

MASTER'S
THESIS

REBELLION, AUTONOMY AND PARTNERSHIP

**The Tensions between Collectively Owned Land and
Publicly Owned Land in Christiania, Copenhagen**



SUBMITTED BY: ANSILA MARIAM THOMAS | 1 JUNE 2023 |
SUPERVISOR: PROF. DAVID BASSENS |
SECOND READER: DR. SERGIO TIRADO HERRERO

4CITIES | ERASMUS MUNDUS MASTER COURSE IN URBAN STUDIES





Source: "Freetown Christiania - entrance / exit",
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**REBELLION, AUTONOMY AND PARTNERSHIP:
THE TENSIONS BETWEEN COLLECTIVELY OWNED LAND AND PUBLICLY OWNED
LAND IN CHRISTIANIA, COPENHAGEN**

ABSTRACT

Private ownership of land is the cornerstone of capitalism. The protection of private property can be said to be the most evident display of the right to the city under a capitalist understanding of the city. The implications of land ownership extend beyond property rights. It is a means of control and power as well. When land ownership is made accessible to socially marginalized and economically weaker groups, it provides more than just property rights. It provides them with agency. Collectively owned land challenges fundamental ideas of property, which is heavily centred around individual rights, and is seen as a revisionist movement today. The notion of free land then begets radical connotations. An example of free land is land that is squatted on. It is rarely tolerated by states and almost always occupies a precarious position with regard to their future existence. This thesis draws attention to how “free” land becomes a site of dispute on multiple fronts – ideology, politics and, not least, ownership. It does so by studying the Freetown of Christiania – a neighbourhood famous in Copenhagen for beginning as a squatter community that declared autonomy from the state and now is collectively owned land. It studies the “normalization” process initiated in Christiania – a set of legal interventions by the Danish state beginning in 2004 – to understand the restructuring of relations between Christiania and the Danish state. The aim of this thesis is to study how land use and development plans for land are often a contest between different interpretations of the best use of the land. It will do so by conducting an interpretive document analysis of major legislation and agreements between Christiania and the state from 1989 (the first major act of legislation) to 2022 (the latest agreement).

By looking at the progression of Christiania as “free” squatted land that has now become collectively owned, while maintaining certain parts as publicly accessible, the thesis looks at what this means for future public–civic partnerships. It is hypothesised that although the renewed laws surrounding Christiania assure the recognition of its uniqueness in writing, Christiania has been treated as a problem that needs to be solved through a certain kind of development model. The findings draw attention to how alternative communities are often nudged into a neoliberal framework for the sake of the idea of “correct” urbanism.

TABLE OF CONTENTS

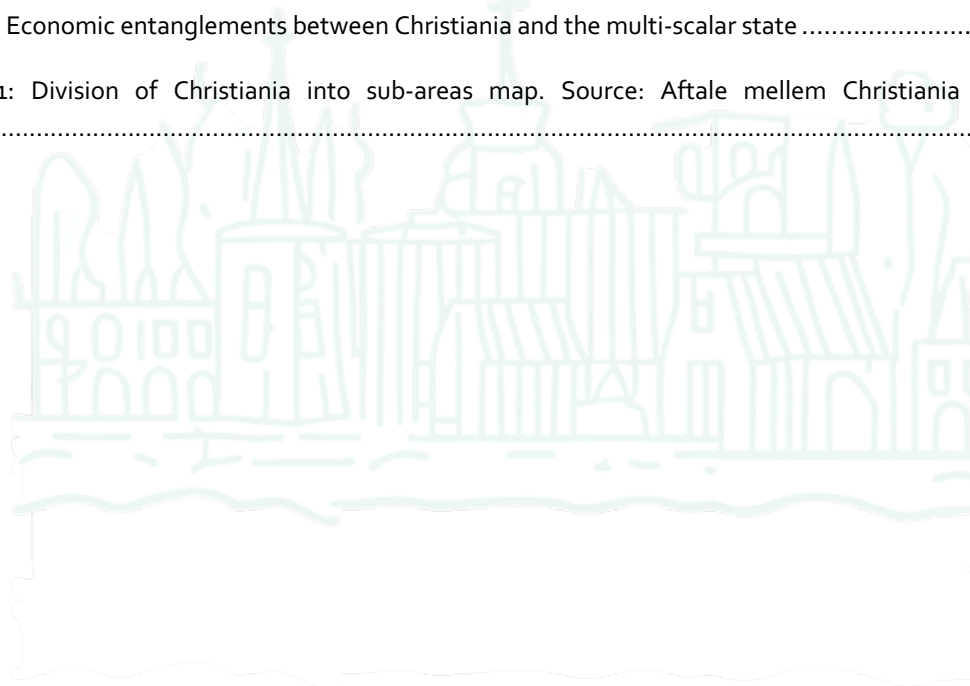
Acknowledgements.....	3
Abstract	4
Table of Figures.....	7
1. Introduction	9
2. Literature Review	13
2.1. The Spatial Turn in Contesting Neoliberalism	13
2.2. Positioning Collectively Owned Land.....	17
2.3. Christiania: Context and Political Background.....	21
2.4. Normalization: A Spatial and Social Process	28
3. Methodology.....	32
Positionality statement.....	32
3.1. Case Motivation	33
3.2. Document Analysis	35
3.3. Interviews	37
4. Findings and Analysis	42
4.1. The Danish State and Christiania	42
4.1.1. The Christiania Act and Amendment (1989 v/s 2004).....	42
4.1.2. 2011 Agreement and 2013 Repeal	48
4.1.3. 2021 Fund for Mixed Cities and 2022 Agreement	53
4.2. The Christiania Way of Living	58
4.2.1. Christiania's Economy and the Welfare State	59
4.2.2. Christiania and its Ties to Christianshavn	62
4.2.3. Land and the Welfare State.....	65
5. Discussion and Conclusion	69
Rebellion, Autonomy and Partnership: The Many Interactions Between Christiania and the Danish State	69
References	74
Appendix A: Timeline of Events in Christiania	79
Appendix B: Overview of Interviewees.....	81
Appendix C: List of Documents Used for Document Analysis	82
Appendix D: Summaries of Relevant Danish State Documents	85
1. The Fund for Mixed Cities – More Affordable Housing and a Way Out of Homelessness	85
2. Act on the Use of the Christiania Area (1989).....	86
3. Act Amending the Act on the Use of the Christiania Area (Changed purpose and ownership of the area, etc.) (2004)	87
3.1. Comparison of the 1989 Act and 2004 Amendment	88
4. Act Amending the Act on the Use of the Christiania Area (Amendment of audit provisions etc.) (2010)	92

	6
5. Agreement Between Christiania and the State (2011).....	93
6. Act Amending the Act Amending the Act on the Use of the Christiania Area (Amendment of audit provision) (2012)	94
7. Act on the Repeal of the Act on the Use of the Christiania Area (2013).....	94



TABLE OF FIGURES

Figure 1: Map of Copenhagen showing the location of Freetown Christiania. Source: Google Earth	22
Figure 2: Entrance of Christiania. Source: Wikimedia Commons	23
Figure 3: Tourist exit of Christiania. Source: Author's image	23
Figure 4: Christinia's Common Law. Source: Author's image	24
Figure 5: "Folkeaktie", symbolic land share certificate. Source: Author's image	24
Figure 6: 'Sandbar' complementary currency found in Christiania. Source: Author's image.....	24
Figure 7: Flow of activities in Christiania. Source: Author's compilation	38
Figure 8: Copenhagen Commune Plan for Christiania. Source: Københavns Kommune	50
Figure 9: Map showing illegal housing in Christiania. All structures circled in red either had to be moved or removed. Source: Københavns Kommune and Bygningstyrelsen, Case F2 2022-12904	56
Figure 10: Economic entanglements between Christiania and the multi-scalar state	59
Figure 11: Division of Christiania into sub-areas map. Source: Aftale mellem Christiania og staten, 2011.....	92



01

INTRODUCTION



1. INTRODUCTION

Land, its ownership and takeover, has been an age-old battleground of power. The primitive accumulation of capital, an idea developed by Karl Marx, designates how one way in which capital is accumulated is by the separation of people from their land, which is their means of production (Thomson 1990). David Harvey would later put forward the idea of the “spatial fix” to refer to how investment in land is often used as a tool to resolve crises in the accumulation of capital (Harvey 1982). Harvey employed the term in two different ways: spatial fix used to refer to how over-accumulation can be fixed by the creation of new geographies for investment; spatial fix to refer to a physical manifestation and fixing in place of capital so that surplus value could be realized in the production process (Herod 2019). Land in modern urban spaces has thus been a space of constant contestation and flux as it is bought, sold, retained and valorized at head-spinning rates by investors, leaving many people and communities behind in this process. One of the most evident ways the valorization of land affects people is through the pricing out of land for residential and small-scale commercial purposes, leading to poverty and disenfranchisement. The present capitalist system has also paved the way for a vicious cycle of poverty as investments in poor neighbourhoods at a later stage often opens the gates to gentrification and displacement of the original community it was meant to help.

In such a scenario, there have been numerous grassroots initiatives to secure modes of production and ensure a more structural change in power dynamics. Government interventions often tend to focus on poverty alleviation and offer solutions and provide safety nets to vulnerable populations by means of providing services, affordable housing and rolling out different benefit schemes. In comparison, community grassroots initiatives have a more radical potential for they identify that these state measures do nothing to address the problems that cause such poverty in the first place. Movements like Community Land Trusts (CLTs), community wealth building, and community wealth generation, are all attempts at not only poverty alleviation but also the redistribution of wealth. They are modes of securing wealth for an entire community and, importantly, a way of granting influence and control over means of production and conditions of housing. An important pattern to observe in all these movements is the emphasis put on the idea and concept of collective ownership. The logic of capital accumulation has depended on accumulation by one or a few individuals at the cost of deprivation of a larger community. Subversive wealth redistribution movements, therefore, focus on bringing communities together to not only be able to raise initial capital and distribute the risk of investment but also to ensure

that ownership is disbursed through the community. In the era of urban struggles over land, collective ownership is a channel through which there can be a reconfiguration of geographical, economic and political powers.

The political contestation of land often takes a binary position of private versus public. Private land is seen to benefit the individual holder and is passed between owners to maximize their profit. Public land – which broadly covers publicly held land and publicly accessible spaces – is seen as more beneficial to the community for it looks to serve the public as a whole (whether for the greater good or for the common good remains a political stance). In my case study country of Denmark an interesting new tension has arisen in relation to the land deal case concerning Christiania – a neighbourhood in Copenhagen that began as a squat. The land deal case and subsequent reforms saw the contestation between the Danish state that sought to reclaim the government land that had been squatted on, pushing ideas for a more sustainable development in the area that was to be publicly accessible and be able to provide space for non-profit housing. This was in contestation to Christiania's own radical stance which was that land was not to be owned by anyone and the government's proposed amendment to the use of the land could not be furthered even if it was for public use. In 2004, a normalization plan was proposed by the Danish state as the incumbent government felt it was unnecessary for Christiania to be governed by a separate set of land rules from the rest of the country. This started an almost decade-long legal dispute between Christiania and the state that was striking for its clash of ideologies of how land ought to be used. So, while collectively owned land is seen as an innovative intervention that helps redistribute wealth and enfranchise people, the case of Christiania brings to head questions of how radical and inventive we can get with the question of land being recognized as commons. Christiania becomes a fascinating space of tension not for a traditional debate of public-private ownership but one of public–collective ownership.

Consequently, the aim of this thesis is to study *how land use and development plans for land that is disputed (between the state and a community) are often a contest between different interpretations of the use of the land*. In the case of this thesis, it looks to *study the implications of framing the land as one that is collectively owned in challenge to publicly owned land*. It will do so by doing an interpretive document analysis of major legislation and agreements between Christiania and the state between 1989 (the first major act of legislation) and 2022 (the latest agreement).

Over the years, Christiania has been treated as a “problem” that needs to be solved by the state. But this study is based on the hypothesis that the problem of Christiania is fundamentally a land dispute case. This thesis looks at the different forms of problem representation that have occurred over the years and how much it is in variance with the community’s own view of itself. With each side pushing for its own kind of urban model, the treatment of Christiania has seen an interesting contestation between public and community interventions. Along with studying the potential missteps faced by both, this study looks at how communities can benefit from both models. To do so, the study will first trace the progression of Christiania’s journey from being “free” land (i.e., land they did not formally buy but still occupied) that belonged to all to now being owned by a community-based foundation and attempt to understand what changes this brings for the community on an economic, social and political level. It will then proceed to answer the research question using the following guiding questions:

- i) What kind of change is implied with the administrative framing of the land Christiania occupies when studying government documents between 1989 and 2022?
- ii) What are the anticipated impacts of normalization on the social, political and economic spheres of Christiania?
- iii) What are the anticipated impacts of this legal tussle over the land with respect to its being publicly owned or collectively owned for civil society?

The following section places the study within the context of spatial contestations to neoliberal approaches in urbanism, taking stock of how collectively owned land presents itself as a subversive mode of land ownership. From there, the study then introduces the case study neighbourhood, Christiania, positioning it within its local context and what it symbolizes as a space in that context. It also briefly introduces the legal case and developments surrounding it that are the topics of study in this thesis.

02

LITERATURE REVIEW



2. LITERATURE REVIEW

This literature review looks to present different forms of land ownership that can have radical potential and looks at how different initiatives have attempted to achieve this subversiveness. It first looks at the existing literature that tackles the spatial turn in contesting neoliberalism. This section positions the physical manifestations of neoliberal policy, the problem of its exclusion that leads to a more unequal society and how responses to this take the form of experimental uses of land. One such innovative move has been methods of collectively owning land. I briefly look at the community land trusts (CLTs), a famous and oft-quoted example for a practical application of ideas like Lefebvre's right to the city, in order to understand its underlying logic, why is it seen as radical and the problems faced by the model today in its institutionalization. Based on this understanding of collective ownership, we then look at our case study: the community of Christiania. I trace the history of the community keeping the political upheavals surrounding the question of the ownership of the land at the centre. The review will also look at the normalization plan of 2004, which is the central legal amendment that stirred the pot on the question of ownership, producing a legal tussle that placed the merits of collectively owned land and publicly owned land against each other.

