



Defensive urbanism and local governance: Perspectives from the Basque Country

OÑATI SOCIO-LEGAL SERIES, VOLUME 11, ISSUE 6 (2021), 1273–1291: SOCIAL CONTROL, JUDICIALIZATION OF SOCIAL PROBLEMS AND GOVERNANCE OF SECURITY IN COMPARATIVE PERSPECTIVES
DOI LINK: [HTTPS://DOI.ORG/10.35295/OSLS.IISL/0000-0000-0000-1138](https://doi.org/10.35295/OSLS.IISL/0000-0000-0000-1138)

RECEIVED 08 JANUARY 2020, ACCEPTED 24 MARCH 2020, FIRST-ONLINE PUBLISHED 14 OCTOBER 2020, VERSION OF RECORD PUBLISHED 01 DECEMBER 2021.

GEMA VARONA* 

Abstract

In contrast with the perspective of local safety audits for women, which aim to promote the democratic use of public space in the context of inclusive urbanism or pro-social design, defensive urbanism is a term that has been related to situational prevention in order to bar or restrict the use of public space by several stigmatised groups. This trend can be understood in terms of the broken windows theory and zero tolerance approaches in criminology as well as of social exclusion in globalised cities. This paper will tackle the origin and development of the concept of defensive urbanism, as a kind of local governance related to broader trends in securitisation, as well as its visible ramifications in some administrative regulations in some Basque municipalities.

Key words

Defensive urbanism; homelessness; glocalisation; social control; punitivism

Resumen

En contraste con las perspectivas de las auditorías locales de seguridad con perspectiva de género, que se dirigen a promover el uso democrático del espacio público bajo el término de urbanismo “inclusivo” o diseño pro-social, el urbanismo defensivo es un término que se relaciona con la prevención situacional para poder evitar o restringir la utilización del espacio público a varios colectivos estigmatizados en los municipios. Esta tendencia puede entenderse dentro de la aplicación de la teoría de las ventanas rotas y las políticas de tolerancia cero en Criminología, así como las prácticas de exclusión social en las ciudades de las sociedades globalizadas. Este artículo trata sobre el origen y desarrollo del concepto de urbanismo defensivo, como manifestación de un tipo de

* Gema Varona is senior researcher at the Basque Institute of Criminology, University of the Basque Country. Contact details: Centro Carlos Santamaría Zentroa, Elhuyar Plaza, 2. 20018 - San Sebastián. Spain. Email address: gemmamaria.varona@ehu.eus

gobernanza local dentro de tendencias más amplias, así como de sus ramificaciones visibles en algunas ordenanzas de ciudades vascas.

Palabras clave

Urbanismo defensivo; sinhogarismo; glocalización; control social; punitivismo

Table of contents

1. Glocalised order politics for socio-spatial struggles: transnational security agendas, fear of crime and exclusion of “antisocial” populations in the tourist city.....	1276
2. Urban securitisation informed by broken windows theory and zero tolerance	1278
3. The notion of defensive urbanism from an architectural standpoint	1280
4. Defensive urbanism in law: categorizing local order through ordinances	1281
5. Inclusive versus defensive urbanism: recovering the legacy of Jane Jacobs.....	1283
References.....	1285

“Categories have their uses. They enable concepts and organize perception, and in so doing, they constitute those who devise them, those who are ensnared by them, and the worlds in which they move together. The dispense opportunity for some and the opposite for anyone not fully invested in their proper slot” (Jain, 2019, p. 6).

1. Glocalised order politics for socio-spatial struggles: transnational security agendas, fear of crime and exclusion of “antisocial” populations in the tourist city

Security is an elusive notion created by different political, economic and moral entrepreneurs in given geographies and times of history. Let us take, for example, the case of Alan Turing, the British mathematician, a pioneer in computer science who, among other achievements, helped to shorten World War II by breaking Nazi ciphers. Later he was prosecuted for homosexual acts, labeled as a crime of "gross indecency" and obliged to accept chemical castration treatment to avoid prison. The consequences of this treatment have been related to his death, before turning forty-two (Copeland 2004). In 2013 Turing was retroactively pardoned by Queen Elisabeth in a confusing application of the idea of pardon to someone who saved millions of lives and was later a victim of the abuse of state power. This might be an example of how important it is to reflect on who uses the notion of security, in what sense, against whom, and with what aims, so that the real meaning of security and its dynamics might become clearer from a critical standpoint on social control (Melossi 2004, Garland 2012).

In this contribution, we want to make more visible how local powers, influenced by globalised policies of zero tolerance (De Giorgi 2005) and marginalisation of poverty, use the vocabularies of security in order to justify certain politics of abuse of power that end up causing more harm and insecurity against specific groups of human beings.

This article holds that the visual display of defensive urbanism offers some access to observe a glocalised politics of inclusion and exclusion in the city centers of the Western world (Young 1999). More specifically, this contribution argues, first, that macro-political economic trends, global migration and transnational environmental harm have glocalised consequences for the governance of the cities. In this way, inter-scales of socio-spatial struggles manifest themselves in cities, particularly in the tourist ones. Secondly, local governance seems to be informed by the broken windows theory and the zero tolerance politics. This kind of politics is increasingly deployed in today's polarised societies where punitive populism is used in criminal and administrative law. Third, the concept of defensive urbanism encapsulates some of those ideas, and can be analysed both from an architectural and a legal perspective reflected in some local ordinances. Finally, defensive urbanism can be contrasted with the idea of inclusive urbanism proposed by Jane Jacobs and applied in the context of the Basque Country in the so-called safety audits for women (Varona 2015). Jacobs' legacy (1961) might help us to find some alternatives to the present politics where some segments of the population are thought of as disposable and erasable in the public space. Throughout this paper, we try to move the topic of spaces understood as relationships (of authoritarian power or solidarity) from the margins of criminology to a place of centrality. Moreover, by re-zoning the category of space we want to make room for more critical views beyond mainstream situational prevention criminology (Jain 2019)

About the general context of glocalisation, according to Swyngedouw,

‘Glocalisation’ refers to the twin process whereby, firstly, institutional/regulatory arrangements shift from the national scale both upwards to supra-national or global scales and downwards to the scale of the individual body or to local, urban or regional configurations and, secondly, economic activities and inter-firm networks are becoming simultaneously more localised/regionalised and transnational. (Swyngedouw 2004, p. 1)

Thus, “both the scales of economic flows and networks and those of territorial governance are rescaled through a process of ‘glocalisation’” (Swyngedouw 2004, p. 1). The dramatic results of predatory capitalism (Mazzucato 2018), provoking environmental harm, are unequally experienced at the local level. Many local and migrant populations cannot find a fair way of living together in the urban space. This process is accelerated in tourist locations under pressure to be presented as safe and clean. That notion of safety expels people labelled as dangerous or just disturbing and it expands the idea of growing antisocial behaviour or crime.

