natural and built assets), means of transportation and sources of energy, among many other aspects. It looks at the living experiences of the people of Dubai and its visitors as a result of their interactions with the environment and the economic and social services provided. In addition, the plan also focuses on the future of the city from an economic perspective, which is Dubai's development engine and the fuel for its forward march.

Finally, the plan addresses the government as the custodian of city development across the board. These perspectives are divided into six themes, each highlighting a group of strategic developmental aims for Dubai that together form the city's vision for 2021. The themes are:

1. The People: "City of Happy, Creative & Empowered People"
2. The Society: "An Inclusive & Cohesive Society"
3. The Experience: "The Preferred Place to Live, Work & Visit"
4. The Place: "A Smart & Sustainable City"
5. The Economy: "A Pivotal Hub in the Global Economy"
6. The Government: "A Pioneering and Excellent Government"



Figure 54: The six themes highlighting areas of strategic developmental aims for Dubai that form the city’s vision for 2021.

Mr Executive Council explained that they previously had Dubai Plan 2015, which was supposed to pave the way for Dubai Plan 2021. At that time, they were talking about Dubai as sectors, such as the economic sector, security and justice sector, infrastructure sector and governmental sector. But with the diversity of these elements, they were unable to talk about Dubai as a city, so within the model of the Dubai Plan 2021 was the attempt to consider Dubai as one city and then as a country, therefore employing alternative methods. He added:

“Dubai is made up of a group of individuals living in one place who interact and work among themselves and are united by a certain government system and a specific government management system. Based on this vision, the axes/sectors were developed.”

The governmental system must take this plan and turn it into policies. These policies, when implemented on the ground can and will affect the private sector. Each axis of this plan has been translated into a set of overarching strategic objectives, and each of these goals has been raised with performance indicators (KPI) related to a range of initiatives and policies.

After studying this strategic plan, I discovered that if I have to ask megadevelopers about their contribution to the build-up of Dubai as a city, I have to ask them about the Dubai Plan 2021, not the Sheikh's vision. I needed to discern what strategies are used so that their projects fit within Dubai Plan 2021, and I must ask the governmental entities (DDA and Dubai Municipality) what measures they are implementing to make this happen.

Starting with the megadevelopers, I had to understand how they engage the tenets of the strategic vision in their projects. After discussing this with them, I discovered that they are not fully aware of the vision and that the majority of them borrow terms and slogans used to advertise this strategic plan before amending it to fit their lexicon.

For example, Mrs Meraas considered the Strategic Plan 2021 the same as His Highness' vision, or "how he transforms the city". She indicated that there is no difference between the two, and that either way both are outdated so they moved on to work on the 2071 plan instead. She explained that they do not look at any project they develop as just real estate projects or for making money so that when done they just leave. They build new developments and they make sure to become the asset managers of the projects, and owners of the food and beverages outlets and entertainment destinations. They remain embedded in the communities, not because these projects are of commercial sense for them, but because they want to ensure longevity of those new destinations.

"In five years' time, City Walk will still stay a fantastic place. In 10, 20 or 50 years' time, it will remain a fantastic time. It doesn't mean that it will look exactly the same way that it does now, but we will ensure that it will transform and evolve and grow to respond to the city. In City Walk, for example, we never had in the masterplan the arena. Once we built City Walk Phase One, City Walk Phase Two, the residences there and retail, again throughout the discussion about looking up to the city and what the city needs, what Dubai needs, we decided to add the arena. We looked to a number of locations about where to put it and we thought about this gem location, in the middle of the heart of the city and next to the metro station, as you would do in any other city in the world. You will put your destinations, your main arena, next to public transport so people can use it and not rely on cars. It is also next to Dubai Mall, connected to the metro and the bridges crossing Sheikh Zayed Road into our development, into The Dubai Mall. You really ensure that Dubai is a place that responds to the people's requirements."

Connectivity is fundamental to Meraas. When they start a new masterplan, they work very closely with the neighbouring developers and authorities (particularly RTA) to ensure that the development is highly interconnected with the surrounding network, easy reachable and accessible by foot, bike, car or public transportation.

“Meraas masterplans have to thread across the city very easily. So, we are involved strategically in term of transport and public transport.”

Mrs Meraas suggests that the Strategic Plan 2021 is about transforming the city and making good places of urban infrastructure for the social and economic benefit of the city. It is also about creating happiness because they want all people to come and enjoy the destinations they create. That is why the destinations are created for enjoyment whether they are solo individuals or with their families or groups of friends; they like to create places for socialising.

As with Meraas, in Emaar there is a misconception between the strategic vision and His Highness’ vision. Mr Emaar believes that in Dubai, the strategic vision covers a number of areas. Starting from a macroplanning view, the vision wanted to make Dubai a smart city, and Emaar supports this by embracing it in their masterplans and trying to create a smart city that would coexist with this vision of his highness.

But I was curious about how a developer could create and build a smart city and not a smart project or development, for example. Without exception, the developers that I met during my research consider themselves city creators, producing Dubai, and never mentioning any governmental plans or development plans created and set forth by the government.

I asked Mr Emaar how his company could develop and create a smart city.

Mr Emaar replied by remarking that he considers “smart city” a broad term that could mean different things to many people, but for Emaar, it means that the masterplans they are creating will be smart city-enabled infrastructurally, so that is the first priority. Then they will look to its integration in the categories of mobility, governmental, the environment and smart living, deploying the designs and constructions to accomplish this, including listing the facilities and applications to satisfy these categories. He elaborated:

“For example, if we talk about the environment, it is about sustainability, it is green building, it is also the smart home and things similar to that. If we talk about mobility, it is about smart traffic systems, mobility location, automated parking systems and so on. If we talk about governmental, it was mostly about integration with the governmental agency. So, our network and systems in this city will interface with these applications from the government and coexist and enable in a way. So, the first thing is to establish the infrastructure. We did that in one of our masterplans where we dedicated two locations for data centre and made two big data centres, and then we have fibre networks all over that masterplan, which is the size of a city, and now we are about to deploy a consultancy to build an application.

So, you have the hardware part (the infrastructure) of it as one side and then you need to start building the applications and services. When you enter the city, you will have layers of information coming to you through the smart city platform. Then, the benefit is for the resident as well, because they will have better service, whether it is from our facility and maintenance team or from retailers. So, everything will be on demand and online. It is supported by different layers. We looked also to mobility. For example, we had a discussion with Careem and Uber and looked into how to integrate their platforms and on demand services, and how to enable it in our masterplan.”

Emaar’s translation of the Strategic Plan 2021 is about transforming the city into a smart one by creating layers of information. It is a platform that covers a number of categories, and each category has different services that will most likely have applications with user interface.

Mrs Dubai Holding has an entirely different interpretation of the Strategic Plan 2021. She thinks that the Dubai’s strategic vision (Dubai Plan 2021) was to “put Dubai on the map and create destinations and to be number one, as His Highness always wants Dubai to be”. In creating each new project, they think about how to distinguish it from others. They do not want to simply replicate something else, rather they want to create Dubai version of it. They aim to always think outside the box and be creative and innovative.

“Dubai is a huge construction field, and this was following certain milestones and vision, partially in Dubai Holding to fulfil the mega vision Dubai Strategic Vision 2021. So, hand-in-hand with other projects, we moved to create a destination of HUB that wasn’t existing at

that time. If we take a simple example of what I am saying, we have to look at Jumeirah Beach Residence, known as JBR, and how it is located in very closed proximity and actually interacting like a puzzle into the Marina, which was developed by Emaar. And then you have the Beach, which was developed by Meraas, so if you walk 15 minutes you can cross through Emaar development (the Marina) walking to Dubai Holding (the Walk) then going to the Beach, which is Meraas (JBR). And this destination by itself was created by everyone (developers) doing their best to create this kind of megadevelopment.

JBR by itself was in the Guinness World Records, it is the largest development in the world constructed in one phase. So, add all the other record-breaking records like Burj Khalifa (tallest tower in the world), the tallest hotel in the world (JW Marriott Marquis), the tallest residential building (Princess Tower) and tallest office building. So, all these records meant to put Dubai on the map and to attract investors and visitors, tourists, people to live and to enjoy everything in Dubai.”

She explained that they are working on creating a “wow factor”. There are many strategies, milestones and skills (such as innovation and creation) to follow and work by in order to accomplish this with uniqueness and distinction. Every project has to have this “wow factor” so for each new development they consider: How it will serve Dubai and UAE in general? What will be so distinctive about it? What will be the astounding factor of this project?

For a better, more detailed idea about this criterion, I asked Mrs Dubai Holding to further explain what they implement in their development to achieve the desired effect. How do they build a “wow factor” project? How is a “wow factor” designed? How is this translated into the design? She indicated that there are mandates, certain questions and items that they have to always think about, and that they should be convinced that this project is a “must have” for Dubai in order to initiate it. The design then follows.

When they start establishing the criteria for each of these elements, they select the specific conditions to assure the “wow factor”, such as defining a well-known architect, the monument itself and certain uses of the project. The design should be fabulous, not only the architect, encompassing the whole urban design. As a proof she gave me the example of the Madinat Jumeirah project.

“The idea behind its design is getting the old into the new, so you have Burj Al Arab, then we thought of creating the old Al Shindagha area into real themed retails. So, it meant having the “wow factor” of people experiencing and knowing and actually touching and seeing the old Al Shindagha and the old Dubai heritage area turned into retail that is impressive and makes you want to visit again and again. So, it is not only a mall, it is a whole experience. You want to call it a live museum? You can. You want to call it and an old Arab neighbourhood? You can.

So, it is a mix of so many things (feeling, experience, elements). You have that mixing of the old and new together to make a new flavour that you can’t find anywhere else. I heard people (local Emirati men and women) coming to the project and enjoying it. They were saying, ‘We really feel that this is our old life, we are really feeling it. The spirit, the look and feel of it is there.’ We heard it from old people.”

Mr Majed Al Futtaim (MAF) believes that Dubai Strategic Plan 2021’s main vision is to create more communities, and that these communities need services. So Majed Al Futtaim is trying



Figure 55: Madinat Jumeirah, a design recalling the old Al Shindagha neighbourhood and Barasti houses.



Figure 56: Madinat Jumeirah, a design recalling the old Al Shindagha neighbourhood and Barasti houses.

to create masterplans that generate more jobs, buildings, malls and facilities to serve more communities. They do this by nurturing a spirit of excellence and perseverance in each project.

After analysing the responses of Emaar, Meraas, Dubai Holding and Majed Al Futtaim, I realised that megadevelopers are not aware of the strategic vision and its pillars, on the contrary, each tried to explain and translate it according to their own needs and self/business interests. The strategic vision is an essential aspect for Dubai, and as explained before, the government will use this plan and turn it into policies. These policies should then be implemented on the ground and will affect the private sector. Each axis of this plan has been converted into a set of overarching strategic objectives, and each of these goals has been raised with performance indicators (KPI) related to a range of initiatives and policies. Still megadevelopers are unaware of it.

I wondered if the private developers working for the megadevelopers responsible for designing and implementing the project concepts were any more cognisant of the strategic plan. In fact, and after analysing their feedback, I discovered that they are not at all aware of this strategic plan because what is more important for them is the developers that they are working for. Their projects are driven by the developer's vision and need. Essentially, the developer will have a specific target to meet, things that they want to do, then they justify it and try to align with the Strategic Vision 2021 or other initiatives from Sheikh Mohammed Al Maktoum.

Similar to the megadevelopers, private firms are confusing strategies with the Sheikh's vision, despite it being the strategy for Dubai's development and future, as well as explained according to each development's background and needs.

I wanted to know if the authority from which megadevelopers received their approvals considers the strategic plan differently and tries to impose its implementation on the projects that they receive for endorsement. It turns out that the authority is closer to the correct definition of the plan than the megadevelopers, but they have no effective power to implement it properly.

Mr Dubai Municipality explained the mandate of the municipalities. According to him, the municipality deals with a wide range of mandates with the built environment in terms of urban design, building and waste management. They have a broad directive, unlike many other

entities that focus on one or two core businesses. Strategic Plan 2021 for Dubai Municipality deals with all the aforementioned businesses, focusing on urban planning, places and people.

“People and places are the bread-and-butter of planning and urban development. It’s important to see and direct how these two actually work in harmony and focus on how we create the space and the place that will serve these people. The objective of the plan is very much into what we do and there are a few key indicators that Dubai Municipality is responsible for and has to manage with the other stakeholders but Dubai Municipality reports on those.”

The 2021 plan is quite important, and it steers what Dubai Municipality does and how it develops its policies with regard to its different components. Various departments in Dubai Municipality have their own KPIs. An example is the environmental department, which has its individual KPIs. The same applies to the drainage department with its own key indicators. In total, the municipality has more than 17 key indicators from the plan. Dubai Municipality is one of the organisations that has much to do with the implementation of the 2021 plan and reports the performance of its KPIs to The Executive Council on an annual basis within *Dubai Pulse*.⁴⁵

DDA considers that Dubai Strategic Vision 2021 does not touch the masterplan itself but affects the people living in these masterplans, therefore, the happiness of the community. DDA has nothing to do with translating or imposing this vision given it depends on the user. Happiness is relative to the individual, explained Mr DDA. For some people, happiness is related to open spaces, for another, maybe a mosque next to their house or a jogging track is the answer. The needs of the community’s inhabitants differ and change. If a person is living in a community where a pocket garden is located in the immediate surroundings near his/her house, there is also a school, hospital, mosque and all other required facilities to induce happiness.

“Everyone in Dubai translates the Dubai’s Strategic Vision 2021 in his own personal way. A developer tries to develop a community with all the required facilities to make the resident

⁴⁵ *Dubai Pulse* is the annual strategic performance report published by The Executive Council, targeting top government leaders, highlighting key accomplishments, challenges and trends related to Dubai’s strategic plan, namely Dubai Plan 2021.

and whoever is there happy. RTA considers providing large smooth road make the population happy. Dewa considers the continuity of the power provided makes people happy. When 2021 was announced, it was for DDA our main pillar to develop our strategy from 2014, and we take our vision from this pillar.”

Mr DDA assured me that they have been developing their strategies since the launch of the Strategic Plan in 2014 according to Dubai Plan 2021. But he did not mention or detail what these strategies are, although at the beginning of our conversation he indicated that people’s happiness is the main pillar of this plan and that they cannot do anything to impose modifications on any project since happiness is in direct relation to the need of each person and their individual priorities.

10.3.4 Project development and management

While investigating the Strategic Plan 2021, private developers working for megadevelopers confused the Dubai Urban Plan 2020 and the Strategic Plan 2021, thinking that these two plans were the same. They believed that I was mistaken with the year while interviewing them and many tried to correct my information, informing me politely that maybe I am talking about Dubai Urban Plan 2020 rather than Dubai Plan 2021. This said, I confess that even I, before starting this work, was always confused by the difference between the two.

Upon asking the megadevelopers about their points of view on the Urban Plan 2020, I discovered that developers do not take it seriously nor into consideration when planning for new projects. They believe, as shown previously, that megadevelopers are the main entities responsible for the creation and implementation of megaprojects that will shape the city and the urban planning of the city, and that the authority has no role in providing a specific urban plan and restricting the creativity and businesses of developers.

Mrs Dubai Holding was so confident in telling me that they do not follow the traditional way of thinking while working, and that the permits and approvals necessary before starting a project are not “a must”. They begin executing the project before/during starting the paperwork. She believes that if they follow the conventional procedure, starting with the design and finishing the paperwork and getting every comment and review before starting the construction by moving to the site, that they would never be able to do anything. They move quickly; they

are ambitious. That's why they sometimes must do the paperwork in parallel to moving on-site.

“For example, in some projects we start the pilling phase of the project before even finishing with the design. The good thing about the Dubai Plan 2020 is that it takes into consideration the feedback and the participation of all the megadevelopers. Which means that we are part of the process. So, if you look at the megadevelopers, we are not like private entities having land and developing it, but we have the mandate of fulfilling the vision of the emirate, helping with legislation and giving our feedback to the authorities on how to improve things and put things in order. So, we have the mandate of being with the government and also working for the government to improve all the systems and all the regulations.”

Emaar believes that they are part of the 2020 Spatial Plan of Dubai. They are developing it. They do not have undeveloped areas, almost all of their masterplans are in developmental stage or completion. This means they are in compliance with the Dubai Masterplan 2020.

Usually, they develop according to two different scenarios:

1. When they have or own the land. With this option they usually assign it to a masterplan given to the higher authority. They provide the vision for that area when it is accepted, then they develop it and proceed with the work and execution.

“We have many cases where we do joint ventures with other developers, Dubai Holding for example, or Meraas, and in that instance the vision will already be established by one of the developers we are working with.”

2. When the government sets the land use of the whole masterplan, for example specifying areas in the city for residential use, doing the zoning and assigning functions to the areas. Emaar comes as a subdeveloper; they zoom into these areas and develop accordingly.

But what was more important in Mr Emaar's remarks was when he tackled the subject of changing the land use of a masterplan set by the government according to the project's need. He said:

“When we take a land and we develop it as per the assignment, it is possible to change the land use of an area. We go and request change of land use.”

If developers are working in a zone that is already assigned a specific land use, they have the capacity and power to modify it according to their needs and project requirements.

Meraas does not obey the Urban Plan 2020. They think this plan is very broad.

“Do we look at it specifically when we are creating a new development? Honestly, NO! We design according to a very clear direction to have some sort of impact on the city.”

Authorities are aware of the developer’s power to modify and amend the 2020 plan, and they know that developers are not taking the Dubai Urban Plan 2020 nor any other urban plan into consideration. Dubai Municipality and DDA justify what is happening with the idea that the authorities should be flexible, especially in a high-growth environment like Dubai. They need to be agile enough to accommodate possible changes but within the overall scope of the plan, meaning ensuring that there are no additional unnecessary burdens nor compromise on key social policies. But what is very important for Dubai is to keep transportation and land use.

Mr DDA said that Spatial Plan 2020 was outdated from the day it was published:

“When the higher authority issued 2020, they fixed a development line so that no one can override it, but the very next day they announced a project outside the development line. So, we are working now on the 2040 plan.”

Mr Dubai Municipality believes that another reason for the failure of Dubai Spatial Plan 2020 is due to the strategies and politics used in the implementation of the plan. He explained that since 1997-98, there has been a trend of “multi-jurisdictional structure”; there is more than one planning jurisdiction that prepares plans and issue permits for developments.

“Now there is a discussion and an acceptance of bringing everybody under one umbrella, one jurisdiction, under Dubai Municipality. There is a realisation that it is much more beneficial if we bring all parties under one umbrella, much better to manage urban affairs

and the urban developments. Dubai Municipality have the largest catchment area, the largest proposition of coverage of jurisdiction. DDA has also portion and then we have Trakhees governing towards the Jabal Ali parts.”

