

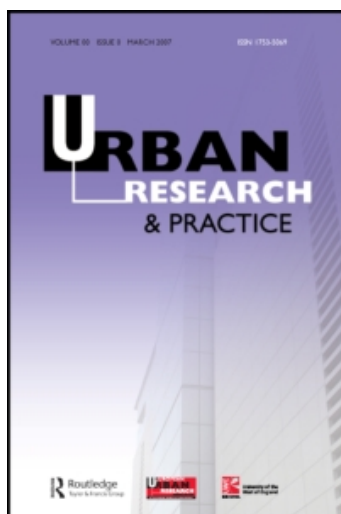
This article was downloaded by: [Delmotte, Florence]

On: 28 November 2010

Access details: Access Details: [subscription number 930200744]

Publisher Routledge

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



Urban Research & Practice

Publication details, including instructions for authors and subscription information:

<http://www.informaworld.com/smpp/title~content=t777186834>

The 'structure plans' in Brussels: from participatory planning to urban governance, a first assessment about a new tool

Ludivine Damay^a; Florence Delmotte^a

^a Facultés Universitaires Saint-Louis, Brussels, Belgium

Online publication date: 25 November 2010

To cite this Article Damay, Ludivine and Delmotte, Florence(2010) 'The 'structure plans' in Brussels: from participatory planning to urban governance, a first assessment about a new tool', Urban Research & Practice, 3: 3, 257 — 274

To link to this Article: DOI: 10.1080/17535069.2010.524418

URL: <http://dx.doi.org/10.1080/17535069.2010.524418>

PLEASE SCROLL DOWN FOR ARTICLE

Full terms and conditions of use: <http://www.informaworld.com/terms-and-conditions-of-access.pdf>

This article may be used for research, teaching and private study purposes. Any substantial or systematic reproduction, re-distribution, re-selling, loan or sub-licensing, systematic supply or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand or costs or damages whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.

The ‘structure plans’ in Brussels: from participatory planning to urban governance, a first assessment about a new tool

Ludivine Damay* and Florence Delmotte

Facultés Universitaires Saint-Louis, Brussels, Belgium

This paper analyses the changes resulting from the use of a new tool in urban policies in Brussels, the *schéma directeur* (structure plan). We especially examine whether the new procedure has concretely achieved some of its major objectives: firstly, improving coordination of public action at different levels of authority; secondly, building real consensus with private partners; and thirdly, reinforcing democratic participation. Based on a collective empirical study devoted to the first implementations of the new procedure in the cases of four urban projects, this article also integrates some major elements of the theoretical debates about new modes of governance and the development of participatory and deliberative democracy, in order to clarify the meanings of some fuzzy notions frequently used either by researchers or actors. The authors argue that the new practices that characterize the structure plan, including promises of increased participation in a new type of governance, do not actually enhance people’s involvement. To conclude, a partial failure is diagnosed with regard to the structure plan’s initial ambitions.

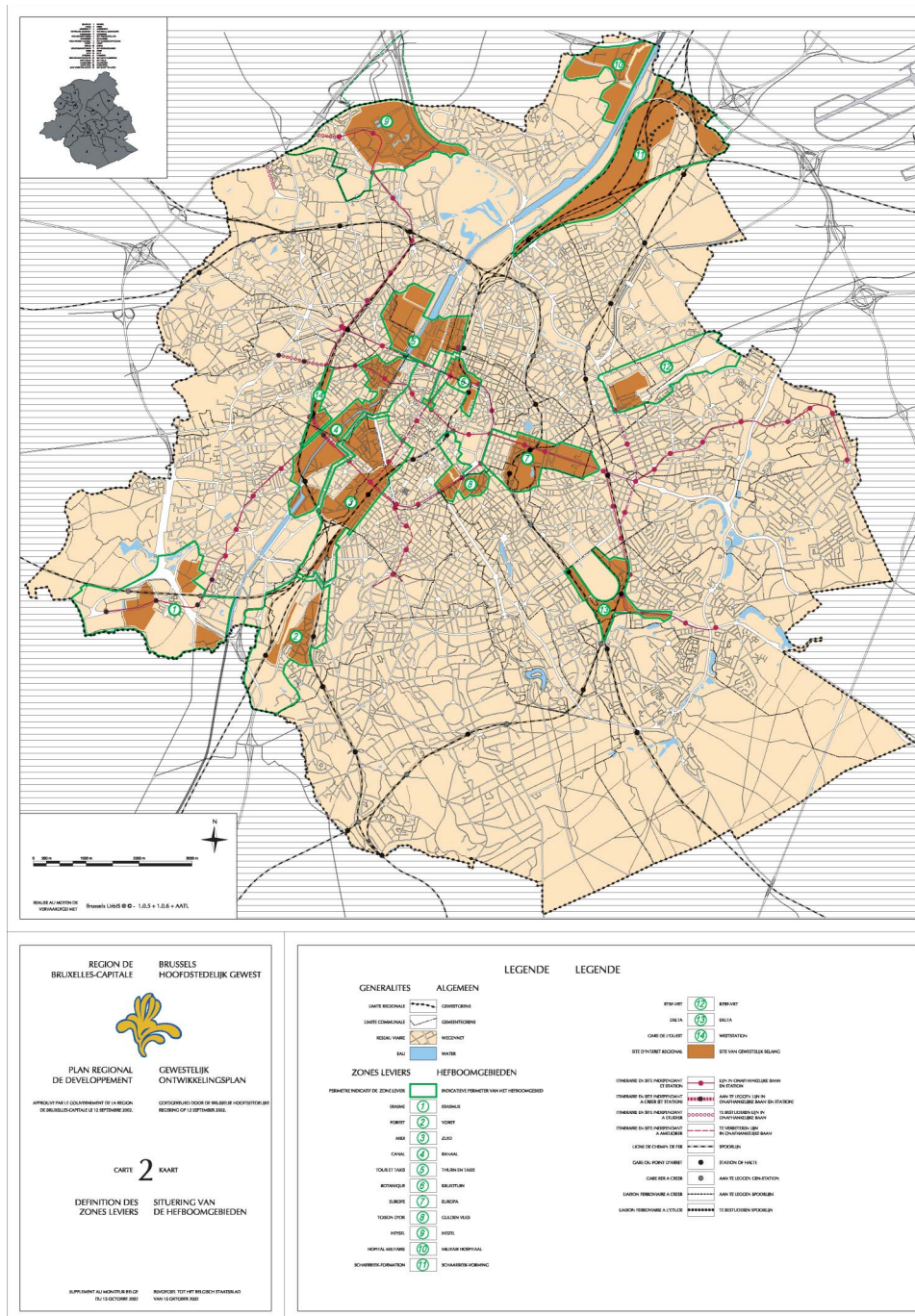
Keywords: urban planning; Brussels; participation; governance; deliberation

Introduction: the structure plan(s) in the context of Brussels

The bilingual Brussels-Capital Region (RBC) was created in 1989, during a late stage of the federalization of the Belgian state. The RBC is one of the three autonomous regions of Belgium (with Wallonia and Flanders), being the smallest with a territory of 162 km² with 1 million inhabitants. The RBC has also the peculiarity of being composed of 19 very different and ancient municipalities (one of which is Brussels-City), each retaining important competencies in the realm of urban planning and development. Since its creation, the region as a whole has had to face both common and more specific challenges. Improving its ‘residential attractivity’ is one of these challenges in a context characterized by a severe decrease in public financial resources. Moreover, Brussels has to face the disconnection or the disagreements between different levels of public authority (especially the region and the municipalities), on the one hand, and on the other the opposition of many neighbourhood committees to some major urban projects.