Today’s main fears (pandemias, economic inequalities, wars, forced mass migration and environmental devastation) are exploited by political and economic powers in what Zygmunt Bauman (2013) called “liquid fears”.¹ Fear of crime can be understood within those liquid fears when some priorities in the security agenda of the European Union countries are considered (Prins 2016). The European Union’s internal security strategy seems to be focused on terrorism and radicalisation, organised crime and cybercrime (European Commission n.d.). The strategy is composed of the Council Conclusions of 4-5 December 2014 and the Council Conclusions of 16 June 2015, with the principles it outlines based on the Commission’s Communication *European Agenda on Security*, taking into account the European Parliament views. However, focusing on these crimes seems to leave minor crimes traditionally important for public opinion out of sight. There is a lack of a comprehensive democratic strategy for this kind of property and interpersonal crimes that keep filling the prison system in many countries. This leaves space for emerging extreme right parties to manipulate fears and myths among abandoned populations who have suffered in the recent economic crisis (Varona *et al.* 2019) and keep living with its effects accentuated by the digital revolution.

Most proposals that appear for dealing with petty crime in cities can be considered short-sighted if they regard space only as a location for situational prevention techniques based on rational choice theories. As an example, the Cutting Crime Impact (CCI) Project wants to include “high impact petty crime and associated feelings of insecurity” as citizens’ priorities in security. This project is being delivered by the University of Salford (UK) in partnership with Law Enforcement Agencies (LEAs) and Security Policymakers from across Europe. Cutting Crime Impact (CCI) is a 3-year project (2018-2020) funded by the European Commission’s Horizon 2020 Programme. As is explained in its web page, the project works in the arenas of predictive policing, community policing, crime prevention through urban design and planning (CP-UDP), and measuring and

¹ Even if some differences exist in English between the words “security” (in principle, more related to the notion of crime) and “safety”, in this article we use these words as synonymous under that paradigm of liquid fear (Bauman 2013).

mitigating citizens' feelings of insecurity. CP-UDP seeks to embed "protective physical features and encourage pro-social behaviours through the design of a location".

In the perspective of CP-UDP or CPTED (crime prevention through environmental design), we can find the idea of making products "crime proof" or secured by design as part of an actuarial and managerial vision (Scheerer 2000) that includes a so-called multi-agency approach and vertical governance cooperation. In this realm of thought about crime, the concept of defensive urbanism has emerged informed by the broken windows theory developed in the 1980s in the US and the politics of zero tolerance deployed since then in many places in Europe. This trend has brought an increasing concern among critical scholars about the privatisation of security (Crawford 2011).

2. Urban securitisation informed by broken windows theory and zero tolerance

In this section, we will identify urban security, broken windows theory, zero tolerance politics, and popular punitivism as practices of local governance in current European cities. As mentioned at the beginning of this paper, the concept of security has traditionally oscillated between democratic and authoritarian states. However, we can find hybrids of authoritarian uses legally justified in democratic states. In principle, in democratic states, security means individual security, integrity or liberty from state abuses, particularly by police. By contrast, in authoritarian states security is more identified with public security or order in a more (exclusionary) collective and moralising sense. The adjective *national*, *military* or *public* is easily found before the word *security* and many times used, particularly in today's counterterrorism (Human Rights Watch n.d.) and the fight against organised crime, in order to justify limitations (or violations) of human rights.

Recently, the United Nations Human Development Programme has shown an increasing interest in categorising security as *human*. This adjective encompasses globalised economic and environmental conditions. According to the United Nations, the human development approach was drawn up by the economist Mahbub Ul Haq and anchored in Amartya Sen's work on human capabilities. It is about

... expanding the richness of human life, rather than simply the richness of the economy in which human beings live. It is an approach that is focused on creating fair opportunities and choices for all people. (HDRO Outreach n.d.)

Despite the appearance of the notion of human security as an alternative to authoritarian or private uses, the mainstream trend that we can observe in relation to urban securitisation, at least in Spanish cities, is a politics informed by the theory of broken windows and zero tolerance approaches. These seem to grow an atmosphere of growing punitive populism fostering what has been called by Wolin (2010) as "inverted totalitarianism".

Broken windows can be defined as "a criminological theory which asserts that visible signs of crime and civil disorder, such as a broken window, snowball into an urban environment that encourages more serious crime" (Bell 2019, p. 4). The interpretation and real implementation of the famous article by Wilson and Kelling (1982) on broken windows theory has been that aggressive policing against minor crimes, incivilities, and antisocial behaviour can prevent more serious crimes from occurring. Despite its

controversial empirical test (Moskos 2012, O'Brien *et al.* 2019), particularly in terms of racial and class disparity, this theory has been applied in many American large cities and also in Europe. It is paradoxical that this theory served to integrate “an aggressive order maintenance focus from previous eras into community policing” (Bell 2019, p. 6).

According to the Merriam Webster Dictionary, zero tolerance can be defined as “a policy of giving the most severe punishment possible to every person who commits a crime or breaks a rule”. If we combine this policy with the theory of broken windows the result is an inflation of repressive criminal law that seems to betray the foundational principle of minimum intervention as stated in modern penal policy following Beccaria’s Enlightenment thoughts (Redondo 2009). Notwithstanding the consequences of this policy in terms of human rights, some authors have studied how residents of neighbourhoods with high rates of crime resist and construct their own strategies beyond zero tolerance politics (Walklate and Evans 2019).