This being said, it is very important to highlight the ambiguity created by this multi-jurisdictional structure, especially after the establishment of the three main state-owned megadevelopers (Emaar, Nakheel and Dubai Properties) and at a later stage, their authorities, thus reinforcing the ambiguity between the public and private spheres under the same vision of Sheikh Mohammed, the main actor, ruler and CEO of Dubai.

10.3.5 Planning authorities for approvals

It was a discovery to find out that megadevelopers are not relying on the approval of the dedicated authority to proceed with any project they are willing to develop. Although, also of intrigue was that the planning authorities' approval still existed in the system, which were still in use by the developers as well.

To add, the diversity of these governmental entities is uncommon, and how their power and governance is split, covering specific areas and zones in Dubai, is not common either. So, I asked megadevelopers about these entities. I wanted to know more on this subject.

I learnt that Dubai is divided into zones and areas; these areas are governed by a specific institution that does not deal with the affairs of other region's institution. Each of these departments is subject to its own rules and regulations. In Dubai, numbers of areas fall under the jurisdiction of different authorities. According to Mr Dubai Municipality, approximately 55 percent of the urban area is under the jurisdictions of megadevelopers and free zone authorities,⁴⁶ while the remaining 45 percent falls under Dubai Municipality.

⁴⁶ Jabal Ali Free Zone handled by Trakhees, which act as the municipality in this area, and there are other areas which also belong to the free zone but do not fall under Jabal Ali's footprint, rather they are under DDA (Dubai Development Authority), previously known as DCCA (Dubai Creative Clusters Authority). The last zone is under Dubai Silicone Oasis authority, DSOA.

Each of the aforementioned entities is considered a municipality of its zone. They coordinate between each other, but Dubai Municipality remains at the top. It sets almost all the regulations—which other authorities mostly take into consideration, follow and coordinate with—but each is separate and has its own standards and regulations.

For example, the authority from which Emaar get approvals is related to the location of the land they are developing. Mr Emaar explained this point further:

“Some of our developed areas are under DDA. We have other areas that fall under Trakhees, and we have areas like Dubai Downtown that fall under the governance of Dubai Municipality. So, we work with the three different entities according to our development’s location.”

The legal nature of the project is irrelevant, developers receive the approval according to the zone the project is located in and not according to its function.

10.3.6 Incentives

The majority of the interviewed developers are working on projects that are listed under the category of “mixed-use”, where the project blends residential, commercial, cultural, institutional or entertainment-based uses into one space and whose uses are, to some degree, physically and functionally integrated. The developers have designed and constructed projects to serve and provide the community and city dwellers with private spaces openly public, which try to attract a special category of consumer and visitor. Though open to the public, the brunt of these projects remains under the authority and maintenance of its developer. Famous examples of such developments include The Dubai Mall, the Fountains, Burj Khalifa, Madinat Jumeirah, Al Seef, City Walk, La Mer and Global Village, among others.

Mrs Meraas assured me that they are conceiving of privately owned places open to public because as private developers, they create places that should be seen as places for the public to use. This said, I was curious to know about the incentives developers are receiving from Dubai authorities to build such projects and to open them to the public.

The Incentive Zoning Programme is initiated in some locales, for example Los Angeles, in exchange for a license for larger surfaces and building heights. The concerned authority then asks developers to create public spaces at the foot of buildings and to keep it accessible to the people in the immediate surroundings. This explains why the majority of the public open spaces located in the Central Business District, are private since they were built within the framework of the Incentive Zoning Programme (Loukaitou-Sideris, 1993). This trade-off is that the public space counteracts some of the negative effects of density, such as crowding or loss of light or air (Schindler, 2018, p. 1096).

For Dubai, according to Mr Dubai Municipality and Mr DDA, there is no incentive presented to developers to develop POPS, and nothing is written as a rule and regulation. If we look into juridical and law references, there is nothing stating, “If you build this, you will get this.” Mr Dubai Municipality added, “but still, the incentive could be the piece of land given by the Sheikh to a developer”.

If we think about Dubai’s case and investigate the main reasons for creating incentives in Western countries, we can deduce that when creating POPS in Dubai, developers are not waiting for an incentive from the authority, like permission to build higher or bigger in return for something. As noted previously, developers in Dubai are setting the building rules for projects, but also not asking for permission from the government to develop any unusual projects. They are therefore sure to either receive the approval from a very flexible authority, or they get it from the Sheikh’s office directly without passing through the traditional procedures. In a way, this makes them the decision makers. They are not waiting for incentives for extra benefits; they are the ones who decide the use and the nature of what will be built on a plot of land.

Mr Majed Al Futtaim explained this clearly:

“We don’t have incentive to build our projects, but from another point of view, Majed Al Futtaim receives lands to build on it any kind of investments as a gift or donation from Sheikh Mohammed Al Maktoum.”

Mr DDA said that the authority is working on something but is still in the development stage.

“If someone comes and submits a project presenting more open space for public, we will be happy to approve it after studying the project.”

He clarified that developers are providing open space to the public as a way to achieve more gain and raise their sell profit. He gave the example of the extension of the Creek in the middle of Dubai. It was funded by real estate developers so that they can sell apartments overlooking the water and gardens. The value of the apartment will automatically increase and by that, the developer’s profit will increase. Some of the developers even start developing the landscape of the project and the public facilities before starting the project itself, attracting visitors and potential buyers. To add to that is the competition factor between developers: everyone is trying to provide the best and most beautiful project to attract customers.

Mr Dubai Municipality is not sure about incentives; he thinks back to previous practice where there were some incentives given to developers to encourage them to offer the city better and more privately owned publicly used facilities. Some of these developments had a commercial nature, some of them did not, such as parks and so on. He thinks, but is not sure, that Dubai Municipality does look into incentives and does offer incentives, but he is unclear on the exact procedure. However, he advises that the governance does need to have mechanisms to encourage private developments to offer adequate supply of amenities because they are very important for the community. The incentive policy has always been there, in terms of zoning advantages, height and perhaps parking supplies.

Upon hearing this from Mr Dubai Municipality, I began searching for the incentive that he mentioned but was unsure of in terms of when it was applied and whom it benefitted. I could not find any written sources mentioning incentives and none of the other developers I met mentioned this. They all agreed that there is no incentive system in Dubai and that they are developing their POPS and projects according to rules set by the government, the project’s needs and the Sheikh’s vision. Mrs Meraas says:

“There is regulation for any development set by the government here that there is a standard matrix on how you calculate the number of mosques you need to provide, the number of community spaces, the number of parks, the number of nurseries, healthcare centres, schools... All of that is calculated and set by the government. So, if you are doing a masterplan you have to include those elements. But incentives, we don’t have that here. In

the UK it is called Section 106 Agreement. The planning authority would ask you put something in for the people so you could then get extra GFA or more panels or larger panels.”

Mr Arup thinks that lands in Dubai are owned by a handful of a very powerful people, and they are developing these lands anyway and almost regardless of whether the authority intervenes in terms of incentives. This is partially where he thinks there is a failure in Dubai because they are so heavily privately led that sometimes public interest is lost. He remarks:

“In any part of the world, a local government would step in and require that certain things be achieved as part of any big project. What we are doing is developing and relying on the development to make all the profit. If you think about it, overseas they have to buy the land, that already is a huge expense, so they need incentives to help them develop it, that will be a great and good development for the public and for the developer as well to make profit. In Dubai, and because the land is already owned by a handful of people, you need to put a land value to something to understand what you are trying to develop, but the land is very hard to value. If you think about it, the Sheikh could give somebody a piece of land in the middle of the desert and say you can just have a building. So here the incentive could be the piece of land.”

Mr Emaar insisted that there is an appreciation by the authority and the government for what Emaar does for Dubai. But there is no set of rules and regulations telling them that if they do this, they get this much. What they usually do is, by putting forth a vision for a masterplan, go and explain it to the authority and then they ask for the extra height they want, which they get either as an exception or as an approval. He explains it thusly:

“As far as I know, there is no set of regulations explaining that if you provide this much, we can allow you to do this much. It is not like a written convention, but it is widely accepted, and they are understanding our exceptions and demands since we are providing something to the city and they will appreciate it. We have a few things that we worked on in the past that fall under the same umbrella, we have the privilege to gain some piece of land or additional GFA (gross floor area) just because we are doing something that is good for the city of Dubai.”

And finally, I encountered an interesting interpretation for incentives from a private firm who works for megadevelopers called 5+Design. After scouring their website to learn more about their background, I found that 5+Design is an international architecture and planning practice with studios in Hollywood, Shanghai and Dubai. Their work encompasses retail, mixed-use, residential and large-scale urban planning.

I met Mrs 5+Design here in Dubai, an architect and associate at 5+Design for the past several years. She works mainly on masterplanning, where she would be the project lead in terms of design management or have involvement in the management and design coordination, or possibly take lead on design depending on the project. Mrs 5+Design explained that sometimes developers are the ones providing incentive to the authority, not the other way around.

She gave me an example of a huge island development—an environmentally sensitive project—that they worked on in Abu Dhabi. They had to be very careful about their proposal. In Abu Dhabi, in order to convince the authority to approve a scheme to develop this island, they had to give more: more green area, more common spaces. They use this strategy if the client wants to do something that is not approved, for example, if there is a height limit or restrictions for the built-up area. They try to provide something extra to negotiate with the authority with to allow for building more. These extras could be more public facilities, or it could be committing to better efficiency like performance sustainability; something that is not the norm, something they would consider “extra”.

To conclude, the authorities do not provide any incentive for developers, rather developers are providing more greenery in their projects and more common space, they are working so their projects will be more sustainable and more environmentally friendly. They are doing all this to assure a good commercial image for their project, along with approval from the authority on their projects without taking into considerations the rules and regulation set by the governments. They are trying to create a beautiful image of the projects to advertise them well and to achieve more gain and raise their sell profit.

They avoid rules and violate regulations and get the approvals anyway. Developers, without exception, consider themselves to be contributing to the growth of the city of Dubai. They believe they are the main reason for Dubai’s development. They do not need incentives in a country where the developers set the rules, and by that, adopt the role of the authority and it

then is the government that follows and adapts. This was clearly outlined by the developers when I asked them about their purpose in developing their projects.

For example, Mrs Dubai Holding considers that building the city of Dubai is not an authority's duty. The authority is providing the best infrastructure (power, water, irrigation, sewage, roads, street lighting, the metro, buses, airports, open beaches, etc.) but when it comes to the built part and the organisation of this sector, it is the developer's duty. She noted:

“We have to add to the city. As you see, the urban expansion of Dubai is coming in with the purpose of expanding the emirate and this expansion meant that you need to add more units, you need to attract more people to live in it, you need to help in creating jobs, you need to help in provide more amenities and facilities. We share with authority its duty. It is not that the authority is supposed to do that, the authority is doing its best to provide the best infrastructure like the power, the water, the irrigation, the sewage, the road, the street lighting, the metro, the buses, the airport, the open beaches. Tunning all these is done by the government, which is something that is amazing, and they cope with the need for new development. They are doing their own share and mandate to provide all these services. They are the service provider, and they are doing it to serve all the master developers. The city is being developed at a very fast pace. This is the mandate of the government to cope with the need of the master developers with the new eras in the emirate. We are hand-in-hand with government to create our projects.”

Developers, after talking about their national duties toward the city in building Dubai, added that for them, the financial element is a secondary purpose in developing these projects. They are building to assure some monetary gain and profit. Mr. Emaar elaborated on this idea with the following:

“First of all, we are contributing to something bigger than us, which is building Dubai. This is something we take pride in. The other thing is that there is a business case for our work. We are a profitable company, we are floated in the stock market, and we operate under profit and loss criteria. There is the overarching goal, which is building Dubai, but within that we also operate commercially to make profit.”

Mr Majed Al Futtaim considers the profit a project can assure the company as an important factor for developing it:

“As a master developer, Majed Al Futtaim is the main developer of his own project. He funds the project and hires the consultant and contractor. The purpose of these developments, first of all, is to increase its market share and to serve the community and make more money (capital).”

It is the same case for Meraas, with Mrs Meraas explaining that they have to make sure that they are making profit, otherwise they will not build, but if it is just making profit without delivering something bigger to the city, then they will not be building that project either.

11. Project development and management

11.1 Introduction

In the first part of this chapter, I tackled developers' strategic thinking: Who are they? What is their vision? How is this vision translated through their projects' philosophy? I then wanted to understand their knowledge of His Highness' vision: How do they embed/translate his vision into their projects? How do they see the projects that they are developing fitting into both Dubai's Strategic Vision (Dubai Plan 2021) and Dubai's Spatial Plan (Dubai Urban Plan 2020)? I learned about the authority, from which developers get approval prior through to the procedure of any new development. I wanted to know what incentives are that these authorities are implementing and offering to developers to encourage them to build more green/open space and better private areas open to the public.

Having finished with that part, I will now move to the second part of the interviews, which deal more specifically with questions related to the development and management of the projects themselves. I learn how developers manage the developments that they create, especially the areas that will be open to the public use in term of rules of use, conduct, security, etc. I ask about the design of these developments; I am curious about if the company employs an external design firm to develop the design and concept, adopting their Western ideas and in turn implementing them into the local context. I also inquire whether these Western notions are the main cause for the absence of a religious aspect in these developments or if there is another hidden factor that I am not yet aware of.

11.2 On a project level

Initially, I wanted to know which of their developments megadevelopers consider the most successful, and which factors are relied upon or responsible for this success. Simultaneously, I wanted to understand which projects did not achieve the desired goals and the reasons why. To add to this, I wanted to investigate public parks and the reasons for the failure⁴⁷ of these spaces, or rather, the success of the private places open to public. Is this failure due to social and

⁴⁷ According to my observations, I believe that public spaces in Dubai are a complete failure in terms of frequentation and use.

traditional that barriers we encounter here in the UAE, or is it for a different reason that only observation, decision-makers and developers can illuminate?

All of these specific questions are the introduction to the following part, where a very important query will be undertaken. Throughout my observations and visit to public areas (gardens, parks, beaches and neighbourhoods) and private areas open to public across different parts of Dubai, I noticed the absence of a religious aspect. Dubai is an Islamic country, proud of this fact to the point that they mention their religion (Islam) in the national anthem:

*“Long live my country, live United, our Emirates
Your life for your people
Whose religion is Islam and whose guide is the Quran
We fortify you with the name of Allah, oh my homeland.”*

I wanted to ask if developers consider religious aspects/elements in their masterplans, or in other words, to understand why the mosque is not at the centre of the project or any other project.

11.2.1 Who is the designer?

Who designs the projects, is it done in-house or by an external design firm? I consider this question critical because it is reflected the image of each project and will serve as proof for questions related to the social and religious elements of these projects.

None of the megadevelopers I interviewed design their projects. Mostly they recruit external firms to do the design and concept for a project while they set up an in-house design team to review the design received from the consultancy. On very rare occasions developers produce conceptual designs, but they then give them to an engineering office to take it to the next level. During our discussion, however, Mrs Meraas insisted that regardless of the fact that an external agency creates the design and project, the developers remain the main entity responsible for the output of a project and its vision. Their projects are successful because they are always there to set the requirements, the directions and most importantly, the vision of the project. She asserted that they always set the agenda of what they want a place to become. I viewed this as quite normal: Is not the duty of the developers to tell the external firm that they hired their idea

and visualisation of this place? Otherwise, why would they have been hired and how else would the external firm know what to do?

“We employ consultants to design our projects. But these consultants wouldn’t be out to design those projects in the way that they have designed them without the brief and the management and the oversight by Meraas team. The vision and the direction are always set by us. We use the consultant to help us realise that and document that, but we always set the vision of the project we always set the agenda for the site. Meraas team doesn’t do project management, we are much more hands-on. We are the ones who set the vision, we are the ones who ensure that we’ve created the change in the architectural style, the change in urban form, the change and creating public places for people to have, we are the ones that always set and create the new unique environment for Dubai. As a client, we are very much more hands-on than many other developers in crafting the environment. We don’t just rely on our consultant to come up with something. We will always set the agenda of what we want of these places to become.”

I was curious to know how these megadevelopers select consultancy firms. Emaar chooses the consultancy according to project nature and its location and positioning. Some of the projects are landmarks or exclusive so they put together a list of highly celebrated architects to work on it, while some of the more mainstream projects see the engagement of fairly international firms established mostly in Dubai that have good reputations and standards. In short, it depends.

Dubai Holding acts similarly to Emaar in that they are always calling for international firms. In order to have different “flavours” and ideas, and be innovative while serving all the necessary tasks, they hold an open call for consultants to submit their design proposals.

“So that’s how you get the good work, when you call for a competition. We had, for example, to work with Zaha Hadid and all the other world-class consultants and designers who participate. Then we award the winners, the one that is on top of them all, and then we move forward with that. So, it definitely can’t be in-house. We have designers and planners who put in the request to call for proposal, when consultant bids for participation, they get a very clear idea of the requirements. For Jumeirah Central the consultant was 5+Design

from LA, for Emirates Towers, first we worked with a company called SOM from New York, and for Dubai Design District, we worked with a company called Johnny Roxburghe Designs, who has a local office here but is originally Australian.”

For the design of the project, Majed Al Futtaim, for example, has two teams. The first one is the outsourced consultant team, and the second is the in-house management group tasked with following up with the consultant.

The consultancies working for these local megadevelopers are from the West. They are designing projects while implementing their thoughts, design ideas, vision, and of course, culture. They are importing Western culture into Dubai’s local context, which works very well, possibly because of the population living in Dubai. Of the expats willing to settle in these developments and take advantage of the private space open to public, the majority are coming from Western countries. According to *BQ Magazine* (2017), the UAE is home to over 200 nationalities. Emiratis constitute roughly 20 percent of the total population, making the UAE home to one of the world's highest percentages of immigrants.

This table shows the different nationalities living in Dubai:

Arab League populations	African populations	Central Asian populations	East Asian populations	South Asian populations	Southeast Asian populations	Other populations
Algerians Bahrainis Comorians Egyptians Iraqis Jordanians Kuwaitis Lebanese Libyans Mauritanians Moroccans Omanis Palestinians Qataris Saudis Somalis Sudanese Syrians Tunisians Yemenis	Angolans Chadians Eritreans Ethiopians Ghanaians Kenyans Nigerians Senegalese South Africans South Sudanese Ugandans Zimbabweans	Kazakhs Kyrgyz Tajiks Uzbeks	Chinese Japanese Koreans Mongolians Taiwanese	Bangladeshis Bhutanese Indians Nepalese Pakistanis Sri Lankans	Burmese Cambodians Filipinos Indonesians Laotians Malaysians Singaporeans Thais Vietnamese	Afghans Albanians Americans Argentines Azerbaijanis Armenians Australians Austrians Belarusians Belgians Bosnians Brazilians British Bulgarians Canadians Caribbeans Chileans Colombians Croatians Cubans Cypriots Czechs Danes Dominicans Dutch Fijians Finns French Germans Greeks Hungarians Iranians Irish Italians Latvians Mexicans Moldovans Macedonians Montenegrins New Zealanders Nicaraguans Norwegians Peruvians

						Poles Romanians Russians Samoans Serbs Slovaks Slovenians Spaniards Swedes Swiss Turks Ukrainians Venezuelans
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Table 4: The different nationalities living as expatriates in Dubai (*BQ Magazine*, 2017).