2.1. THE SPATIAL TURN IN CONTESTING NEOLIBERALISM

To study the geography of any city it is necessary to understand the spatial manifestations of neoliberalism and the inequalities produced and propagated in order to maintain the system. The urban frontier is often a crucial vantage point to see how neoliberal policy unfolds. Multiple economic fallouts have happened back-to-back in the last few years presenting many parts of the world with a crisis in terms of how expensive the cost of living is now. Wealth inequality is an acute problem. The questions of how to address wealth redistribution and close the inequality in incomes are quickly becoming some of the most important policy decisions faced by many countries. When faced with this dilemma, proposed solutions usually seek to address either immediate concerns of inequality (i.e. how do we improve people's quality of life) or probe ways to change the underlying nature of the economy's structure.

With the aim to alleviate poverty, government welfare schemes have been rolled out for decades that seek to address problems related to health, home ownership, education etc. The shift

from the managerial approach to city governance that was prevalent in the 1960s to entrepreneurial forms of action in the 1970s and 80s, as noted by David Harvey, meant that there was a new approach to solving problems in urban environments (Harvey 1989). A neoliberal shift for all solutions often pushed welfare measures out of the reach of the poorest because of the tendency for all the programmes to behave as for-profit, self-sustaining businesses. Inter-urban competition, supply-side economics and symbolic policies became viable expressions of this kind of urban governance. The city became the focal point of the unfolding dual processes of the “neoliberalization of urbanism” and the “urbanization of neoliberalism”. The former thesis views cities and urban sites as arenas in which neoliberalism unfolds. Downsized city budgets lead to the increased privatization of common resources like health, education and transport; policies favouring free trade and deregulation have led to governments turning to aggressive place marketing and land valorization. On the other hand, the urbanization of neoliberalism posits that the “financialization of the economy, urban assets and built environments have become increasingly central and even crucial in the current forms of capitalist accumulation” (Journel and Pinson 2017, p.13).

Marginalized and economically weaker sections of society bear the brunt of the oversight of neoliberal policies. For instance, trickle-down economics has not led to the distribution of wealth that was promised. The creative city has only provided space for innovation that can be monetized. This failure of globalization to act as a panacea has driven communities to focus on how local solutions can keep money circulating within them. Shifting the focus of development from pure economics to social development has led to a call for structural change world over.

Money, land, community budgets, the market are all being recast as part of the new commons, in certain circles. The commons is terminology that refers to resources that are seen as being shared by all for the common good of the entire community. Hess (2008) quotes Ostrom (1990) in identifying them as “resources that are subtractable and difficult to exclude” (Hess 2008, p. 34). New commons is a movement in academia to identify what “should be shared in the world around us. It focuses on collective action and the importance of understanding who shares what, how we share it, and how we sustain commons for future generations” (Hess 2008, p.3). That is, instead of being an individualized possession and money becomes a shared resource that is to be protected from privatization and counts on peer production and mass collaboration (Hess 2008).

There are calls to strengthen the foundational economy of communities as it would ensure access to a basic dignity of living irrespective of the social polarization and inter-regional inequality that plagues many peripheral urban spaces today. The foundational economy refers to everyday services that are consumed by all citizens and required for general well-being. “It comprises of two parts: the material foundational economy, which is built around physical infrastructures that deliver daily necessities such as water, food and energy; and the providential foundational economy, which delivers welfare services including health, education and elderly care” (Arcidiacono et al. 2018, T. Hansen 2022, p. 1034). An important push of this approach is the “aim to raise social standards and increase local accountability of economic actors rather than ‘merely’ focus on developing competitive industries” (T. Hansen 2022, p.1034). This interest in inviting private actors to have skin in the game by encouraging them to think up ways to fulfil their social obligations to a community (local sourcing, employment, training etc) moves away from the more traditional demand of ownership changes from private to public when concerned with foundational services.

Other theoretical frames that seek to contest neoliberalization in urban spaces include doughnut economics (Raworth 2013), the social economy, the community network among others. Often used as the foundational vision in social experiments like community wealth building (Guinan and O'Neill 2020), local complementary currency schemes, universal basic income and services, all these projects seek to address the various fallouts of neoliberal policy making. Broadly, the aim for most of these experiments and projects lies in decreasing poverty, democratizing capital, redistributing wealth and closing the wealth gap. Often, they do this by focusing on ways to get capital to remain in a community; addressing social exclusion issues by promoting collective ownership and instituting democratic decision-making measures; and, increasingly, attempting to incorporate environmentally sustainable practices in communities by incentivizing them.

The rise of neoliberal policies as a solution for urban social problems has been long critiqued for its inherent dependency on a capitalist system that creates the very problems it seeks to solve. Bernard Lietaer in his book *Money and Sustainability* (2012) identifies the primary problems of the present financial system as: an amplification of boom and bust cycles, short-term thinking that focuses only on the efficiency of investments (and not its resilience for the future), compulsory growth in all sectors, the concentration of wealth, and the devaluation of social capital (the loss of trust). The result of the large-scale diffusion of neoliberal policy in urban governance has been the relegating of responsibility regarding wealth and welfare to the individual, which, in

turn, has seen the impoverishment of communities. As noted by Leitner et al. (2007), “At scales ranging from the supranational to the municipal, good governance is now widely accepted as entailing ‘neo-Schumpeterian’ economic policies favouring supply-side innovation and competitiveness; decentralization, devolution, and attrition of political governance; deregulation and privatization of industry, land and public services; and replacing welfare with ‘workfarist’ social policies” (Leitner, Peck, and Sheppard 2007, p.1). The effects of these policies spill over into the wider world, far beyond the urban space where they are implemented. Slums, marginalized rural hinterlands, ghettos, and areas impoverished by resource extraction are all “interconnected points on the shifting map of neoliberalized uneven development” (Leitner, Peck, and Sheppard 2007, p ix).

Recognizing this impoverishment, many local governments have turned to partnership models with communities to grapple with social problems in collaboration with them. Studying the particular social problems that arise within a community allows for a nuanced understanding that neoliberalism is inventive and that one is not simply reacting to a hegemonic force. In fact, Leitner et al., comment that often contestation to neoliberalism is “always and everywhere within neoliberalism” (Leitner, Peck, and Sheppard 2007, p.73). Contestations to neoliberalism bring new groups, new rights and new approaches to development and knowledge production to the forefront. And as sites where neoliberalism unfolds, urban spaces become the arena where contestations occur as well. Physical spaces such as streets, parks, squares et cetera are significant and crucial for the demonstration of protest.

Contestations against neoliberalism to reverse its impoverishing effects have led to the birth of a number of plans and schemes that, more often than not, need to mobilize an entire community in order to succeed. There are government schemes, such as proposed universal basic income (UBI) and universal basic services (UBS) projects that attempt to get money and services into the hands of the people with the least amount of bureaucratic hurdles. There are also citizen-led movements such as cooperative schemes, local complementary currencies, time banks, micro-finance, squatter movements and other such projects that look to address economic and social problems within communities.

The success of these schemes have varied widely. The success of a scheme in one region has often not seen similar results when implemented in another. It is of utmost importance, therefore, to acknowledge the geographical context along with the social and economic context when

studying such contestation. There is also a growing recognition that the efficacy of these projects lies in the ability to guide system change, transformation in governance models and the need to have a social vision that is revisited regularly. The spatial turn in wealth redistribution measures should be observed on two different levels, then:

1. Agenda-setting
2. The articulation of contestation for a transformational change in society

Agenda-setting for a community, according to Kingdon (1995) as mentioned by Nygaard and T. Hansen (2020), is shaped by three streams: problems, policies and politics. The problem stream refers to the real-world setting that needs to be recognized by policymakers and community members. The policy stream refers to proposed solutions and alternatives to the problem. The politics stream refers to the political context, and would include “perceptions of public opinion and the preferences of policymakers to address a problem” (Nygaard and T. Hansen 2020, p.771). I extend this stream to include the internal workings of that community’s decision-making structure and its relationship with local government.

When talking about neoliberalism and the contestations against it, Leitner et al. (2007) broadly categorize responses into four categories: engagement (where communities cooperate with neoliberal institutional powers); opposition (open opposition to neoliberal institutions); alternative knowledge production (calling attention to neoliberal rationalities as a way to critique and destabilize market order); and disengagement (developing spaces within which alternative practices can be pursued) (Leitner, Peck, and Sheppard 2007, p.320-22). In the case of this study we will see how often community response straddles multiple categories at the same time. Contestations may generate new networks and coalitions. Urban spaces are wrapped up in the balance between how neoliberalism and contestations to it play out.

2.2. POSITIONING COLLECTIVELY OWNED LAND

In attempting to change how economic development happens the world over, there is a recognition that alternative knowledge systems and economic models need to be employed for lasting change to occur. Therefore, capital must not only be redistributed but decisions regarding how it comes into being and how it is utilized must also be democratized so that the hierarchy of capital ownership is levelled out. Within communities, there is a recognition of the benefit of pooling together resources and spreading the risk between people. Trust, which economist Silvio

Gesell recognized as being the heartbeat of any monetary system, is seen as a commodity that can be worked in a community's favour because of the presence of social ties that already exist (Blanc 1998). The presence of trust and the likelihood of reciprocity of favours, has enabled initiatives like the community network and the social economy to use these ideas as their cornerstones. The diversity of methods that have cropped up for communities trying to augment their social and economic development, point to the incredible diversity that exists and how communities must experiment to find a model that best fits them.

Ideas of capital redistribution often take the form of ways to secure land. The proposed approaches to this situation often swing between what is presented as a dichotomy: privatizing land (presented as the greatest good) and making land publicly accessible (the common good). In neoliberal contexts, public land is often seen as fallow land with privatization presented as a solution to gain the best value for it (Christophers 2018). In welfare contexts, land is seen to be a democratizing force that can potentially encourage social mix, even out markers of wealth inequality and be spaces of collaboration and participation between the state and citizens. A third way to look at land has been the approach of collectively owned land. Ownership of land has always been a method to secure wealth but has predominantly been a very individualized endeavour. Collective ownership of land acts as a protection of land from market forces for a whole community, ensuring financial autonomy and agency of ownership. It is a paradigm shift that challenges the existing property rights system.

Community land trusts (CLTs) are a famous example of collectively owned land. It is a model with proven longevity and replicability for it has sprung up in various cities around the world. It has also evolved from being a grassroots movement to having publicly-owned variations of the model. CLTs are typically non-governmental, not-for-profit organizations that own land on behalf of a community, enabling ownership and control of the land. To seek a balance in governance, members of the trust usually include residents, public authorities and neighbourhood members. Since the land is owned by the trust, it offers the community relief from market pressures that constantly drive up land prices, protecting it from gentrification-led displacement without the need for government intervention and securing housing for many for they pay only for the housing unit without the land (Spicer, Stephens, and Kramer 2022). CLTs are so often used for housing units that they are often synonymously viewed as an affordable housing measure today. However, CLTs in their inception were to be land protected from market pressures that could be used to serve any function that the community found deficient in their area, including building

community centres, commercial space to protect local jobs, gardens, parks etc (DeFilippis, Stromberg, and Williams 2018).

CLTs have long been studied in the context of a practical application to Henri Lefebvre's idea of the right to the city. The right to the city is an idea that goes beyond the administrative boundaries of a city and is used to refer to society as a whole and explores what needs to be done to ensure the accessibility of the city by all (Marcuse 2009). David Harvey, when he talks about the right to the city, points out that is not merely a right of access to space as defined by urban planners or property developers but also a right to create a sense of place and shape the city by including a multiplicity of thought (Harvey 2003). Read through this lens, CLTs are often appreciated as movements that benefit communities by addressing a structural deficit in how economies are set up. However, with their success has also come scrutiny of how much newly formed CLTs are upholding the original principles. In other words, a mission drift has been observed in many of the newly-formed CLTs.

A mission drift occurs when there is a divergence from the original mission statement within an organization. In a study conducted on the differences in operation between CLTs established in an earlier and later era, DeFilippis et al. note how, despite their wide diversity, community-oriented goals were what characterised all the earlier CLTs. Second-generation CLTs (their terminology) tended to be influenced more by soft neoliberal policy and positioned themselves as collaborators in technocratic policy intervention (DeFilippis, Stromberg, and Williams 2018). The primary difference is that while earlier CLTs began with community mobilization to address a myriad of problems faced, later CLTs are often a response to economic pressures. CLTs then become only a policy intervention for affordable housing and nothing else. This is noted in another study on the publicly-owned variety of CLTs where it is noted that in CLTs where there is a lack of community involvement (in the case of projects piloted by local governments, say), the focus is less on "building community or generating liberatory politics" and more on it operating as another affordable housing tool (Spicer, Stephens, and Kramer 2022, p. 3). There is then a control shift from the local community to the local government or funding body, undercutting a major reason why CLTs were started in the first place – the need for community agency and control of resources. And while community ownership does not always translate to control, it is often an important first step. While externally-generated movements for CLTs are important interventions in many communities, the problem with a community not being able to mobilize itself is that there is often a loss of multi-faceted potential of what the community can

offer and generate within itself for its own good. The land can be used to cater to needs that the community actually needs and not what it is assumed they need.

While I do not liken an actual community like Christiania to an organization or a government policy, the reason I bring forth these arguments is that Christiania is part of a remarkably small number of communities that have come together for motivations of social justice – and continued to survive 50 years on. More interesting still, is the fact that there is no formal agenda-setting for the community. Through democratic measures that are sealed into the fabric of the community and their notion of land belonging to the community as a whole, the existence of Christiania is a contestation to dominant forces of capitalism that exist in its surroundings. Christiania has been a radical space for four decades and the normalization plan of 2004 threatened that spirit. While a deal was struck that all parties involved could agree with, the questions swirling around are based on whether something more symbolic has been lost in the process. Like the mission drift that has happened in CLTs when they were replicated without taking the actual community into account, this study probes whether the state tampered with a functioning system (Christiania) and produced a “good-enough” measure through its normalization plan. In saying that it would preserve what made Christiania unique while still making a massive intervention without the community’s full consent, it introduced poverty-alleviation measures that are tried, but not necessarily transformational. And in the process of pushing the changes through, it can be probed how that has affected the social fabric of the community. After all, the *joie de vivre* found in an organically founded community is that elusive quality that most large-scale developments can arrange for but never know if they have it until a few years down the line.