The quantitative and qualitative expansion of this policy, despite those consequences, can be partially explained because of the *milieu* of popular punitivism, born in some countries in the sixties and expanded in the post-9/11 world (Makin 2013, Campbell 2015). Popular punitivism creates and manipulates fear in relation to crime to justify an authoritarian response to victimisation where empirical research is devalued to sell to the public what is presented as an effective, tough and quick answer to social anxieties.

That atmosphere of popular punitivism has also promoted some elements fostering inverted totalitarianism (Wolin 2010) defined as an emerging form of government where the accumulative process of discrediting democratic institutions leaves the citizenry politically apathetic in the face of potential abuses of power. Among the elements of this form of governance we can highlight fear, depoliticisation of solidarity and presentism, to be related to the concept of defensive urbanism explained in the following section.

Fear of certain global problems such as migration produces feelings of helplessness and fuels defensive individualism and social distance by creating scapegoats (Moser 2004). Fear appears in part as a reaction to the reality of super-diversity understood as the dynamic interaction of “differential legal statuses and their concomitant conditions, divergent labour market experiences, discrete configurations of gender and age, patterns of spatial distribution, and mixed local area responses by service providers and residents” (Vertovec 2007, p. 1025). Exclusionary identity politics flourish in the context of indifference in times of austerity (Berg *et al.* 2019).

In addition, charity or humanitarianism as a substitute for solidarity is sometimes used as a technique to depoliticise the public space (Rieff 2003). At the same time, from managerial and actuarial ideologies of social work, technical words of empowerment itineraries are imported to social work in punitive and patronizing systems of social control (Hyde and Galpern 2019). Thus, neoliberal individual enterprising projects for marginalised groups of the population appear as state responses complemented by the work of humanitarian organisations.

Finally, presentism in extreme capitalism favours not thinking about the consequences of gated communities and excluded populations; a short-sighted way of doing politics that does not take into account the middle and long-run perspectives (Crawford 2011, Secchi 2015, García and Ávila 2015).

3. The notion of defensive urbanism from an architectural standpoint

Defensive urbanism can be defined as a design strategy to exclude and remove a certain section of a community from a public space. In 1961 Pasolini's movie *Accattone* presented the poor in the suburbs physically apart from the city center making inequality evident despite the spatial urban distance. However, defensive urbanism is part of the aesthetics of zero tolerance policies (Arnold 2019) in the city center itself. It can be understood as local politics not for the ghetto or the suburbs (Wacquant 2007), but for the city center as a display for mass tourism.

From the ghetto to the inner-city, the periphery comes to the heart of the city. Part of the reaction to this is the so-called defensive urbanism or repressive architecture (Wagner 2011). In 2018, Stuart Semple, a British artist, launched a global campaign against hostile design after his local council placed bars across benches to stop homeless sleepers lying on them. According to Semple, these actions are a way of policing public space. Moreover, "[t]hese designs legitimise the point of view that homeless people are the enemy. Instead, they need support, often with addiction or mental health" (Shaw 2018, p. 1).

According to Semple's web page, an archive of photographs to denounce the use of hostile design all over the world by raising awareness:

Hostile designs are designs against humanity. They are made specifically to exclude, harm or otherwise hinder the freedom of a human being (...). Ultimately the idea is that through awareness we can dissolve prejudice, influence planners and city councils and create more inclusive welcoming public space for everyone. (Semple n.d.)

Examples of hostile design or defensive urbanism are urban furniture design to force people without homes out of the city centre, but it can also be addressed to young people, ethnic or cultural minorities (Selmini 2016), and prostitutes or sex workers (Iglesias-Lucía 2018, Sobrino 2018). In Semple's web page some photographs show us spikes attached to a doorway or ledge to prevent people from sleeping there. As Semple explains, defensive urbanism might take the form of bars or dividers on benches, to stop sleepers, wetting down areas susceptible to being occupied, or the use of annoying music in public space to prevent loitering.

Semple indicates how this practice of hostile design or defensive urbanism deploys prejudice and means investing public money in urbanism based on an exclusionary ideology. This practice has an unequal impact on poor people sending a visible message that they are unwanted. The result is "brutal looking public spaces" that hide the real causes of social problems and injustice. According to Semple (n.d.), "[t]hose involved in designing against humanity, or funding designs against humanity are committing the worst possible design crime".

In a parallel, Swain comments on a modern bench commissioned by the London authorities:

[T]he Camden Bench has a special coating which makes it impervious to graffiti and vandalism. The squat, featureless surface gives drug dealers nowhere to hide their secret caches. The angled sides repel skateboarders and fly posters, litter and rain. The cambered top throws off rough sleepers. In fact, it is specially crafted to make sure that it is not used as anything *except* a bench. This makes it a strange artefact, defined far

more by what it *is not* than what it *is*. The Camden Bench is a concerted effort to create a non-object (...) I worry that the Camden Bench is a symbol of the freedom we've lost in our public spaces — the freedom to use these spaces as we wish. I also fear that it is an ominous symbol of the future of Britain, a world where contrarianism — whether it be sleeping, skateboarding, scribbling — is made not just illegal, but impossible. (Swain 2013, p. 1).

Defensive urbanism appears as an embodiment of aporophobic discourses (Cortina 2017) against the poor, in the heart of the city, in a sort of shaming ceremonies for people stigmatised as *infrahumans*. The right to the city as expressed by Henry Lefebvre (1968) and used today as a critique to neoliberal urbanism is unclear about how to address problems of disenfranchisement (Purcell 2014). However, in the context of this article, the right to the city of poor and marginalised populations is denied by the injustice of spatial and social exclusion that can be connected to the proposals for an urban revolution by David Harvey (2012) and Saskia Sassen (2010).