Mr Arup believes that Dubai is desperately trying to mimic what is happening in the West, with almost no consideration for local culture, ecology or even environment.

“I think for designers it’s almost professionally unethical to design in this environment without providing sufficient shading. It actually ruins the passive ability of any building to perform well, but if you look at the sheer glass façades present in Dubai, you will be surprised. The issue is that there are very small group of people in Dubai who are making lot of big decisions, and they are all influenced by a certain thing. They like mostly what’s happening in the West, what happened in America, somewhere in the UK, or in Europe. It’s quite actually imported without taking into consideration the local environmental requirements.”

To conclude, megadevelopers provide a brief of the project to the consultant or external firm, who then establishes the concept and design idea. Most of the briefs offer the opportunity for ideas to be developed by the consultant. So, the brief is not detailed, rather it gives the requirements in terms of GFA and height. Mr Emaar adds:

“Ninety-nine percent of the project ideas are done by the consultant but based on our brief.”

Megadevelopers talked about external firms they hired to deliver their very successful projects. For iconic projects, developers hired famous architects, which contributed to the advertising process for these new ventures. They were very conservative in mentioning the name of the

firms, but at the same time proudly revealed the Western origins of the firms (e.g., “our external firm is located in New York/LA/Australia”) and the adoption of Western thought into their developments.

11.2.2 What is a successful project?

From each megadeveloper I met, I heard repeatedly that they delivered successful projects, beautiful projects. That made me wonder how a project could be successful. What are the factors that are responsible for this success? And what are the criteria that should be considered to determine if a project is a success or a failure? I asked my interviewees (mainly megadevelopers) what the most successful project they ever delivered is, and what the factors were behind this success.

According to Mr Emaar, one should first define “success”, as it can be defined differently. It could be as simple as “a development that sells very well”, or it could be more developed in terms of creating destinations and assisting in the creation of the city, he explained, adding:

“For a development that sells very well, I would say the most successful project is Arabian Ranches 3. It is highly in demand, and we just put an inventory in the market and then within three days it was sold. That is a form of success.

For a development that can create a destination, I would say Dubai Creek Harbour, where we are creating part of the city that will be like Dubai Downtown, hosting many residences and many touristic landmarks, and it has this different layer of appeal, so it has the quality of residential, the quality of living for the residence, the quality of the community, tourism, attraction, and a retailing hub. So, it has these kinds of different layers. This an important factor of the scale of the masterplan. If you look to the Arabian Ranches 3, the scale is small that does not allow for this kind of layering for the offer, but in Dubai Creek Harbour, which is a city for 180,000 people, it gives you this opportunity to create something unique and added value for Dubai. To create a new destination.”

When Mr Emaar ended his statement with the buzzwords, “create a new destination”, I wondered if a successful project could also be related to the Sheikh’s vision (or at least one of

the Sheikh's visions) and whether fulfilling it would have the project be considered as a success.

Mrs Meraas has a different definition for success. She thinks the most successful project is always the latest one that one they have built because while they are working on a new project, they have learned from previous ones about how people use the space and about how to better create things. They've even updated their knowledge about the small details, for example, the performance of the materials. Every project is an improvement on the last one.

“I think the most successful project is always the one you are working on the moment. Our latest project is the Dubai Harbour. It is the most recent project for Meraas actively being delivered and we've got a lot of bits happening in City Walk also.”

She then added that most successful is the Beach, however, admitting that the Beach is not the most recent Meraas' project. The Beach is a development in the middle of JBR and was the first development they produced that was really looked up to and garnered recognition for Meraas, which at the time was a small developer unengaged in advertising or marketing.

“We wanted it to demonstrate and prove to ourselves through what we delivered, and how people started to enjoy it and how it started to change the landscape of the surrounding and the city. People recognising that for real. The Beach was the first development that did that. I think it is a brilliant place for a whole group of people, whether they are expatriate, local, high- and low-net worth individuals. Kids love it. It's a great place, such a buzz and it will continue to be a great place in the city of Dubai. The Beach puts Meraas on the map.”



Figure 57: The Beach development in JBR, where towers are behind two-storey-tall buildings used for retail, food and beverage on the beach. (Source: www.timeoutdubai.com).

“So, everybody who built in JBR, builds towers—that development is G+1—only two storeys tall and on a site of 60,000-square-metres worth of land. We just built 30,000-square-metres of development on it. It’s a tiny project’s worth of real estate on what could have been built there, but we took that opinion because we wanted to create the right place for the community and what is already established there. We wanted to really transform and create an environment that would respond to how the city met the sea. How you create a destination for retail and food and beverage that is on the coast but then flanked by the population of 30,000 people. That was about spending much time and effort on the architecture and on the public realm as well. How can we transition from a road down to the sea? And what kind of environment we want to make? Do we need courtyards, do we need plazas or alleyways? How do we shade it? How will people be using it in the day?”

According to Mrs Meraas, what made the Beach a successful project was placing the public realm as priority above anything else, and not just thinking about the architecture. It is a completely different approach than anyone else’s, she says, noting:

“We look to a lot of parts of the city where developers take a plot, build that building, and forget about how that land meets the adjacent plots. You have all these pieces of sand next to the developments, all this no man’s land between buildings because developers turn their

back on the environment and on the public realm. They think they make money off that real estate they have built. We made in the first two years as much money out of the public realm as we did from the food and beverage in the Beach.”

At the end, Mrs Meraas explained success differently to how she began. A successful project is a place focused on what makes it enjoyable so people would stay longer, be happier and spend more money. So, it is not about the happiness of the customers but about how much a customer will spend once there.

Mrs Dubai Holding agreed with Meraas and considers JBR and Madinat Jumeirah amazing projects. She explained that what makes a project so alive and successful is the combination of elements, such as retails, residential and recreational. In JBR specifically, what makes the project is the combination of the retail located around the boulevard called The Walk, and the residential entities present in the same area.

“Getting the best planning for the residents and for the hotels’ operators and the retails by itself. To have that all urban fabric blended together, enjoying the active life of the city. It is where we can say, ‘Work, live, enjoy, and have leisure at the same time.’ You don’t need to leave your apartments or home to enjoy. We get the world for you. We get all kinds of cuisines and kinds of entertainment and amenities to your home from nearby.”

For the megadevelopers, a successful project is a project that is profitable, that makes a lot of money. These projects are booming; residential and retail are combined, and people are passing most of their time there, enjoying it while spending at the same time. But private consultancy responses were entirely different to those of the megadevelopers, who answered based on their portfolios.

Private firms highlighted projects that they worked on and delivered to these megadevelopers that are considered a total success. However, visiting these places reveals that they are not as active and as successful as they claim. For example, WATG, a global multidisciplinary design firm specialising in strategy, masterplanning, architecture and landscape alongside their Wimberly Interiors division, consider Atlantis the Palm the best of what they have delivered. Between the hotel, restaurants, beach, events and an amazing waterpark, it is always buzzing. It is a true destination in its own right and a landmark for The Palm and Dubai.

Mrs 5+Design considers the Downtown development as the perfect, most successful project they have developed. She explained that Dubai's Downtown is located in an area called Dubai Land. The client (Emaar) was strict in wanting around 90 percent of the land to be for residential use only, which is very difficult to do while generating activities, however they still succeeded with the project. For it to triumph it needed lively roads, but since this area was dedicated to residential towers, that meant that 90 percent of residents would leave the area in the morning to go to work and then come back at night. This has the negative consequence of Downtown being a ghost area during the day, a dead period given it was almost single-use residential. To solve this problem, 5+Design looked at a variety of housing options to accommodate different family sizes and different hierarchies and compensated for the residential allocation by establishing numerous activities that could be integrated into public space. Thus, they created a masterplan with plenty of open space and parks, where the ownership of the open space remained with the developers as POPS. The design firm explained:

“We proposed so many activities that wouldn't normally be provided in a typical development in Dubai, like there would be clubs for people with similar hobbies. Let's say one is for people who like planting, one would be for art, one would be for different types for sports; there were so many sports activities that we introduced.”

Megadevelopers and private firms are creating and delivering very successful projects, regardless of the reasoning behind the success. I wanted to reverse this question, however, and ask about projects that did not achieve the desired goals. Each megadeveloper and private firm denied that any of their projects fell short of the target and failed to ensure the desired profit, saying they could not recall any failed projects. However, throughout Dubai, many unattractive and non-functional developments can be seen, which are losing their retailing contracts because of the regressive footfall. As an example, the Boxpark project by Meraas saw the majority of the retail outlets close two years after its inauguration.



Figure 58: The Boxpark development by Meraas was a complete failure where most of the shop closed. (Source: <https://raum-und-mehr.com/en/issue-1-2019/upcycling---architecture-that-stacks-up.html>).

Dubai Holding, for example, believes that sometimes the dynamics of the project makes them rethink and replan the project after the launch, which they can do in phases. She comments:

“I mean, you have a project then you need to phase it, you need sometimes to move faster than it was planned with the phasing and sometimes slow a bit with the next phase due to the market requirements or due to other mandates to fulfil in the holding company itself. But I don’t recall that we did a project and we failed in it.”

Mrs Meraas also assured me that they deliver only successful, hit projects, so I asked her about their Boxpark project. She confirmed that this is the one and only project that has not achieved the desired goals long-term. The reason is the public environment—it was not designed and thought-through correctly since it is a linear project:

“People can’t use it in a way that is right for human nature. A person has to go to one place, he should walk back on himself, where in reality people want to walk around interesting things and see new things, reach something and come back the same way; whereas in cities

you tend not do that, you tend to go somewhere and come back on different route. It is too linear.”

In my opinion, megadevelopers search for a successful project that has been realised elsewhere and try to mimic, adapt and then build it in Dubai without taking into consideration factors related to the environment, culture or local context where the project will be implemented. This is the major reason for the failure of some projects. But at the same time, megadevelopers deny any failed projects. They insist that all that they are producing become the most attractive and successful destinations in Dubai.

Looking back at these developments, I realised that some are a total failure, true. But the most effective and famous destinations in Dubai are privately-owned projects delivered by these megadevelopers who are responsible, in a way, for the creation of new places in Dubai. I considered whether the success of these projects is the reason behind the failure of the traditional public spaces, especially the public park, or if the failure of public parks is in direct relation to the traditional social and religious barriers of this country.

11.2.3 Public space versus private space

Each developer confirmed that public space in Dubai is losing to private space and that this is due to many factors.

Mr Emaar, for example, does not consider that the word “failure” is the right expression. He explained that public space has its own merit, but it depends where exactly it is located and the social fabric around it:

“If you take, for example, Al Diyafah street, it is well-established and has been successful through the years, and does serve different communities as the city grows, same as Rikka street in the Ghourair city area. So, if you look to all these spaces, they are the starting point of Dubai, and then the city grows towards the Abu Dhabi border, and a lot of people come in that lead to the establishment of new communities. These communities came with their differences, different ideas, different cultures, they brought something new to the city of Dubai.

So, you find many people still celebrating the old parks, some enjoy the new facilities established somewhere else. But the good thing is that the Emiratis and the residents have this spectrum of facilities available in the city, whether it's big parks like Mishrif Park or Creek Park, or the nice, beautiful beaches or malls that present a set of offers for its visitors. They have this palette of choices to enrich their lives."

What Mr Emaar meant, without saying it clearly, is that the poor expatriate population in Dubai living in popular areas like Al Diyaffah, Rikka or even Deira, are still enjoying public parks and taking advantage of them, whereas rich expatriates living in the newly developed areas prefer the facilities established by megadevelopers. When it comes to the local population, he believes that locals enjoy parks as well as malls, but as seen in the previous part of this paper, that the minority of local Emirati women who think they love parks are in reality confused between public parks and POPS. Whenever they want to visit a park to have an outdoor experience, they will frequent a privately-owned space open to the public designed with outdoor retail outlets and rarely a public park.

Mr DDA seconds Mr Emaar's notion and believes that Dubai residents' income level is high. Therefore, they can afford visiting restaurants and POPS, unlike Sharjah's residents, for example, who have barbeque in public parks since their incomes are considered relatively low.

"It depends on the people and the community. On a weekend you cannot find a place to sit in Mishrif Park, but all the visitors are coming from Sharjah and Ajman. But those living in Dubai prefer development projects such as city walk, JBR, La Mer and so on. Dubai's resident's income level is higher than those living in Sharjah."

Mrs Meraas relates this fact to this causality: Dubai is a very contemporary city. She thinks public spaces are used in very different ways by various nationalities and cultures. Dubai is made of 100-plus nationalities, an incredible number.

"The place is used by locals in one way, by Europeans in another way, is used by Asians or Americans in one other way."

Mr Emaar's comments are confirmed by my exchanges with local and expatriate women in the earlier part of this paper. Public space in Dubai is used in a very different way by very different people.

Mrs Meraas continues:

“The success of our project is not because of the failure of the public parks; it is because of other reasons. The success is because they are great environments to be, we have the right mixture of food and beverage, the right mixture of retail outlets, we compose and compile the mixture of tenants in those locations, to create for these people the right great, public environment you will not find elsewhere here in Dubai, but probably would find in other cities, the outdoor terraces, the courtyards, the public plazas. Some of those spaces, people enjoy being there.”

Mrs Meraas mentioned that they are creating places similar to public parks imitating public plazas and courtyards to create the right environment, even though Dubai inhabitants can find this environment in a public park for free.

Mr Majed Al Futtaim confirmed that a local family does prefer to visit a shopping centre instead of a public garden because of the “wow factor” of the business model that they implemented in their projects. For example, Majed Al Futtaim created an indoor ski resort in the Mall of the Emirates. Any local can now enjoy skiing, whereas before he had to travel outside the UAE to have the chance to experience it. In addition, Majed Al Futtaim added many attractions that a public garden could not and will not offer to its visitors, such as Ski Dubai as mentioned above, or Magic Planet, Fly Dubai, and many others.

Megadevelopers implemented more than one attractive entity in a single place. Visitors can enjoy the shopping experience and at the same time have many recreational activities on offer, adding all these layers to the “wow factor”. With so many activities, malls are playing an essential role in gathering people and connecting the population. Mr Majed Al Futtaim believes that the reason why malls are taking over public gardens is due to the multiple activities (shopping, food and beverage and entertainment) gathered under the same roof:

“Why would a person choose to go elsewhere and search for different activities in different places if he can find all of these under the one same roof?”

Mr Dubai Municipality attributes the failure of Dubai’s public parks to their location and accessibility, not to the social barriers. He thinks by launching studies and research, and by talking to more people to understand their preferences, that this will improve the accessibility of parks and makes these areas more integral to life within the community. Then he added that these parks are equally inviting to all the genders. However, Mr Dubai Municipality was hiding part of the truth by talking about parks as though they are the most welcoming non-segregated places in Dubai. Not all of Dubai’s parks are equally inviting to all genders and nationalities. For example, pocket parks inside the local Emirati neighbourhoods do not allow expatriates entry; local Emiratis have the exclusive right to access these areas and it is written clearly at the entrance of the park.

Moreover, several parks across many regions in Dubai are visited by women only. Single men have no right to enter these parks unless accompanied by his family (women and kids). As an example, Al Safa Park, a small beautiful little green tucked away in the suburban Al Wasl neighbourhood. It is open to exclusively women and children on weekdays. To add, all public parks in Dubai are payable at a fee of AED5 per person.

I then addressed a new question to Mr Dubai Municipality, a local Emirati in his late 40s who was insistent that there are not any social or religious barriers in Dubai affecting how people are using space. The question was: If your daughter asks you for permission to go alone to either the park or to the mall, where would you let her go?

The answer was the mall.

“We [“we” in reference to the local Emirati population] live in Al Mizhar, Al Barsha or Nad Al Hamar, in a low-density area, we live on large plots of land, so there are very few people in these areas. Most of the time the community parks are quite and deserted. There are very few people in these parks.

Jane Jacobs said, ‘deserted streets or spaces become unsafe’. Malls are always full of people. Those parks where these young girls are supposed to be going are quite often deserted areas.

I drop my daughter at the mall but never alone, she's with her friends, but never to the park. If the parks are active, meaning there are people around, I will have no issue, but if the park is deserted, there are no people in the park, she will naturally feel unsafe. Because you don't know who will come into these areas. Dubai is one of the safest cities in the world but in these low-density areas, because of the lack of human presence in these spaces, we feel a bit unsafe. That is the reason. I think if the parks are full of life like malls, things will change. The least busy mall will be certainly much busier than many of these parks.”

Dubai has two types of parks. The first kind is large parks such as Al Safa Park, Zabeel Park, Al Khor Park, Mishrif Park and Mamzar Park. These parks were mainly visited and used by expatriates, and I confirm that I have never seen an Emirati in these public gardens. Recently, if visiting Al Safa park, it is clear that it has been invaded by residential and construction projects, and looking at Zabeel Park, it is noticeable that it has become a paid private attraction garden named Garden Glow.

The accessibility to these public parks intended for the inhabitants of the city is very difficult and poor. All the privatisation of the public areas were done by the municipality as though they consider parks in the city are “lost” areas and can therefore be used for investment and earning money. Al Safa Park, for example, was given to the real estate developer Damac.



Figure 59: Image showing the residential development taking place in the middle of Al Safa public park by the megadeveloper Damac.



Figure 60: Zaabel Park transformed into a paid private attraction park named Garden Glow. (Source: <https://steemit.com/dinosaur/@shan-naqvi/visit-to-dubai-garden-glow-dinosaur-park>).

There is another type of park called neighbourhood or “pockets parks”, dedicated to Emirati citizens only and particularly found in the Sakan I Mowatinin area. Rules mention that these areas are reserved exclusively for Emiratis. Some of these parks are reserved only for women and children; even Emirati men are prohibited.



Figure 61: A placard at Nad Al Sheba Park clearly stating that this park is designated only for the families and residents of the area.

According to Mr Executive Council, there is a clear separation between Emiratis and non-Emiratis. They do not attend the same places and do not mingle together. But the mall is the exception. The mall is meant for a certain class of non-Emiratis (the wealthy), while the park is accessible and available to everyone. The nature of the activity and the added value a park offers is very different from what the mall offers. The value that the mall provides is not only the value of recreation and tourism, but also provides the opportunity to be in a place that offers its visitor the value of luxury and a sense of belonging to a particular class of society.

Malls are visited by the Emiratis and expatriates belonging to a specific social level. Emiratis also visit private gardens that are not frequented by expatriates. This confirms the existence of a social detention that prevents Emirati from socialising and mixing with expatriates.