A rather famous example in Denmark of how big a difference community involvement can make to a space is that of Tingbjerg and Christiania. Both were neighbourhoods that were inhabited around the same time in the 1970s. Tingbjerg was a planned neighbourhood designed by one of Denmark’s most celebrated planners, Steen Eiler Rasmussen. On the other hand, Christiania was a grassroots movement that saw the mobilization of people to claim already-built-on land as their own. Both were sanctioned to some degree by the Danish state as social experiments. But fifty years on, Tingbjerg is considered a ghetto while Christiania continues to be a thriving community where art and culture flourish. The divergence in their stories can be chalked down to the difficulty of attempting to build cities and neighbourhoods on a tabula rasa (as in the case of Tingbjerg). There is no formula for how community feeling can be generated.

Even with all the tools, best intentions and spaces for interaction provided, attempting to create a lively social environment simply through planning procedures will always be a hit or miss. Extensively planned spaces are sometimes just places that people inhabit but do not live in (Bøggild 2011). Liveliness comes from a social environment where people feel like they truly possess the space. Cultural diversity, a sense of history, common goals and flexibility of space to adapt to the requirements of residents are important bearings for people when they begin to inhabit a new space. In an often-echoed sentiment, it is emphasized that urban space must allow for self-realization and for inhabitants (and not just elites and planners) to be allowed to shape it for it to be a truly inhabited space.

In challenging the dominant logic of private ownership, collectively owned land is often an experimental venture that sees the coming together of different actors that are often rallying around an attempt at enfranchising people. The success of such movements has led the way for broader collaborations such as public–civic or public–social collaborations in different fields. And while these are all movements that still exist in relation to the state it could potentially enable a “re-positioning of the state to commit to decommodified land for housing” (Spicer, Stephens, and Kramer 2022, p. 13).

2.3. CHRISTIANIA: CONTEXT AND POLITICAL BACKGROUND

Fristaden (“Freetown”) Christiania is a neighbourhood in Copenhagen in the district of Christianshavn. Copenhagen in the late 1960s faced an acute housing crisis and poorer areas such as Christianshavn, saw many *slumstormerne* (slum stormers) occupy homes and buildings illegally. In 1971, a former military barrack was squatted by a disgruntled section of Copenhageners as part of a social revolt against homelessness. The group consisted of students, hippies and families eager to access the green space and buildings that lay within the military barrack. The Freetown of Christiania was officially declared in 1971. It termed itself a Freetown for the dream was to establish a community that allowed inhabitants to live as they wanted in a space governed by the inhabitants themselves and not by the government. Attracting attention as a space for alternative living, Christiania gained a reputation as a neighbourhood of hippies. In 1972, the Social Democratic government gave Christiania the temporary political status of being a “social experiment” within Copenhagen. There was a perfect storm of conditions that made the government react in this manner. The squatted land was old barracks, property of the Ministry of Defence (Forsvarsministeriet). The ministry had made no plans on what to do with the land prior

to the squatting and was faced with the options of either initiating police action or adopting a deliberative approach. It chose the latter and this translated into a wait-and-see policy (Thörn, Wasshede, and Nilson 2011a). One factor that sets Christiania apart from other squatter movements, is the symbolic support it received from the educated class right from its inception. Steen Eiler Rasmussen, the grand old man of urban planning in Denmark, openly claimed that Christiania could deliver everything that modernist urban planning had been unable to achieve (Thörn, Wasshede, and Nilson 2011b). As attention around the area grew, public opinion was greatly polarized, with some seeing Christiania as a counter-public sphere that represented what the people wanted against bureaucratic control, while others saw the space and people as antisocial, criminal and lazy. For the former group especially, Christiania was a site of great possibility for it looked to be a spatial experiment that challenged capitalism, the state and middle-class morality, in a way that could not be ignored for it was bang in the middle of Copenhagen.

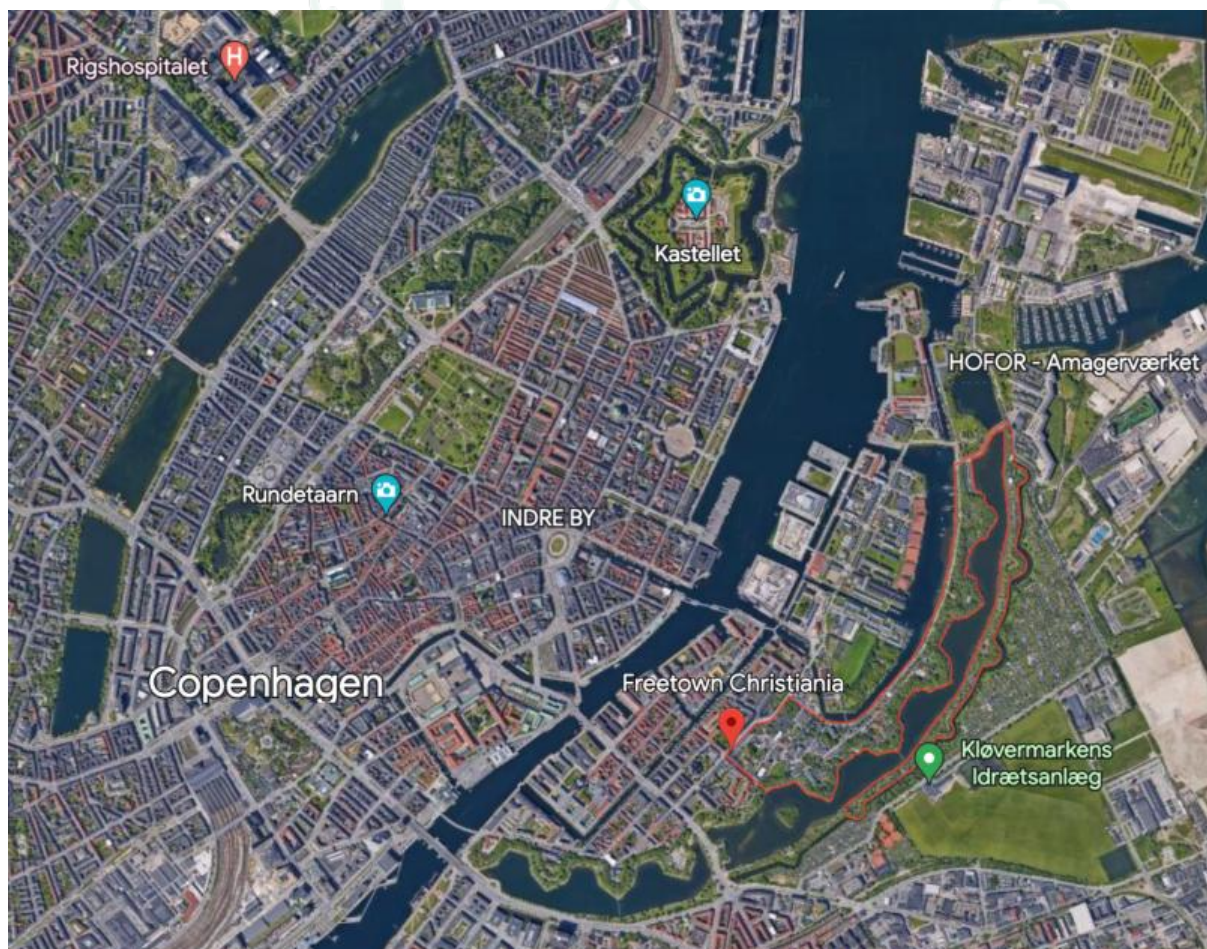


Figure 1: Map of Copenhagen showing the location of Freetown Christiania. Source: Google Earth

Figure 2: Entrance of Christiania. Source: Wikimedia Commons



Figure 3: Tourist exit of Christiania. Source: Author's image

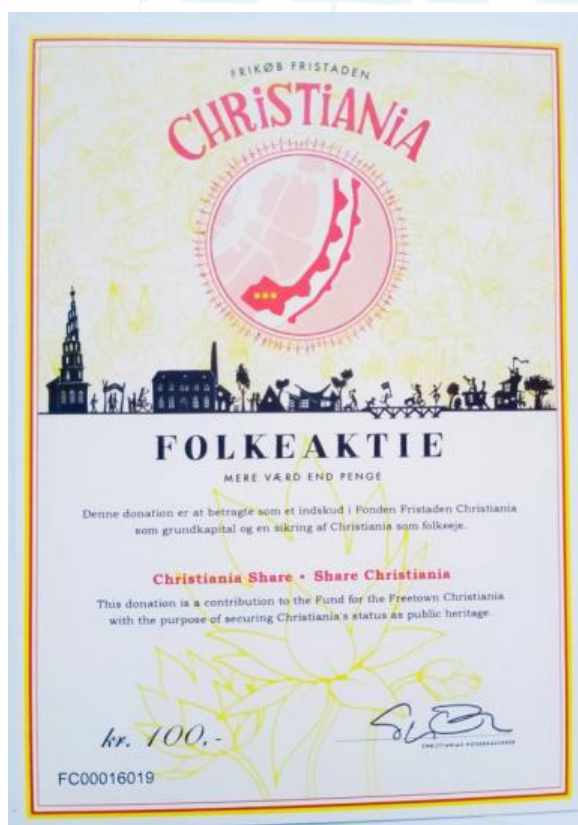


Figure 4: Christinia's Common Law. Source: Author's image

Figure 5: "Folkeaktie", symbolic land share certificate. Source: Author's image



Figure 6: 'Sandbar' complementary currency found in Christiania. Source: Author's image



Although their proclaimed freedom is from the Danish state, the autonomy that Christiania enjoys is “highly contingent on the Freetown’s external relations with the Danish government, the Copenhagen Municipality, the Copenhagen Police – and organized crime linked to the sale of hash in the Freetown” (Thörn, Wasshede, and Nilson 2011b, p. 8). The open sale of marijuana in Christiania is probably what the neighbourhood is most famous for. Marijuana is a banned substance in Denmark but the sale of the substance happens openly on Pusher Street – a main commercial road in Christiania, named after the pushers who sell marijuana there. Originally sold by the hippies who travelled the world and would return with hash, the drug market is controlled by organized gangs today. This has often cast Christiania in suspicious light and Pusher Street has been the site of many police raids. In relation to drug problems and violence that threatened the sanctity of Christiania in the 1980s, the community agreed on a common law that form some of the few explicit rules that the space has – no hard drugs, no weapons, no stealing, no biker-gang insignia, being some of them (refer figure 4). The area is not a fortified space that has desperately sought to keep its independence by separating itself from the rest of the city. Rather, it is a welcoming space that is open to all with little in terms of physical boundaries to keep people away.

Stretching over 49 hectares, the community is around 1000 residents strong. Self-governance has been an important cornerstone for the community as a strong political motivation during its birth was the criticism and opposition to traditional forms of government. Christiania’s self-government or self-management is premised on every individual’s responsibility for their own life and property, and shared responsibility for their area’s development and maintenance. Self-government is managed through a series of democratic meetings and specified function groups. There are 14 neighbourhood groups that meet to make decisions regarding their area (the Area meeting), and decisions pertaining to Christiania as a whole are taken at the Common meeting. The Common meeting is Christiania’s highest authority and consensus democracy prevails (Christiania n.d.). Consensus democracy ensures that all decisions have to be deliberated before they are passed and is a system that, in theory, allows an equal say. All residents can partake in it. The Economy, Business, Treasurer’s, Building, Associates’ and House meetings are the other groups that represent and manage other functions that occur in Christiania’s public life. Matters pertaining to each group are decided on by relevant members in a flat-structured consensus democracy fashion. All residents and businesses inside Christiania contribute to the Common Box (*fælleskasse*), which is composed of residents’ rents and a Christiania “tax” that all businesses that operate within Christiania pay. The drug market does not contribute to the Common Box or to

any budgets in Christiania. The Common Box is a common purse that funds and maintains the community expenses against an annual budget. All payments to the government (water, electricity etc.) are paid from the Common Box, for example. Over the years of its existence, Christiania has managed to maintain its economy through community participation and resource awareness, and have consistently paid all their public dues. Christiania has also attempted to implement a number of alternative economic practices to varying degrees of success, geared to a general idea of environmental and social justice. For example, some of Christiania's largest and most successful businesses are cooperatives; Christiania has played with complementary currencies in the past; and alternative forms of residences have been explored to challenge tried and tested formulas that can be found in the city outside it.

In a move that formally allowed Christiania the right to the collective use of the area, the "Christiania Act"¹ was passed by a parliamentary majority in 1989. The Christiania Act is primarily a land deal that details what the existing buildings of the former barrack can be used for (residential and workshop purposes); allows for the erection, demolition and renovation of certain buildings; and calls for the maintenance and conservation of certain buildings identified by the Ministry of Defense, along with certain expenses that Christiania would have to pay to the ministry for their use of the land. The Ministry of Defense is stipulated to be the authority issuing these rights with the power to revoke these permits as well. The act as it stood, was largely non-invasive with respect to the lifestyle of the Christianites and legally allowed for the maintenance of the unique status quo of the area. As land prices in Copenhagen rose, Christiania became an interesting phenomenon of people living on "free" land while being situated in Christianshavn, by then one of Copenhagen's most expensive residential zones. In 1991, Christiania formalized what their autonomy from the state bureaucracy would look like by successfully coming into an agreement with the Copenhagen municipality. The Framework Agreement (*Rammeaftalen*) of 1991 drew up an agreement that allowed Christiania access to the city's water and electricity lines, and saw the residents accept taxes and licenses and delivery of payments for renovations. This right-of-use agreement was renewed five times over and committed itself to "securing maximum self-administration for Christiania" while confirming their right to use the land and buildings (Thörn, Wasshede, and Nilson 2011a, p. 50). An internal rule regarding land that was agreed upon by the entire community was the prohibition of the sale of homes or buildings, based on the idea that

¹ ACT no. 399 of 07/06/1989: Lov om anvendelse af Christianiaområdet ("Act on the use of the Christiania Area"). See Appendix D.2 for a summary of the act.

land was not a commodity that was to be speculated upon. Therefore, no one in Christiania *owns* their land or buildings. Buildings are the common property of the community and renovations are often funded by the Common Box. In a nutshell, the land belonged to all but was owned by none.

As the community established itself, it became a hotspot for the development of the arts in Copenhagen. It also continued to be inventive in its ways of negotiating with the local government. What eventually set Christiania apart was the fact that it had successfully managed to turn itself into a fully functioning community with its own governing system. As Rannila et al., observed, the act of squatting was able to create unique spaces of ownership. “By concentrating on collective world-making, collective forms of self-determinism and alternative urbanism, squatting resists private ownership and its inability to create affordable housing or to enhance alternative ways of living” (Rannila and Repo 2018, p. 3001).