4. Defensive urbanism in law: categorizing local order through ordinances

Defensive urbanism can be pictured not only as a design practice but also as a legal one. As Spanish cities do not have legislative power in the realm of criminal law, local administrative law is being used to sanction what they define as subjects against local order. This legal practice can be connected to issues of human rights. Despite some constitutional jurisprudence correcting abuses in local regulations (Spanish Constitutional judicial decision 90/2012), administrative law does not have the same level of juridical guarantees as criminal law (Larrauri 2007, Díez Ripollés 2014, Lasagabaster 2018, Guillén 2018).

In addition, local ordinances in times of extreme right parties governing some municipalities accentuate the problem of the merging of administrative and criminal law, mostly studied in the field of *crimmigration* (Stumpf 2006), with the use of legal ambiguities in the definition, of prohibitions theoretically justified to fight against organised crime. Activities, like sex work or prostitution, are usually sanctioned with administrative fines but there can be an escalation to the crime of disobedience of authority. In any case, before the extreme right party Vox emerged in Spain, the prohibition of adults from begging could be found in the ordinances of Madrid, Barcelona, Seville, Malaga, Granada or Valladolid, under the rule of different political parties. This means that the use of ordinances to manage local social order has been general.

Focusing now on the Basque Country, together with the use of benches and spikes in the capital cities of the provinces of the Basque Country (Vitoria/Gasteiz, Donostia/San Sebastián, and Bilbao), we can comment the kind of legal exclusions done in some of their local ordinances. Even though there is no mention to tourism, their prohibitions have to be understood in the context of the increasing touristification in these cities.

In the case of Vitoria/Gasteiz, we can mention the ordinance restricting alcohol consumption (1989, 2010). Based on reasons of public health, unless expressly authorised, this ordinance prohibits the consumption of alcoholic drinks in public space (Article 12). The 2006 ordinance on street selling also sanctions begging in general in relation to street selling. In a certain way, this seems like a new version of the 1933

Spanish Vagrancy Act (Ley de Vagos y Maleantes) which referred to “professional beggars” as a category of “danger”. This kind of prohibition can also be found in different countries throughout history (Chambliss 1964), and also today in countries like Italy, with its proposed criminal bill of March 2019, which harked back to notions of past centuries when vagrancy was criminalized.

In Donostia/San Sebastián the 2004 ordinance, with later reforms from 2011 to 2018, on civic behaviour, the use and cleanness of streets and protection of urban landscapes can be mentioned. There is an insistence in the “shared responsibility” to avoid the “inappropriate use of public spaces”. Thus, it is said that citizens share “the collective task to construct the city and to do so with the idea of improving the conditions of living together”. For example, in Article 4. 5 begging in public streets is defined and Article 16 sanctions it if minors are used² or if begging is done in a “disturbing way”. It includes the so-called “hidden begging” by using the selling of certain objects or services in the public streets.

Article 12 of the Donostia/San Sebastián ordinance prohibits damaging or staining benches and Article 14. 3 prohibits staying in parks outside the allowed timetables.

In cases of reoffending the offence can be considered as serious or very serious. Thus the escalation of the sanction can also be merged with the crime of disobedience of authority. This is particularly dangerous in terms of human rights if we consider the use of ambiguous concepts in that ordinance.

In Bilbao, the expression, “inappropriate use of public space and its elements” is also found in the 2010 ordinance regulating public space. Its Article 24 “inadequate use of public space and of its elements” covers sleeping during the day or the night in public spaces or public urban furniture; using benches for uses different to the assigned ones; “using part of it with a continuous or intensive character so that it is perceived as inaccessible” and washing clothes in public fountains.

In connection to these prohibitions in the three Basque cities, notwithstanding their welfare politics, what it is perturbing is how policymakers, technicians of public security and many voters see homeless and poor people more as dangerous subjects than as victims of injustice. It could be concluded that they are not seen as victims because their social and individual suffering is not recognised as such and, if it were, it would be thought of as being justified (with common expressions: like poor or homeless people have not done anything to improve their situation; they don’t want to work; they drink; they are aggressive; they don’t want to go to the shelters).

As part of a cultural process of stigmatisation hate crimes against and harassment of homeless and beggars, both by locals and tourists, seem to be increasing. There are quite notorious recent cases in Spanish cities, like the throwing of coins to them by followers of the PSV Eindhoven in Madrid (El País 2016); the Tomek case, a homeless man of Polish origin paid by British tourists to have his face tattooed in Benidorm in 2018 (Marín 2018) and the Kanghua case, a youtuber who gave cookies with toothpaste inside to a homeless man of Romanian origin in Barcelona. This youtuber filmed it and uploaded it to his

² Article 232 of the Spanish criminal law only criminalizes using or allowing using minors or disabled people for begging.

channel. He was condemned for a crime against moral integrity and forbidden to go to the virtual crime scene (YouTube) for five years (Minder 2019).

To recap, Anthony Hernandez's photography projects help us to rethink the traces of homelessness in American cities linking our own fears and assumptions to the causation of social harm, and connecting issues of agency, culture and power structures (Hernandez and Baltz 1995). In this regard, local ordinances and hate crime are also legal traces of broken windows and zero tolerance local policies fostering popular punitivism, urban revanchism (Aramayona 2020) and harassment.

5. Inclusive versus defensive urbanism: recovering the legacy of Jane Jacobs

According to van Soomeren:

Public safety and security policies are like a clockwork pendulum: in the 60 and 70 is was mainly a reactive and repressive approach to crime, in the 80 and 90 it was more crime prevention and it shifted back in the new millennium. I have the impression that prevention is becoming more 'en vogue' again. (van Soomeren, cited in Notes de Seguretat 2019, p. 1)

However, it is not clear what kind of prevention we are talking about. The idea of prevention is not inherently good (Stoneman 2011). Some forms of current prevention strategies are done at the cost of criminalizing certain groups of people, not just their behaviours. Those practices criminalize poverty and place social inequality out of the public debate (Wacquant 2007).