The last regional legislature (2004–2009) nonetheless allowed the implementation of an instrument that should be innovative in many respects: the *schéma directeur* (*richtschema* in Dutch), which can be translated into ‘structure plan’ or ‘master plan’. This new tool was designed in the framework of the 2002 *Plan régional de développement* (Regional Development Plan) as the preferred tool for the development of the 14 ‘leverage areas’ (*zones leviers* or *hefboomgebieden*) also provided for in the text¹ (see Figure 1). Since then,

*Corresponding author. Email: damay@fusl.ac.be



depending on circumstances, the expression '*schéma(s) directeur(s)*' has been used to either indicate the new procedural tool in general, or a development project of a new kind that this new procedure aims to achieve for each *zone levier*. Briefly, with regard to both principles and each concrete case, the main objective is to outline the future development of these areas and their surroundings before any new project of building or renovation is launched. The goal is also to facilitate the development of an improved integrated perspective at regional level in consultation with all the stakeholders concerned, including public stakeholders (first and foremost the Region and the municipalities), private stakeholders (property owners and, in certain cases, prospective investors) and citizens (the 'inhabitants' in the surrounding neighbourhoods). These guidelines or main orientations, that define each particular structure plan, have an illustrative purpose. Nevertheless, each structure plan should be translated into a regional governmental decree, and should then be made operational by means of pre-existing tools, namely the 'special land-use plan' (PPAS). The latter has a regulatory scope, and must be finalized by the municipalities that are specifically concerned.²

In the 2002 Regional Development Plan and other texts and speeches³ that preceded and accompanied the launch of the structure plans 'Botanique' and 'Tour & Taxis' in 2005, this new way of implementing the vast urban project in Brussels was justified time and again by a triple necessity. Firstly, the instrument is intended to contribute effectively to better coordination of the different public stakeholders and of the planning tools and procedures specific to each. At the same time, the structure plan should favour the establishment of vast 'development coalitions', which are sorely lacking in Brussels, where public authorities have lost all or part of the land-use control of large regional land reserves. It aims to allow the creation of effective public/private partnerships (PPPs) founded on mutual trust and commitment, when, in the past, so many attempts of this type have turned out to be financial, urban and human fiascos (see Breës 2009). Finally, the structure plan aims to increase the involvement of citizens in defining the regional 'city project' in general, in developing some particular urban projects and in implementing concrete procedures surrounding these projects. Following the often positive experience of 'neighbourhood pacts' (*contrats de quartier*) (see Berger 2009), participation should be encouraged on a large scale, always prior to the definition of projects.

The aim in what follows is not to examine the content of the projects. Instead, we intend to examine whether the new procedure has concretely reached, through its first implementations, the above-mentioned major objectives. In other words, the focus will be on the changes (and non-changes) resulting from the use of this new tool, mainly through the study of the tool itself (see Lascoumes and Le Galès 2007, pp. 11–34). We draw on a collective empirical study devoted to the four concrete cases: 'Botanique', 'Tour & Taxis', 'European Quarter' and 'West Station' (the first three having been approved by the government).⁴ We focus on the emblematic 'Botanique' case because we observed the public meetings and participatory workshops in this case.⁵

'Botanique': the first structure plan in Brussels

The 'Botanique' structure plan – which concerns the 'State Administrative City' (*Cité administrative de l'État*, or CAE) and its surroundings – was initiated at the end of 2005. It was the first to have its formulation procedure officially launched at the beginning of 2006; it was the first to be approved by the regional government at the end of the same year, and the first to be translated into a governmental decree in 2007. The CAE is a huge administrative complex (11 hectares) built between 1958 and 1983 in pure modernist-functional style (Figure 2). Situated close to the very heart of Brussels city, near the



Figure 2. The CAE site in 1984.

Source: Archives d'Architecture Moderne, Brussels.

Botanical Garden (*Jardin botanique*), it was conceived before the Second World War to concentrate most of the ministries when Belgium was still (but not for long) a unitary state. At the beginning of 2000, buildings were sold cheaply to private real-estate investors with certain conditions attached. A new generation of planners and architects emerged at the same time (see Hubert 2009). They were opposed to the destruction of the modernist architecture and supporting participatory planning. They succeeded in influencing decision-makers. A few years later, among the urban and environmental associations who are long-standing players and defenders of participation in Brussels, some agreed to work closely with the authorities (see Paye 2009). BRAL (*Brusselse Raad voor het Leefmilieu*) and its French-speaking counterpart IEB (*Inter-Environnement Bruxelles*) were being paid by the Brussels Region to play the role of mediator during the process of elaboration of the first structure plans.

According to the 2002 Regional Development Plan, each structure plan was to be 'drawn up with a view to striking the best balance of the various players' aims and expectations and to transcend possible competing rationales'.⁶ So, besides the economic efficiency that this new planning policy aims for, the authorities also hoped to avoid 'repeating the errors

of the past⁷ and thus to include in the setting of the redevelopment guidelines the players who are potentially concerned by the leverage areas' rehabilitation and the work that this entails when it comes to community facilities, services, mobility, and transport, for example. Indeed, the memory of the 'urban battles' that were waged in Brussels in the 1960s and 1970s remains just as strong as that of the failures of the huge real-estate projects that actually triggered them (see Demey 1990 and 1992, Dessouroux 2008).

This context explains why the first structure plan was originally conceived of as a 'methodology' or as a 'process', rather than a plan strictly speaking (see Figure 3). This context also sheds light on the fact that the regional government entrusted the job of drawing up the procedure to urban planners, MSA (Moritz & Simon Architects), who subscribed to this view, given the experience that they had acquired through their work on several 'neighbourhood pacts' and the vision of 'making the city' that they defended with their temporary French famous partner, Yves Lion.⁸ In line with the project designers' thinking, the procedure for drawing up the 'Botanique' structure plan was supposed to comprise a series of steps or 'phases'. The entire process was punctuated by public meetings open to all and workshops (*Ateliers de la Cité*) as well as meetings of smaller (closed) committees – that is, the *comité d'accompagnement* (which brought together the regional and local authorities, the site owner, ministries and associations as information relays) and 'tripartite round tables' (bringing together the Region, municipal authorities and the main urban planner). These 'closed' meetings were then supposed to take the outcomes of the public meetings on board. It was assumed that they would take up the suggestions and criticisms that came out of the events organized under the public strand of the procedure, as the final version of the structure plan (approved by the Brussels Government on 30 November 2006) summed up somewhat evasively.⁹

For the urban planner, the idea was to include all of the parties that might be concerned, including 'the residents and frequent users of the surrounding neighbourhoods' and 'associations, which in the past were particularly mobilized and active with regard to the future of the administrative complex site'.¹⁰ However, the users, for example, were never actually invited. This detail reflects in a way how difficult it is to put in practice a perspective that aims to be highly inclusive. Despite this, the regional politicians commissioning the work and, to a lesser extent, the urban planner who designed the 'Botanique' structure plan (see Moritz 2009) almost always stressed the openness that characterized the urban renewal project and, more generally, the openness of the tool that it used. Moreover, the same politicians and experts frequently used the notion of participation in a rather 'maximalistic' sense, for example, in championing the idea that the structure plan, in its very essence, should be a sort of co-decision or co-production process so as to be able to accommodate the various points of view on the site.¹¹