In 2001, the government in power was a coalition of right-leaning parties and it became an agenda of the ruling party to normalize Christiania. It led to an amendment to the Christiania Act being tabled in 2004 that was seen by many as a move to shut down Christiania as it existed. Their primary argument was that it made no sense that this neighbourhood should have a separate set of rules governing it from the rest of Denmark. Other concerns included a law-and-order question surrounding the marijuana market that was running in Christiania despite multiple failed attempts at shutting it down and the fact that the land Christiania was situated on was government land that was being under-utilized for its potential value. This intervention marked yet another significant turn in the story of Christiania. In their introduction, Thörn, Wasshede, and Nilson (2011) categorize the history of Christiania into three broad movements. They see the period between 1972–79 as a period where Christiania was considered a social issue. It was a space that was born out of a social problem, it challenged social institutions and was finally termed a social experiment by the government. 1979–2002 saw Christiania legally being given space in the capital as they were and the burgeoning of the arts within it. It became a space known for alternative culture in this period. And finally, they demarcate 2004 as the turning point where Christiania was probed as an urban question. What did it say about Copenhagen that a space such as Christiania existed at its heart? This most recent phase of Christiania is what we will look at in the next section.

2.4. NORMALIZATION: A SPATIAL AND SOCIAL PROCESS

In 2004, the Danish state sought to replace the Christiania Act with a normalization plan to install the same laws concerning building regulation, land use and city planning as the rest of Denmark. Officially, it came about as a legal amendment to the 1989 Christiania Act. The act of normalization must be read in the context of the peculiar connotations that come with it. For it is assumed that there is a “normal” and that everything that does not fall within its ambit must be nudged into those boundaries. While the amendment marks out specific interventions from the state in the ways that it will affect Christiania – the normalization of housing, ownership and the laws governing Christiania – the social implications of what could happen went far deeper. Studying this legal change through a Foucauldian lens, one can draw connections to the proposal that disciplining and governing others is closely connected to procedures of identity formation. Foucault’s summation that societies were constituted on the exclusion of certain groups such as criminals, the mad, the deviant and so on, becomes a critical lens to question notions of morality that exist in any society (Foucault 1975; Deacon 2002). Through procedures of observation, normalization and examination, Foucault points out that, not only did the Enlightenment era bequeath modernity with civil liberties, advancements in science and engagement with philosophies but also with disciplinary mechanisms essential to the construction of the individual upon which modern society was built (Deacon 2002). Similarly, alternative communities and their ways of living have always been dealt with a certain amount of suspicion by those in power. They are often othered and criminalized in public discourse in order to justify punitive measures meted out to them termed as normalization, legalization, privatization etc., (Rannila and Repo 2018). In Christiania, this is almost entirely a spatial process. With the order of demolition of houses and workspaces, asking people to move and constricting people’s movements, the primary concern centred around the ramifications of the question of “ownership”. And so even in a space like Christiania, where ownership had never been seen as a commodity to be bought or sold, the neoliberal logic of the world outside acutely pinched their way of living. It suddenly became very clear to them that he who owned the land controlled all their lives as well. The underlying premise was that land and its ownership was a political question. With this logic, “free” land is a concept that cannot exist. All so-called free spaces in the modern world depend on many things, but above all, they are dependent in relation to one other actor: the state (A.L. Hansen 2011).

Normalization, in the context of Christiania, initiated a debate around their legality versus their sovereignty of operation. While they were legalized with the Christiania Act of 1989, the

2004 amendment sought to bring their sovereignty under the Danish state. The normalization plan set forward a certain set of logics with respect to ways of understanding community, property, ownership, social and political relations among others. These were put forward as common sense notions, similar to Thatcherisms like “There is no alternative” (TINA) that are used to justify neoliberal policy measures as being the only possible way forward. In the case of Christiania, all this logic stood in opposition to their way of living. But the threat of dispossession always loomed larger over them if they did not make a move to engage with the state. The promise of orderly spaces is often used to transform undisciplined populations into willing subjects that self-monitor (Amouroux 2011). Normalization, therefore, indicated a larger “scalar reconfiguration of the geographical and social embodiment of political and economic powers” (A.L. Hansen 2011, p. 294).

When discussed in Danish parliamentary proceedings, it is interesting that the land associated with Christiania has always been associated with certain value politics. It has often been territorially stigmatized, spoken of as potential that remains unfulfilled or portrayed as space that negatively influences the rest of Danish society. Refugees and Christiania were a common target in many debates during the 1980s, both seen as threats to Danish society by right-leaning parties (Thörn 2011). In order to lend urgency to the issue of Christiania the question of what kind of problem it was had to be convincingly tackled. Thörn (2011) puts forward three angles of how Christiania was debated in parliament. Christiania was sometimes seen as a problem of failed sovereignty of the Danish state, to be dealt with by creating or strengthening existing legislature – such as the creation of the Christiania Act, 1989. It has often been dealt with as a disciplinary problem. This is in relation to the illegal marijuana market that operates out of Pusher Street and the violence that emanates from it – perpetrated by both the gangs within it and as an offshoot of police intervention in the space. And finally, it has also been treated as a problem of regulatory power that requires the thorough application of registration checks. This has been the case since 1972 when the first agreement was signed between Christiania and the state, which allowed the squatters to reside in the area after registering themselves with the state. Over the decades, many of the pressing debates have been about the legal registration of people and businesses that occupy Christiania.

Through its existence, Christiania poses itself as a question of how urban life should be governed in a society increasingly driven by market forces. The great contradiction with market-led urbanism in the age of globalization has been the organized attempts by states to preserve the

cultural markers of their inner city, but in the process displacing the former inhabitants that made the space what it was (Thörn, Wasshede, and Nilson 2011a). Openness is advertised in the spirit of globalization, but this has led to issues of homogeneity as cities compete to attract a similar creative class who are seen as being important economic actors for cities. At the same time, this creative class looks to occupy neighbourhoods with cultural markers that have made the space historically unique. Preservation and conservation of historical urban spaces are massive projects around the world and are carefully controlled by local governments. In Copenhagen, a space like Tivoli presents itself as an aestheticized playground of the past that is carefully preserved and advertised to the world. Just a stone's throw away from Tivoli, Christiania presents itself as a counter-political and raw space that has grown from community mobilization. It has been a true public space in the inner city that has been accessed by Copenhageners for decades – even before the 2004 amendment sought to legally include public accessibility as a clause. Here we see that a major issue with the normalization plan was not simply the failure to truly include and consult with the residents regarding the plan but also the lack of acknowledgement of what the space already was to the city in order to fit Christiania neatly into a box of what the city ought to look like.

The relationship between Christiania and the state is far more complex than one where there are good and bad characters assigned. There are many collaborations between Christiania and the state where the state has helped with the rehabilitation of Greenlandic people in Christiania and helped with renovation projects in the area. This, apart from all the benefits the residents receive as citizens of the welfare state. Pensions, unemployment benefits, free education and healthcare are all available to Christianites as they are tax-paying citizens. The state is then a crucial component to consider when analyzing the relation the people have with the space. For all property only exists with the recognition of the state. And it is this relationship of simultaneous tensions – rebellion against neoliberal, capitalist logic; exertion of their governing autonomy from the state; and the continued partnership with the state as citizens and a community – that will be explored in the following sections.

03

METHODOLOGY



3. METHODOLOGY

To study how the fight for control of land unfolds differently in the context of a tussle between the state and citizens, I employed a single case study in order to be able to politically and spatially position the case adequately. To study my chosen case, I followed a two-fold approach of document analysis and semi-structured interviews with relevant actors. The selection of my case study was primarily driven by the unique history of the neighbourhood of Christiania, where land and its ownership have always been a question central to its existence. The protracted legal hearings surrounding it and the government interventions that continue to date were a point of interest to begin the study. The document analysis conducted enabled me to study the progress of legislative opinion regarding the land, its ownership and maintenance that has been changing over the years. While I am aware that the concept of the state is not a neutral actor, and that the change in government is an important factor behind how laws should be read, this thesis focuses on the framing of Christiania and the impact of laws on it. Since an interpretive study has been done, this thesis identifies the Danish state as a unitary body and the laws passed as measures in a continuum, while acknowledging the ideological leanings of the parties in power. Through the document analysis, I aimed to analyze how Christiania has been framed as a space and the implications of how it is believed that state-owned land should be used. Paying attention to the language used by the state, I intended to highlight their understanding of what Christiania is, what they considered the duties of the residents as occupants of the space and if there were hints of how they expected the space to develop in the future. These ideas of land use were then compared with the lived experience of residents and other actors related to Christiania to understand how the law had actually played out, what it had and had not taken into account and what discrepancies were present between the visions of the future of the space.

POSITIONALITY STATEMENT

I would like to reflect on my positionality as a researcher before I get to the study. A researcher's position is usually identified by locating them with respect to three areas: "the topic under investigation, the research participants and the research design, context and process" (Wilson, Janes, and Williams 2022, p.46; Holmes 2020). As a foreign, non-EU national with very little prior contextualization, I first approached the space of Christiania with a media-informed image of the place. I had heard both sides – of it being hailed as a space for alternative living, and as a space that was criticized for not falling in line with the rest of Denmark. I understood that it was a

contested space on an ideological front and was able to recognize possible media biases in the coverage. I approached this study as someone interested in the alternative economic practices of Christiania without attempting to engage with the space as a moral issue. I picked my research participants based on their involvement with economic practices in Christiania initially. As I spoke with them, broader connections related to the land became apparent to me, which led to my pivoting to the present topic. My interviewees informed me of their own opinions of the government's ideological standing. I compared these opinions with the tone of newspaper articles and used the political data and statistics websites to position and understand Danish political sways and trends for myself as an outsider. It is therefore acknowledged that this study may miss some of the fevered public discourse and nuances of Danish culture surrounding the case. The primary focus of this study is limited to official government documents regarding land use and the changes they elicited. This study does not go into an analysis of media pieces and the influence they exert.

A limitation of my research has been my lack of knowledge of the Danish language. I could only interview actors who were comfortable speaking to me in English. All interviews were conducted in English and all documents analyzed were either translated using the help of translation softwares or by using the official English versions of the websites they appeared on. It also acknowledges that while state interactions with Christiania have always been multi-scalar (at the level of the Copenhagen municipality and the national level), since decisions pertaining to the land have always been taken by the national parliament, this study focuses primarily on state encounters that have been had at the national level.

3.1. CASE MOTIVATION

In choosing my case, my initial considerations were to find a neighbourhood where there was a strong sense of community, social bonding and social entrepreneurialism in their economic transactions. Christiania, which lies at the heart of Copenhagen city was a strong contender, primarily because of it being known as a community that accepts everyone. My first interaction with the space was in September 2022. September 2022 was also when the final touches to an agreement between Christiania and the Danish state, represented by the Ministry of Interior and Health (Indenrigs-og Sundhedsministeriet), was signed. It was a supplementary agreement that clarified points on where 15,000 m² of public housing was to be built within Christiania. The news coverage surrounding the agreement was plenty and each made a point of positioning the

agreement against the historical backdrop of what it meant to have formal large-scale building constructions in this famous squat that hasn't seen such large-scale spatial intervention since 1971, when they moved into the space. Christiania has occupied a symbolic space in the Danish imagination for almost 50 years now and was therefore a space with a fair amount of academic and legal study around it. Furthermore, it remains a community where there is an active and continuous reflection of their position in Danish society from within. Engaging in matters of the problems of financial exclusion, social polarization and environmental fallouts, Christiania has sought to lean into its role as a ground for experimenting with alternative solutions. Other factors for choosing Christiania include:

- i) Christiania remains a unique community in that it has a governing structure based on consensus democracy. Decisions affecting the entire community are not taken by a vote of the majority but are drawn-out processes that require a consensus to be achieved. For this reason, it is also one of the few cases where the spatial boundaries of the neighbourhood coincide with the social links of being a community. Through this study, you will see Christiania being referred to both as a community and a neighbourhood because of this overlap. All new residents are approved through the Area Meeting and are often people already known to the community.
- ii) Keeping in mind the argument of the “local trap”, Christiania stands apart for it is not a bureaucratic ruling that brings the community together. The local trap is a contention proposed by M. Purcell and Brown (2005) (as mentioned in Russell et al. 2022) wherein the local scale is assumed to be inherently more democratic for decision-making than other scales, disregarding the fact that power play exists on all scales. While Christianites have many diverging views of why they live there and have always been reluctant to define the Freetown, the Common meeting remains a defining characteristic of who a Christianite is, for it is only open to residents. When studying the community-scale, therefore, this thesis operates with the understanding that there is an embedded democratic process already in place in Christiania.
- iii) In the 50 years of its existence, Christiania has been inventive in its resistance to external pressure – be it in the form of the State, market, police or civil society. It has always sought to contest these pressures by a plethora of measures, be they engagement, opposition, alternative knowledge production or disengagement. The

fact that they do not align themselves to any movement or even have a community agenda that binds them, makes this an interesting case from an urban perspective. They are a movement unto themselves with no other general affiliations to consider.

- iv) Christiania presents itself as a spatial manifestation of the tensions that abound in all urban spaces today. The pulls of welfare policy, market forces, city development, urban regeneration, social mix, crime and security concerns, individual expression, historical value, tourism, the moral economy, the political economy, and much more are magnified in the case of Christiania. In this study of a microcosm, it has the ability to refract the macrocosm within it.

3.2. DOCUMENT ANALYSIS

Document analysis is a tool to review and analyze texts in a systematic method in order to examine and interpret data. Document analysis can yield data, interpretations, quotes, provide context and give crucial insights into the case one is studying (Bowen 2009). As a qualitative research method, document analysis is expected to be corroborated with at least one more source of evidence. In this research, I have used semi-structured interviews as my corroboration. Owing to the fact that I was studying a case that has seen much political debate surrounding it over decades, I chose document analysis to provide data on the context of the case; assess what was likely being glazed over in the information provided, by comparing various documents; and as a means of tracking change and development in the case being studied. Using an interpretive approach to the analysis, the aim is to study how the problem has been constructed and what assumptions underpin the problem. (Bacchi 2009) points out that while policies give shape to problems, they do not always aim to address them. Advocating a “what’s the problem represented to be?” approach, the focus of analysis is changed to the kind of change that is implied through a policy. What is proposed as a solution indicates what is thought to be the problem. Summarizing the conceptual framework of the advocacy coalition approach, Sabatier (1991) points out policy change over time as a function of three sets of factors: i) the interaction of competing advocacy coalitions within a policy system or community (the coalition consisting of actors from both private and public organizations at all levels); ii) the changes that occur external to the system (socio-economic changes, changes in government, for example); and iii) the effects of more stable system parameters (social system or constitutional rules, for example). This proved a useful framework for my own analysis of the case.