At this point, beyond securitarian dreams or nightmares, depending on the perspective, the realistic and strategic view of Jane Jacobs (2019) should be mentioned. Her writing emphasizes a community design approach that advocates dense, walkable and mixed urban settings, underlining the importance of diversity, mix, compactness, visibility, and connectedness (Grant 2017). Despite its limitations (Andersson 2015), Jacobs' legacy has been almost eclipsed, particularly in criminology, in favour of the writings of Newman (1972). Newman formulated his theory of *defensible space*, ten years after Jacobs' writings, as a response to growing populations in the city that generated anonymity and reduced social control.

One explanation of the oblivion to which Jane Jacobs' works has been consigned might lie in the fact that her legacy cannot be limited to today's mainstream environmental criminology (Cozens and Hillier 2012), mainly informed by rational choice theories applied to situational crime prevention. However, according to Sennet (2019b), Jane Jacobs should be recognised as the greatest urbanist of the last century.

Within the so called new urbanism in the US and Canada, Jane Jacobs' phrase "eyes on the street" becomes relevant because she proposes a realistic alternative of inclusive social control that is not a vigilante or indifferent one. Within multiple uses of urban space, she proposes open and diverse eyes to embrace people who are disturbingly different in order to live together, regarding conflicts as inherent to human life (Sennet 2019a). Her proposal is a critical one because she underlines that the incapacity to deal with difference in today's capitalism favours apathy (Wolin 2010) in gated cities versus open or porous cities (Bianchini and Bloomfield 2012).

More emphasis on social prevention beyond situational crime prevention is needed. This is particularly pertinent in issues related to the human rights of homeless people. As Housing Rights Watch and the European Federation of National Organisations Working with the Homeless (FEANTSA) (Knutagård and Kristiansen 2013) clearly remind us, “poverty is not a crime, it is a scandal”. In times of popular punitivism it is important to signal that there are alternatives to the politics of zero tolerance and defensive urbanism. For example, the project *Housing First* for homeless people in municipalities tries to provide them with a home instead of first trying to treat their addictions or mental health problems (Basque Government 2018). This project is being implemented with success in many countries and also in Basque cities. One of the important ideas behind this project is that obligations for the homeless people who are provided with a house, in principle, do not amount to punitive, restrictive or paternalistic social work control, but focus on the autonomy of concerned people within the community where they live.

Social prevention focused on the causes of social injustices can demystify misleading adjectives in relation to the notion of space such as safe spaces, resilient cities, friendly access, or destinations for quality tourism. Safe spaces are being produced under false promises of total security in identity politics that look for sameness instead of common values in the context of diversity. In fact, the origin of the term of safe spaces comes from the political correctness at universities and its relationship to victimism (Giglioli 2014).

Not only have cities to be safe, in technocrat managerialist terms, they also have to be smart, sustainable, green, circular and resilient. These vague adjectives are hiding a sort of vampire technology-driven market which makes cities more and more dependent on private companies. Apart from all that, spaces have to be friendly. However, according to Sennet,

Opening up urban spaces can result in ugly and difficult sites, but inclusion is more important than beauty. A city should not be user-friendly. It should be a place where you learn to deal with a difficult situation and with other people. (Sennet 2019b)

If we add to that the notion of cities attracting quality tourism, which in the end is actually gentrification and touristification (Mínguez *et al.* 2019), a sort of new colonialism appears where inequality and poverty can be seen as a relational phenomenon (Ray and Tillman 2018).

Facing those apparently innocuous adjectives full of neoliberal ideology, we must be aware of the current political atmosphere of polarised identities (European Forum for urban Safety – EFUS – 2019) as politics of friends versus enemies, that is, of fragmentation of society into antagonistic collectives perceived as opponents in existential questions with a sharp division between us and them. Local resistances to managerial and actuarial cost-benefit views – based on short and myopic quantitative indicators – and responses to inverted totalitarianism in urbanism and local order can come from some initiatives delineated by Jane Jacobs and projects like *Housing First*. We need different paradigms for different concepts of conflicting and very diverse communities. One of those paradigms can be that one of the third space proposed by Oldenburg (1989). The third space can be understood as a public space beyond the home or workplace where people can meet and interact voluntary and informally for public life. The notes of public and interpersonal interaction, beyond mere virtual communities, are thus fundamental and “central to the political processes of a democracy” where

political talk can emerge in the everyday conversation among people who are not considered to be discarded because of their lack of economic capacity (Oldenburg 1989, p. 67, Wright *et al.* 2015).

Nonetheless, by criminalizing homelessness and inadequate uses of urban space in many ordinances, like the ones quoted in the Basque Country and like many others in globalised cities (Laurenson and Collins 2007), scapegoats for our liquid fear are identified and placed within a tangible framework of punitive public security where the causes of the social problems seem not to matter anymore while, at the same time, reasons of austerity offered to cut social services or transform them into punitive and disperse social control mechanisms (Cohen 1979, Wacquant 2008). In fact, people presented in ordinances as threatening can be also protagonists of social cohesion. For example, after fieldwork of five years in New York, Duneier (1999) argues that, contrary to the opinion of various city officials, poor black men who make their livelihoods on the sidewalks, selling second-hand goods, panhandling, and scavenging books and magazines, contribute significantly to the complex order and well-being of the Greenwich Village. Notwithstanding the conflicts of race and class, Duneier also discovers the opportunities for empathy among strangers and reveals the complexity of urban life. This is a line of research that deserves to be explored in the future in order to break binary lines of thought (Walklate and Evans 2019) in times of globalisation processes.