11.2.4 Religion

The absence of religious aspects in the private areas open to public in Dubai is obvious and surprising. Although, after reviewing rules and regulations of this emirate, documents issued by Dubai Municipality clearly mention the necessity to build mosques whenever a specific number of persons is present in and using a specific area.⁴⁸

After interviewing the locals in Dubai, I realised that Islamic culture and Islam as religion is present everywhere in their life, starting from the way Emiratis dress escalating to the way they live, inclusive of their house architecture, their behaviour, their food, etc. What was not clear for me was the absence of religious elements in the new developments of Dubai. I had to know why, in a country where religion is so present and so important for its ruler and local inhabitants, its aspect is not. I needed to ask megadevelopers how they consider religious aspects/elements in their masterplans. In other words, I want to know and understand why the mosque is not at the centre of their projects.

What is very clear when visiting any development is that the mosque is not the driving force for projects. It is an amenity that needs to be considered and conveniently located for guests and residents. The place of this amenity is critical as well: the planning of a *masjid* (mosque) needs to be respected and should be away from outdoor entertainment and sports facilities while providing space for the *mu'azen* and parking (there is regulation with each *masjid*).

In researching this, I discovered that there are two kinds of *masjid* in the planning department. The first one is the *awkat masjid*, the smallest one that runs the five *azan* and prayers and serves a radius of 500 metres. The second is the bigger mosque and called *jumaa masjid*, which runs the Friday prayers (*jumaa's* prayer) that attracts more people and therefore serves a radius of two kilometres.

⁴⁸ Annex 2: The specific numbers and information about mosque and where it should be located.

In the privately owned projects open to public and in the big multi-use developments created by megadevelopers there is an absence of mosques, regardless of the obligation from the municipality necessitating the need for a mosque, especially in residential areas. Instead, in some POPS developers create prayer rooms, considered as spaces for groups to pray.

After much examination, I discovered the real story behind the absence of mosques in new developments and POPS. It is in direct relation to business and profit: there is no return on investment and it is a waste of square metres and land to cut off a piece from a project to build a mosque. Megadevelopers' main objective in any project is to maximise the business and profit. Mrs Dubai Holding added to that with:

“The masjid should be chopped out of the owner of the land and should be always owned by AWQAF. All the masjids in Dubai are owned by AWQAF (General Authority of Islamic Affairs and Endowments). So, developers have to partialise and subdivide the plot to the Islamic affairs AWQAF, then they can build it, or they can ask the developer to build it. But the land should always be owned by AWQAF.”

Another reason mentioned by Mrs Dubai Holding highlighting why developers try not to have a mosque in their developments is the question of money and the donors who set the rules and refuse to build mosques in POPS.

“Sometimes, in order for the donor or the person who wants to donate to build a masjid, they mostly reject the idea of building a masjid in our projects and POPS since there will be less people coming to pray in that area. They are donating money, so they want to serve more prayers. People who donate will always prefer residential areas (that is the feedback I heard from them) where people come frequently to use the masjid so donors get Hasanat⁴⁹ for building the masjid.

Mr Emaar interprets the question differently. He first asserted that they follow Dubai Municipality standards and requirements for the masterplan, and Dubai Municipality specifies

⁴⁹ Credit for good deeds, which Allah weighs up against one's bad deeds at the final judgement after death.

the religious requirement for each masterplan. Thus, based on the footprint of the masterplan and the population size, it dictates how many mosques and how far apart they should be.

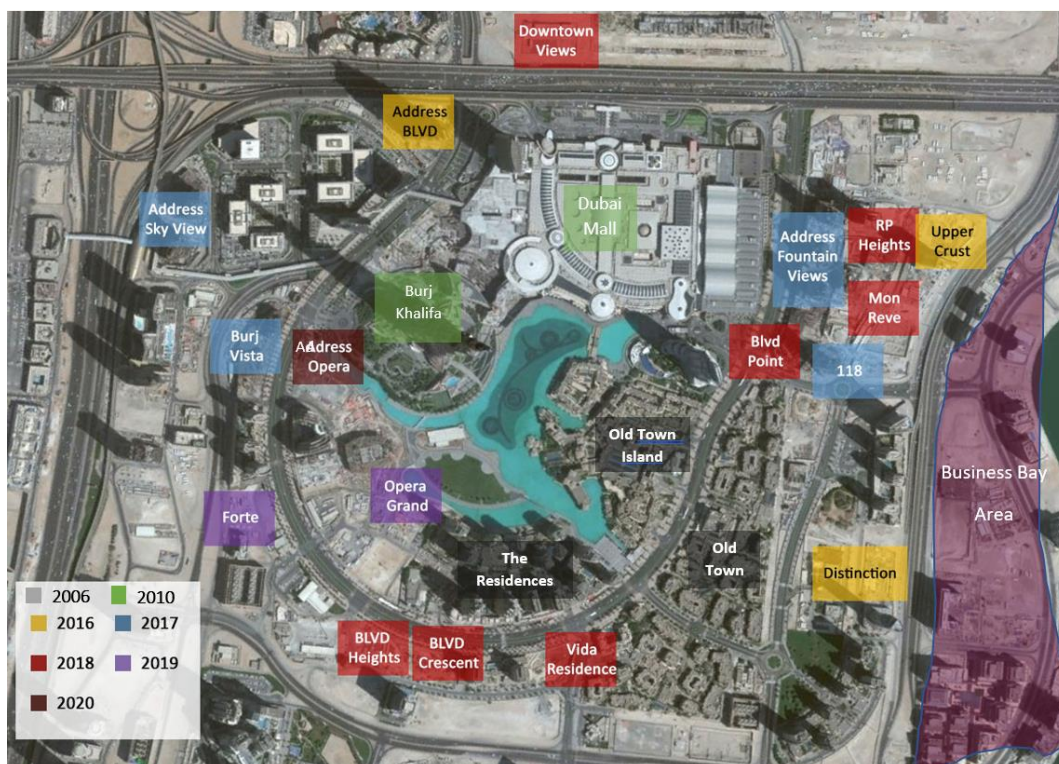


Figure 62: A masterplan development for the megadeveloper Emaar.

After checking Emaar masterplans, I discovered that Mr Emaar was not telling the truth entirely. Downtown Dubai is a leading project done by Emaar that does not have any mosques to serve the community or fulfil the municipality requirements.

The mass plan shown in Figure 62 is a representation the masterplan development for all the residential buildings done by Emaar, along with the year of their inaugurations. These developments lie at the heart of Downtown Dubai, overlooking the iconic Burj Khalifa, the tallest tower in the world. The absence of any religious building or aspect in the area is obvious.

“Emaar usually complies with these requirements; we have to have the approval on the masterplan. We as developers need to create a successful project and design, having the right facilities, either a mosque or a school or a clinic, is what makes a successful community, so I am very confident that for most, if not all, of the consultants we work with, this is how they operate.”

Then Mr Emaar mentioned an interesting term, “landmarks”, and explained that they build to impress and to satisfy requirements. If the mosque will create a new landmark for the city, then it will be built.

“Landmarks are the centre of our projects. Burj Khalifa for the Downtown area, the newest tallest building for Dubai Creek Harbour. These landmarks are well-positioned in the masterplan to give it identity and a purpose. It drives the business case and it makes the difference. For Dubai Creek Harbour, based on Dubai Municipality’s requirements, this area will have multiple mosques, including one flagship mosque, which will be as big as Sheikh Zayed Mosque. When you go and experience Dubai Creek Harbour, you will find there the tallest tower in the world and you will see also the biggest mosque. So we don’t have until now a mosque positioned in a project as a landmark, that why it is not present in the centre of the project.”

Mrs Meraas has a different interpretation as well. She insisted that mosques were always part of their projects. The mosque in Bluewaters is right in the middle of the island on the main road, same as in City Walk.

“In Al Seef there is no mosque there but prayer rooms, and we didn’t have a requirement for it. When there is no residential, the presence of the mosque is not required. AWQAF approves the land and approves the design, AWQAF approves everything. AWQAF is very much involved in every aspect of mosques in term of approvals. Mosque requirement is about population. If there is a population living in this area, then you need to make sure that you are providing mosques for that population. When we don’t add population, we don’t build mosques. You only build mosque as per the government regulation from the population that you create through residential entities.”

Meraas designed striking art pieces in Bluewaters and City Walk. Mosques are designed with elegant, impressive architectural form. They are built in a modern way so that a person passing by will not recognise these buildings as mosques, rather as beautiful monuments.

I am of the impression that Meraas builds mosques in its developments regardless of losing land to AWQAF or waiting for a donor to build the *masjid*. They invest personally in the

implementation process and make sure to maintain the high quality of its design for the sake of their image and reputation, and to match the project they are delivering and selling.

Majed Al Futtaim does not take religion and religious aspects into consideration for their projects. Mr Majed Al Futtaim explained that this has a direct relation to the exterior firm that they hire to conceive and build their developments. These firms implement Western culture and know-how (since the majority of architectural firms are recruited from the Western world). Only after developing the main design idea, and if obliged, they keep a small piece of land at the periphery of the project for the mosque to fulfil municipality requirements. The same applies to malls. Consultants and developers obey these requirements, but they do it with minimum impact on these areas.





Figure 63: The model of the Bluewaters' new residential development, showing the modern design of the mosque.

Mrs 5+Design considers the reason related to Dubai itself. Dubai is a multicultural and multireligious city. Most of the projects are not Emirati-oriented, which means that they are for expatriates, therefore the demand for a mosque is not required. So, it is because of the demography.

Every developer confirms that it is required by Dubai Municipality to build a mosque in developments to assure the religious aspect of the project. According to Mr Dubai Municipality, some developers respect the requirements of the municipality while others do not.

“I don’t know why the mosque is not in the centre. In the past, developers didn’t follow the municipality requirements, they were rushing to finish the project, but things are changing nowadays. I think it was a period where they have overlooked and used the Western consultants’ know-how to build and design projects. Nowadays developers are more aware, and they apply the community facilities standards including the requirements for mosques. If they are falling under the Dubai Municipality jurisdiction, they have to do it because it is

mandatory, outside the municipality jurisdiction they have adopted the same approaches, providing such facilities will enhance the value of the development. I am not talking just about mosque, but also about other facilities such as open spaces, community centres, schools, health facilities. Developers are adopting Dubai Municipality standards. We are flexible if a developer comes and suggests maybe it is not warranted to have two mosques here, can we have a bigger one in the middle. So that dialogue is happening, and Dubai Municipality is flexible because different projects have different, unique settings.”

What I discovered after accomplishing this part of my interview is that the main function of a mosque, aside from worshipping and gathering of people, is social. Any mosque built in Dubai was built from donations, mostly from a singular individual. For a wealthy Emirati, the construction of a mosque is part of an attempt for show off. The mosque will be known and named according to the person who donated to and built the mosque. Since ancient times, the mosque has been of value and imposed the political value of the one who built it. Thus, this mosque reflects the value that this person has in the society. The richer and more famous this person is, the larger the mosque will be. The role of the mosque in the UAE has become more personal than religious and social. As with the Al Amin Mosque in Beirut and Al Aqsa Mosque in Palestine built by the Umayyads, the political competitiveness of the mosque is more important than its social and religious value. This explains why mosques on Jumeirah Street are so widespread: they are all private mosques built on private plots.

In new developments, mosques are not present for the most part. These zones are conceived to attract the largest number of residents (expatriate) and tourists. Inhabitants and residents of areas such as Downtown, the Marina or Business Bay are not interested in religion nor in the presence of mosques, so instead the tourist attractions will occupy an important place in these communities.

The status of the mosque in Dubai's new developments is marginalised and not considered as the nucleus of these areas. In Dubai Creek Harbour for example, they are building the tallest tower in the world, higher than Burj Khalifa, but they are also attempting to build the largest mosque in the UAE to compete with the Sheikh Zayed Mosque in Abu Dhabi. They are building the mosque as if it were a tourist destination rather than for its religious value, and to compete with other emirates.

The fact is that the municipality requires the determination and specification of a piece of land in every new development dedicated to the construction of a mosque. This is why the City Walk and the Bluewater mosques were built in these new developments. They were designed with superb geometrics, are ultra-modern, and were built and conceived as a museum or a place to see and admire, thereby increasing the touristic value of the development.

12. Understanding social practices

12.1 Introduction

In the previous interview segments, I tried to grasp the social aspect of the projects realised by developers, or in other words, comprehend their social practices. I interviewed the developers who own the land and are responsible for the accomplishment of the work. I also wanted the feedback of the private consultancy firms responsible for the design ideas of the projects and the final shape of the developments.

I aimed to find out if the developer simulates the conduct of the user in the project by studying user behaviour in these spaces throughout different project development phases. After producing and accomplishing the project, do then developers run surveys on the customers to understand the factors of success or failure of these new areas of attractions? By that they would understand the key to success or failure of a project, and how these projects are practiced by the user.

Then I aimed to establish more details about the user of these projects, especially if these areas are intended to satisfy the rich Emirati social class, and if the targeted population affects the project design. For this part of the interview, developers lost interest and their answers were brief, as though the previous part of the interview consumed all of their energy and they therefore wanted to finish it as soon as possible. They showed happiness that the interview would end soon and re-insisted many times their wish to remain anonymous with their names not to be mentioned or revealed under any circumstance.

12.2 Behaviour and conduct

Do developers study user behaviour in the spaces throughout the different stages of project development phases to simulate the user conduct?

Emaar does, they even created a specific department to do this important job and undertake research in the retail department. They study the market to understand and be aware of the retail available in the city, what kind of retail to offer, and what kind of client attracts each type of retail. This is important information for them to understand, clarifying whom to target, what to

do and what kind of offers to implement. The same applies for Meraas, whereby Mrs Meraas explained that they learn a lot from projects as they evolve.

“The way the people behave, the way the people use the space on the beach, influenced the Bluewaters project and influenced The Beach project as well, and of course we use the consultant who worked globally and developed projects elsewhere, so they have knowledge. As a team here, we go and look to other places globally, we study lot of areas overseas and study how people behave in those areas.”

Mrs Dubai Holding sidestepped the question as usual and started explaining their innovative thinking as a company and their futuristic vision for Dubai, how they are shaping the city, how they create their projects and think about its disposition. Dubai Holding is so caring that they study each piece of land, its uses, how it will serve the city by having a new hub there, and the needs of the area, explaining it as follows:

“When we thought about Internet City and Media City, Knowledge Park and all these projects that consist of mini cities within the city, we look at the need and at the location. If you drive along Sheikh Zayed Road, which is a known corridor road, you will definitely reach Internet City or Media City. So, we place things and hubs and destinations as per the location and the surrounding uses. Global Village, for example, started as a small project in the Deira area then moved to the Creek, then moved to its current location. It can be placed anywhere people will come and enjoy it because it is a destination by itself so we can spare the Creek for another future project. When we thought about Global Village, we thought about the place, we thought about the possibility of expansion, we thought about the public parking, we thought about all these, so we put it on the urban limit of the city.”

Private consultancy firms agreed without exception that this is the most important part of the project. They research that, along with demographics: who to expect, the targeted visitors, the target workers, and the inhabitants. Then they create the experience around what they think would be a vibrant space for the users. So, the aim is to achieve vibrant development at the size they are considering. They need to capture the public by trying to find something for everyone. The aim is how to interest each stratum of the demographic to visit and invest in the development.

Both developers and private firms launch studies on their projects but for specific reasons. They conduct studies to simulate customer behaviours and attract more footfall. By that they will attract more investment and investors, which means more money and gain. The study is not for the sake of the human, their comfort and wellbeing. It is also not to achieve a successful, comfortable, climate conscious and usable space, but to achieve gain for pure economical sake.

Mr Emaar affirms that they provide surveys to get feedback from the customers. They run it when the project is established because during the phasing it is hard to do a full survey as the project is not yet fully operational. This feedback then remedies existing projects or facilitates establishing it in a new project. In a mall they did few studies to understand which part of the mall is more used, noting:

“In The Dubai Mall we have a mapping of which area has the highest footfall, there were areas which have a very low foot fall, so then they had to redesign these areas to change that. If you visit the new section of The Dubai Mall, where we are offering luxurious products, this area in the past was underused. They regenerated it by redesigning it to activate it. Sometimes if you have a part of the mall not performing well, you attract an anchor to that area, for example, when Cheesecake Factory come to that area it generated a lot of traffic in an area which was mostly positioned on the backside of the mall.”

Meraas take this very seriously and hires external companies to do the job. Similarly, Dubai Holding always seeks feedback and takes user comments into consideration for implementation in the project. Once the project is completed to where people are using and enjoying it, the visitors then have different needs and always ask for certain things, so those services are provided through their property management company. Mrs Meraas explained it as:

“We do our best to fulfil the need of the re-equipment of any project, we learn things from each project, and we definitely try to see what the user like most and what to avoid in these projects. We take the consideration of people, because these are subject of the need of the people so there is no point in just working blindly without having feedback from our end-users, but we listen to them and we listen to the news and we check all the written comments and try to implement modification in our projects.”

12.2.1 Targeted population and social class

All developers conduct surveys to enhance the user experience in their projects, which will be beneficial to their business model and attract more customers. I was interested to know about this customer specifically. Is there a targeted population frequenting these private projects open to public created by the developers, and is this target population affecting the design of the projects?

Mr Emaar insisted that they design carefully to ensure that they respect all nationalities, since Dubai is a multinational city serving different peoples. In some instances, he said, they target investors not customers:

“When we did the design for Arabian Ranches, for example, we targeted the family size (a couple with a couple of kids, with an income of AED35,000 per month). We didn’t target a nationality or religion, we targeted the scale of the family.”

They do not target a population, they target a market segment, and that market segment affects the design of the project.

“If somebody is seeking high brands, he wanted to be packaged to complement the experience, so you will find that we are looking after the finishes in that area, after the design and the experience to suit that proposition.”

Mrs Meraas explained that they target footfall, which is more important for the project than a particular population. “We don’t target anyone specific,” she added, further noting that while designing they do not think about the audience who will come to visit the project. But she later answered differently during another interrogation, wherein she confirmed that they want the wealthy to come.

Mrs Dubai Holding considers that the targeted population is in direct relation to Dubai’s needs and Dubai Holding is present to serve its needs. She recalls that in 2007, there was a mandate to double the hotel keys in Dubai. There were 60,000 hotel keys in the city at that time and following the instruction to double that, they focused on creating projects around hotels with different star ratings to serve all the segments of the population. She stated:

“So, we started providing projects and planning projects and dedicating land uses/plots for hotels in a good served location and getting the developers to build the hotels in those areas. By that we served the need for the hotels, and this will attract the need from its visitors.”

Similarly, there are needs for offices and needs for residential units.

“We take care of these project elements, so the end-product serves all the segments per records and per need. Like at that time Dubai rent prices were going extremely high and a big segment of people could not afford it, so there was a call for more residential units to provide more to make the rent decent for everyone to afford living.”

The targeted population affects the project design for Dubai Holding, too:

“When we talk about affordable, for example, you need to reduce the cost and you need to make it affordable for them to live in. So, we consider spaces that are optimum but not small for the needs of people and we try to make it decent on their bills and on their consumption. When we talk about projects that need a lot of irrigation, then it will definitely pass the cost onto the end-users. So, we have to look into this. We beautify the project with the minimum need and try to make it beautiful and nice. We don’t jeopardise the provision of public spaces or areas for people to enjoy, but we try to optimise the use of the space.”