Document Selection: Since my study chooses to focus on official government intervention in Christiania, my primary texts were official government documents published by the Danish state. While newspaper articles were used to gain an understanding of public and official responses to certain progresses in the legal cases, they were not used as primary analysis documents for this study. The government documents analyzed² can be organized in two categories:

1. Legal documents: Official laws, agreements and supplementary agreements passed regarding Christiania from 1989, as obtained from the official state legal information system and archive (retsinformation.dk) as well as from ministry websites. Most original documents were in Danish. Using Google Translate, I read the documents in English. Certain documents had officially translated documents in English that I used.
2. Regulations: Officially recorded written responses to the laws passed by members of parliament from the archive. Archived written responses were only available in Danish and I used Google Translate to convert them into English. Officially recorded minutes of debates in the Folketinget (the Danish parliament) that concerned the normalization amendments post-2004. The official English version of the parliament website was used to study these debates.

Rationale of Document Analysis: Official laws were chosen as the basis to understand what rules have been implemented in Christiania over the years. Since the 2004 normalization plan came about as an amendment to the official Christiania Act passed in 1989, it was an important base to study what changes were brought forward. The subsequent amendments passed in parliament were read to ascertain other differences from the original act. A side-by-side comparison of the 1989 act and the 2004 amendment were made to gain a first impression of the kinds of changed being enacted in the area. Regulatory agreements made by individual ministries with Christiania that were the result of these legal amendments were read against the changed laws and were studied for their use of ambiguous development buzzwords like “sustainability”, “urban renewal”, “public accessibility” etc. that were provided without a contextualization of how this would likely affect the community of Christiania.

Minutes recorded of official parliamentary debates and question hour sessions were read after the initial document analysis of the legal documents so that a more discourse-based context could be understood of the legal amendments made. Document analysis is never a neutral research

² For a full list of documents analyzed please refer to appendix C.

tool, and the study of the debates revealed the political biases that played into decisions regarding amendments made.

The Christiania website and guide were also used as documents that gave context to the salient features of the community. It was used to understand its unique organizing structure, its self-governing practices that remain key to understanding its subversive potential, which has seen the birth of many alternative ideas in the realms of economy, family structure and community mobilizations. The documents were not taken to be a community manifesto that represented everyone's opinion or stance in the community. Only the official Christiania laws were seen as rules applicable and adhered to by all. Apart from giving context, the documents were also studied to understand characteristics of the space.

3.3. INTERVIEWS

In order to corroborate information gained from the documents analyzed, interviews were conducted with residents and other stakeholders of the community for their different perspectives on how the deal with Christiania had unfolded and their opinion on the motivations behind certain clauses included in the deal. To identify the actors, I first mapped out the general flows of activity that were happening around Christiania, as I understood it (see figure 7). Christiania has always been a community with deep ties to its surroundings, despite its claim to autonomy. Therefore, spatially, it must be understood in relation to the commune of Christianshavn, the city of Copenhagen and as a neighbourhood that, ultimately, comes under the jurisdiction of the state of Denmark.

The flows highlighted in the figure below include studying Christiania as a major tourist attraction and how it brings many people to Copenhagen. The official tourism website of Copenhagen terms Christiania “one of Denmark’s most popular tourist attractions” (VisitCopenhagen n.d., para 1). Therefore, the city doesn’t want to tamper with too much of what makes Christiania, *Christiania*. Residents in the town travel to the city to work, often; businesses in Christiania hire a vast number of non-Christianites; all kinds of artists find spaces of work, performance and retail space in Christiania; the hash market on Pusher Street is a concern for residents and neighbours of Christiania and is sometimes taken up as a national debate in parliament; and finally, the lack of affordable housing remains a central issue within Copenhagen, and Christiania is almost a symbol of people’s fight to access it.

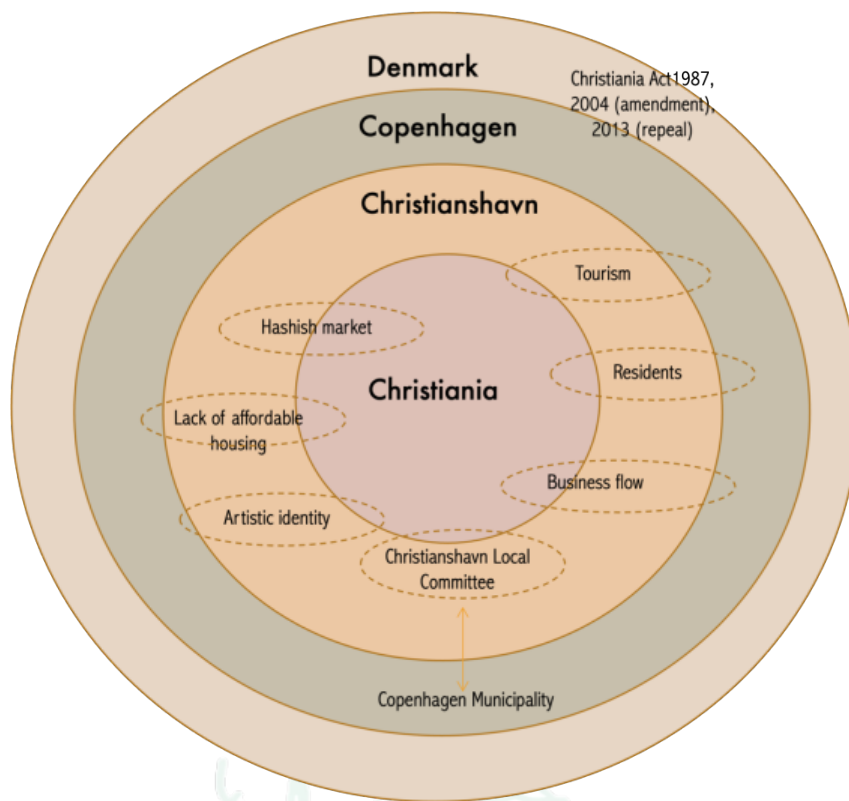


Figure 7: Flow of activities in Christiania. Source: Author's compilation

Having located these broad movements of people, capital and social issues, I identified and interviewed eleven actors related to Christiania and three actors who spoke on different ways in which alternative practices can be exercised in a community. These interviews were conducted over a period of four months from October 2022 to January 2023. All interviews were conducted individually and in English. Interviews with actors in Christiania were done in person in various locations, primarily in Christiania but also in other parts of Copenhagen. Actors were made aware of my topic of interest beforehand and, therefore, had a good degree of comfort and control over the research setting.

I first interviewed formal members of associations and organizations that worked with alternative economy practices in different parts of Europe, namely, the Chiemgauer (Germany) and Bristol Pay (the UK) alternative currency organization, and the Unterguggenberger Institute (Austria) that studies the application of alternative economic models around the world. I interviewed them to understand their frameworks of operation and also their levels of collaboration with the local government in order to have an understanding of how much government involvement was necessary for alternative practices to stay afloat in a region. While these interviews were not directly related to my case, they were extremely helpful in highlighting important social nuances that are instrumental for any alternative practice to succeed in a

community. Primarily, all three interviews underscored the importance of trust within a community, the power of social capital, the importance of local government support for the projects to have a wider reach and acceptance, and, most importantly, how crucial it is to take the time to educate and convince the multiple actors involved on the vision of the project. Without local support of the vision, the proposed projects fail to become a grassroots mobilization for change and end up looking like a technocratic policy intervention. These contrasts with formal organizations were necessary for it gave me a basis of understanding of Christiania's self-governance and identity as an alternative space.

To make a purposeful sampling of actors related to Christiania, I first mapped out the flows of activities surrounding it and then attempted to identify actors who straddled different scales of community involvement. To understand these scales, I acknowledged that laws made at the national level affect the space and social life of not only Christiania but other flows around it as well. Moving a level below the national, we arrive at the Copenhagen municipality which liaises with twelve local committees that correspond to the twelve districts that make up Copenhagen. These local committees collaborate with district residents, local actors and the municipality for all governance issues (Christianshavn Local Committee n.d.). Christiania falls under the Christianshavn Local Committee. Among the formal social associations (*forenings*) that have a formal existence under the Christianshavn local committee, there are three that relate to Christiania: "Christiania" (which directs one to official channels to contact members of Christiania), "Christianias Kulturforening" ("Christiania's Cultural Association") and "Christianias Naboer" ("Christiania's Neighbours") (Københavns Biblioteker n.d.). These associations provided a loose idea of whom I should attempt to contact as actors closely associated with Christiania and those within Christiania. A number of interviews were procured through introductions from other interviewees as well.

A few of the criteria kept in mind regarding the profile of the interviewees were that they be long-term residents in Christiania or Christianshavn, be involved in a business in Christiania or be formally involved in one of Christiania's self-management organizations. Actors only needed to fulfil one of these criteria. The structure of Christiania is highly decentralized; therefore interviewees were not read as speaking for others. I also successfully reached out to members of the legal team from Foldschack and Forchhammer that represented Christiania in the court hearings against the Danish state in 2006 and brokered the new deal with the state in 2011 that would go on to replace the Christiania Act. On reaching out to the Ministry of Social Affairs,

Housing and the Elderly (Social-, Bolig- og Ældreministeriet), which was the signatory for the latest deal between Christiania and the state in 2022, I was informed that an interview would not be possible and that they could only answer factual questions in writing to me. The interviews were structured around the perceived role of participants in relation to Christiania. A few actors were specifically interviewed because of their involvement with alternative economic projects in Christiania – like being involved with their alternative currency, the løn, or being part of a cooperative business. There were common questions posed to all the interviewees such as, how the 2004 amendment to the Christiania Act affected them/their business and how they thought it affected the community; the ways in which participants were involved within the economy of Christiania and any perceived difference in the economic structure since 2004; and participants understanding of the relationship between Christiania, Christianshavn and the larger city.

All interviews were voice-recorded and later transcribed. The transcribed documents were later read multiple times, first to compare opinions with regard to changes occurring in the community in the last decade and then later to identify other themes that cropped up across interviews (coding). In this way, I was able to gain a nuanced understanding of the on-ground developments within the community. Codes were then organized to help understand the entanglements between Christiania and the state. They were also used to identify how the systems within Christiania allowed the residents to live a life separate from the rest of Copenhagen, how the structure of the community allowed for and encouraged alternative solutions to the problems faced by them.

04

FINDINGS AND ANALYSIS



4. FINDINGS AND ANALYSIS

To be able to answer the guiding questions of this research, the findings are broadly divided into two categories – an analysis of the state and an analysis of Christiania. In analyzing the state, the focus is trained on understanding how Christiania has been framed as a problem by the state and what kind of change is being implied with their agreements with the community. This allows one to understand in what areas the state believes that this land being publicly owned is better for the entire city. In analyzing Christiania, the focus is trained on understanding what the community gains from the land being collectively owned in terms of power and decision-making authority of the residents.

4.1. THE DANISH STATE AND CHRISTIANIA

4.1.1. THE CHRISTIANIA ACT AND AMENDMENT (1989 V/S 2004)

The primary documents being studied are the 1989 Christiania Act and the 2004 amendment to the act. *Lov om anvendelse af Christianiaområdet*, translated as the “Act on the use of the Christiania Area”, passed in 1989 is the legal document that forms the legal basis of Christiania’s right to their claim on the land. Although the 1972 treaty with the Ministry of Defense that recognized Christiania as a social experiment was the first formal acknowledgement from the state, the 1989 Act saw the recognition of the former military barrack as a residential and business area. A side-by-side comparison of the 1989 Act and the 2004 amendment to the act – *Lov om ændring af lov om anvendelse af Christianiaområdet* (“Act amending the Act on the use of the Christiania area: Changed purpose and ownership of the area, etc.”) – was done.³ The purpose of the comparison of these documents is to demonstrate the change in how the land is framed by the state. Below is a side-by-side comparison of three clauses that I chose to focus on for their language. The emphasis added to the text is my addition. The numbers on the side correspond to the clause numbers in the original document. For an overview of the amendments verbatim please refer to the appendix.

³ A table with the side-by-side analysis is present under Appendix D.3.1.