References

- Andersson, J., 2015. Wilding in the West Village: Queer space, racism and Jane Jacobs hagiography. *International Journal of Urban and Regional Research* [online], 39(2), 265–283. Available from: <https://doi.org/10.1111/1468-2427.12188> [Access 23 June 2020].
- Aramayona B., 2020. “Fear, disgust and dignity”: The securitisation of everyday life and the new revanchism against the urban subaltern in a working-class area of Madrid. In: M. Smagacz-Poziemska *et al.*, eds., *Inequality and Uncertainty* [online]. Singapore: Palgrave Macmillan, 87–104. Available from: https://doi.org/10.1007/978-981-32-9162-1_5 [Access 23 June 2020].
- Arnold, E., 2019. Aesthetics of zero tolerance. *City. Analysis of urban trends, culture, theory, policy, action* [online], 23(2), 1–27. Available from: <https://doi.org/10.1080/13604813.2019.1615758> [Access 23 June 2020].
- Basque Government, 2018. *Estrategia vasca para personas sin hogar 2018–2021* [online]. Vitoria/Gasteiz: Gobierno Vasco, Departamento de Empleo y Políticas Sociales. Available from: https://www.euskadi.eus/contenidos/informacion/instrumento_valoracion/es_instrumente/adjuntos/ESTRATEGIA%20VASCA%20PARA%20PERSONAS%20SIN%20HOGAR%202018-2021%20castellano.pdf [Access 23 June 2020].
- Bauman, Z., 2013. *Liquid Fear*. New York: John Wiley & Sons.
- Bell, L., 2019. *Breaking down broken windows: An analysis of quality of life policing and equality* [online]. Doctoral dissertation, Criminology/Criminal Justice. Columbus: The Ohio State University. May. Available from:

- https://kb.osu.edu/bitstream/handle/1811/87587/1/BDBW_Bell_thesis.pdf [Access 28 December 2019].
- Berg, M.L., Gidley, B., and Krausova, A., 2019. Welfare micropublics and inequality: urban super-diversity in a time of austerity. *Ethnic and Racial Studies* [online], 42(15), 1–20. Available from: <https://doi.org/10.1080/01419870.2018.1557728> [Access 23 June 2020].
- Bianchini, F., and Bloomfield, J., 2012. Porous cities. *Eurozine* [online], 13 July. Available from: <https://www.eurozine.com/porous-cities/> [Access 28 December 2019].
- Campbell, C.M., 2015. Popular punitivism: Finding a balance between the politics, presentation, and fear of crime. *Sociology Compass* [online], 9(3), 180–195. Available from: <https://doi.org/10.1111/soc4.12249> [Access 23 June 2020].
- Chambliss, W.J., 1964. A sociological analysis of the law of vagrancy. *Social Problems* [online], 12(1), 67–77. Available from: <https://doi.org/10.2307/798699> [Access 23 June 2020].
- Cohen, S., 1979. The punitive city: notes on the dispersal of social control. *Crime, law and social change* [online], 3(4), 339–363. Available from: <https://doi.org/10.1007/BF00729115> [Access 23 June 2020].
- Copeland, J., ed., 2004. *The Essential Turing*. New York: Oxford University Press.
- Cortina, A., 2017. *Aporofobia, el rechazo al pobre: Un desafío para la democracia*. Barcelona: Paidós.
- Cozens, P., and Hillier, D., 2012. Revisiting Jane Jacobs's 'eyes on the street' for the twenty-first century: Evidence from environmental criminology. In: S. Hirt and S. Zahm, eds., *The Urban Wisdom of Jane Jacobs*. New York: Routledge, 202–220.
- Crawford, A., 2011. From the shopping mall to the street corner: dynamics of exclusion in the governance of public space. In: A. Crawford, ed., *International and Comparative Criminal Justice and Urban Governance: Convergence and Divergence in Global, National and Local Settings* [online]. Cambridge University Press, 483–518. Available from: Available from: <https://doi.org/10.1017/CBO9780511974953.019> [Access 23 June 2020].
- Cutting Crime Impact Project, no date. *Introduction to CCI* [online]. Website. Available from: <https://www.cuttingcrimeimpact.eu/about/introduction-to-cci/> [Access 28 December 2019].
- De Giorgi, A., 2005. *Tolerancia Cero: Estrategias y prácticas de la sociedad de control*. Trans.: I. Rivera and M. Monclús. Bilbao: Virus.
- Díez Ripollés, J.L., 2014. El control de espacios públicos como técnica de exclusión social. Algunos contrastes regionales. *Revista Española de Investigación Criminológica: REIC* [online], 12, 4–28. Available from: <https://reic.criminologia.net/index.php/journal/article/view/82> [Access 23 June 2020].
- Duneier, M., 1999. *Sidewalk*. New York: Macmillan.

- El País, 2016. PSV Eindhoven fans humiliate beggars in Madrid's Plaza Mayor. *El País* [online], 16 March. Available from: https://elpais.com/elpais/2016/03/16/inenglish/1458140287_047764.html [Access 28 December 2019].
- European Commission, no date. *Internal Security Strategy* [online]. Available from: https://ec.europa.eu/home-affairs/e-library/glossary/internal-security-strategy_en [Access 28 December 2019].
- European Forum for Urban Safety, 2019. *BRIDGE: Building resilience to reduce polarisation and growing extremism* [online]. Webpage. Paris: EFUS. Available from: <https://efus.eu/en/topics/%AActivity%25/16652/> [Access 28 December 2019].
- García, S., and Ávila, D., eds., 2015. *Enclaves de riesgo: Gobierno neoliberal, desigualdad y control social* [online]. Madrid: Traficantes de Sueños. Available from: <https://www.traficantes.net/sites/default/files/pdfs/Enclaves%20de%20riesgo%20-%20Traficantes%20de%20Sue%C3%B1os.pdf> [Access 23 June 2020].
- Garland, D., 2012. *La cultura del control: Crimen y orden social en la sociedad contemporánea*. Trans.: M. Sozzo. Barcelona: Gedisa.
- Giglioli, D., 2014. *Critica della vittima: Un esperimento con l'etica*. Rome: Nottetempo.
- Grant, J.L., 2017. Time, scale, and control: How new urbanism mis(uses) Jane Jacobs. In: M. Pagel and T. Mennel, eds., *Reconsidering Jane Jacobs* [online]. New York: Routledge, 91–176. Available from: <https://doi.org/10.4324/9781351179775-5> [Access 23 June 2020].
- Guillén, N.A., 2018. El régimen jurídico de la convivencia y de la protección del espacio público. *Revista Aragonesa de Administración Pública* [online], 51, 65–108. Available from: <https://dialnet.unirioja.es/descarga/articulo/6519744.pdf> [Access 23 June 2020].
- Harvey, D., 2012. *Rebel Cities: From the Right to the City to the Urban Revolution*. London: Verso books.
- HDRO Outreach, no date. *What is human development?* [online]. United Nations Development Programme. Available from: <http://hdr.undp.org/en/content/what-human-development> [Access 28 December 2019].
- Hernandez, A., and Baltz, L., 1995. Forever homeless: A dialogue. In: A. Hernandez, *Landscapes for the homeless*. Sprengel Museum Hannover.
- Human Rights Watch, no date. *Terrorism / counterterrorism* [online]. Available from: <https://www.hrw.org/topic/terrorism-counterterrorism> [Access 28 December 2019].
- Hyde, C.A., and Galpern, C., 2019. Human rights based social work and new right populism. In: J. Fischer and K. Dunn, eds., *Stifled Progress - International Perspectives on Social Work and Social Policy in the Era of Right-Wing Populism* [online]. Toronto: Barbara Budrich, 191–2014. Available from: <https://doi.org/10.2307/j.ctvfrxr60.16> [Access 23 June 2020].