Mr Majed Al Futtaim was clear and informed me that they targeted specific strata, usually mid- and high-population, especially Emiratis, Arabs and Europeans, but rarely Asians. They focus on women much more than men, especially when talking about retail. He said:

“We usually have study results showing that women shop much more than men, so we open more women-oriented retails than for the men. The retail relies on customer behaviour connected to tenant mixture.”

It can be ascertained that all the developers have a target population, usually middle to rich populations that are willing to consume more and pay more. I was curious if, among this wealthy population, if it is specifically the well-off Emirati social class that these projects intended to satisfy?

Mrs Meraas was clear about this and informed me that they do want the rich to come. Anyone who has money and willing to spend it is welcomed. Their projects are intended for them, regardless of nationality or gender.

Emaar is also targeting consumers who are willing to spend. Not only the rich strata sometimes spend, but the middle as well, which is why in their malls (The Dubai Mall, for example) are different markets. There will be some areas serving the lower-class with affordable brands, and you will have high-end brands to attract the wealthy. These two areas, if present under the same roof, are located far from one another. Fashion Avenue in The Dubai Mall is targeting those seeking luxury products and well-established brands. Whether they are Emirati, Russian or Chinese, they are all part of the equation.

Dubai Holding is targeting everyone since Dubai is formed by very mixed culture, so its people's behaviour and spending vary. Expats can spend much more than an Emirati local who is living in the city, and Dubai Holding confirms that visitors and tourists who come to Dubai spend much more than the expatriates. So, for this reason, they target everyone.

13. Main findings

13.1 Introduction



Figure 64: Dubai Holding curved hoarding.

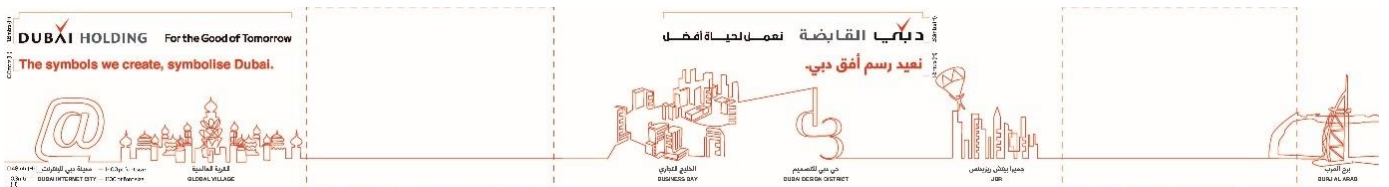


Figure 65: Road ad placard encircling a corner plot for the megadeveloper Dubai Holding on Umm Suqeim Road.

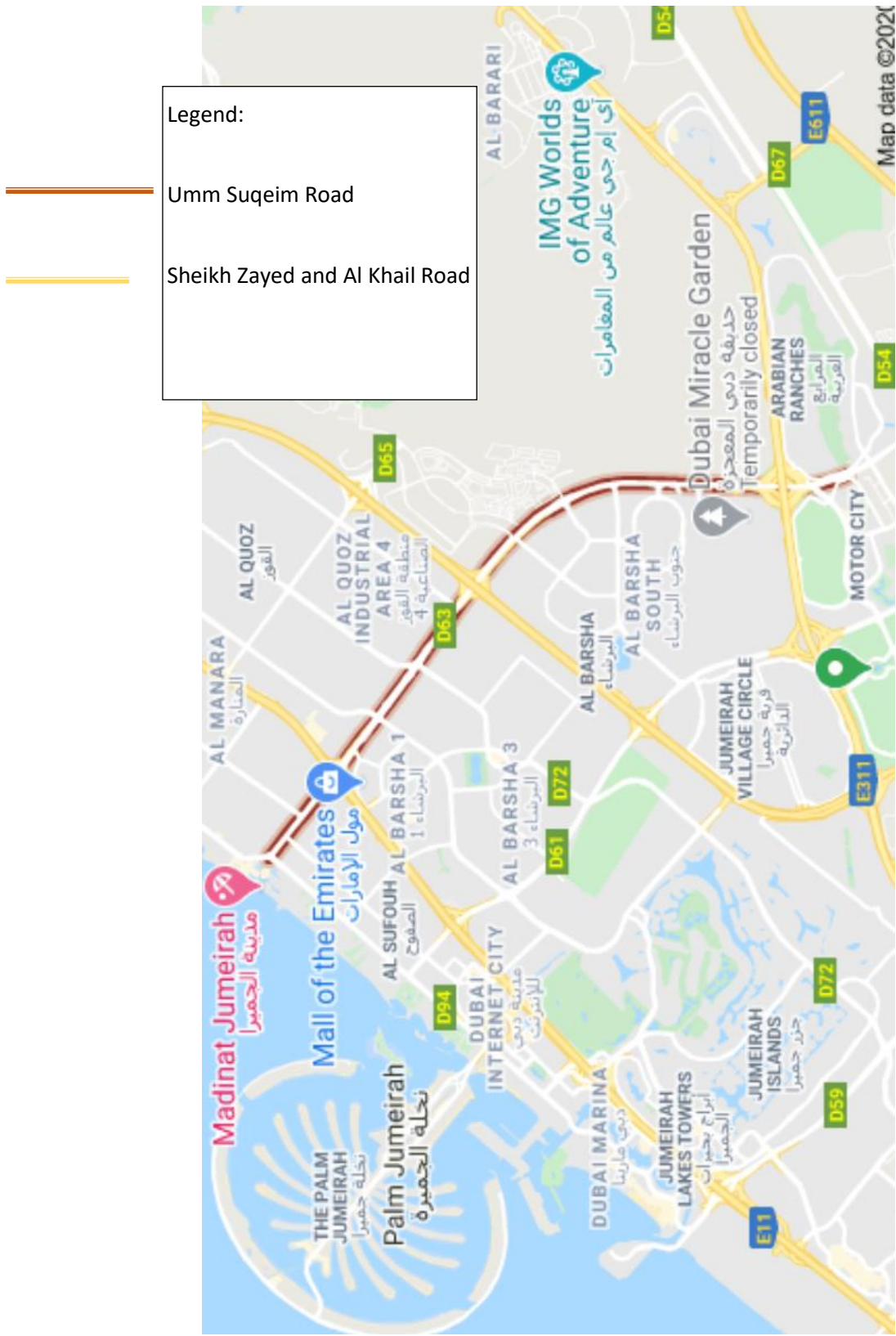


Figure 66: Google Maps localising Umm Suqeim Road.

From Madinat Jumeirah to Motor City, Umm Suqeim is a long transversal road that runs throughout many vibrant and populated neighbourhoods such as Al Barsha, Al Quoz and Al

Sufouh, in addition to numerous thoroughfares including the famous Jumeirah Street,⁵⁰ Al Khail Road and Sheikh Mohammad Bin Zayed Road. At the end toward the west of this very busy street, just next to a major traffic light, is an oversized advertising panel occupying a vacant corner lot that is unmissable. It promotes how Dubai Holding—the largest government owned corporation—is responsible for and proud of shaping the skyline of Dubai with its different megaprojects and developments. A role that should be assumed by the city planning authority or Dubai Municipality is taken over by the developers in Dubai who are convinced that they are the ones in charge of shaping the city, as Mrs Dubai Holding confirmed in the previous chapter.

“When His Highness decided to transform the city of Dubai into a metropolitan, which means the expansion of the urban area of the city, megadevelopers were created to do the job and create strategies that follow this vision.”

These megadevelopers are transforming the city into a brand, according to Bromber et al. (2018), and this transformation is directly related to consumption; a fact that largely satisfies the developers and their commercial objectives.

“In the process of transforming cities into brand, branding advocates the construction and marketing of urban assets that can be commercially exploited. The central function of brands is, first of all, to create an encompassing positive image and, with that, to signal certainty about the quality of products and services that are provided and consumed. Therefore, turning cities into brands means transforming cities’ characters from a socio-political arena into an easily readable object of consumption. Accordingly, urban development is increasingly addressing the needs of commerce. Public spaces are replaced by readymade private space of consumption.” (Bromber et al., 2018, p. 9-10)

Therefore, this transformation does not suit megadevelopers in terms of consumption of their goods only, but also and more precisely, it suits the government and furthermore, His Highness. Transforming the city into a brand is a way to divert the attention from the emirate’s socio-political arena.

⁵⁰ See Annex 3.

But why? Most of the large-scale projects in Dubai⁵¹— so as to avoid generalising—tend to happen alongside property development, interlinked in complex and varied ways with the government (the Ruler and his ruling elite) and prominent merchant families connected to the Sheikh.

“The iconic Palm Island was developed by government-owned Nakheel. Downtown Dubai and Burj Khalifa are projects of the development a company initially government owned but later with public shareholders.” (Ponzini, 2019, p. 245)

To add, according to S. Ibrahim in his thesis entitled “Dubai: la genese d’un modele extreme dans le circuit des villes globales” (2020), confirms that every piece of land outside the residential areas in the 1960s in Dubai is owned by the ruler. That is what is giving the Sheikh the power to control the city’s urbanisation.

“Le fait que le Cheikh puisse disposer librement des terrains en dehors des zones résidentielles des années 1960 a permis un contrôle considérable de l’urbanisation.”

In that sense, developers are generating projects on lands that belong to His Highness Sheikh Mohammed bin Rashid (2006-present), transforming Dubai into a service economy city with luxurious real estate, retail and tourism, all while consolidating its role as a hub for maritime trade between Europe and Asia (Barthe, 2017). And, as has often been said (Kanna, 2011), HH Sheikh Mohammed Al Maktoum proclaims himself the “CEO of Dubai”, which is reflected in the way many Emiratis make the analogy between city and business, but also in their tendency to consider their ruler as visionary, paternalist and general manager.

At the top of the hierarchy, Sheikh Mohammed Al Maktoum has a complex network of companies and subsidiaries. Dubai Holding and Meraas,⁵² chaired by HH Sheikh Ahmed bin Saeed Al Maktoum; Emaar, led by Mohammed Al Abbar; and Dubai World, headed HH Sheikh Ahmed Bin Saeed Al Maktoum, are therefore perfect representations of a corporate network owned by His Highness.

⁵¹ I am convinced that all, not most, of the large-scale projects are interlinked in complex ways with the government.

⁵² Dubai ruler Sheikh Mohammed bin Rashid Al Maktoum has appointed Emirati Chairman Sheikh Ahmed bin Saeed Al Maktoum to temporarily oversee Dubai Holding and property firm Meraas, replacing Abdulla al-Habbai, the Dubai Media Office tweeted. (Reuters, 7 Nov 2019).

In the Middle East, as noted by Sarah Moser (2019) in an article entitled “Two Days to Shape the Future”, authorities see new cities as a way to diversify from oil. New cities are also increasingly seen to rebrand the country for foreign direct investment.

What was mentioned above may recall the attitudes of the multiple planning authorities (DDA and Dubai Municipality) and their responses when interviewing them regarding new developments, along with their flexibility when dealing with the turnaround of planning rules and regulations. For them, all is possible, and the developer has the right to do what they think suits the project best. The authorities are adaptable and can deal with change.

Moreover, this may also explain why megadevelopers crown themselves responsible for the creation and implementation of megaprojects that will shape the city. The urban planning of the city, and any specific urban plan or guide for the urban development in Dubai suggested by the authority—for example the Dubai Urban Plan 2020—has no specific influence on new developments but can bring great restrictive power to limit the creativity of developers and their businesses.

Authorities, more specifically DDA, confirmed that the Spatial Plan 2020 was outdated from the day it was published, stating:

“The day they issued 2020, they fixed a development line, no one can override it. The very next day, they announced a project outside the development line. So, we are working now on 2040 plan.”

What should be expected from a structural plan created by the municipality in 1993 serving until 2020 with the main aim to be sufficiently flexible to accommodate shifting needs and opportunities? In an article written by Elsheshtawy for the book *The New Arab Urban* (2019, p. 224) entitled “Real Estate Speculation and Transnational Development in Dubai”, he confirms that none of the projects developed by megadevelopers were done under the guidance of a specific masterplan that regulates growth, establishes linkages between various developments (roads or networks for pedestrians) or makes overtures toward the creation of a viable public realm. Elsheshtawy adds that this approach intensifies the city’s splintered urban

patterning due to the lack of any enforcement mechanism for the Dubai Urban Plan,⁵³ such as a Supreme Planning Council.

13.2 The confusion between the Sheikh's vision, Dubai Plan 2021 and Dubai Urban Plan 2020

Megadevelopers consider the Sheikh's vision as the only guide to follow when creating their projects. They act according to the belief that since he is the ruler, the authority and the "owner of the company they work for",⁵⁴ he is therefore the director and they can do whatever they want without any restrictions or contradictions from any kind of so-called authority. But what is this vision that all developers speak of and consider as a guide and pretext to create and build any project they want to suit their development's objectives?

After studying their answers, I discovered that each company tailors and customises the Sheikh's vision to fit the project they are planning or implementing. That same vision can change with every launch of a new project within the same company; His Highness' vision is diverted and interpreted according to the nature of the development. For example, if the developer is producing a touristic project, he will argue that the Sheikh's vision is to transform Dubai into a touristic hub. As another example, Emaar believes that His Highness Sheikh Mohammed's vision consists of positioning Dubai globally as one of the major hubs, creating "the city of tomorrow" by providing the best infrastructure and living standards. Operating under this vision, Emaar have therefore taken the initiative right from the start to work on megaprojects that embody this. Burj Khalifa is a good example. Another developer meanwhile explained that His Highness' vision is to transform the city of Dubai into a metropolitan, which means the expansion of the urban area of the city.

⁵³ His Highness Sheikh Mohammed bin Rashid Al Maktoum, Ruler of Dubai, launched on 13 March 2021 the Dubai 2040 Urban Master Plan that maps out a comprehensive future map for sustainable urban development in the city. Aligned with the UAE's vision for the next 50 years, the plan is focused on enhancing people's happiness and quality of life. The people-centric plan focuses on reinforcing Dubai's competitiveness as a global destination by providing a wide diversity of lifestyle and investment opportunities for citizens, residents and visitors over the next 20 years. Designed to realise His Highness's vision to make Dubai the city with the world's best quality of life, the plan aims to provide the highest standards of urban infrastructure and facilities (Emirates News Agency, 13, March 2021).

⁵⁴ Sheikh Mohammed governs the development of his emirate through a conglomerate of the different public, private or joint companies and institutions (Steiner, 2018, p.19).

In the quest for the right interpretation of His Highness' vision, I started to believe that Sheikh Mohammed intentionally did not verbalise it clearly as an escape or as a way to cover all ideas a developer might suggest would bring added value to Dubai, thereby keeping it at the forefront of the world's cities. If sustainability will do the job, then His Highness will focus on this idea, or "buzzword", as the main element of his vision. If tourism is the key, then again, the Sheikh's vision will be adjusted to cover touristic ideas or projects.

In his book *My Vision*, Sheikh Mohammed clearly mentions that his vision is more of a mission for Dubai to become an international, pioneering hub of excellence and creativity. As a ruler, he is already striving to position it as the world's premier trade, tourism and service destination in the 21st century. He also wants security, safety and dynamic growth without neglecting that all-important element of trust within the main structure so that Dubai can lead. He will never accept Dubai settling for anything less than first place. In that sense, the Sheikh is open to any project that would make Dubai a remarkable city and among the best in the world, regardless of the purpose of the project, be it tourism, economy, sustainability, creativity, services, safety, etc.

To keep Dubai at the forefront, The Executive Council of Dubai—the highest government body in the emirate—plays a major role in translating Dubai's leadership vision into reality. For that, the council supervises and guides government policy implementation and services. The Executive Council also established a unified vision for Dubai and branded it the Dubai Strategic Plan, namely Dubai Plan 2021, where the individual is at the centre of this vision. The Dubai Plan 2021 is an essential pillar for Dubai that the government uses to guide its different public policies. Each pillar of this plan has been translated into a set of overarching strategic objectives monitored by a set of performance indicators. Therefore, developers should adhere to the plan set by His Highness and operate accordingly, especially since these developers consider themselves to be functioning directly under their ruler's authority.

Upon asking developers about what they knew of the Dubai Plan 2021, I realised that there is significant confusion between the city's Strategic Plan, the Sheikh's vision and the Dubai Urban Plan 2020. Some megadevelopers saw no difference between the Dubai Plan 2021 and His Highness' vision, and each translated it according to their company needs and business self-interests.

However, planning authorities understand the plan differently. Their interpretation is closer to its exact objective, but since it is the developer's duty to build and plan the city, the authority remains helpless with no real power to implement it properly, having instead to adapt to the developer's needs and requirements.

13.3 Incentive and purpose behind projects

Even if approvals for new developments and projects are theoretical, serving to just keep an image of a hierarchical authority, small projects created by private owners or small, not well-known development firms should obey the regular procedures to receive the approvals in order to proceed with their projects.

The approval process in Dubai is different than in other parts of the world. Lands in Dubai are alienated according to area within the city. Each area is represented by a different authority power, subject to its own rules and regulations, and each of these institutions stay out of the affairs of other regions. In Dubai, several areas fall under the jurisdiction of different authorities. According to Mr Dubai Municipality, approximately 55 percent of the urban area is under the jurisdiction of megadevelopers and free zone authorities, while the remaining 45 percent comes under Dubai Municipality.

The 55 percent that falls under JAFZA Jabal Ali Free Zone is handled by Trakhees, which acts as the municipality in this area. DDA (Dubai Development Authority) is under Dubai Silicone Oasis Authority (DSOA), which handles other areas that belong to free zones but do not fall under the Jabal Ali footprint. Each of these mentioned entities is considered the municipality of its respective zone. They do not coordinate with each other regarding building rules and regulations, land distribution or incentives. Dubai Municipality, however, remains at the top and sets almost all of the regulations, which the others follow alongside their own individual standards and regulations. These municipalities are aware of their roles and the restrictions that they face whenever they have to approve any projects, however, they are approved regardless.

The incentives system engaged worldwide is not applicable in Dubai. Developers set the rules; thus they do not need incentives from the government and authority. This was expressed by the developers in their interviews. Developers in Dubai adopt the role of the authority, considering themselves, without exception, as the main reason for Dubai's expansion and growth (see the

road placard in Figure 65 and Figure 66). This is believed to the extent that one private developer explained that sometimes it is the developers who provide incentives to the authorities, not the other way around. If the government does not provide incentives, questions arise: Why are the developers still creating private places open to public in their huge developments? Why not instead create private places where public use is restricted and exclusive, and where no foreigners are present? This phenomenon, along with its reasoning, results in a fragmented urban fabric geared toward exclusivity, where liveability and urbanity are neglected issues.

In brief, developers are well settled in Dubai and as previously indicated, have power that is superior to state power. They guide the Sheikh's vision and adapt it to real estate market needs, as well as land speculation.