Act on the Use of the Christiania Area, 1989	Act amending the Act on the use of the Christiania area: Changed purpose and ownership of the area, etc., 2004
<p>§ 1. The purpose of the Act is to enable the use of the Christiania area in accordance with the national plan directive and the local plan which the Minister for the Environment issues for the area.</p>	<p>§ 1. The purpose of the Act is to enable the development of the Christiania area as a sustainable neighbourhood in Copenhagen in accordance with the planning carried out for the area.</p> <p>PCS. 2. The Act specifically aims to ensure,</p> <ol style="list-style-type: none"> 1) that the part of the main rampart and outer rampart of Christianshavn's Wall,...be restored as a unified recreational, landscaped area, taking into account the historical design of the memory of the past, 2) that the areas in Ulrich's, Sophie Hedevis's and Vilhelm's Bastions as well as the areas between these are maintained and developed as a residential area, taking into account both the area's location on the historical memory and the area's distinctive cultural environment, 3) that the part of the Christiania area that is not covered by no. 1 or 2 be developed as a mixed residential and business area through renovation and conversion, demolition and new construction as well as improvement of open spaces, taking into account the area's special architectural and cultural-historical values, and 4) that a change of ownership of buildings and land in the area is carried out.
<p>§ 5. The Municipality of Copenhagen must, within 6 months from the submission of an application for replacement housing, offer replacement housing to anyone who has to vacate their home in accordance with § 4, subsection 1, and who, when the bill was presented, was registered in the population register with permanent residence in Christiania. However, the obligation to offer replacement housing only applies if the person in question is 18 years old at the time of moving out and either:</p> <ol style="list-style-type: none"> 1) has Danish citizenship, 2) is in possession of an EC residence permit, 3) is covered by the Nordic Convention on Social Security or 4) has a residence permit according to § 7, 8 or 9, subsection of the Aliens Act. 2, No. 2. <p>PCS. 2. Replacement housing must, as far as possible, meet the requirements specified in the Urban Renewal and Home Improvement Act § 38, subsection 1.</p>	<p>§ 5. The Municipality of Copenhagen must, within 6 months from the submission of an application for replacement housing, offer replacement housing to anyone who has to vacate their home pursuant to § 4, subsection 1, and who is registered in the national register with permanent residence in Christiania. The duty to offer replacement housing only applies, however, if the person in question is 18 years old at the time of moving out and has had his right of use registered in accordance with § 2 a.</p> <p>PCS. 2. The assigned replacement home must be of suitable size, location, quality and equipment. The home is of an appropriate size when it has either one more room than the number of household members or the same number of rooms as the household's previous home.</p> <p>PCS. 3. The provisions in the Act on Urban Renewal and Development of Cities § 64, subsection 1-5, §§ 65 and 66 and § 105, subsection 1 and 3, apply accordingly.</p>
<p>§ 11. PCS. 3. For violations committed by a limited liability company, limited liability company, cooperative or similar, the company may be held liable for fines.</p>	<p>§ 11. PCS. 3, shall read as follows: "PCS. 3. Companies etc. (legal persons) may be held criminally liable according to the rules in Chapter 5 of the Criminal Code."</p>

An important rectification between the documents is the language used. The 1989 agreement was to “*enable the use* of the Christiania area in accordance with the national plan directive and the local plan which the Minister for the Environment issues for the area” (emphasis mine; Social-, Bolig- og Ældreministeriet 1989, clause 1). The 2004 amendment rectified the opening of the act to state that, “The purpose of the Act is to enable the *development* of the Christiania area as a *sustainable neighbourhood* in Copenhagen in accordance with the planning carried out for the area” (emphasis mine; Social-, Bolig- og Ældreministeriet 2004, clause 1). The new proposal pushed for a vision of development that incorporated fixed notions of sustainability, mixed-use urbanism and social mix, with the bottom line being that it was a development plan being taken forward without taking into account the opinions and concerns of the present inhabitants. Such development plans are often precarious for the neighbourhood in question because even if it does not directly affect their homes, it could affect their sense of community by replacing ways of livelihood and socializing. Often, these developments are the first signs of gentrification which end up displacing a community.

The initiation of the amendment came about in 2002 when a majority in the Danish parliament presented Christiania with an ultimatum for their continued existence. The community had not formally responded to it, partly in protest. Citing the adverse effects Christiania had on the surrounding community, the demand was that Christiania be brought under general legislation. The primary concerns were regarding the illegal hash market operating openly in the neighbourhood, illegal constructions on the ramparts, concern for public accessibility to the space and a belief that the planning of the space should come under general rules followed by the rest of Copenhagen (Folketinget 2004). A Christiania Committee, set up with the participation of ministries, the municipality of Copenhagen and the state-owned property company Freja a/s, submitted a report in 2003, which prompted the majority, Venstre, Dansk Folkeparti and Konservative Folkeparti (all right-leaning parties), to state that significant changes in the area must be carried out. For it to be developed as a sustainable neighbourhood, it was felt that this would not be possible without a change of ownership in the area (Forsvarsministeriet 2004). We see here that the idea of “sustainable development” is being used in a sense to imply that it is the most desirable outcome for any neighbourhood and that to achieve it a social transformation of the space has to occur.

Listing some of the primary differences observed, we notice that the rationale of the law has changed. The 1989 act is a legal move “enabling the use of the Christiania area” and goes on to

elaborate on what the uses can be. In 2004, the objective of the act is changed to a development document that streamlines the exact outcomes and development patterns that the space must follow. It is to become a sustainable neighbourhood and, importantly, there is to be a change of ownership of the buildings and land. Until 2004, the land was under the Ministry of Defense but with the amendment the land would eventually be transferred to the *Slots- og Ejendomsstyrelsen* (“Palace and Properties Agency”), a body under the Finance Ministry. The stage was set for the land to be debated as a commercial commodity that needed to have its fair value gleaned. Regarding the land, the residents had to prove their right of use for the space, whether for residence or business purposes. A by-product of Christiania not being governed by regular Danish law but by a special act was the fact that residents did not have recourse to legal tenancy protection measures like the Tenancy Act and the Business Tenancy Act. Their legal right of stay was based entirely on the 1989 Act. When observing clause 5, which details conditions for applying for replacement housing to the state, we see that in 1989 the conditions were based on an individual’s legal right to stay in the country while the 2004 amendment hinges this offer entirely on the provable right of use of the land i.e. ownership. And a final change that I bring to your attention is the change in clause 11, where violations committed by companies have changed from civil offences to a criminal offence. While the 1989 Act seemed to focus more on the question of legal residence in the area and to clarify the legal boundaries of all who chose to reside in Christiania, the 2004 amendment focuses much more on the space as an urban frontier that is haphazard and crime-ridden and therefore must be normalized for optimum functioning.

There is a recognition of the significance of the space though. The supplementary report⁴ (*Tillægsbetænkning*) to the 2004 amendment makes it a point to mention that the intent of the amendment is not to develop Christiania in line with other urban areas, but that efforts will be made to preserve its uniqueness, and that different forms of ownership can be considered for housing and business permits. The concerns raised by the opposition point to a problem of legislative procedure. Far-left party Enhedslisten acknowledged that while future forms of organization that could secure collective rights in Christiania were possible under this amendment, the party strongly criticized the bill’s treatment, citing that the law is highly likely to trigger legal proceedings against it.

⁴ Refer to appendix C for the full list of supplementary government documents used.

Christiania's response to the amendment and to further agreements that were an offshoot of the amendment was to give no response. Partly, this was because no consensus could be reached within the community of what was to be done, and partly because they felt that the amendment was an attack on Christiania for the way it was being implemented. In response to an ultimatum posed by the government, Christiania finally answered with a 'no' in 2008. There was a huge mismatch between the vision of the state – what it felt was the change that needed to be implemented in the area – and the local sentiment of how they would like for the change to occur. In 2007, Cigarkassen, a single-family home located on the ramparts was destroyed by the police for being an illegal structure despite a court decision on the issue being pending. It was the first time the state had taken action against a structure in Christiania. The court decision came out two days later in favour of Christiania (A. L. Hansen 2011). Similarly, a 2008 municipal proposal for a new cycle path through Christiania was also protested by residents who felt that it would make the area unsafe for them because of the large volume of bicycles that would ply through close to residences. Once again, the issue reached the point of becoming an ultimatum issued by the state.⁵ Christiania took the state to court in 2006 by filing a case against the Ministry of Finance over the illegal termination of their right of use of the space.

Christianites view these years of negotiation as a hard time for them. Interviewee C who spoke very positively about the help received from the government in relation to building and home renovation help received with the 2011 deal was weary about the years that preceded it.

“In 2001 we got the first government of disaster. Since then we have only had governments of disaster. Maybe this government we have right now is not a disaster, but we had terrible governments. It was a right-wing government and they wanted to close down or to normalize Christiania. So there was really a time from 2003 to 2011 when this negotiation was made. It was eight very hard years because there was a lot of political pressure on Christiania.” – Interviewee C

With all the talk surrounding it as a symbolic and alternative space, it is easy to forget that this was also a home for hundreds who had built structures with very little resources at their disposal. Interviewee E recalls the time when the community got an eviction notice from the state. At the time, she was a young single mother who had built her home with repurposed and second-hand materials to save expenses.

⁵ *Cph Post*. “Christiania receives ultimatum – again”. *Cph Post*, 6 November 2014. The ultimatum was made because Christiania refused to demolish a wooden shed that was in the way of the proposed cycle path.

“The worst year ever was this year when we got this letter. This letter said you’re kicked out in one month. We’re going to take your house. It was a few years where you were nearly crying every day. It was so stressful and so deep for me. I felt depressed and so insecure.”

The confusion and distress of the residents point to the fact that even if there was verbal recognition on the side of the state of the “uniqueness” of Christiania, the sentiment conveyed to the residents was one of distrust. Residents felt that the government was out to attack their way of living, remove the residents and only preserve what was culturally convenient and unproblematic for the government. On speaking with the legal team from Foldschak and Forchhammer the inconsistency of the change in the ruling is what was commented upon as being the start of the long period of negotiation. What was also commented upon was the precious time Christiania got because of the trials to engage with the proposed changes.

“If you take this situation from 1971 and take it up till 2004, it's very interesting because you have a political situation where the majority of the member of the parliament wanted to protect Christiania. They wanted to accept Christiania, and in fact, if you make a listing of the history, there was always [support]. For 32 years, for sure, it was a very big problem that had been discussed in parliament 20 times and there had been trials many times in the Supreme Court. But always, they got a new deal, new deal, new deal. And then in 2004, you have a strange situation because the majority of the parliament changed. You had an election in 2001 where the right wing was winning in the parliament... And they said, now we will change the situation for questioning. And they said that for those 33 years you have 1000 people who had lived in [Christiania] against the law. We said you can't accept Christiania for 33 years and then say, now we will throw 1000 people out. It's not fair and we lost the trial. But I remember I said we won the trial [because] it gave us time. And in those eight years, we had the possibility to find the right solution. And the right solution was to say...please make a system for the future when you take all the good things in Christiania and save the good things.” – Interviewee J

Because of their consensus democracy model, decision-making has always been a slow process in Christiania. The strength of the model is the fact that all voices are heard and given similar weightage. This also means a long process of negotiations to reach a conclusion that most people agree with. The legal team was successful in brokering a deal between Christiania and the state that was acceptable to both and led to a new agreement in 2011 that would set the course for the eventual repeal of the Christiania Act in 2013.

4.1.2. 2011 AGREEMENT AND 2013 REPEAL

Negotiations between Christiania and the state stretched up to 2011 when a modified agreement was settled upon. The 2011 agreement saw the successful culmination of the 2004 legal directive that a change in ownership must be had for the Christiania area. Before the agreement was reached, Christiania took the state to court in 2006 claiming their right to be identified as legal residents of the land, based on the existence of the Christiania Act. In 2009, the High Court ruled in favour of the state, stating its right of use over the land as the officially recognized owner of the land. An appeal to the Supreme Court saw the same outcome in favour of the state. By this point, parallel negotiations with the state had allowed for an agreement where Christiania would buy part of the land and buildings from the state, lease the buildings in some places and lease the buildings while paying rent for the land to the state in other areas. The 2011 agreement was brokered between the state and the Christiania Negotiating Group (a group that included certain residents and the legal team – Foldschack and Forchhammer – that represented Christiania in court). It was a framework agreement that detailed the financial basis on how the transfer of the land to Christiania was to happen. An instrumental body that was created out of this agreement was the Fonden Fristaden Christiania (the “Christiania Foundation”). The purpose of the Foundation was to buy the land from the state, to “own” and manage it on behalf of the entire community of Christiania moving forward, while ensuring the continued development and survival of the Christiania area. In this way, possession of Christiania would not be transferred to individual holders but to a sort of community trust. The Foundation buys and rents the buildings and land that the state has the option to sell or lease within the legislation. Christiania was divided into sub areas with different degrees of ownership related to it. All of sub area-I was transferred to the Foundation while it leased the land under self-built houses in sub areas-II and III from the state. The Foundation not only became the owner and tenant of all the buildings and land that Christiania was allowed to occupy (with the caveats of the sub areas) but also became a single point of contact that the state could reach out to for all future interactions with Christiania. At the time of the agreement a local plan was workshopped between the Copenhagen municipality, Christiania’s local planning group, the Palace and Properties Agency, Realdania (a philanthropic private association that supports projects in architecture and planning), KAB (non-profit housing administrator), private consultants, Christiania’s lawyer Knud Foldschack and the Christianshavn Local Council. This plan came up with parameters for future housing development (keeping in mind the state directive for the land to be used for public housing), an open and transparent

process for housing allocation and a renewed commitment to cooperation with the city for all legal matters, especially pertaining to illegal constructions and the hash market.

The foundation's board is made up of five residents of Christiania and six independent people who are not residents of Christiania, but who have special professional knowledge of building conditions, economy, and culture among other fields (Slots- og Ejendomsstyrelsen 2011). In 2012, after accepting the Danish government's terms, the Foundation was to buy Christiania for 125 million Danish kroner (16.8 million euros) from the state. Of this amount, 40 million DKK was deducted from the price because the community agreed to maintain and renovate water, sewage, rental buildings and land on behalf of the state. A further 30 million DKK could also possibly be deducted from the original amount if projects done on any of the listed buildings or on the land were done so in agreement with the state (Christiania n.d.). The sale and leasing of the land was carried out in sub-areas (refer figure 8 below).

Once the deal was brokered, a hurdle that Christiania faced was how to find funding in order to buy the land. A community-driven fundraising initiative led to the creation of the *Folkeaktie*,⁶ a symbolic land share certificate that anyone who donated to the Foundation could obtain. The objective behind the *Folkeaktie* was clearly stated as a donation to the cause of purchasing Christiania so that it would continue to be freely accessible to all. Thus, symbolically, it would be land that remained free and belonged to all with this share that thousands now possessed. The effort was considerable and raised about 8 million kroner by the first payment instalment in 2012. Further, the Foundation secured a 55-million kroner loan with Realkredit Danmark, to be paid off with interest over 30 years. This loan allowed Christiania to successfully pay the first instalment for the purchase of the land in 2012. It was a historic moment, for it signalled the start of a new era, forty years after the beginnings of Christiania.