- Iglesias-Lucía, M., 2018. Prostitución y ordenanzas cívicas: de regular “sobre” a regular “con”. *Crítica Penal y Poder* [online], nº 15, 110–129. Available from: http://www.feministas.org/IMG/pdf/3_prostitucion_y_ordenanzas_civicas_de_regular_sobre_a_regular_con_de_monserat_iglesias.pdf [Access 23 June 2020].
- Jacobs, J., 1961. *The death and life of great American cities*. New York: Random House.
- Jacobs, J., 2019. *Cuatro entrevistas*. Trans.: M. Serrano Giménez. Barcelona: Gustavo Gili.
- Jain, L., 2019. Introduction. In: L. Jain, *Things that Art: A Graphic Menagerie of Enchanting Curiosity*. University of Toronto Press.
- Knutagård, M., and Kristiansen, A., 2013. Not by the book: The Emergence and translation of Housing First in Sweden. *European Journal of Homelessness*, 7(1), 93–115.
- Larrauri, E., 2007. Ayuntamientos de izquierdas y control del delito: Conferencia de Clausura del IV Congreso Español de Criminología. In *Dret: revista para el análisis del derecho* [online], 3, 449. Available from: https://indret.com/wp-content/themes/indret/pdf/449_es.pdf [Access 23 June 2020].
- Lasagabaster, I., 2018. I. Normativa local reguladora del espacio público: ordenanza y ciudadanía. In: J.I. Cubero Marcos and I. Lasagabaster Herrarte, eds., *Espacio público y Ordenanzas locales: estudio sobre su régimen jurídico*. Vitoria/Gasteiz: Instituto Vasco de Administración Pública / Herri Ardulararitzaren Euskal Erakundea, Gobierno Vasco, 21–72.
- Laurenson, P., and Collins, D., 2007. Beyond punitive regulation? New Zealand local governments' responses to homelessness. *Antipode* [online], 39(4), 649–667. Available from: <https://doi.org/10.1111/j.1467-8330.2007.00545.x> [Access 23 June 2020].
- Lefebvre, H., 1968. *Le droit à la ville*. Paris: Anthropos.
- Makin, D.A., 2013. Popular punitivism and cultural mediation: The case of Spain. *International Journal of Law, Crime and Justice* [online], 41(3), 60–276. Available from: <https://doi.org/10.1016/j.ijlcrj.2013.06.005> [Access 23 June 2020].
- Marín, J., 2018. El indigente que se dejó tatuar la frente a cambio de dinero denuncia los hechos: “Si vives en la calle y te dan 100 euros es como si te tocara la lotería”. *El País*, 4 August, p. 20.
- Mazzucato, M., 2018. *The Value of Everything*. New York: Public Affairs.
- Melossi, D., 2004. Theories of social control and the state between American and European shores. In: C. Sumner, ed., *Blackwell Companion to Criminology*. Oxford: Blackwell, 33–48.
- Minder, R., 2019. Filling Oreos with toothpaste earns YouTube prankster a jail sentence, *The New York Times* [online], 2 June. Available from: <https://www.nytimes.com/2019/06/02/world/europe/oreos-toothpaste-youtube-prank.html> [Access 28 December 2019].