Separate to socio-political reasons, the creation of these spaces is a way to achieve more gain and raise their selling profit. Developers have this level of power because His Highness Sheikh Mohammad and the government are aware that these developers, through building with an excessive use of architectural symbolism, are attempting to create an identity where the identity is inherently absent (Steiner, 2018, p. 26).

Dubai was an unknown city. In retrospect, it becomes clear that what is grounding Dubai's reputation nowadays is its status of fabulous architectural projects created in the past 20 years or less. Dubai is equated to The Palm project, the Burj Khalifa, Sky Dubai and the Burj Al Arab, among many others; nothing but development and architectural projects emphasising the materialistic showcase that they provide. Developers must ascertain distinctiveness through different means, for example via the location or the superlatives. Some even restrict their project's accessibility in order to highlight its exclusive nature.

Companies such as Nakheel, Emaar and others were crucial to determining the city's growth pattern (Elsheshtawy, 2019, p. 239), and to this I will add, the city's reputation. None of the projects developed have been done under the guidance of a specific masterplan that regulates growth, establishes links between various developments, or makes overtures towards the creation of a viable public realm (Idem, p. 247).

And speaking of the public realm, where does it stand in the middle of all of this?

13.4 Public realm: the big confusion

In a study done by Elsheshtawy in 2013 on the land use of Dubai, he deduced that shopping centres occupy 0.3 percent of Dubai's built area, but that whatever the precise allocation attributed to shopping is, it exceeds what is given to parks and green space. These come to about 1.6 percent of the urban space, giving Dubai one of the lowest proportions of green space in the urban world. Driving along Sheikh Zayed Road,⁵⁵ it is impossible to miss the huge construction site and a considerable number of cranes planted in the centre of one of the most famous public parks in the middle of Dubai, Al Safa Park. The images below explain why the number of public spaces in Dubai are low and are continuously being reduced:

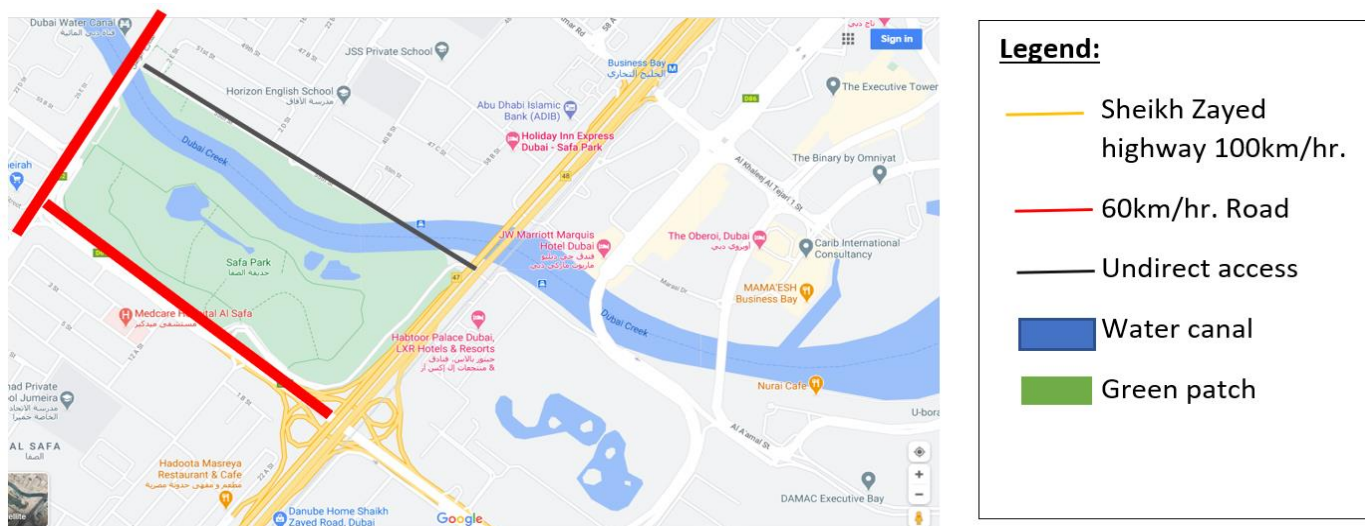


Figure 67: Google image localising Al Safa Park.

⁵⁵ The Sheikh Zayed Road, also known as E11, is the main highway in Dubai. The longest road in the Emirates, it stretches from the emirate of Abu Dhabi and ends in Ras Al-Khaimah emirate. The road forms the main artery in some emirates' main cities, where it assumes various alternate names such as for Sheikh Maktoum Bin Rashid Road and Sheikh Khalifa bin Zayed Road in Abu Dhabi, Sheikh Zayed Road in Dubai, and Sheikh Muhammad bin Salem Road in Ras Al-Khaimah. It has become a tourist spot of its own in Dubai. Some of the most architecturally marvelous buildings are all located on this road.

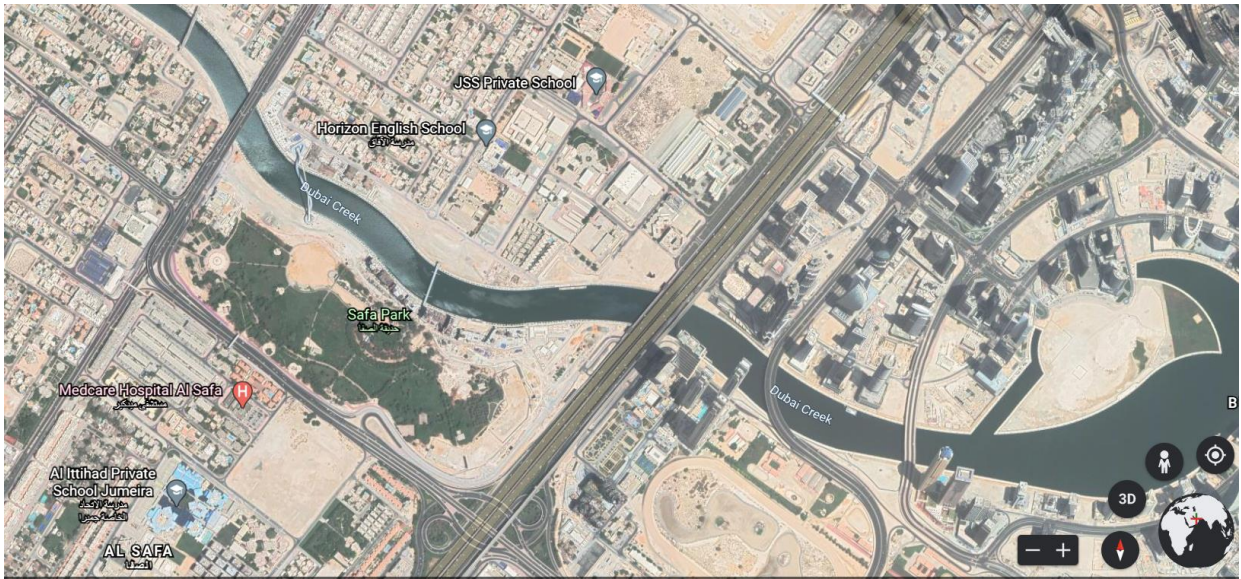


Figure 68: Google Earth image showing the present status of the park and how developers devastated it. The green patch is reduced to not more than one third of the area.



Figure 69: Al Safa Park from Sheikh Zayed Road.

Regardless of the disconnection of most of the public parks from their surroundings and their positioning in the middle of highways—making them unreachable—developers and development projects have devastated most of the public parks by starting to slowly transform them into private areas exclusively for a specific category of the community. This refutes the main concepts behind the terms “public” and “accessible to all”.

To add this, the considerable reduction in the green patches of these public parks is at the expense of increasing building and construction footprints. New developments are happening

in the middle of public parks, even though 53.2 percent⁵⁶ of land in the city is empty/unconstructed land (combining empty sites and those that are still in the planning stage within the overall urbanised boundary of the city). These are ready for new developments since most are desertic plots, with little to no vegetation, rendering them perfect for new construction. Appropriating existing green sites—planted with big, beautiful old trees that have resisted the arid weather of the region and have crowned themselves as well-known landmarks in the middle of the city—is unnecessary. So why is this happening in public space?

Dubai, a “city-corporation”, considers public spaces unprofitable land which are not generating revenue in scenic areas in the centre of the city. The government started to transform these spaces into profitable zones directed and managed by megadevelopers (the private) to bring back the land value. Different projects that are located under the POPS legal definition are delivered in these public spaces. As examples, a huge development project (residential) in Al Safa Park; an attractive touristic/attraction project in the Creek Park (The Frame) along with a dolphinarium; or the famous attraction in Zabeel Park (Dubai Garden Glow), requiring a AED57 (equivalent to EUR13) ticket for each visit to this “public park”.

Public places in Dubai are losing to private spaces, and this was confirmed by every developer I met. This suits them, and even better, it may benefit their future profit-making projects. Developers are creating places similar to public parks to answer to the needs of the expatriate population for outdoor (green or not) spaces. They are imitating public plazas and courtyards to create the right beautiful (but profit-making) environment, even though Dubai inhabitants can find comparable environments in existing public parks for free. However, “for free” is the problem: visitors pay AED5 per person as an entrance fee, a unique concept, but one that still does not generate enough money for the proper functioning of the Dubai corporation.

On another level, the Emirati population is unconsciously approving the demolition of public space, and they are not objecting to similar decisions by the government—if they have the right to object. For the Emirati inhabitant, what they call or consider “public space” is never the public green park, rather it is the desert (as discussed previously in this paper), where sand dunes and limited vegetation are present in an area spread over hundreds of kilometres. Green, squarish land encircled by a long fence, planted with different kinds of flora, with a few benches

⁵⁶ Elsheshtawy, 2019, p. 244.

and tables, is not what Emiratis want or appreciate. These places are imported from Western cultures and do not relate by any means to what they consider “green public space”. Regardless of the need for green/public space by the expatriate population in Dubai, considered to be around 92 percent⁵⁷ of the existing population, this city belongs to the minority of local inhabitants. By accepting green/public space demolition, they are marking their territory. Why start building in the desert and on empty land when there are still big empty patches of land in the middle of city that are not generating any revenue for the government or for the Dubai-corporation?

However, expatriate (white- and blue-collar) presence in this city is so needed for good, balanced functioning, thus the local government makes sure to provide for their need for public and green spaces (biophilia). This is attained by the creation of POPS (private space open to the public) where expatriates can enjoy the experience of public and green space, but not for free. These places are provided by megadevelopers as projects where retail and food and beverage are always present. Additionally, the rules of the use of these places are respected, especially the ones that encourage exclusion.

The fact that megadevelopers are turning the city into a brand means transforming the city’s character away from a socio-political arena and towards an easily readable object of consumption. Accordingly, urban development is increasingly addressing the needs of commerce. Public spaces are replaced by readymade private spaces of consumption (Steiner et al., 2018, p. 10).

The authorities in Dubai associate public parks with the low-income population, therefore demolishing these places reinforces the transformation of the city into a luxurious brand for consumers.

13.5 POPS as a workaround for public spaces

Megadevelopers aim to encourage expatriates to visit and spend as much as they can in their developments. This is presented under the pretext that they are providing public (outdoor or

⁵⁷ Yearly Population Estimates, Dubai Statistic Center.

indoor) areas to breathe and fulfil expat needs for greenery and liberty—a well-thought-out conspiracy with the government.

To achieve the desired results and benefits, one major ingredient should be highlighted: the spectacle of the project. To reach this “spectacular” effect, developers use the “duplication method”. Worldwide projects seen as successful are duplicated as investment packages capable of generating good returns in Dubai. Ponzini (2019, p. 82) considers that this is often done by repeating comparable building types or masterplans and applying similar technologies but adjusted and adapted to new places in response to client requests, different site topography, or to follow fresh trends or technologies. There is almost no consideration for the local culture or environment involved.

The process involves the mobility of international architects and firms who are recruited, which is noted in reference to the historically limited presence of specialised design expertise available within the Gulf (Ponzini, 2019, p. 82). These international names attract tenants, but most importantly, consumers. High and well-known design and designers make the real estate products more visible and desirable. But with these foreign designers, “exotic” thoughts are imported along with them. These notions are implemented into sites in a region where the religion is a main pillar in the constitution of the state, and where the thinking differs entirely in regard to its conservativeness, restrictions (female-male relations, space disposition) and special requirements (prayer room, mosques, ablution, etc.).

The first ascertainment of the above is the quasi-absence of the religious aspect in these POPS, save for some small prayer and ablution rooms in the projects, placed next to the toilets as a service for the assets and the visitors, but never as the main feature of the project. Megadevelopers are fully aware of this fact, but what is more interesting is that this situation suits them. This absence of religious assets and aspects is greatly economically profitable. It has a positive effect on POPS financial profit in terms of space and consumption since the presence of religious elements does not ensure any return on investment for the developer.

In discussing space and gain for the developers, I am talking about the land upon which the mosque should be built. This area dedicated to the mosque should be removed from the land of the main owner (usually the developer) and given to AWQAF, the new owner of this land, as seen previously. AWQAF should be the only responsible authority for the design of the

mosque, its management and revenue. In a corporation like the city of Dubai, this is inconvenient for the continuation of business.

For the sake of the mosque's design and the project's overall image, some developers prefer to invest personally in the implementation process of a mosque, disregarding the concept of losing land to AWQAF and avoiding waiting for a donor to build the *masjid*. This ensures that the quality of what they are delivering and selling is in line with the rest of the project, and thus often more contemporary in appearance and construction. By using this strategy, the developer guarantees that the architectural/conceptual shape of the mosque will assimilate and disappear into their project and will not be seen as an oddly traditional structure encircled by beautiful modern structures. Ideally, once in these developments, visitors cannot discern if the building is a piece of art, a museum or a mosque.



Figure 70: Mosques in different development projects (POPS) that are designed and created to look like pieces of art.

Regarding consumption, developers and managers of POPS such as shopping centres, for example, are happy and satisfied when the religious aspect is absent. *Moussala* (prayer rooms) do not generate revenue and cost money in terms of keeping them clean and well maintained, adding in the costs for providing their consumable items (soap, water, paper), and rendered even more expensive when considering water, electricity, amenities and maintenance. They also occupy floorspace that could otherwise be dedicated to the rental of shopping areas and kiosks. A commercial area floorplan is divided between SA (Saleable Area) or NLA (Net Leasable Area) and GLA (Gross Leasing Area). The consultant/owner of these spaces aims to maximise the SA and to reduce the GLA to ensure a good ROI (Return Of Investment). By being located in the service zones (common areas) of malls, their designs minimise the size, and by that, the economic loss. The more retail, the more income.

13.6 Contribution of imported Western thought into Dubai POPS

In their traditional attire, Emiratis are present in POPS, discovering what other societies and cultures do and how they act, and occasionally trying to imitate Western norms such as men and women holding hands, chatting publicly, sitting at the same table in a restaurant, etc.



Figure 71: Emirati and expatriates in the same development area, discovering and sharing cultures.

Under the umbrella of shopping, Emiratis and especially Emirati women, are in malls to see and to be seen. It does not have any relation to *achat plaisir* nor with the *achat corvée*, rather, with the spectacle of going to these stores. It is also a potential meeting place with other members of their “tribe”, a place of discovery and for socialisation with the other gender, the *non-mahram*, something she cannot practice in her traditional daily life. Under the pretext of shopping, but rarely practicing shopping, they taste freedom. These spaces are mobilised by young Emirati females to emancipate themselves from social norms to an extent. It is a freedom

involving surveillance cameras and the rules of use of open private spaces to the public, but it is better than staying home or being outside of the mall in spaces rife with social, religious and cultural barriers. It seems that the practices in these places, as mentioned in the previous chapter, correspond to this urban generation of young female Emirati by becoming a part of their everyday sociability.

Moreover, their being in these POPS generally plays a key role for identity formation. The consumption, or their presence, in these areas assure Emirati women a place of belonging in a specific part of the society. By that that, these females are turning the Decartesian notion into a modern Emirati way of thinking: “I shop therefore I am.” Consumption of goods is a reflection of belonging, a means of self-affirmation, and a means to appear in a “presentist temporality” (Lipovetsky and Charles, 2004, p. 82). To belong to consumption in general seems to be key driver of distinction (Steiner et al., 2018, p. 10).

Megadevelopers are aware of this fact, thus, their built commercial spaces are a territory of consumption, spaces that value the act of consumption by giving it a social dimension. Whether it is a consumption associated with conviviality, the pleasure of the group or on the contrary, addressing the individual being able to dispose of “selfish pleasures”, places and territories of trade are arranged to seduce all customers.

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General conclusion

The notion of public space has been evoked under different dimensions for several decades and is still the subject of continuous research while explaining, rethinking, and revisiting its spatial, social, political, economic, and religious dimensions. Thus, it was important to shed light on the interdisciplinary interpretations of the notion of public space. Sometimes elevated to the status of a concept, in the sense of a generalisable phenomenon, public space is today heavily used in the disciplines of political science, sociology and town planning (Zepf, 2004a).

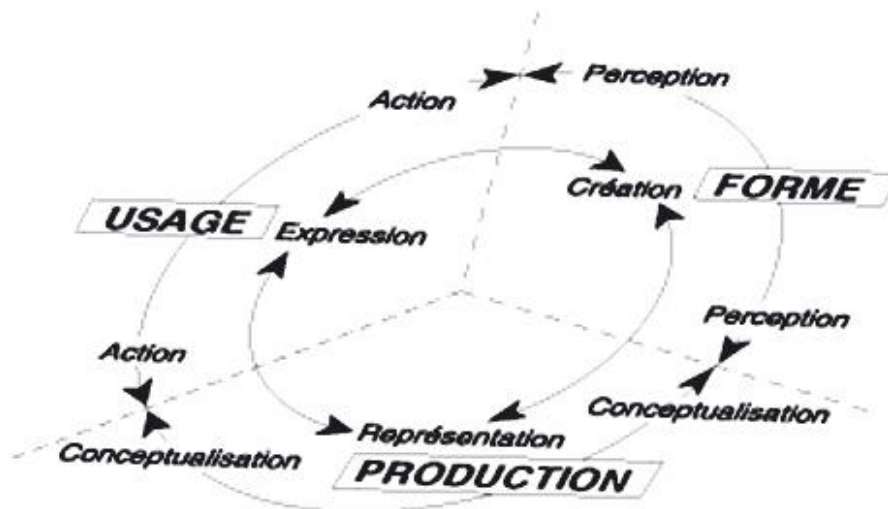


Figure 72: Network diagram of the social, spatial and political dimensions of public space. (Source: Zepf, 2004a).

Public spaces and centres in metropolis cities constitute their vitrine towards the outside. Thus, three figures for these centres stand out: that of the keystone centre, resulting from a city or a territory, that of the centre producing a city or territory, and that of the centre defined by a network (Bourdin, 2019). They are shaped and created by actors, and the practice and the physical presence of these city-dwelling actors. Public space is therefore above all a space where individuals interact with both objects and spatial forms. These spaces are uninhabitable but can be appropriated by the users with no exclusions. Public spaces are symbols of freedom and public sociability, places for all. They play different roles in the city, that of recreational, political and interactionism.