⁶ More information about the Folkeaktie can be found at <https://www.christianiafolkeaktie.dk/>



Figure 8: Copenhagen Commune Plan for Christiania. Source: Københavns Kommune (2008)

For the first time there seemed to be a secure way of safeguarding Christiania for the residents since it was land that was owned by an entity that came under the law. The repeal of the Christiania Act in 2013 was in response to the 2011 agreement fulfilling the primary purposes of the 2004 amendment. With the establishment of the Foundation and its successful purchase of the land outside the historic monument delimitation from the state in 2012, Christiania was officially normalized and did not need separate legislation governing it. The legislative rules that applied to the rest of Denmark applied to them as well. Following the signing of the agreement in 2011, the run up to the repeal saw continued debate in parliament about measures in place to ensure whether Christiania would hold up its end of the deal. Studying the parliamentary question hour sessions is helpful to understand what the intended impacts of the amendment to the Christiania Act were meant to be. In the preliminary comments on the proposal of the repeal, the Ministry of Climate and Energy lists out the intentions of the repeal:

“Going forward, the *Christiania area must be an area in Copenhagen on an equal footing with other areas* within the general rules of the legislation and within the framework of the agreements concluded between the state and the Christiania Free State Foundation. This *does not mean that the Christiania area must be aligned with other urban areas*. It is not the intention of the repeal of the Christiania Act that changes should be made in that the area must continue to be a green and car-free neighbourhood Copenhagen, *where there is room to live in a different way*. The future use of the area must *ensure accessibility, open access for the public, improvement of open spaces, environmental considerations and protection of the architectural and cultural-historical values* in accordance with current regulations and agreements entered into.” (Klima-, Energi- og Bygningsministeriet 2013, p.2; emphasis mine)

The comments on the repeal also state that the reason behind the 2004 amendment was because the “development intended in the law for the area had not been achieved” and that it believed that the development could not be achieved with the way Christiania’s organization was run (Klima-, Energi- og Bygningsministeriet 2013, p.2). The metric being used to judge the area is an almost hegemonic index of development. To illustrate an example, the call for Christiania to be open access for the public is odd because the space has always been accessed by Copenhageners in the years of Christiania’s existence. The green space that is mentioned is the result of decades of planting and tending by the Christianites. However, for Christianites growing trees was a wild process that did not follow any plan. And so, when it impinged on the ramparts, negotiations were needed to allow the trees to remain, as recounted by Interviewee E:

“For example, the commune wanted to take down all our nature – you can see all the green trees. We have a lot of nature. The commune wanted to take everything down so it would look like a museum like when the military was here because the military had to see the enemy, so there were

almost no trees. There was nothing here growing. They wanted to take it back and for that we had to fight administratively for years to be allowed to have nature.”

These are but two examples of how the state and Christiania sometimes spoke the same language but with very different outcomes in mind. In other words, for the state, Christiania was meant to be green, free and different only in a manner that was administratively permissible.

A further development that the repeal paved the way for was the change in building permits. Previously, building permits for the land needed to be obtained through a separate procedure because of the Christiania Act. So buildings identified as illegal constructions would no longer be prosecuted administratively under the Christiania Act. While this meant administrative relief for all parties involved, the relief for the public sector is particularly noted in the ministry's comments. It was also determined that the fortress itself could only be transferred to another owner in its entirety in accordance with the Nature Protection Act and the Museums Act. With the Christiania Act being repealed, it opened up the possibility of the fortress being sold to someone other than a public authority.

Apart from spatial implications discussed above, what is also evident with the repeal is the change in the reach the state has with this community. Christiania could be frustratingly elusive with its answers for the state up to that point. In the parliamentary question session in the run-up to the repeal (published by the Finance Commission) there is an intense focus on how Christiania is to be held accountable. What is the state's position if Christiania does not comply with the agreement? What will be the consequences if new illegal structures are built after the conclusion of the agreement? How is Christiania going to control the level of crime going forward? How can the state be sure that criminal organizations are not behind the Foundation or exerting influence over it? In the set of twelve questions⁷ posed and answered by consulted ministries, nine questions have to do with the Foundation and three with whether Christiania was sold to the residents at a price below market value. The questions posed indicate a firm focus on wanting to have a mechanism in place that will make Christiania answerable to the state at all points. Regarding the price of the land, the Ministry of Climate clarifies that a real estate agency appraised the price of the land and that the sale price was an expression of the “estimated market value, taking into account the condition of the buildings and the purpose of the Christiania Act, which is that *the current residents must have the opportunity to stay*” (Klima-, Energi- og

⁷ Questions pertaining to Act 89 can be found at this link:
<https://www.ft.dk/samling/2011/aktstykke/Aktstk.89/spm.htm>

Byggningsministeriet 2012, p.1). With both lines of questions, ownership of the land becomes a tool of control. It is an interesting development to see because ownership is usually associated with a detangling from the state and an assurance of possession. In the case of Christiania, while there is security afforded to residents because of ownership, the move has also brought the community within the ambit of prosecution. The answer to all of the questions posed in parliament sees the Foundation liable to persecution and legal proceedings if they do not comply with the clauses that all commercial foundations must follow.

And so, while the agreement can be appreciated for its measures of accommodation extended to the residents of Christiania, what is to be noticed here is the subterranean shift that has occurred in relations between the state and Christiania. On the surface, residents and businesses can go about almost the same as before the amendment. But beneath it, there is now a debt relation that Christiania must mind, there is a new Foundation that underwrites all of Christiania through a decision-making process very different from the consensus democracy practiced thus far, and there are all the responsibilities and liabilities that come with formal ownership of land. The next section explores how these new links to the state have played out in the years following the agreement.

4.1.3. 2021 FUND FOR MIXED CITIES AND 2022 AGREEMENT

In 2021, a 10 billion kroner agreement was passed by a majority in parliament, titled “The Fund of Mixed Cities: More Affordable Housing and a Way Out of Homelessness”.⁸ Set up as a new initiative to promote the construction of public housing with the purpose of counteracting social divides in the city, it supported general building activity with well-thought-out architectural solutions. The fund allocated money for land purchase through a loan scheme and supports new constructions while directing a need for the densification of existing public housing as well as the conversion of commercial and rental properties into public housing. Christiania finds mention in this document as being a neighbourhood identified as needing to become a mixed district (referring to social mix) where the government will be building a minimum of 15,000 square metres of public housing while exploring the possibility of building more. It is the only neighbourhood in Copenhagen that finds mention in the document.

⁸ Agreement published by Indenrigs- Og Sundhedsministeriet (Ministry of the Interior and Health)

The result of this national plan was a new deal being drawn up for Christiania in 2022. A supplementary agreement between the Fonden Fristaden Christiania and the state was signed in August 2022 for the further development of the area as a residential and recreational area in Copenhagen. The supplementary agreement notes that the 2011 deal agreed to work with the state to ensure the continued development of Christiania and positioned the latest deal as a development measure that was required for Christiania and Christianshavn. The 2022 agreement contained four general points. i) New housing for all: the establishment of 15,000 square metres of public housing within Christiania; ii) Cooperation with the city for law enforcement measures and the opening up of the ramparts for the general public; iii) Better housing and urban renewal: points regarding the construction loans the Foundation can take on behalf of Christiania and the renovation of state buildings by the Foundation as per the agreement; iv) The Christiania Foundation can become the owner of all Christiania: an offer from the state for the Foundation to buy the buildings and ramparts in the area owned by the state while continuing to make it publicly accessible after the sale.

The last point mentioned, regarding the possibility of a full purchase of the land, is one that is very lucrative to Christiania. One of the conditions for the sale however is that the first three points of the agreement have to be fully implemented. The land on offer was to be rented to Christiania until a possible sale. Once again, the Freetown complained of not having any real options in the decision they were asked to make. As part of the deal, the state guaranteed 67 million kroner in loans to assist the free state with the purchase of land on the northern part of the Christianshavn Vold rampart – land that was owned by the state as per the agreement. Effectively, it was an offer to help the Christiania Foundation buy the entire piece of land it was situated on so that it would be the sole owners. It was a mortgage that no bank would give without state guarantees, and would ultimately save Christiania 6.5 million kroner in rental costs per year. On inspection of the illegal housing in Christiania, the Teknik- og Miljøforvaltningen (“Technical and Environmental Administration”) issued a response with a map showing all the houses that would need to be moved for violating clauses of the nature conservation act in regard to the protection of ancient monuments (refer figure 9) (Bygge-, Parkerings- og Miljømyndighed 2022). The complications of a debt relation are presented by the news reports on the deal noting that if the offer had been turned down, Christiania would have had to dismantle nine illegally constructed buildings at its own expense. Furthermore, with state loans and guarantees relating to the renovation of buildings having expired, Christiania would have additionally had to face

payment for building upkeep as well. However, all of these issues (including the clause of dismantling structures) would cease to exist if the agreement was accepted. The decision to accept the deal was hotly debated within the community, with one of my interviewees making it a point to say that it wasn't really a full consensus. The news coverage details the offer being accepted by residents with few alternate options, for refusal of the offer would have meant financial ruin for Christiania for they would have defaulted on their payments (Hamilton 2022).

The change we see in the interaction between the two entities here is the increased leveraging capacity that the state has on its side. It was difficult to bring Christiania to book in the past. But with the debt relationship and the formal obligations that come with being the owner of land there is an undeniable shift of Christiania moving towards becoming simply another plot of land in the centre of Copenhagen that must follow state directives of ownership. When asked about the implications of Christiania becoming owners of the land, Interviewee E has a candid response to the supposed transformation that has occurred with the change in ownership.

"Now, if we don't do like act like this or that, we stop the process in case we do something we are not free to do. It [the land] has never really been free. I mean, there's always been something. If you didn't pay for your water, you wouldn't get water."

On being asked if she thinks that Christiania will be given a bit more space to operate as they please because they are now formal owners of the land,

"Yes and no. The closer we get to them [the government] the more we work with the government, the more they will take decisions for us also. We are in their pocket... So now that we have this paper [ownership], we are allowed to live here. It gives you some security and you say OK then I will take care of my house and I will put my energy in it." – Interviewee E

This is an acknowledgement by the residents of what the series of acts and agreements have meant for Christianites. There is a certain curtailing of a confidence to act as they did in the past No because of any rule but more as a measure of self-monitoring. For all the idealism attached to it, Christianites know that their existence on the land has always been framed within economic transactions. The urban position of Christiania comes to head here. This is not discovered land in the wilderness that the first residents tamed. This is squatted land in the centre of an urban space where the first residents made use of existing infrastructure and struck deals with the local government to allow them access to services like water and electricity. And so, free as it was deemed to be, there were many economic and administrative agreements signed with the state that allowed Christiania to be habitable. What has definitely changed is how much of a say the government has in their daily lives now.

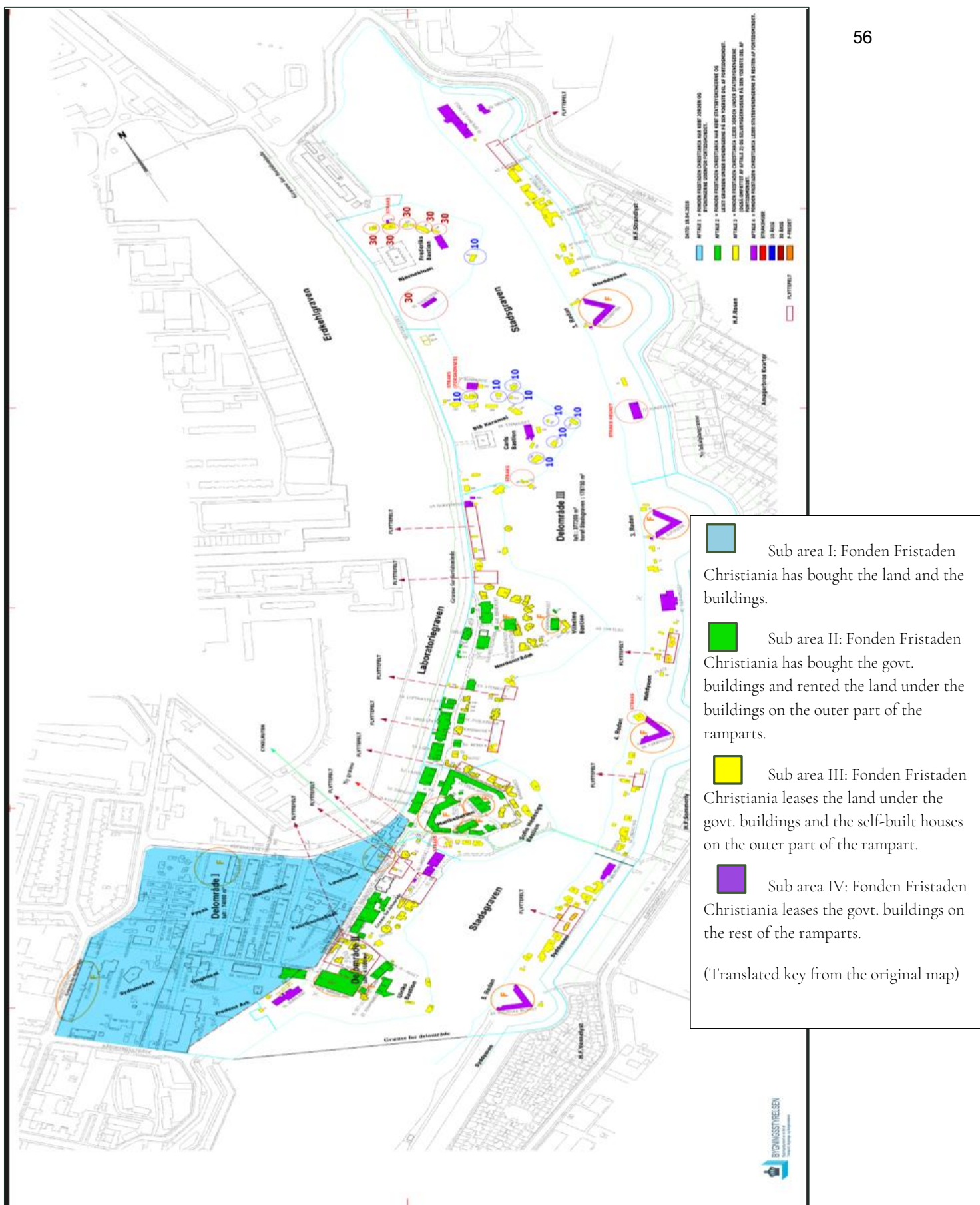


Figure 9: Map showing illegal housing in Christiania. All structures circled in red either had to be moved or removed.
Source: Københavns Kommune and Bygningstyrelsen, Case F2 2022-12904

At this point, it is important to take stock of the government's plan with this normalized land. After settling the issues over the disputed land, the government's plan has been to establish public housing. This decision moves this tale away from a conclusion many were apprehensive about – of the land being turned out into the open market to be speculated upon. The significance of the move was illustrated by Interviewee J who was the legal counsel for the 2022 supplementary agreement as well.