Even though 'participation' is not just a matter of talk, we can already see that the definition of the notion was not clarified in the Botanique case, despite its many occurrences in the statements of politicians, town planners and associations. The situation was further confused by the concurrent use of expressions that were hardly more explicit. The 'contract notice' (*avis de marché*) issued by the Brussels-Capital Region thus spoke of 'consulting the population' as being one of the urban planning agency's tasks.¹² In the 'special terms of reference' (*cahier special des charges*), the role of BRAL was 'to facilitate dialogue and consultation between the residents and government of the Brussels-Capital Region'; to organize 'consultation of the representatives of the various players' or 'of the population'; and to carry out consultations 'in the form of in-depth interviews of the strategic players and working meetings in select committees within the framework of the support committee and broader communications (general assemblies or open meetings)'.¹³ This indecisive-

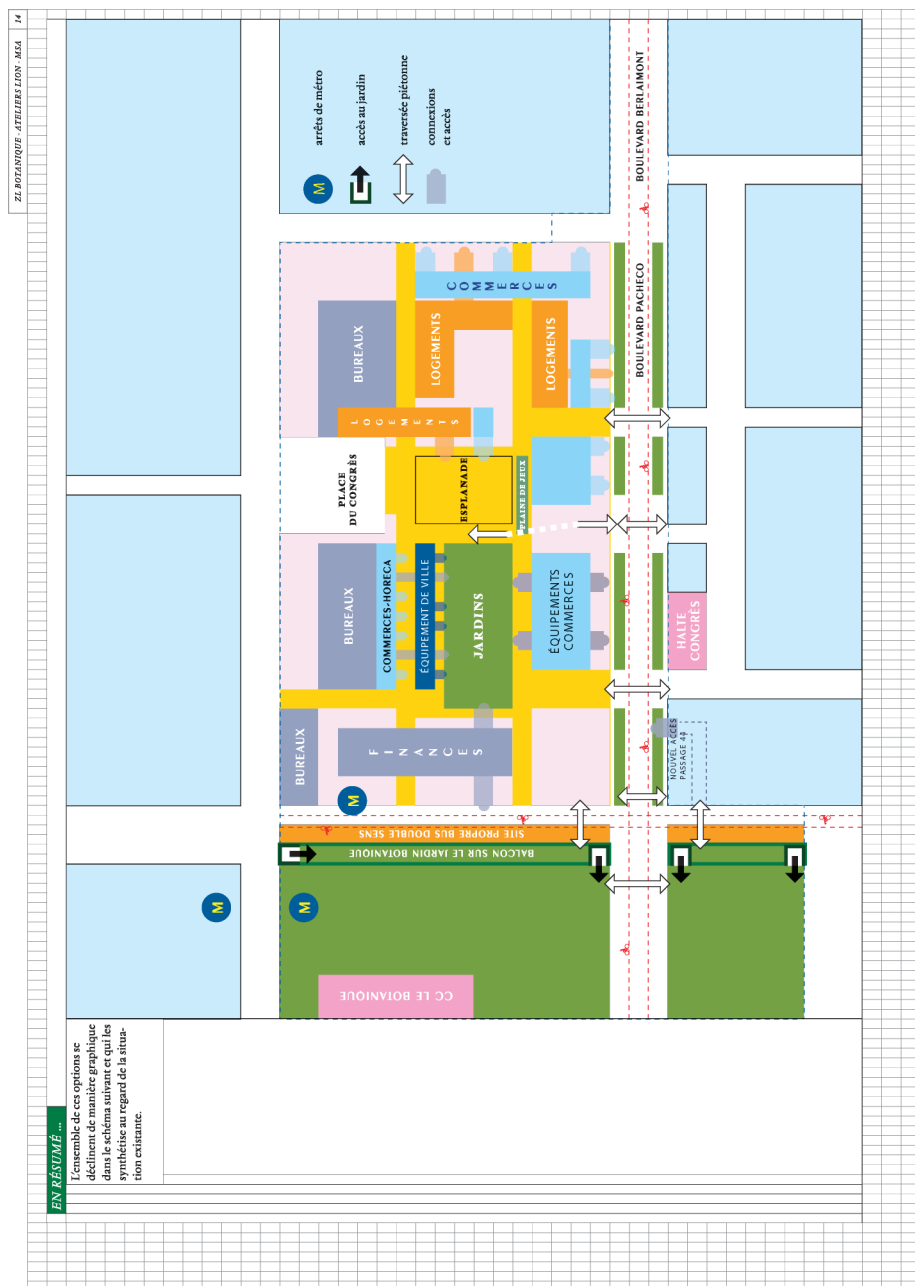


Figure 3. An illustration of the ‘Botanique’ structure plan principles.

Source: MSA-Lion.

ness and lack of precision were in a way confirmed in 2006, when the scheme was put into practice. Here, the Brussels experience particularly resonates with the studies of urban public policies to revitalize seedy or 'sensitive' neighbourhoods or to rehabilitate urban wastelands. Finally, here as elsewhere, who 'participates'? And what does it mean? Some elements of the theoretical debates about the new modes of governance and the development of participatory democracy and deliberation can help us clarify the meanings of some fuzzy notions frequently used by the different public and private actors. These theoretical debates may help in circumscribing the areas of shadows that surround the use of these fuzzy notions.

Participation, governance and deliberation: three notions in tension

Experiments with innovative schemes designed to foster public participation are flourishing, especially in urban policies. Although this is partly a long-standing trend – public survey procedures, for example, have existed in Belgian law since the nineteenth century (see Delnoy 2005) –, these innovations have branched out into a host of new forms today: 'structure plans', 'civic forums', 'town planning workshops', 'participatory budgets', 'neighbourhood contracts', and so on. These more or less new procedures share the fact that they have freed themselves from a certain legalistic formalism (see Bourdin *et al.* 2006). They are also accompanied by a very fashionable vocabulary in which the notions of 'participation', 'consultation', 'deliberation', and 'urban governance' come to the fore. They target 'residents', 'citizens', 'users', 'key players', or simply 'the public'. They aim to 'consult', 'inform', 'listen to', or 'open up to the people'. The 'participatory mantra' is as a rule intended to restore legitimacy to political decisions or, more directly, to the political players and institutions themselves. At the same time, it also serves other objectives ranging from the modernization of administration to the revitalization of social ties, with the taking of better, more workable decisions in between. This conceptual fuzziness and diversity of practices doubtless helps create a situation of confusion and scepticism. Many authors stress moreover the 'gadgetry' – in the best of cases – or 'manipulative nature' of these practices.¹⁴ Yet, whilst the conceptual fuzziness of these 'all-purpose' concepts may fuel the suspicion that these are just more cases of illusions or a mockery of democracy, this same fuzziness also explains in part the success of such talk. The 'commands' of participation also find a place in the rhetoric of both the World Bank and movements militating for alternative global development. How, then, is analysis of these words and deeds that would be at least heuristically useful possible?

A first approach consists in determining the 'degree of public participation' that is aspired to or achieved in a procedure of the type mentioned above. So, Sherry Arnstein's 'ladder of citizen participation' documents the importance of the gaps between the potential degrees of public involvement and makes the finest possible distinctions between a manipulative form of participation that is ultimately nothing more than the appearance of participation and strong participation extending to forms of self-management (Arnstein 1969). As Donzelot and Epstein (2006, p. 7) point out, this grid's success is due to the fact that 'it provided a very clear principle for ranking the practices [. . .] associated with this term and enabled one to say what deserved to be called participation and what did not'. That being said, this typology does not take account of other dimensions, such as the degree of openness to some players (and not to others), the definitions or 'certifications' of certain players, and even the quality of the procedure itself.