Many actors are now integrated in the production and management processes of public space. Studies conducted in the 1990s highlighted the processes of privatisation and

commercialisation of public spaces. They relate to a massive withdrawal of public authorities and a statement of the private sector in the production and/or management of public spaces. In the heart of metropolises, a “commercialisation of public places” can be observed. In terms of management of public spaces, many cities entrust the development or even management of their central public spaces to the private sector. This privatisation is about management much more than ownership of the space.

The subject of BID (Business Improvement District) works and how private companies take over the public authority in term of management was detailed in the second chapter of the first part of this research, as well as the topic of private spaces open to public in an attempt to learn more about these new centralities. These centralities correspond to new forms and practices that directly relate to the main topic of this research work, that being private spaces open to public in Dubai, and in particular, their conception, design and use by the local Emirati population.

These spaces originated in Europe in the 19th century, while malls in their current form were born in Northern America and labelled “shopping centres”. They become a multi-functional consumer space, both commercial and recreational, and places of public sociability. City dwellers visit shopping centres for the purpose of consuming or entertaining. They also come for a show, that of the commodity first and then that of consumption itself. These spaces are produced in a non-continuous grid of open spaces to the public, and the fragmentation of the urban environment of downtowns has reinforced the cuts between its different sectors and satisfies only the users—consumers—targeted by these programmes, never the entire population of these neighbourhoods. It differs from the concept of “common good” included in the traditional definition of public space.

Members of the public are likely not receiving the benefit of their side of the bargain in exchange for these POPS. Thus, POPS are thought of and seen through a lens of “privatisation” rather than “publicisation”. The subject of privatisation of a space was tackled in chapter three from a legal point of view.

Law plays a fundamental role in distinguishing between “private” and “public”. Public is the first term in relation to which the other is determined. It is logically first in order and in the interaction of the two, imposing that the conceptual public/private couple operates in a mode

of fundamental reciprocity. “Public” is on one hand the political-state, and on the other, the citizen-policy in its various forms of public spheres, especially those identified by the state of the national society, and secondly, from civil society. The tension between the respective factual and ideal characteristics of these two aspects of the same democratic reality is crystallised in institutional transformations such as those ranging from “general interest” to “public interest”.

Public space is then considered as having a dual nature: private domain and public domain. What has been made clear until now is that public space is the essential element of a territory. It was not until late in the 19th century that jurists realised the need to “make the state visible in its dual nature” as “the public domain” and “the private domain”. The public domain is all the property of public persons insusceptible to private property because they are relevant to general interest and public goods, while private domain is all the property of public persons who can be managed by the private property regime. Public spaces are thus places intended for the use of the “public” or for “all”.

A public space could be privatised by changing its status by regulation through introducing measures of “behaviour normalisation” that sets more restrictive rules of use. In addition, *communautarisation* and adding other restrictions to a collective use are to be considered as privatisation by regulation. Along with the success of the “privatisation” term, “publicisation” has appeared. The social publicisation of space signifies the process of increasing the social advertising of a space by opening it to the diversity, or the heterogeneity, of attendance and the social practices.

Studying the accessibility of a space from a different perspective than its legal aspect was also conducted to justify if this accessibility is directly linked to the gender and/or the religion of a person. Therefore, the last two chapters (chapters four and five) of the first part were dedicated to researching gender and religion and their relationship with space, especially public space that should theoretically be accessible to anyone without any restrictions.

In pre-industrial societies, religion has always been a part of and a tool in shaping space, marking the landscape, bringing agglomerations into uninhabited regions, providing landmarks to populations, and seeking to frame social life. However, Western post-industrial societies are

organised today according to logic that attaches secondary importance to religion as it is not seen as a priority in defining spatial planning policies and in developing urban plans.

While some scholars argue that government should stay away from religion and that planning should follow secularistic non-religious thoughts, others consider the opposite and believe in the importance of the presence of religion in planning and developing societies. For those who believe that religion should be linked to planning, the secularisation thesis has failed and religion's role in humanitarian work and militancy makes development's engagement with religion mandatory. Others invite developers to begin considering religion and spirituality while planning economic development. However, religion remains with its establishments—places of worship, schools and/or medico-social workplaces—as an essential element of the construction of territories, especially where the weakness of the State leaves the field open to denominational initiatives.

When it comes to practice, many governments ensure the creation of religious places in public spaces since places of worship play a social function, as does where they are located, beyond the prayer activity. They assist in the reconstruction of the community and its identity. But when these worship projects prove to be “greedy for space”, municipalities often invoke arguments to refuse or thoroughly review such projects, which are typically of an urban nature.

Constructing places of worship for a certain congregation might encourage the faithful to come and settle in that neighbourhood to be closer and, in doing so, change the demographic (ethnic) balance of the neighbourhood. Typically, municipalities had to remain neutral in matters of religion and could not allow the appropriation of part of the public space for religious purposes. However, religious spaces can be accepted in public spaces when they occupy disused, peripheral, non-valued spaces, as this involves no “sacrifice” on the part of the host society. But when the space is tainted or the project is visible, that acceptance does not remain.

On the other hand, other scholars believe that secularism must take over religion since it is argued that public life has been secularised and that which is religious has been privatised. Therefore, secularism is for all citizens a form of freedom that guarantees the choice of everyone's beliefs and preserves, above all and apart from the private sphere, the public sphere.

Secularism and the division between state and religion plays an essential role in the quest for equality among citizens, and in the search for a happy equal space. However, in Islam, sharing space with the opposite sex is problematic. Muslim societies rigidly equate male with public and female with private. Thus, spaces are not seen as inherently “public” or “private”, but rather it is with whom one interacts in these spaces that makes them so. At home, when a non-*mahram* male guest arrives, part of the house is redefined as public. The house itself can be defined as public or private, and therefore religion restricts women's mobility in the male public space.

In conclusion, public spaces in Middle Eastern society, more precisely within Arab Muslim society, are places exclusively for men and restricted for Muslim women (especially the lower-class). These recreational areas can be a source of harassment for women. In the Middle Eastern cultural context, it is difficult to draw an explicit and permanent line between “public” and “private” and as a result, “private” becomes a flexible concept with temporal and spatial dimensions. Thus, any place can act as a private space for a particular purpose for a given time, in the same way homes can be both public and private spaces.

On the other side, women in Western societies, especially in Europe, are more independent and liberal. They can access public space at any time. However, this is not always valid as public space sometimes represents a threat for them; it is the mental integration of male dominance over the space that leads to a limited practice of the city. This differs to that of men in space and time. Women have common strategies for crossing the “forbidden borders”, especially at the end of the day and at night. There is a propensity for the preference of women, for a more collective space.

Moreover, public space is not just feared by women but even by males. Men's experiences of being and not being feared in public space, and their interpretations of those experiences, contribute to the construction of male racial identities and understandings of race and racism more broadly. This fear is fed by the act of “the other”, who remains unpredictable, especially by the anonymous passers-by on the street. This feeling of unpredictability encourages fear and feelings of insecurity.

Adding to that, architectural features present in a space may contribute to the augmentation of the feeling of fear. The link between the city and the feeling of insecurity is reinforced by an imaginary of the dangerous city, which populates today’s political and media world with scenes

of urban insecurity. To add, large social housing complexes and symbolic public spaces all create a strong image of fear that has marked literature and cinema for the last few decades (Bourdin, 2005; 2019).

To conclude, fear in public space and empty space is linked to many conditions: its architectural form, its inhabitant and visitors, the location of this space, or the mediatic image around it. But the most important factor is that fear is embedded within the nature of human beings and their relationship to one another. For the greatest number of us, this feeling of insecurity particularly manifests itself in large human gatherings and empty areas.

All these findings, established in the first part of this research work, were used to set the floor for the second part. As Dubai forms my field of study, research questions were formulated based on the findings of the literature review and helped in uncovering areas for exploration in the process of developing the questionnaire for the interviews.

The introduction of the second part presented and clarified the research questions. But first, Dubai was studied from many facets: its urban development history and its demographic composition; its private spaces open to public; the sociology of consumption as an expression of class belonging as a new social model; and understanding how emotions are expressed through consumption.

Given all the above, my research project examined the impact of modernisation on local social practices, considering cultural and religious barriers. Then, I explored the hypothesis of disguising private spaces open to the public to ensure meeting places between Emirati men and women to circumvent these cultural and religious barriers. I examined the practices and processes mounted in place by these developers to produce and manage these spaces. It was also important to understand if the designers of such projects are aware of the aforementioned facts, thus explaining the high number of visitors to these spaces and the success factors of most of these urban projects.

The following questions were formulated and answered after interviewing the developers and meeting with the local population as well as expatriates residing in Dubai, in addition to observations made within the city's different privately-owned public spaces.

1. Why and how did private developers take over the urban development of Dubai and what factors contributed to that? By developing private space open to public use, private developers are generating a large pool of successful projects attracting more and more Emirati and rich expatriate customers. Hence, what are the criteria considered by the developers to plan and design such successful spaces?
2. While in Western countries POPS are the result of incentive zoning, in Dubai the planning and building laws are not clearly defined, and similar programmes do not exist. Therefore, it was interesting to understand why developers aim to create POPS within their projects without having any advantage from the local planning authority.
3. Since public spaces inspire public gathering and are a reflection for democracy, and considering the political system in Dubai, can we relate the absence of democracy to the creation of this large number of POPS, where every action is controlled and measured, indirectly encouraging the withdrawal of the notion of public?
4. In a Muslim country (in the Gulf region and more specifically, in Dubai) where prayer timing and religious rituals are highly respected by the city's inhabitants and its local population, it is interesting to note the fact that privately owned public spaces are presented as secular and omit the appearance of any religious monuments.
5. As consumption of goods reflects belonging to a social class or group and to a cultural and social identity, can this explain why POPS are gaining ground in Dubai's urban scene and attracting more and more Emirati consumers? To add, it was interesting to investigate why POPS are designed on a commercial basis intended for consumption and entertainment with all the luxury shops already present and in place.
6. Finally, does the Emirati woman take advantage of these privately owned public spaces to overcome the social barriers set by her local culture so she can exhibit in front of others and practice socialisation in these places?

These questions were formulated after long ethnographic observations where I was able to understand and capture the context within which people, especially Emirati women, interact in POPS. At the same time, in a way I was partially a participating observer to better understand some of these faceted situations.

Analysing the interviewees answers and linking them back to my main research questions resulted in:

The role of megadevelopers in the production of space

Dubai's megadevelopers are the main players creating the city's urban fabric. These megadevelopers are transforming the city into a brand, which does not only answer their objective in terms of the society's consumption need, but also and more precisely, suits the emirate, and on top, its Ruler, diverting the attention from its socio-political arena. Developers are producing projects on lands that belong to His Highness Sheikh Mohammed bin Rashid (2006-present), transforming Dubai into a service economy city, with its luxurious real estate, retail and tourism, all while consolidating its role as a hub for maritime trade between Europe and Asia (Barthe, 2017). As has often been said, HH Sheikh Mohammed Al Maktoum defines himself as the CEO of Dubai, a status reflected in the way many Emiratis make the analogy between city and business, but also in their tendency to consider the ruler as visionary, paternalist and general manager (Kanna, 2011). Again, in the Middle East, as noted by Sarah Moser (2019), authorities view new cities as a way to diversify away from oil. New cities are also increasingly seen as a means to rebrand the country for foreign direct investment.

What was mentioned above may summarise the attitude of the multiple planning authorities (DDA and Dubai Municipality) and their responses when being interviewed with regards to any new developments, along with their flexibility in dealing with the turnaround of planning rules and regulations. For them, everything is possible, and the developer has the right to do what he thinks best suits his project. They are flexible and can handle any changes.

Moreover, this may also explain why megadevelopers crown themselves responsible for the creation and implementation of megaprojects that will shape the city. The urban planning of the city, and any specific urban plan or guide for urban development in Dubai suggested by the authority (for example the Dubai Urban Plan 2020), has no specific influence on new developments, but can bring great restrictive power on the creativity of developers and their businesses. What could be expected from a structural plan created by the municipality in 1993 serving until 2020 with a main objective to be sufficiently flexible to accommodate shifting needs and opportunities? In fact, none of the projects developed by the megadevelopers followed the guidance of a specific city-wide masterplan that regulates growth, establishes linkages between various developments (roads or networks for pedestrians) or makes overtures toward the creation of a viable public realm.

Understanding the Sheikh's vision

Megadevelopers consider the Sheikh's vision as their only guide to follow when creating their projects. After studying the developers' answers, it was clear that each one of them tailors the Ruler's vision to fit the purpose of the project they are planning or implementing. That same vision can vary with every launch of a new project within the same company. The Sheikh's vision is diverted and interpreted according to the nature of the development.

However, in my quest for the right interpretation of said vision, I started to believe that Sheikh Mohammed purposefully did not clearly outline his vision as an escape or way to ensure enough flexibility to cover any new project of the developers would suggest that might bring added value to Dubai and keep it at the forefront of the world. This being said, the Executive Council settled a unified vision for Dubai branded as the city's Strategic Plan, or Dubai Plan 2021. All megadevelopers' projects should adhere to this plan since they consider themselves to be operating directly under the ruler's authority and no one else.

As for the planning authorities, their interpretation is closer to the exact objective of the city's strategic plan when compared to those of the megadevelopers; however, they do not have enough power to implement it properly since it is the duty of the megadevelopers to build the city.

Urban fragmentation as a result of a split jurisdiction over land management

Even if approvals for new developments and projects remain theoretically part of the process, they are still there. Small- to medium-sized projects created by private developers (outside of the megadevelopers) still need to obey the regular procedures of getting their projects approved. The approval process in Dubai to a large extent differs from other parts of the world. Land management in Dubai is assigned according to the area they fall into within the city. With each area falling under the jurisdiction of a different planning authority, these authorities do not interfere with the other. Each has its own building and planning rules and regulations. This being said, Dubai Municipality is aware of its role as well as its missing authority, and of the restrictions that it faces whenever it is requested to approve any of the megadevelopers' projects, which are ultimately approved anyway.

That is why the incentive system, functioning well elsewhere, is not applicable in Dubai. Megadevelopers do not need incentives in a city-state where they set the rules, and where the planning authorities follow and adapt. Hence, Dubai's megadevelopers play the role of the planning authority as well, to the extent that one of the interviewed developers confirmed that "sometimes developers themselves are providing incentives to the authority and not the other way around". This disjointed jurisdiction over the city's land management is leading to a fragmented urban fabric geared toward exclusivity, where liveability and urbanity are issues that are never dealt with.

Beyond the socio-political reasoning mentioned earlier, megadevelopers maintain this power since the ruling elite are aware that these developers, while implementing an excessive use of architectural symbolism, are attempting "to create a certain identity where the identity is inherently absent". Therefore, what defines Dubai's reputation nowadays is the status of the fabulous architecture projects created in the past 20 years or so, wherein none were developed under the guidance of a specific city-wide masterplan that regulates growth and establishes linkages between these different developments, or makes overtures toward the creation of a viable public realm.

The public realm: POPS as workaround for public spaces

That said, where does the public realm stand? New developments are taking place in the middle of public parks despite the fact that there is still 53.2 percent of empty/unconstructed land in the city (combining empty sites and those that are still in the planning stage-within the overall urbanized boundary of the city) (Elsheshtawy, 2019, p. 244) that is ready for new development with very little or no vegetation. They are ideal for new developments and would not interfere with the existing public spaces and green areas.

Dubai, the "city-corporation", considers public space as nonprofitable land that does not generate enough revenue. To add, these lands sit in prime locations in the middle of the city. Therefore, the ruling elite began envisaging the transformation of some of these spaces into profitable projects developed and managed by the megadevelopers to bring back the land value. Different projects that can be qualified as POPS are being developed in these public spaces.

As acknowledged by the developers I interviewed, public space in Dubai is losing to private space. This hypothesis that megadevelopers are putting forward suits them very well as it futureproofs their profit-making large-scale projects. Developers are creating spaces similar to public parks that suit the need of the expatriate population for outdoor areas. By that, they are imitating the squares, plazas and typical European city public spaces to create the “right” beautiful, but at the same time, profit-making privately owned public space. Dubai inhabitants can find similar environments in existing public parks almost for free, as the major public parks across the city charge AED5 (EUR1.12 euros) entry per person.

On another level, the Emirati population is unconsciously approving the demolition or transformation process of these public spaces, and they do not object to similar decisions, regardless of if and how they have the right to do so.

As we have seen, for the Emirati inhabitant, what is considered a “public space” is not the public green park, but rather the desert, where sand dunes and minimal vegetation spreads over hundreds of square kilometres. The green, squarish land encircled by a fence, planted with different kinds of trees and vegetation where benches and tables are scattered, are not what the local Emirati population wants or appreciates. These spaces are imported from Western culture and do not relate by any means to what they consider a public space.

Therefore, why build in the desert and develop empty lands when there are still big, empty plots in the middle of city that are underutilised and not generating enough revenue for Dubai’s ruling elite? Regardless of the need of the expatriate population (both white- and blue-collar), which constitutes around 92 percent of Dubai’s total population, for green/public space, the city belongs to the minority of its inhabitants—the Emiratis—if not to its ruler. By accepting the demolishing or transforming of green/public space, the local population is, in a way, marking its territory. But at the same time, the presence of this expatriate population is highly needed for the optimal functioning of the city. Therefore, the ruling elite is making sure to meet their needs in terms of public and green spaces but under the umbrella of POPS, where they can still enjoy the experience of a public space but not totally for free; on the contrary, with a high temptation for consumption. The fact that megadevelopers are turning the city into a brand means shifting the city’s character away from a socio-political arena into an easily readable object of consumption. Accordingly, urban development is increasingly addressing the needs of commerce and public spaces are replaced by readymade private spaces of consumption.

Spectacularising POPS at the expense of the local context

To achieve the desired results and benefits from their projects, Dubai's megadevelopers make sure they include one key ingredient in their projects: "spectacularisation". To do so, they use a simple duplication method. In other words, by replicating projects seen in other parts of the world to be successful and what megadevelopers consider as high revenue-generating investment packages. This overall process involves the mobility of international architects and consultancy firms who are recruited to develop these projects, in consideration of the persisting fact of limited presence of local design (architecture and urban) expertise within Gulf cities.

But with this highly mobile international expertise, foreign thoughts are imported into the process, design and implementation of these projects in a region where religion is a main pillar in forming the state identity, and where the Arab/Muslim way of thinking differs entirely from the Western one. This is particularly pronounced regarding its conservative approach to gender and space, in addition to specific spatial design requirements for their religious rituals (mosque, prayer room, ablution, etc).