- Mínguez, C., Piñeira, M.J., and Fernández-Tabales, A., 2019. Social vulnerability and touristification of historic centers. *Sustainability* [online], 11(16), 4478. Available from: <https://doi.org/10.3390/su11164478> [Access 23 June 2020].
- Moser, C.O.N., 2004. Urban Violence and Insecurity: An Introductory Roadmap. *Environment and Urbanization*, 16(2), 3–16.
- Moskos, P., 2012. James Q. Wilson's Practical Humanity and Contribution to Criminal Justice Education. *Academy of Criminal Justice Sciences*, 5, 28–30.
- Newman, O., 1972. *Defensible Space*. New York: Macmillan.
- Notes de Seguretat, 2019. Paul van Soomeren: "Public safety and security policies are like a clockwork pendulum". [Interview]. *Notes de Seguretat* [online], 1 July. Available from: <https://notesdeseguretat.blog.gencat.cat/2019/07/01/paul-van-soomeren-public-safety-and-security-policies-are-like-a-clockwork-pendulum/> [Access 28 December 2019].
- O'Brien, D.T., Farrell, C., and Welsh, B.C., 2019. Broken (windows) theory: A meta-analysis of the evidence for the pathways from neighborhood disorder to resident health outcomes and behaviors. *Social Science & Medicine* [online], 228, 272–292. Available from: <https://doi.org/10.1016/j.socscimed.2018.11.015> [Access 23 June 2020].
- Oldenburg, R., 1989. *The Great Good Place: Cafes, Coffee Shops, Community Centers, Beauty Parlours, General Stores, Bars, Hangouts, and How They Get You Through the Day*. New York: Paragon House.
- Prins, R., 2016. *How Local Processes of Securitization Have Affected the Position and Role of Dutch Mayors*. The Hague: Eleven.
- Purcell, M., 2014. Possible worlds: Henri Lefebvre and the right to the city. *Journal of urban affairs* [online], 36(1), 141–154. Available from: <https://doi.org/10.1111/juaf.12034> [Access 23 June 2020].
- Ray, R., and Tillman, K., 2018. Envisioning a feminist urban ethnography: Structure, culture, and new directions in poverty studies. *Sociology Compass* [online], 13(1), 1–10. Available from: <https://doi.org/10.1111/soc4.12652> [Access 23 June 2020].
- Redondo, S., 2009. *In-tolerancia cero: Un mundo con menos normas, controles y sanciones también sería posible (y quizá nos gustaría más)*. Madrid: Sello.
- Rieff, D., 2003. *A Bed for the Night: Humanitarianism in Crisis*. London: Simon & Schuster.
- Sassen, S., 2010. The city: Its return as a lens for social theory. *City, Culture and Society* [online], 1(1), 3–11. Available from: <https://doi.org/10.1016/j.ccs.2010.04.003> [Access 23 June 2020].
- Scheerer, S., 2000. Millennium: The managerial, the populist and the road towards global justice. In: P. Green and A. Rutherford, eds., *Criminal Policy in Transition*. Portland: Hart, 243–260.
- Secchi, B., 2015. *La ciudad de los ricos y la ciudad de los pobres*. Madrid: Catarata.

- Selmini, R., 2016. Reflections on the burqini and punitiveness in Europe. *Criminology in Europe* [online], 15(3), p. 2. Available from: https://www.esc-eurocrim.org/images/esc/newsletters/ESC_15_3_2016.pdf [Access 23 June 2020].
- Semple, S., no date. *Hostile Design* [online]. Website. Available from: <https://hostiledesign.org/> [Access 28 December 2019].
- Sennet, R., 2019a. *Construir y habitar: Ética para la ciudad*. Barcelona: Anagrama.
- Sennet, R., 2019b. The fight for the city. *Eurozine* [online], 14 February. Available from: <https://www.eurozine.com/the-fight-for-the-city/> [Access 28 December 2019].
- Shaw, A., 2018. Stuart Semple launches campaign to eradicate “hostile design” around the world. *The Art Newspaper* [online], 31 January. Available from: <https://www.theartnewspaper.com/news/stuart-semple-launches-campaign-to-eradicate-hostile-design-around-the-world/> [Access 28 December 2019].
- Sobrino, C., 2018. Prostitución callejera y regulación jurídica española. Estado de la cuestión. *InDret* [online], 4. Available from: <https://www.raco.cat/index.php/InDret/article/view/348316/439478> [Access 23 June 2020].
- Stoneman, L., 2011. Is prevention inherently good? A deconstructionist approach to the prevention literature, policy and practice. *Western Criminology Review*, 12(2), 21–34.
- Stumpf, J., 2006. The crimmigration crisis: Immigrants, crime, and sovereign power. *American University Law Review* [online], 56(2), 367–414. Available from: <https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1274&context=aulr> [Access 23 June 2020].
- Swain, F., 2013. Designing the perfect anti-object. *Medium* [online], 5 December. Available from: <https://medium.com/futures-exchange/designing-the-perfect-anti-object-49a184a6667a> [Access 28 December 2019].
- Swyngedouw, E., 2004. Globalisation or “glocalization”? Networks, territories and rescaling. *Cambridge review of international affairs* [online], 17(1), 25–48. Available from: <https://doi.org/10.1080/0955757042000203632> [Access 23 June 2020].
- Varona, G., 2015. Beyond cartographies of women’s fear of crime: intersectionality, urban vulnerability and resilience through women safety audits in the Basque Country. *Eguzkilore. Cuaderno del Instituto Vasco de Criminología*, 29, 325–344.
- Varona, G., Francés, P., and Zuloaga, L., 2019. *Mitos sobre delincuentes y víctimas: Argumentos contra la falsedad y la manipulación*. Madrid: Catarata.
- Vertovec, S., 2007. Super-diversity and its implications. *Ethnic and Racial Studies* [online], 30(6), 1024–1054. Available from: <https://doi.org/10.1080/01419870701599465> [Access 23 June 2020].
- Wacquant, L., 2007. *Los condenados de la ciudad: Gueto, periferias y Estado*. Buenos Aires: Siglo XXI.
-

-
- Wacquant, L., 2008. Ordering insecurity: Social polarization and the punitive upsurge. *Radical philosophy review* [online], 11(1), 1–19. Available from: <https://doi.org/10.5840/radphilrev20081112> [Access 23 June 2020].
- Wagner, A., 2011. French urban space management: a visual semiotic approach behind power and control, *International Journal of Semiotic Law* [online], 24, 227–241. Available from: <https://doi.org/10.1007/s11196-010-9206-5> [Access 23 June 2020].
- Walklate, S., and Evans, K., 2019. *Zero Tolerance or Community Tolerance?: Managing Crime in High Crime Areas* [online]. London: Routledge. Available from: <https://doi.org/10.4324/9780429426698> [Access 23 June 2020].
- Wilson, J.Q., and Kelling, G.L., 1982. Broken windows. *Atlantic monthly*, 249(3), 29–38.
- Wolin, S., 2010. *Democracy Incorporated: Managed Democracy and the Specter of Inverted Totalitarianism*. Princeton University Press.
- Wright, S., Graham, T., and Jackson, D., 2015. Third space, social media, and everyday political talk. In: A. Bruns et al., eds., *The Routledge Companion to Social Media and Politics* [online]. New York: Routledge, 74–88. Available from: <https://doi.org/10.4324/9781315716299-6> [Access 23 June 2020].
- Young, J., 1999. *The Exclusive Society: Social Exclusion, Crime and Difference in Late Modernity*. London/Thousand Oaks: Sage.