Thanks to other conceptualizations we see that a lack of thought about the participant her/himself and about the selections that must be made to designate 'the legitimate

participant' lurks behind the consensus-based call for participation in most policies on the ground. So, is it an open public formed by a broad appeal on a voluntary basis? Is it more specifically a 'purified' public (Braun and Schultz 2007), that is detached from its associative, political, and/or ethnic/community ties, able to be involved for a relatively long time, and wishing to learn and to give itself the means of all kinds that are necessary for effective involvement? Or is it a public that is directly affected by the issue and thus perceived to have 'expert knowledge' of some facet of everyday life? Is it a public of 'shareholders' (those who actually own property rights) or 'stakeholders' (those who have certain stakes in the venture without owning actual 'property shares')? Finally, is it a public composed of individuals or built up from pre-established collectives defending a particular perspective in the ways that the problems are tackled and types of solution that are needed?

Often underestimated, the question of definition of the public entails, as we see, different types of relationships with knowledge. There is the flexible, plural knowledge that will be built during the procedure, with each participant having abilities and resources to mobilize; 'expertise' in everyday matters where the participant is already assumed to have preferences; the knowledge of 'experts' that has been built up in an institutionalized collective and so on. These various types of knowledge do not all give the same value to a 'cultural rationality' (in opposition to the traditional 'technical rationality') that can be defined as a type of rationality based on 'personal and familiar experiences rather than depersonalized technical calculations.' (Fischer 2004, p. 87). Moreover, the notion of participation refers most often to the theory of 'participatory democracy', which values participation as an end in itself (Elster 1997, p. 3). In other words, the vision of a good presence that is usually considered to be adequate does not answer the following questions: 'Participation to do what and how?'

Concerning this very last question, participation is not deliberation. Although 'deliberative democracy is often perceived to be a sort of contemporary variant of participatory democracy [...] (Bouvier 2007, p. 5; see also Blondiaux and Sintomer 2002), it is necessary to clarify the debate. Participation refers to a democratic ideal according to which all citizens should be involved directly in managing public matters beyond electoral periods. Deliberation concerns more the method that is used to guarantee that the best decisions are taken. More specifically, 'the notion of a deliberative democracy is anchored in the intuitive ideal of a democratic association in which the terms and conditions of the association are justified by public argumentation and rational exchanges between equal citizens' (Cohen, quoted in Habermas 1997, p. 330). So, whilst these two notions of participation and deliberation do not necessarily exclude each other, nor can they be reduced to equivalents of each other.

At the same time, the notion of participation must be distinguished from that of 'governance'. This notion is even more encompassing because it is used as much in the spheres of international relations and international politics as on the national and local levels and is used just as much by the players and observers (see Paye 2005). The notion of governance has various levels or fields of application that can, moreover, be mobilized simultaneously. At times it supports descriptive aims ('urban governance' that describes the changes in local public action patterns, for example), at other times it supports prescriptive aims (to define the standards of 'good governance' that should be adopted), or at still other times it supports analytical purposes. Of course, it is also one of those fashionable 'all-embracing' notions that are used to serve ideologically opposing discourses and practices. If it is used on an analytical level, it can nevertheless help to reveal a problematic dimension to the phenomena that we have observed, namely, the relative absence of deep thought about democracy (see Lafaye 2001, Papadopoulos 2002, Papadopoulos and Warin 2007). Governance approaches effectively put much more emphasis on other dimensions, such as the multiplicity of stakeholders, the boom in partnerships between government institutions

and private players, companies, and ‘partners’, the increasing complexity of political action, the coordination problems to which this gives rise, and so on. In a word, these approaches pay little attention to such questions as the decision-making game’s openness to the people and associations, transparency, and civic oversight.

To sum up, the theories based on the notions of participation, deliberation, and governance have in common the rejection of the absolute primacy of the role of the state and its central bodies – that is, the institutions of representative democracy and administration (Blondiaux 2001, p. 86). Besides that, if we smooth out differences in the various currents within these three ‘paradigms’, we can identify three major and interesting fracture points, respectively about procedure, players and knowledge. First of all, when it comes to the procedural questions, while participation can make do with ‘presence’, deliberation requires a logic of dialogue and the generation of a common decision that entails rational, even reasonable, argumentation. Governance, for its part, does not truly involve the existence of deliberation and governance-based approaches ‘do not differentiate between deliberation and bargaining [. . .]’ (Blondiaux and Sintomer 2002, p. 29). Moreover, the transparency of the procedure is also important in the logic of deliberation. As for the second type of question, concerning the players, governance analyses put emphasis on partnership with private sector players (especially market operators) and the public action networks that mix private and public players from different power levels. In other words, these analyses give the people and associations short shrift. The opposite is true when it comes to the second model, centred on the notion of participation, which values the involvement of ‘ordinary citizens’ above all else. Finally, we could say that the players do not always seem to be a core issue in deliberation-based analyses. Some authors admit, for example, that deliberation that gives rise to decisions should be restricted to the citizens’ representatives only,¹⁵ whereas others value the direct participation of everyone.

The third point of fracture, which concerns the matter of knowledge, is not independent from the other two. Whilst the three paradigms often value the existence of different points of view and the need to increase the number of stakeholders involved, the participatory approaches support a perspective in which knowledge is disseminated. Each citizen is competent in the area of public management and should be able to issue her/his views on behalf of her/his ties to the group. In the deliberative approach, in contrast to the participatory one, the focus is on how to construct a certain type of knowledge. The procedure is what enables many points of view on a subject to culminate in more rational, more balanced, knowledge. A major difference between the participatory and deliberative approaches ‘is this key assumption of the mutability of interests and the potential for the discovery (or construction) of common goals among participants’ (Melo and Baiocchi 2006, p. 590). Finally, the governance approach clearly gives heightened value to the knowledge of the most influential groups, of those who have direct stakes (shareholders and stakeholders) in the matter, without caring much about the knowledge that everyone has or the procedure whereby this knowledge is constructed.

A hybrid or mitigated plan? Back to the ‘Botanique’ case

As we pointed out, the theories themselves are hybrid and groping, often halfway between analytical and prescriptive aims, and share many elements, including their shadowy areas. In what follows we do not intend to issue a final verdict on the public procedures that we observed in connection with the ‘Botanique’ structure plan. Rather, we shall stress certain aspects, in order to connect them to the questions revealed by the theoretical analyses and then to highlight the hesitations inherent in the first implementation of a new tool.

A first striking element is then the duality of disconnected 'stages', between which the players sometimes found it hard to meet. On the one hand were public areas or moments that were more or less wide open, depending on whether they were participatory workshops or information meetings,¹⁶ and on the other hand areas and moments where a restricted number of leading players negotiated and took decisions. The procedure itself, as we have said, provided for 'tripartite round tables' to bring the public authorities concerned together and 'support committee' meetings to bring the urban planning agency, regional and municipal authorities, and project promoters together. It was also a given that the associative actor could attend the support committee meetings as an observer in order to relay information that the same association could not properly represent, given its role as a 'neutral' mediator. The principle of a repartition of the roles, spaces, and times is not in itself the problem. Rather, it is the fact that this duality was accompanied by a disconnection between the two space-times that seemed to widen as the design process progressed.

This schism was, secondly, deepened by the increasingly powerful disagreement about the project's general direction that pitted the owners of the site against the public authorities and urban planner in charge. So the third and last participatory workshop that was scheduled by the methodology did not take place, due to a context in which these authorities and the planner were hardly trying to minimize the reverberations of what was going on inside a power struggle between the public actors and the private investors. An anecdote here is highly revealing. At the last public information meeting (in September 2006), the site's private owners unveiled a counter-project. While the 'official' MSA project favoured renovation of the existing modernist-functionalist heritage, the owners' project did away with the slab roof that formed the elevated esplanade and reinstated a huge staircase. Beyond the surprise effect, in presenting a luxury wooden model that had been designed by the American architectural firm KPF, the owner and investor also reminded the audience of the magnitude of his financial means. In other words, the parties had clearly strayed far from the logic of dialogue and rational argumentation that the concept of deliberation entailed, and on which the entire procedure was (theoretically) based.