The certitude of what is mentioned above is the quasi-absence of religious elements in these POPS. Megadevelopers are fully aware of that fact, and what is more interesting is that this situation suits them. The absence of these religious elements comes with a high financial profitability within POPS in terms of consuming space, since the inclusion of these elements in their projects will not ensure any return on investment, and therefore is considered a waste. In shopping centres, the absence of religious elements is beneficial for megadevelopers as well, given these areas are costly in terms of water and maintenance. To add, they occupy extra space on the floor area dedicated to rental for consumption purposes.

Dubai and the actors of a consumption contract

In these shopping centres, Emiratis are discovering what other societies and cultural groups are doing and how they act in such contexts. Sometimes, they even try to imitate some of the "normal" Western practices: men (*mahram* and *non-mahram*) holding women's hands, chatting publicly, sharing the same table in a restaurant, etc.

Under the umbrella of consumption, these Emiratis, especially women, are present to see and to be seen, to discover, and more importantly, to socialise with the other *non-mahram* gender. It is a reality that they cannot practice in their traditional daily life. Therefore, these spaces are mobilised by young Emirati women to emancipate themselves to an extent from social norms. They are there under the pretext of shopping but are rarely buying. Their presence in these consumption areas and POPS is not related to *achat plaisir* or with *achat corvée*, but with the show of going to these shops and to a potential meeting of other members of the tribe.

Moreover, their presence in these POPS generally plays a key role in the identity formation. The consumption or their attendance in these areas guarantees for these Emirati women their belonging to a specific place or rank within the society. By doing so, today these women are twisting Descartes' saying into a modern Emirati way of thinking: "I shop, therefore I am."

To conclude, POPS are highly visible across Dubai; they are slowly but surely taking over public spaces—and all that public space represents in terms of democracy, liberty of speech, the right of manifestation and expression—and transforming the city into a luxury brand.

To this day, these spaces constitute success, on both political and financial levels, as everyone (the Ruler, the authorities, the megadevelopers and the users) are taking advantage of the presence of these POPS in the city to satisfy their own needs, whether for commercial, financial, political or recreational purposes, as outlined below:

1. The Ruler (and the ruling elite), to redirect people away from the socio-political arena.
2. The megadevelopers, to achieve financial profitability and ensure a high return on investment for the Dubai corporation.
3. The users, depending on within which category they fall:
 - a. The local population, the Emiratis, who find in these spaces a place of freedom not found anywhere else, where they will work around their social, cultural and religious barriers to meet and socialise with others, especially the other gender. In addition, they will use these spaces to confirm their belonging to a specific social group (to the same tribe).
 - b. The expats, who use these spaces to consume and experience the "wow effect" promised by the city of Dubai. Those places offer enough entertainment in a

city where malls and POPS are the main recreational centre, and where there is nothing other than the summer heat and the desert outside their doors.

A win-win situation, where every party is a winner in their own way, Dubai in terms of liveability, accessibility, affordability, and access to green and public spaces is the only loser in this equation. As a newly built city, it missed a great chance to become an example to follow, pioneering the development of postmodern cities. Dubai, a city built from scratch, had all the bad examples to improve upon and avoid, and all the good examples to learn from, instead built by its megadevelopers under the guidance of its “Sheikh CEO” for a primarily expatriate population with no rights outside of their working visas, and residents who will never become its citizens.

Globally, what is going on?

To conclude, I would like to evoke two new avenues for future research that are worth exploring in the continuation of my work.

1. Star-architecture as the only means of development

In using an excessive form of architectural symbolism in global cities but also in less well-known cities, local decision makers, especially mayors, are resorting to internationally renowned architects to ensure their cities are “well placed on the world map”. In the case of Dubai, and as I’ve shown throughout this research work, this excessive use of extravagant architecture and large-scale real estate projects for the last 20 years, is perceived as a tool to create a certain identity, or a “Dubai brand”, that is recognised at a global scale. But given the speed at which the city’s urban development has been taking place and the lack of adaptation of these projects to their local context, the city’s own identity remains inherently absent.

Globally, this concept has been dealt with in different ways depending on where it occurred. However, it seems interesting to study the impact of star-architecture on the built form, the socio-economic environment and on the evolving identity of the host cities. Here, I can mention projects not only in well-established global metropolises such as New York (the 56 Leonard by Herzog & de Meuron, the Perry Street Towers by Richard Meier, the 40 Mercer by Jean Nouvel, and the 8 Spruce Street tower by Frank Gehry) and London (The Gherkin by Norman

Foster and the Shard by Renzo Piano), but also cases in emerging cities such as Burj Khalifa in Dubai by SOM, the Central Market in Abu Dhabi by Norman Foster, the Doha Tower in Qatar by Jean Nouvel, and the Abu Dhabi Plaza in Astana, the capital city of Kazakhstan that was originally designed by Norman Foster as a replica of his Abu Dhabi central market project.⁵⁸

More interestingly, the accumulation of these projects in less democratic regimes produces a more spectacular effect when compared to traditional North American and European political systems, and that is for two main reasons. On the one hand is a concentration of political and decision-making power in the hands of very few ruling elites that have the authority and ability to ensure a constant flow of capital and to create an environment (political and economic) favouring the landing of such mega interventions in their cities. On the other, there is the speed at which these projects are completed due to the absence of a participatory approach or any other form of engagement with society to adapt them to the local context.

As a result, “starchitecture” becomes the only means of social and economic development in such environments. Based on this observation, a potential avenue for research is to understand the impact of these architectural icons on the city’s urban fabric and how they transform or affect the use of space and its surroundings when they occur.

This being said, it would also be interesting to investigate these projects and their development processes in democratic political systems. These already well-established cities within the global power network no longer have to prove their identity aside from continuing to financialise their real estate market by collecting “starchitectural” works.

Therefore, one must not perceive the starchitects behind the projects as solely responsible for this process of making new urban spaces; these developments would have not seen the light of day without the political acceptance and readiness of the local urban agents to host such projects. This brings me to the second research avenue deserving further exploration.

⁵⁸ For more on transnational architecture and urbanism, see *Transnational architecture and urbanism: rethinking how cities plan, transform, and learn* by Davide Ponzini, Routledge, London, 2020, 320 pp.

2. The not-so-new agents of urban planning

As seen throughout my research, traditional public planning authorities who are usually the main agents in guiding and shaping the city's urban development were not the main player in Dubai. Instead, megadevelopers took over to become the main, if not the sole, agents in continuously shaping the city by creating new landmarks, urban spaces and destinations with very little intervention from the municipality. Under the pretext of implementing the Ruler's vision, they tailored their projects to suit their financial growth objectives; a case that remains quite specific to autocratic states, especially in the Gulf, thinking of Qatar or cities such as Dubai and Abu Dhabi.

However, these real estate developers are no longer perceived as new agents to the power ladder, rather, gained power against municipalities and traditional planning authorities due to many factors. Worldwide, researchers and scholars note that real estate developers are currently producing new private public spaces because of public authorities' shrinking fiscal space.

These new agents of urban planning are above all those who are mobilised as part of the city's production process or those who enter an increasingly vast production system (Bourdin, 2019, p. 14). In France, as elsewhere in Europe, these new systems of actors are rarely found on the side of the state, sometimes they are on the side of local authorities, but more often on the side of large real estate groups. This means two things: the private is gaining importance over the public, but also that real estate—that is, a collection of products as opposed to an organic configuration (the city)—becomes more structuring of urban production than it was previously (ibid.).

Based on the extreme case of Dubai, I believe that it would be insightful to understand the process and reasoning behind the power shift from the traditional planning authority to these not-so-new agents who are currently leading the development of urban spaces, and how those agents are perpetually reorganised to adapt to these new modes of urban development.

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Annex

Annex 1: Meeting with the developer

On a personal level:

- 1- Who are you: name, nationality, education background, previous experience?
- 2- What is your position in the company?
- 3- What are the projects you have worked on in Dubai?

Understanding the developer strategic thinking (vision):

- 4- Who are you?
- 5- What is your vision?
- 6- How is your vision translated through your projects' philosophy?
- 7- How do you embed/translate His Highness' vision in your projects?
- 8- How do you see your project fit within both Dubai's strategic vision (Dubai Plan 2021) and spatial plan (Dubai urban plan 2020)?

Understanding the developer design philosophy:

- 9- How do you define the nature of your projects?
- 10- What is the purpose of developing the projects?
- 11- Who designs the projects, is it done inhouse or by an external design firm?
- 12- In your opinion, what is your most successful project? And what are the factors behind its success?
- 13- Do you think that any of your projects did not achieve its desired goals? Why?
- 14- Do you consider that one of the reasons for the success of your projects is the failure of traditional public spaces due to traditional social and religious barriers?
- 15- Do you consider religious aspects/elements in your masterplans, in other words I would like to understand why the mosque isn't in the centre of your project?



Project development and management:

- 16- Who is the planning authority from which you get approvals?
- 17- Understanding the legal nature of your projects: is it a private space open to public (POPS)?
- 18- What were the planning incentives for you to deliver a POPS? If yes/no, why?
- 19- How do you manage your pops (rules of use, conduct, security, etc.)?

Understanding social practices:

- 20- What is the targeted population to frequent your POPS?
- 21- Are these projects intended to satisfy the rich Emirati social class?

Annex 2: Community facilities standards list

 GOVERNMENT OF DUBAI	Organization Unit: PLANNING DEPARTMENT-PLANNING RESEARCH SECTION			 بلدية دبي DUBAI MUNICIPALITY
	Form sheet title:	COMMUNITY FACILITIES STANDARDS LIST	اسم النموذج :	
	Doc Ref.	DM-PD-P1-Wi2	رقم النموذج :	

1- SUMMARY OF COMMUNITY FACILITIES STANDARDS FOR LOW DENSITY AREAS (< 70 persons/Ha) □

Planning Level	Type of Facility	Pop. Served	Min. Site Area (m ²)	Min. Site Area per Person (m ²)	Max. Dist. To Facility (m ²)	Building Height	Total Coverage Area
Neighborhood Level	Local Mosque	2000	1800	0.9	500	Ground	40%
	Retail Facilities □	2000	400	0.2	400	Ground	-
	Post Shelter	2000	35	-	400	Ground	-
		2000	1500				
	Local Plaza			0.75	400	NA	-
	Tot Lot □□	2000					

			1500	0.75	400	Ground	-
	Neighborhood Park	2000	4000	2	400	NA	-
Community Level	Juma Masjid	6000	4500	0.75	1000	G+Mez.	40%
	Com. Shopping Center [□]	6000	6000	1	800	G+Mez.	50%
	Children Nursery [□]	6000	600	0.1	800	Ground	40%
	Kindergarten	6000	3000	0.5	800	Ground	40%
	Primary School	6000	8000	1.3	800	G+1	40%
	Pvt. General Clinic [□]	6000	650	0.11	Varies	G+1	55%
	Pvt. Specialty Clinic [□]	6000	650	0.11	Varies	G+1	55%
	Private Polyclinic [□]	6000	650	0.11	Varies	G+1	55%
	Playground ^{□□}	6000	3500	0.6	800	Ground	-

		6000	12000			NA	-
	Community Park			2	800		
District Level	Intermediate Sch.	10000	9000	0.9	1500	G+2	40%
		20000	12000			G+3	40%
	Secondary Sch.			0.6	2500		
		12000	1200			G+1	55%
	Pvt. Daycare Centre [□]			0.08	Varies		
		20000	2000			G+1	50%
	Post Office [□]			0.1	1800		
	Health C. Centre	30000	7500	0.25	2000	G+1	50%
	District Park	20000	20000	1	2000	NA	-
Sector Level	Civil Defence Centre	50000	4000	0.08	4500	G+1	50%
	Eid Prayer Area	70000	14000	0.2	Varies	Ground	-
	Public Library	70000	6000	0.09	5000	G+1	50%

Police Station	70000	5000	0.07	5000	G+1	50%
		2500			Ground	
Elderly Rest House	50000		0.05	Varies		40%
DM office	50000	1500	0.03	4000	G+1	50%
DM Centre	150000	4500	0.03	Varies	G+1	50%
Private Hospital	35000	5000	0.14	Varies	G+2	50%
Gov. Ref. Hospital	80000	12000	0.15	Varies	G+2	50%
Sector Park	70000	500000	7	5000	G for park, G+1 for facilities	-

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رقم الإصدار :

1

□ These Facilities can be provided within a mixed-use buildings □□

Optional - Area of each Facility includes parking spaces

2- SUMMARY OF COMMUNITY FACILITIES STANDARDS FOR MEDIUM DENSITY AREAS)70-220 persons/ha (

Planning Level	Type of Facility	Pop. Served	Min. Site Area (m ²)	Min. Site Area per Person (m ²)	Max. Dist. To Facility (m ²)	Building Height	Total Coverage Area
Neighborhood Level	Local Mosque	3000	1500	0.5	500	G+1	50%
	Retail Facilities*	3000	500	0.16	350	G+Mez.	-
	Post Shelter	3000	35	-	-	Ground	-
	Local Plaza	3000	1200	0.4	350	NA	-
	Tot Lot**	3000	1200	0.4	350	Ground	-
	Neighborhood Park	3000	3500	1.2	350	NA	-
Community Level	Juma Masjid	9000	4000	0.45	1000	G+1	45%
	Com. Shopping Center*	9000	5500	0.6	650	G+1	60%
	Children Nursery*	9000	700	0.08	650	Ground	40%
	Kindergarten	9000	2700	0.3	650	Ground	40%
	Primary School	9000	7500	0.8	Varies	G+1	40%
	Pvt. General Clinic*	9000	450	0.05	Varies	G+2	60%
	Pvt. Specialty Clinic*	9000	450	0.05	Varies	G+2	60%
	Private Polyclinic*	9000	550	0.06	Varies	G+2	60%
	Playground**	9000	3000	0.3	650	Ground	-
	Community Park	9000	9000	1	650	NA	-
District Level	Intermediate Sch.	15000	8500	0.55	Varies	G+2	40%
	Secondary Sch.	25000	10000	0.4	Varies	G+3	40%
	Pvt. Daycare Centre*	18000	800	0.04	Varies	G+2	60%
	Post Office*	25000	1800	0.07	1400	G+2	60%
	Health C. Centre	30000	6500	0.22	2500	G+1	65%
	District Park	25000	15000	0.6	2000	NA	-
Sector Level	Civil Defense Centre	70000	3500	0.05	3000	G+1	60%
	Eid Prayer Area	120000	18000	0.15	Varies	Ground	-
	Public Library	100000	4500	0.045	4000	G+2	60%
	Police Station	100000	4500	0.045	4000	G+1	60%
	Elderly Rest House	70000	2000	0.04	Varies	Ground	50%
	DM office	70000	1300	0.02	4000	G+2	65%
	DM Centre	200000	4000	0.02	Varies	G+2	60%
	Private Hospital	35000	2500	0.07	Varies	G+4	60%
	Gov. Ref. Hospital	90000	9000	0.1	Varies	G+4	60%
	Sector Park	100000	300000	3	3500	G for park, G+1 for facilities	-

□ These facilities can be provided within a mixed-use buildings

□□ Optional

- Area of each Facility includes parking spaces

3- SUMMARY OF COMMUNITY FACILITIES STANDARDS FOR HIGH DENSITY AREAS (>220 person/Ha)

Planning Level	Type of Facility	Pop. Served	Min. Site Area (m ²)	Min. Site Area per Person (m ²)	Max. Dist. To Facility (m ²)	Building Height	Total Coverage Area
Neighborhood Level	Local Mosque	4000	1200	0.3	500	G+1	65%
	Retail Facilities*	4000	550	0.14	300	G+Mez.	-
	Post Shelter	4000	35	-	-	Ground	-
	Local Plaza	4000	1000	0.25	300	NA	-
	Tot Lot**	4000	1000	0.25	300	Ground	-
	Neighborhood Park	4000	3000	0.75	300	NA	-
Community Level	Juma Masjid	12000	2800	0.23	1000	G+1	65%
	Com. Shopping Center*	12000	5400	0.45	500	G+1	65%
	Children Nursery*	12000	700	0.06	500	Ground	40%
	Kindergarten	12000	3000	0.25	500	Ground	40%
	Primary School	12000	7800	0.65	Varies	G+1	40%
	Pvt. General Clinic*	12000	500	0.04	Varies	G+2	65%
	Pvt. Specialty Clinic*	12000	500	0.04	Varies	G+2	65%
	Private Polyclinic*	12000	500	0.04	Varies	G+2	65%
	Playground**	12000	2500	0.2	500	Ground	-
	Community Park	12000	8500	0.7	600	NA	-
District Level	Intermediate Sch.	20000	8500	0.42	Varies	G+2	40%
	Secondary Sch.	30000	10000	0.4	Varies	G+3	40%
	Pvt. Daycare Centre*	20000	800	0.04	Varies	G+2	65%
	Post Office*	30000	1800	0.06	1000	G+2	65%
	Health C. Centre	30000	6500	0.22	2000	G+1	65%
	District Park	30000	12000	0.4	1500	NA	-
Sector Level	Civil Defense Centre	100000	3500	0.035	2000	G+1	65%
	Public Library	120000	4000	0.035	3000	G+2	65%
	Police Station	100000	4000	0.035	3500	G+1	65%
	DM office	100000	1000	0.01	2500	G+2	65%
	DM Centre	250000	4000	0.015	Varies	G+3	65%
	Private Hospital	35000	1800	0.05	Varies	G+7	65%
	Gov. Ref. Hospital	100000	5000	0.05	Varies	G+7	65%
	Sector Park	120000	150000	1.25	3000	G for park, G+1 for facilities	-

□ These Facilities can be provided within a mixed-use buildings

□□ Optional

- Area of each Facility includes parking spaces

Annex 3: Jumeirah road map

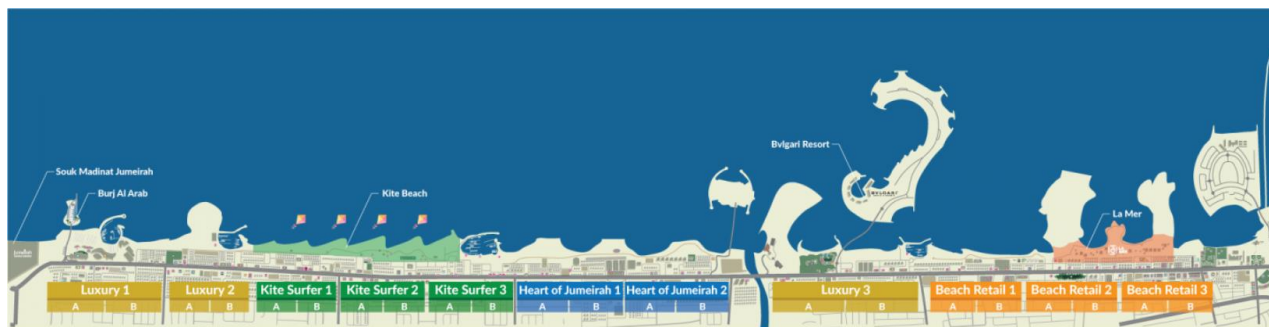


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