Moreover, by means of that much talked-about counter-project, the private promoters tried to rally to their cause the residents and the radical association (*Atelier de recherche et d'action urbaines*) ARAU, and (quite paradoxically) managed to do so that evening fairly well. It is true that during the first 'atelier de la Cité' (in March 2006), some residents and ARAU strongly criticized the proposition to maintain the esplanade (as a main feature of the CAE site). These residents considered it to be ugly, windy, highly impractical, and so on. Some suggested to destroy it and to rebuild 'in terraces with patios', or to recreate the Cluysenaar's famous 'monumental stairways' (see Figure 4). These discussions and requests came up time and again, for the ambiguity about what was finally 'non-negotiable' was never dispelled. This is the third revealing and problematic aspect. The urban planner finally admitted that MSA had been chosen by the Region on the basis of a first draft project and partly because of its 'patrimonial basic option' (maintaining, renovating and valuing the modernist architecture of the CAE instead of replacing it). This choice entailed some hard limits concerning the subject of the participatory debates. Once again, the problem is not this respectable architectural choice in itself. Rather, the problem is that this choice and the limits that it entailed were not clearly established at the beginning of the participatory procedure. This account attests to some of the difficulties plaguing participatory processes in general (see the special issue of the French scientific journal *Politix* in 2006). As a result, many inhabitants seemed to share the opinion that such a public process only aimed at legitimating decisions that had already been taken and at undermining any contestation. This definitely increased the risk of feeding the frustrations of the

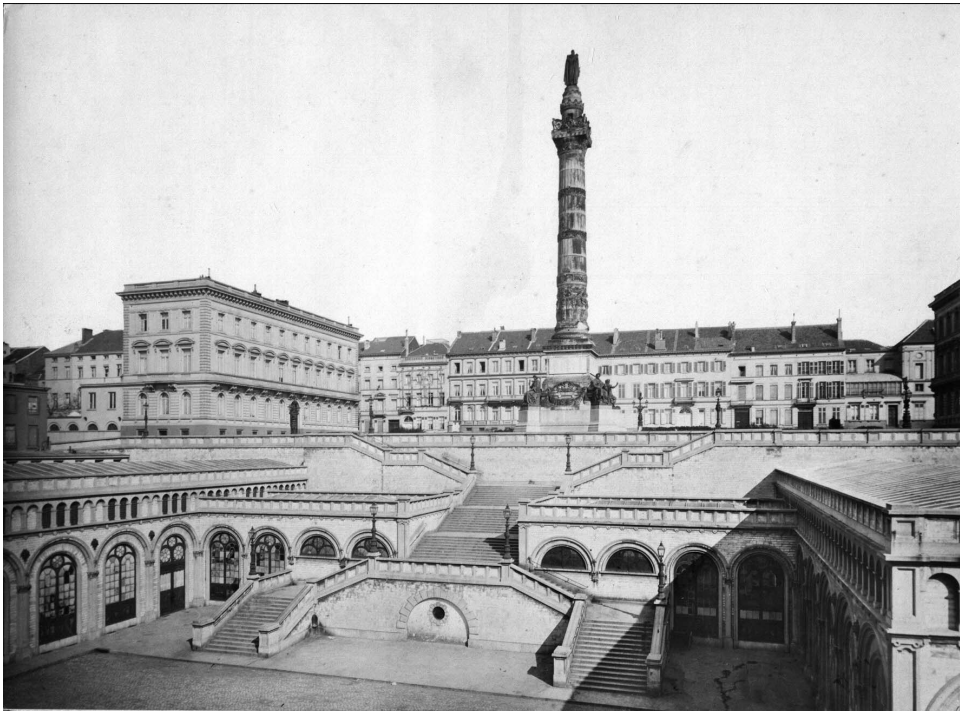


Figure 4. The ancient monumental Cluysenaar's stairways and market (completed in 1857) that were destroyed to build the CAE (1958–1983).

Source: Archives de la Ville de Bruxelles.

participants and the scepticism about the usefulness of any participatory procedure dedicated to future urban projects in Brussels.

Fourthly and finally, this uncertainty about the participatory procedure and the weight of the citizens' voices was made worse by another sizable unknown concerning the real weight that the structure plan itself carried in the actual building projects to come. The structure plan was finally approved in autumn 2006 and translated into a regional decree in July 2007. Nevertheless, accepting that structure plan did not prevent the history of town planning from following its direction of development. The CAE buildings had been sold to a private real-estate consortium in 2001 for the first part (the *Tour des Finances*) and in 2003 for the other main buildings. The structure plan elaboration process (which does not consider the tower, which was rejected out of the perimeter of the leverage area or *zone levier* 'Botanique') was initiated in 2005 and concretely began in February 2006. At the same time, new owners asked for renovation permit applications, following a more ancient and still existing procedure, and until recently these applications have been reviewed almost independently from the principles enshrined in the structure plan. Several 'concerted information, consultation and dialogue commissions' thus took place in 2007 and 2008 about several renovation permit applications introduced by the private owner. Moreover, in many respects these applications did not respect the most evident features of the structure plan, including the compulsory request of building housing in compensation for office floor spaces.¹⁷ Months of work, public consultations, bitter negotiations, and plan development could then be contested by older and more binding procedures.

We see here a good illustration of the rise of law based on guiding principles rather than being based solely on fixed rules. The structure plan is an instrument without binding force. This was said right from the start. The very use of the term '*schéma*' reveals the wish to place regional planning and development policies in a category of more flexible management and decision-making procedures (see Morand 1999). However, in such a context, under what conditions is the consensus that is created amongst the decision's stakeholders actually a consensus? How can it be heeded and upheld? And how could it be made opposable to third parties as long as it keeps the soft shape of general principles, the implementation of which is often put off to an indeterminate future?

The elements mentioned above seem indeed to draw the process of developing the 'Botanique' structure plan closer to the casting of a new form of urban governance that tries to incorporate certain participatory and deliberative practices. First of all, the stage described as 'participatory' is totally seconded by another, dominated by the principle of 'multi-level governance' (see Hooghe and Marks 2001), which is achieved through the tripartite, bilateral, and support committee meetings. Given the complexity of the Brussels institutional system, this in itself is a feat. It seems, moreover, that the first structure plan helped to create an epistemic community of public players sharing the same cognitive frameworks and even the inklings of a constructive dialogue between these public players and private forces, despite the involvement of clearly opposed interests. Despite this, the administrations, politicians, promoters and experts shared the stage where attempts were made to decide on what could be called a 'neo-neocorporatist'¹⁸ way of working.

'Participation' made only a timid foray into the scheme. Its role was not ensured by a strong mobilization inside or on the fringes of the procedure. We must indeed point out that participation was directed above all towards the individual residents. Most of the associations took very little part in the structure plan process strictly speaking.¹⁹ The participatory procedure did not give itself the means to spawn a 'civic opposition force' (Fung and Wright 2005) capable of dialogue and collective resistance, creativity in the proposed solutions, and openness to cooperation. This was doubtless due to the lack, given the site's location and history, of a locally mobilized public prior to the launch of the structure plan's development.²⁰ As a result, citizen participation was an almost exclusively 'top-down' initiative. That being so, the actual place of participation in this situation hung by two threads: that of an association that had the status of only a temporary guest on the 'decision-making stage', and that of the urban planner upon which rested not only the definition of the methodology and magnitude of the public strand, but also the weights to be assigned in the project's design to specific concerns, wishes, and criticisms expressed by the residents. That shows how little the people's various types of knowledge were actually mobilized and the minor role given to the procedure's participatory dimension, aside from the abundant lip service paid to participation in the various speeches (see Delmotte *et al.* 2009). The opacity of the procedure itself also came in for the criticism that was often levelled at the new practices associated with 'governance'. Here the lack of readability of the various phases, the lack of transparency as to their content, and the lack of clarification of certain crucial questions come to mind: Who decides what in which forum? When? How? And why? The result was a great doubt about whether the 'public' or the 'people' necessarily had a stronger say in what was going on than within the framework of the traditional institutions of representative democracy.

Finally, everything seems to attest to the great weakness of the deliberative principles and practices in this first implementation of the structure plan scheme. So, the disputes between players were not smoothed out, for the differences of viewpoints and conflicts of interest effectively did not appear to be dissected, never mind confronted. Constructing

agreement appeared to be the structure plan's reason for being, since through the flexibility of its modalities and its non-binding nature the structure plan was supposed to make it possible to envision the various solutions with cool heads and discuss the disagreements in order to achieve a solid consensus. As a result, the disagreements in question were simply transposed to the ulterior decision-making stage. In what follows, we argue that this verdict of a partial failure is not specific to the Botanique case.

The first-generation structure plans: an ambivalent yet edifying first assessment

As an original procedure founded on a substantiated diagnosis of the challenges to be met, the structure plan signified a triple promise of better coordination and more partnerships and democracy, honourable due to the flexibility of the mechanism and, above all, its particularly collaborative nature. Four years after the inauguration of the tool for the Botanique area and for Tour & Taxis,²¹ the assessment of the first structure plans appears ambivalent to say the least. The implementation of the new procedure was a big disappointment to certain associations which participated (Inter-Environnement Bruxelles, for the structure plans 'Europe' and 'Gare de l'Ouest') or did not participate (see ARAU 2008) in the processes. As we have seen through the Botanique case, this appears to be the feeling among property developers and inhabitants, incredulous or sceptical about the will of the public authorities to truly take their concerns into account. Nevertheless, the structure plans have made undeniable progress.

Most importantly, an urban project for Brussels is being discussed once again, which is a major advancement in the recent history of planning in the city. It is no longer just a question of square metres, dimensions and permits as it was a few years ago, but of diversified functions, density, mobility and aesthetic choices. In other words, the structure plan is helping in redeveloping a vision of the city in the medium and long term and at least at regional level, through an awareness of what is happening elsewhere and by learning from past experiences. This change of perspective is becoming more widespread within the political and institutional realms, which are induced to develop new competences, and the urban project – and not only its absence – finally seems to be a topic of public debate. This 'progress' is of course not the product of the new mechanism as such; it is rather the fruit of an intense mobilization of several new urban stakeholders, since the beginning of the decade, in particular among young architects and town planners (see Hubert 2009).

Furthermore, the structure plans also allowed the regional and municipal public authorities to agree on the outline for the re-allocation of sites which, until then, had been the subject of long and bitter debates. This is an advantage of the consultative procedure, although dialogue is made easier by a favourable political context and relationship in both cases of Botanique and Tour & Taxis. The structure plans also forced the public and private stakeholders to meet regularly. Thus, the structure plans have the potential to contribute to creating a common language and a shared culture of an urban project in Brussels. At the very least, they allow the obstacles to such a long-term undertaking to be pinpointed.

Finally, the participation of inhabitants was concretely organized in each case, essentially in the form of information meetings or workshops by BRAL (for the CAE/Botanique and Tour & Taxis) and IEB (for the West Station and the European quarter). Concretely, it entailed that the urban planners had to learn to 'communicate' about relatively abstract projects and above all to justify the decisions taken with politicians as regards the orientation of these projects. Here as well, it would be unfair to attribute this innovation to the structure plan. With a long history of urban struggles in Brussels having paved the way, this

advancement is clearly linked to the many years of awareness-raising work carried out by the associative sector, with support from new defenders in the world of architecture. Furthermore, it was necessary for certain political stakeholders to hear the protests and proposals and decide to make use of a new instrument in an attempt to do justice to a more participatory planning process, for the first time concerning projects of this scope.

That being the case, why should there be talk of broken promises in the four cases we examined, despite the local divergences of the context conditions? Perhaps we (including the researchers) were simply expecting too much. The illustrative and non-regulatory tool is not intended to act as a substitute for existing procedures, and is only in its initial stages. Maybe for this reason, the formulation procedure for projects was much longer than planned in three of the four cases examined here, either due to continual disagreements between public and private partners, as with Tour & Taxis (whose formulation procedure lasted two years; see Descheemaeker 2009), or due to the realization of lengthy technical feasibility studies that were imposed belatedly on the consultancy firm. This is the case of the West Station,²² where the finalization and adoption of project has been imminent . . . since January 2008.

Moreover, after being approved by the regional government and translated into a decree, the structure plans appear to have been condemned to a much delayed expression at municipal level in new special land-use plans (PPASs). This phase is particularly important because the PPASs are precisely supposed to provide a restricting character, opposable and therefore truly operational, to the orientations defined by the structure plans. It actually appears that the preparation of PPASs always tends to take several years (including the impact studies and consultation committees). In other words, regional and municipal levels and their instruments are once again disconnected, as was the case in the past. Meanwhile, there is nothing (apart, perhaps, a moral obligation) to prevent impatient property developers from sending in their applications for permits to the municipalities concerned (the City of Brussels for the CAE as well as for Tour & Taxis). As previously noticed, it frequently happened that these permit applications did not respect the orientations of the structure plan, concerning functional uses and surface areas devoted to offices for example. In reaction to the slowness and lack of efficiency of public action procedures, the property developers are thus contributing to undermining a very fragile process of confidence-building between 'partners'. As a concrete result on the ground, the project seems to be delayed once more (see Figure 5).

Finally, the participation of inhabitants, which was so widely heralded *a priori* and spoken so highly of *a posteriori*, did not lead to the expected outcomes either, probably due to a lack of mobilization in the neighbourhoods but also, and more surely, to a lack of clearly defined objectives, methods and limits of the participatory tool itself. With regard to Tour & Taxis, it is true that the 'T&T: TouT Publiek Manifesto' written by the inhabitants really did play a role. Nevertheless, this intervention is to be considered as an improvisation made possible by a certain offsetting of the initial procedure and its delays (see Descheemaeker 2009). In a much more obvious way, as regards the projects related to the CAE and the West Station, one would have to look hard to find evidence of demands made specifically by citizens in terms of content proposals such as those regarding the transparency of procedures. The consequence is that doubt will be cast on the very possibility of involving the inhabitants of Brussels in the dialogue concerning major urban projects. From a more pragmatic point of view, there is also the risk that the gap between politics and citizens will widen, when one of the first motivations of the mechanism was to fill it.

Some other public innovations have been introduced by the Region in the realm of urban planning and development. These innovations are also supposed to make the achievement



Figure 5. The CAE in 2009.

Source: Florence Delmotte.

of big projects easier and maintain the structure plan scheme as a central tool of the new urban policies. The International Development Plan (*Plan de développement international de Bruxelles* or PDI) launched in 2007, the creation in 2008 of a Territorial Development Agency (*Agence de développement territorial* or ADT),²³ the revision in 2009 of the *Code bruxellois d'aménagement du territoire* (COBAT), the designation in 2010 of a 'chief architect' for Brussels: all these initiatives reveal the reasserted will of the public authorities to do more and do it better concerning the development of the city-region. At the same time, all these innovations have already fed deep and serious criticisms that come not only from the associative action (see Van Criecken and Decroly 2009). Is it possible to reconcile local democracy and 'urban marketing'? Does the citizen have his place in a city vision that puts the priority on competition between cities and regions and thus attractiveness in urban planning? In Brussels today there is a pressing need to investigate these questions, which are too often (and wrongly) considered as too 'theoretical'; moreover, the initial attempts to use the structure plan tool have largely failed to clarify these questions.

Notes

1. See the *Plan régional de développement*, Brussels-Capital Region 2002, (<http://www.prd.irisnet.be>, last accessed 4 March 2010).
2. As Bertrand Pâques (2005, p. 7sq.) points out, the notion of '*schéma*' (plan or outline 'with an indicative value') arose in the 1980s in Belgium, as part of a set of initiatives that were launched first by the local authorities, and was opposed to the notion of a 'plan' (with 'regulatory' value). The *schéma* was supposed to correct certain flaws inherent in 'plans', especially their lack of flexibility and thus their increasing inability to allow for the changing nature of

contemporary town planning and regional development (or 'spatial planning'). The various *schémas* or *schémas directeurs* have thus been considered for the past score of years to be 'second-generation plans' that are rooted in 'operational or active planning' and reveal the importance of the 'political' dimension, especially because they often concern not only regional planning and development but also 'venture into fields specific to the economy, social affairs, and the environment'.

3. See for example the 'Déclaration de politique générale' of the Government of the Brussels-Capital Region, 20 July 2004.
4. On the initiative of the Institut de recherches interdisciplinaires sur Bruxelles (<http://www.trib.be>) at the Facultés universitaires Saint-Louis, an interdisciplinary and interuniversity research group called 'Groep Levier' was formed in 2005 to monitor the elaboration of the first structure plan ('Botanique') as regards its participatory character. It also examined the other first-generation structure plans launched shortly afterwards. The study was published under the title *La Cité administrative de l'État: schémas directeurs et action publique à Bruxelles* (Delmotte and Hubert 2009).
5. More detail on the 'Botanique' case study with regard to the participatory process can be found in Damay and Delmotte (2010); see also Damay and Delmotte (2009) for a more detailed analysis.
6. *Plan régional de Développement* (Région de Bruxelles-Capitale 2002), first priority.
7. Charles Picqué, President-Minister of the Brussels-Capital Region, press conference of 17 October 2006.
8. See <http://www.atelierslion.com>; <http://www.ecologie.gouv.fr/Yves-LION-Grand-Prix-de-l.html>.
9. See Ateliers Lion Architectes Urbanistes and MSA, *Schéma Directeur Zone Levier n°6 Botanique*, November 2006, which can be consulted at <http://www.cae-rac.be/>.
10. *Schéma Directeur Zone Levier n°6 Botanique: 7*.
11. This is how the 'Botanique' plan's main designer summarized his own planning philosophy, although he simultaneously recognized that such an objective could not be achieved the first time around. Whilst the structure plan opened, in other words, a new era in the development of large-scale urban projects, the 'Botanique' structure plan was only a first. Here we found our position on the interview (Brussels, autumn 2006) of Benoit Moritz, from MSA, and the speech he gave at the La Cambre School of Architecture (Brussels, March 2007). At this occasion he spoke more precisely about the three 'phases' that marked the recent history of Brussels town planning: first that of 'technocratic' town planning, then that of 'consultative' town planning, and finally that of 'participatory' town planning. In the last one, the idea is not just to 'inform' and 'consult', but to deliberate and even to 'co-produce' things with all of the parties involved. That intuition was systematized as the notion of the 'second turning point' in reference to the (first) turning point discerned by Jacques Aron (1978).
12. Avis de marché No. 8400, Ministère de la Région de Bruxelles-Capitale, *Bulletin des adjudications* (24 June 2005): 8342–8346.
13. Ministère de la Région de Bruxelles-Capitale, Administration de l'aménagement du territoire et du logement, *Cahier spécial des charges relatif à l'élaboration du schéma directeur de la zone levier n° 6 'Botanique'*.
14. Loïc Blondiaux (2004) denounced this cynical position.
15. On the distinction between deliberations *stricto sensu* and informal processes of building public opinion, see Jürgen Habermas (1997), p. 332.
16. See Delmotte *et al.* (2009) for a detailed narrative of the public moments of the procedure in 2006–2007.
17. The 35% of housing is compulsory because the *Plan régional d'affectation du sol* (PRAS, Regional Soil Use Plan, which has a regulatory value) had defined the CAE complex as a 'regional interest area' (*zone d'intérêt régional* or 'ZIR') before the site was embodied in the leverage area 'Botanique' defined by the Regional development plan (which has a programmatic and indicative value).
18. According to the classic definition of the term 'neocorporatist' that can be found in, for example, Philippe Schmitter and Gerhard Lehmbruch (1979).
19. The various collectives that mobilized in favour of the site in 2003–2004, motivated by the extralocal interests that the CAE represented (its architecture, its location, etc.), headed for other battles after the owners refused their requests to occupy the premises. The trust that these collectives had in the urban planning agency in charge and in the association organizing the participation, which were close to them, may also explain their demobilization.

20. Building the CAE after the Second World War (see Hubert 2009) required expropriating entire popular districts near the city centre. In the immediate surroundings there are very few inhabitants indeed, a majority of them living in social housing. Nearby, an area mostly devoted to shopping is nevertheless being rebuilt with higher standards of housing.
21. The site of Tour & Taxis, formerly a railway station, is a large urban wasteland of 40 hectares situated along the canal near the city centre. Its name comes from the family 'Thurn und Taxis' that created the first official mail post service between Brussels and Vienna at the end of the fifteenth century. At the end of the nineteenth century, the complex combined rail, stocking, port and customs activities. These activities gradually ceased in the second half of the twentieth century. The 'royal entrepôts', which have been renovated recently, and the station are brilliant examples of the industrial architecture. See Descheemaeker (2009) for a concise presentation of the case.
22. Compared with the other cases, the West Station area is more off-centre and situated on the territory of the municipality of Molenbeek-Saint-Jean, one of the three poorest municipalities in Belgium. The West Station is one of the junctions for underground lines in Brussels and should also become an important railway junction with the future achievement of the rapid-transit rail system. Besides that, the site and its surroundings are not very attractive, especially with respect to developing housing. As a result, the SNCB (National Railway Company of Belgium) is still the main site's owner and has not yet decided to sell it (hoping that the structure plan would give it an increase in value). At the same time, the Brussels-Capital Region and private investors do not show much interest in developing in this seedy neighbourhood (see Berger *et al.* 2009).
23. See <http://www.adt-ato.be/>.

References

- ARAU (Atelier de recherche et d'action urbaines), 2008. *Cinq chantiers pour Bruxelles: Actes de la 39^{ème} École urbaine de l'ARAU*. Brussels: ARAU.
- Arnstein, S., 1969. A ladder of citizen participation. *Journal of the American Institute of Planners*, 35 (4), 216–224.
- Aron, J., 1978. *Le tournant de l'urbanisme bruxellois, 1958–1978*. Brussels: Fondation Joseph Jacquemotte.
- Berger, M., 2009. *Bruxelles à l'épreuve de la participation: les contrats de quartier en exercices*. Brussels: Gouvernement de la Région de Bruxelles-Capitale.
- Berger, M., *et al.*, 2009. Voies et voix de la Gare de l'Ouest. In: F. Delmotte and M. Hubert, eds. *La Cité administrative de l'État: schémas directeurs et action publique à Bruxelles*. Brussels: La Lettre volée, 208–239.
- Blondiaux, L., 2001. La délibération, norme de l'action publique contemporaine? *Projet*, 268, 81–90.
- Blondiaux, L., 2004. Prendre au sérieux l'idéal délibératif: un programme de recherche. *Revue Suisse de Science Politique*, 10 (4), 158–169.
- Blondiaux, L., and Sintomer, Y., 2002. L'impératif délibératif. *Politix*, 57, 17–35.
- Bourdin, A., Lefeuvre, M.-P., and Melé, P., eds., 2006. *Les règles du jeu urbain, entre droit et confiance*. Paris: Descartes.
- Bouvier, A., 2007. Démocratie délibérative, démocratie débattante, démocratie participative. *Revue Européenne des Sciences Sociales*, 45 (136), 5–34.
- Braun, K., and Schultz, S., 2007. Pure publics and embodied expertise: participatory governance arrangements in the area of human genetics. Paper presented at the ECPR General Conference, Pisa, 6–8 September.
- Breës, G., 2009. *Bruxelles-Midi: L'urbanisme du sacrifice et des bouts de ficelle*. Brussels: Aden.
- Damay, L., and Delmotte, F., 2009. Une expérience bruxelloise entre gouvernance et participation. In: F. Delmotte and M. Hubert, eds. *La Cité administrative de l'État: schémas directeurs et action publique à Bruxelles*. Brussels: La Lettre volée, 162–180.
- Damay, L., and Delmotte, F., 2010. New town planning instruments: participation or governance? The case of Brussels through the 'Botanique structure plan'. *Planning Perspectives*, 25 (2), 171–191.
- Delmotte, F., and Hubert, M., eds., 2009. *La Cité administrative de l'État: schémas directeurs et action publique à Bruxelles*. Cahiers de La Cambre Architecture, 8. Brussels: La Lettre volée.
- Delmotte, F., *et al.*, 2009. L'histoire du projet au fil des débats publics. In: F. Delmotte and M. Hubert, eds. *La Cité administrative de l'État: schémas directeurs et action publique à Bruxelles*. Brussels: La Lettre volée, 122–160.

- Delmotte, F., Hubert, M., and Tulkens, F., 2009. Les schémas directeurs, et après? L'avenir du développement urbain à Bruxelles en question. *Brussels Studies*, 30. Available from: <http://www.brusselsstudies.be> [Accessed 18 October 2010].
- Delnoy, M., 2005. Définition, notion de base, raison d'être et sources juridiques des procédures de participation du public. In: B. Jadot, ed. *La participation du public au processus de décision en matière d'environnement et d'urbanisme*. Brussels: Bruylant, 7–28.
- Demey, T., 1990 and 1992. *Bruxelles: chronique d'une capitale en chantier* (2 vol.). Brussels: CFC-Éditions/Paul Legrain.
- Descheemaeker, A., 2009. Tour & Taxis ou les ambivalences de l'urbanisme participatif à Bruxelles. In: F. Delmotte and M. Hubert, eds. *La Cité administrative de l'État: schémas directeurs et action publique à Bruxelles*. Brussels: La Lettre volée, 240–255.
- Dessouroux, C., ed., 2008. *Espaces partagés, espaces disputés. Bruxelles: une capitale et ses habitants*. Brussels: Administration de l'Aménagement du Territoire et du Logement de la Région de Bruxelles-Capitale.
- Donzelot, J., and Epstein, R., 2006. Démocratie et participation: l'exemple de la rénovation urbaine. *Esprit*, 326, 5–34.
- Elster, J., 1997. The market and the forum: three varieties of political theories. In: J. Bohman and W. Rehg, eds. *Deliberative democracy: essays on reason and politics*. Cambridge, MA: MIT Press, 3–34.
- Fischer, F., 2004. Citizen deliberation and the problem of expertise: resituating knowledge in practical reason. In: B. Castagna, et al., eds. *La situation délibérative dans le débat public*, vol. 1. Tours: Presses Universitaires François-Rabelais, 84–95.
- Fung, A., and Wright, E.O., 2005. Le contre-pouvoir dans la démocratie participative et délibérative. In: M.-H. Bacqué, H. Rey, and Y. Sintomer, eds. *Gestion de proximité et démocratie participative: une perspective comparative*. Paris: La Découverte, 49–80.
- Habermas, J., 1997. *Droit et démocratie: entre faits et normes*. Paris: Gallimard. [English publication: Habermas, J., 1996. *Between facts and norms: contributions to a discourse theory of law and democracy*. Cambridge, MA: Polity Press.]
- Hooghe, L., and Marks, G., 2001. *Multi-level governance and European integration*. Oxford: Lanham, Rowman and Littlefield.
- Hubert, M., 2009. Un passé bien présent: le site de la cité administrative de l'état, condensé de l'urbanisme bruxellois. In: F. Delmotte and M. Hubert, eds. *La Cité administrative de l'État: schémas directeurs et action publique à Bruxelles*. Brussels: La Lettre volée, 14–55.
- Lafaye, C., 2001. Gouvernance et démocratie: quelles reconfigurations? In: C. Andrew and L. Cardinal, eds. *La démocratie à l'épreuve de la gouvernance*. Ottawa: Presses de l'Université d'Ottawa, 57–86.
- Lascoumes, P., and Le Galès, P., 2007. L'action publique saisie par ses instruments. In: P. Lascoumes and P. Le Galès, eds. *Gouverner par les instruments*. Paris: Presses de Sciences Po, 11–44.
- Melo, M.A., and Baiocchi, G., 2006. Deliberative democracy and local governance: towards a new agenda. *International Journal of Urban and Regional Research*, 30 (30), 587–600.
- Morand, C.A., 1999. *Le droit néo-moderne des politiques publiques*. Paris: LGDJ.
- Moritz, B., 2009. L'élaboration du schéma directeur Botanique, vue de l'intérieur. In: F. Delmotte and M. Hubert, eds. *La Cité administrative de l'État: schémas directeurs et action publique à Bruxelles*. Brussels: La Lettre volée, 102–121.
- Papadoulos, Y., 2002. Is 'governance' a form of 'deliberative democracy'? Paper presented at the ECPR Joint Session of Workshops, Turin, 22–27 March.
- Papadopoulos, Y., and Warin, P., 2007. Are innovative, participatory and deliberative procedures in policy making democratic and effective? *European Journal of Political Research*, 46 (4), 445–472.
- Pâques, B., 2005. *Aménagement du territoire: planification*. Brussels: Facultés universitaires Saint-Louis.
- Paye, O., 2005. La gouvernance: d'une notion polysémique à un concept politologique. *Études Internationales*, 36 (1), 13–40.
- Paye, O., 2009. Le schéma directeur, un nouvel instrument régional d'action publique: des principes généraux à leur première mise en œuvre. In: F. Delmotte and M. Hubert, eds. *La Cité administrative de l'État: schémas directeurs et action publique à Bruxelles*. Brussels: La Lettre volée, 56–101.
- Politix, 2006. *Dispositifs Participatifs*, 19 (46).
- Schmitter, P., and Lehbruch, G., eds., 1979. *Trends toward corporatist intermediation*. London: Sage Publications.
- Van Crielingen, M., and Decroly, J.M., 2009. Le Plan de Développement International de Bruxelles (PDI): promesses de développements immobiliers et d'inégalités croissantes? *Brussels studies*, 25. Available at: www.brusselsstudies.be [Accessed 18 October 2010].