“Just for fun, half a year ago I was contacted by a developer and he said to me if you give me the right to build 100 flats, 100 square meter and give me 5000 kroner a month for those 100 flats, I will give you the key in 30 years, and you can decide who is allowed to live in these flats. I will invest what it cost to build this... It's very, very cheap, and I will give you [the Christianites] ownership in 30 years. So it could have been done if you had accepted developers, but now we have made an agreement with the government because the government wants to have social housing in Copenhagen, and that's a good idea. And I think it's a good idea for Christiania because it's been developed in the way Christiania needed.”

If private developers had been allowed to build in Christiania, even the cheapest deal for ownership would have changed the character of the space. Christiania was never owned by the residents before the deal. They were users of the land who paid rent to the Common Box to continue using the land collectively. The houses Christianites occupied were never owned by them and could not be sold or bought. They were simply passed on. The social housing plan proposed by the state aligns with this idea as the incoming residents will only be renters with the social housing organization being the trust that manages the houses. The concern for most Christianites regarding this deal is with who the incoming residents will be. The Danish government on its part cited the need for the neighbourhood to grow, change and become more vibrant, which it believes the new housing project will do as it will bring a new profile of middle-class workers (Iolov 2022). In a community where 60 per cent of residents have elementary school as their highest level of education (Thörn et al. 2011), the government hopes that the intended middle-class professionals would diversify the local economy (Iolov 2022). For the resident population, a concern remains about how the workings of consensus democracy will be affected by the inflow of new residents who will come without necessarily wanting to join or even understanding the spirit of Christiania. As expressed by Interviewee E, “That's what scares me. I have this idea of equality and I'm very concerned about how it could be if we become like two different kinds of citizens.”

Social mix attempts are an experiment in any neighbourhood they are tried in. In Christiania, it will be even more of a challenge because incoming residents are not only moving into a space with a lot of history but also with a particular way of functioning. As Interviewee E

mentions, “The real spirit of Christiania is the way that we are together, we know each other. We know each other's children. We know the old people we know the special situation for this and that. This tribe feeling is still there. It's never been broken down.”

With the potential inflow of about 300 new residents, once the project is complete, there are apprehensions of how the social fabric of Christiania will change. Is social mix being used as a tool to subtly instigate a radical social transformation of the space? Will the new residents fit in or will they change the way Christiania functions? Is it better for the neighbourhood that there is potential for a new, more pluralist society being built? Is there a need to re-evaluate what Christiania presents as a lesson for society and then attempt to preserve those characteristics in a manner that can be applied in more places? To answer this, the next section looks at what the Christiania way of living is, and what was sought to be preserved through the long legal battle surrounding this land.

4.2. THE CHRISTIANIA WAY OF LIVING

Much has been written about what makes Christiania a special place. Its identity as a space that accepts alternative ways of living has led to it becoming a birthplace of cultural expression in Danish society. With so much emphasis on the potential to learn from the Christiania way of life, I found it helpful to delineate what makes it special by studying it through its relation with the land, the welfare state and the financial circuits it is embedded in. With normalization, Christiania is now land that has been ascribed an economic value and is within the realm of the market. Although it continues to be a space for alternative living, it is beneficial to understand what the social implications of these economic decisions are.

I present the strengths of Christiania as three categories: i) *democratic ownership* for residents, with a high degree of control of the space for residents through participatory governance procedures; ii) the encouragement and support of *alternative economic models*; iii) *subversive potential* through a strong community identity. I use figure 10 to look at what the collective ownership structure of Christiania affords to its residents, and how the three identified strengths play a role in each of these interactions. By presenting the strengths and grey areas of the Christiania way of living one sees the departure this space affords from traditional models of public ownership.

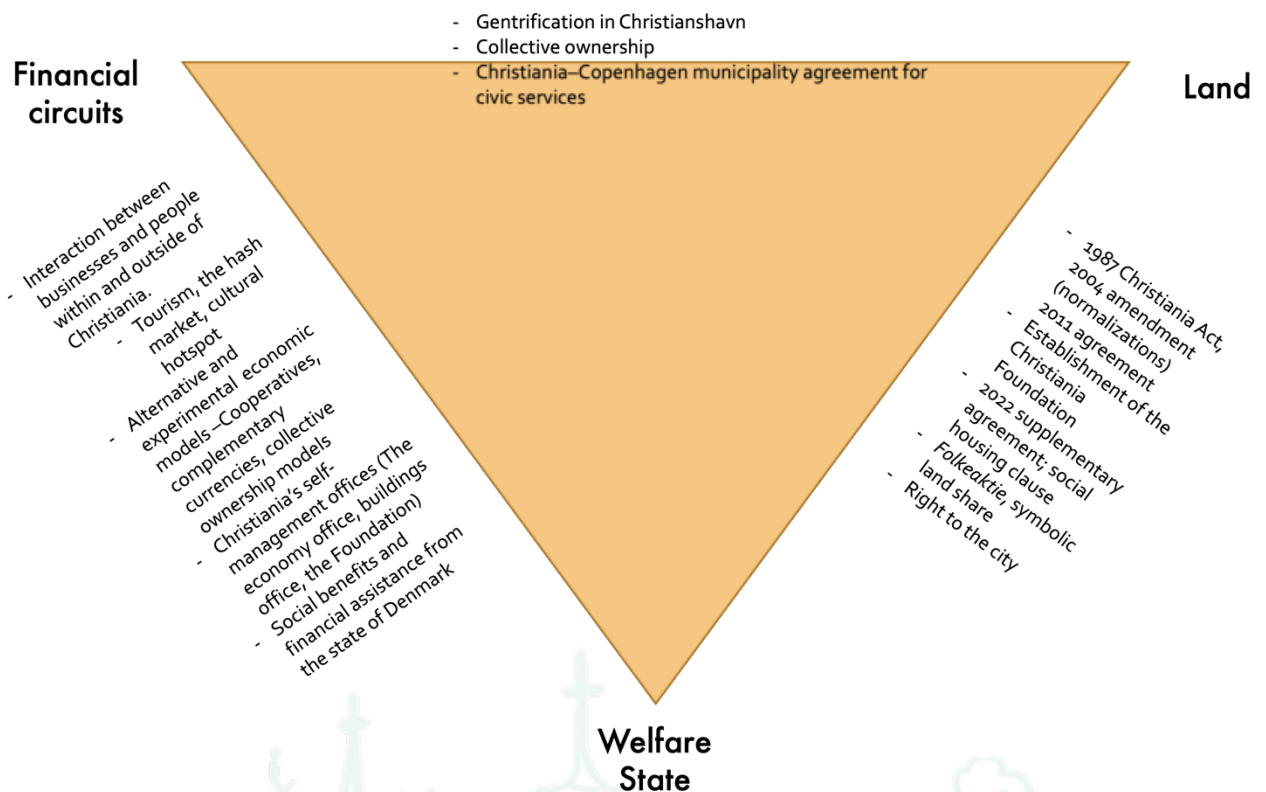


Figure 10: Economic entanglements between Christiania and the multi-scalar state. Source: Author's compilation

4.2.1. CHRISTIANIA'S ECONOMY AND THE WELFARE STATE

We first look at some of the financial circuits between Christiania and the welfare state. Businesses within Christiania are not only sources of income for many residents but also for many who live outside Christiania. A rough estimate from the information office of Christiania pins the number at 200 people from Copenhagen who work inside Christiania. A number of artists who live in Christianshavn use the resources of Christiania, whether it be through the renting of space or as a space where their art can be sold. Tourism remains an important source of income both for Christiania and the city of Copenhagen with almost half a million tourists coming to Christiania every year. A big draw for tourists is Pusher Street. Pusher Street has financial implications in terms of the revenue not received by the state because of its illegal and, therefore, non-taxable nature. To be clear, the marijuana market pays no tax to Christiania either. All residents and businesses in Christiania pay tax to the Danish state. The tax paid by residents is an important link to the state for many residents are pensioners in the community and receive elderly care benefits from the state. Further, the loans Christiania has received are usually given as state bonds since no commercial bank was willing to make a deal with Christiania. The legal representative of

Christiania mentioned that these loans were able to be procured because Christiania has not defaulted on government payments in the past.

Christianites have also been innovative in coming up with ways to keep wealth circulating within the community. This is seen through the way they get creative with their economy by dapppling with alternative economic models. Although their local complementary currencies had limited success, the cooperatives have been far more successful. Complementary currencies like the løn and fed were set up to enable an economy that could function without involving the system outside. The fed was a currency that was accepted as payment in the marijuana market, for instance. The løn was a more formal initiative and is handled by the economy office. Parts of salaries would be paid by the løn, and it was accepted by all businesses in Christiania as payment. The idea behind the project was also partly to have a monetary system that included people who were outside traditional systems in Denmark. As Interviewee A recounts,

“There were a lot of people who were outside the normal system in Denmark. [Christiania] has always been set apart from the rest of the community. So, you could actually live here, work here, get a salary from the Christian money. You don't have to be involved with the system outside. So it's a really big freedom for the people who just want to be independent.”

Interviewee C detailed how the profits gained from the management of the løn were used for the community: “The first time, we gave money to our wonderful old shoe shop where they made shoes for people with sick feet, and then the second time we gave money to a club for young people, where they can spend their time.” Cooperatives like Den Grønne Genbrugshal (“Green Hall”) have also seen immense economic success and operate on very particular guidelines decided by the members of its board. They work with and sell recycled and repurposed material, never take loans to accomplish business purchases and settle how much rent they pay to Christiania based on their revenue, volunteering to pay more to the community at times (as recounted by Interviewee E).

The Common Box and consensus democracy are the two crucial factors from which all analysis of Christiania's economic system must emanate. Although highly specified in its functions, the Common Box acts as a sort of internal taxation system that allows all public authorities to be physically absent from Christiania. It manages the cost of local sanitation, building renovation, providing childcare facilities and being a source from which a housing loan can be granted to residents so they don't have to approach a formal bank. Consensus democracy is also an important mechanism to take into account for it is the law that Christianites respond to. Interviewee F summarises the process as “here we don't vote to take decisions. We have what

you call a consensus democracy. That means that we talk until we can reach a decision on how to solve the problem.” Important to note is that much of how Christiania operates is based on trust and social responsibility. The impetus behind the action of many residents and businesses, therefore, is community-oriented rather than profit-oriented. This has made a huge impact on how space functions here for the community. Wealth is often reinvested back into the community. This interaction between social ties, trust and a community spirit has propped up a social economy and an economy of care that are strong driving forces that sustain Christiania. Interviewee E details an instance of community volunteerism where once, “we made a lot of events to collect money for it [childcare facility]. For example, we worked for free, for a lot of hours to build a house for a new kindergarten.” Christiania is an economy that works on experimenting, reusing its existing resources and then redistributing that. It is an integral part of an added social security net in the area. While all residents are part of the Danish welfare system, Christiania is still predominantly characterized as a neighbourhood that struggles with poverty. Community connections and this added system of protection then become very important for the most vulnerable. It’s a system that has a lot of good in it but also sometimes leaves residents frustrated when it is taken advantage of by a few.

“There’s a lot of good things about living in a community where people take care of each other. In the rest of society if you don’t pay your rent, you get thrown out after 10 days or something like that. Here you can say, ‘I cannot pay, can I have a little time to do it.’ But that also means we have a million of kroners people haven’t paid through all these years. Because not all people have this responsibility to benefit the community.” – Interviewee A

Following normalization, the Common Box is still seen as a crucial tool that will allow Christiania to continue as they have been, at least with regard to economically supporting day-to-day functions.

“Now because we have been legalized and we had to buy the land, we have to be more innovative. How do we take care of the money? In many ways, I don’t think we have a circular economy in Christiania. But we have the Common Box...it’s created the possibility to have the autonomy, to take local decisions.” – Interviewee C

What is seen to be a deficit with the extent of subversion that Christiania could achieve by certain residents is its lack of central organization. The alternative systems that exist today are not community-wide endorsements. They are often passion projects of a very small group. For example, the complementary currencies are run by different groups and not everyone is aware of the different ones in circulation. This flexibility afforded by the space sometimes becomes a frustrating hurdle to get over. As Interviewee C noted, “we have consensus democracy. Sometimes

it's consensus tyranny." There is also a discrepancy between residents who believe that Christiania should still be striving to achieve more and those who believe that Christiania has achieved what it needed to. For the former group the focus circles around a mission that Christiania should fulfil. Interviewee C spoke on this when relaying his disappointment that the løn currency had not done better in the community.

"What I learned is that you have to always be clear to work on your vision, your vision, mission and goals. Be clear about, what we want to do? What kind of value do we want to create in our community? But Christiania hasn't worked with the vision statement since 1961. So it's not used as a tool, and there's a lot of other hidden agendas." – Interviewee C

The lack of community-wide agenda-setting makes Christiania a difficult community to define. It is what has frustrated the state on countless occasions as well. But it is also what has made it such a potent ground for experimentation.

4.2.2. CHRISTIANIA AND ITS TIES TO CHRISTIANSHAVN

This section looks at the link between land and the financial circuits around Christiania. The most immediate financial context to consider is positioning Christiania with respect to Christianshavn. I look at Christiania's relationship with Christianshavn – socially and as a residential community. Increasing land rates in the middle of Copenhagen have made Christianshavn one of the most expensive neighbourhoods to live in. There is an evident change in the kind of residents who live there. While it used to be artists, a more affluent class occupies the area now. Christiania remains a space that is protected from this appreciation as the land was seen as a commons that was to be owned by none. At a policy level, although Christiania is identified as land within the borders of Christianshavn, planning was always done separately for both because of the existence of the Christiania Act. The increased rents in Christianshavn mean that not only has the neighbourhood profile of people moving into Christianshavn changed dramatically but also that for Christianites wanting to move out of their neighbourhood, the closest neighbourhood to it has become inaccessible. To understand the social interactions between the two spaces I got to speak to a Christianshavn resident who was the spokesperson for the group Christiania Naboer ("Christiania's Neighbours"), a formally recognized Christianshavn association. Interviewee I spoke about how while the spaces are open and often traversed by members of both communities (walks on the ramparts, shops in Christianshavn etc.), socially, "it's like people living in two different worlds."

The primary concern of Christiania Naboe is the violence that emanates from Pusher Street. There has been gunfire in the past and even deaths owing to gang fights in the area. This has given Christiania the label of being a dangerous neighbourhood. Other concerns include the influence the drug market has on the children who live in Christianshavn.

“Teenagers from Christianshavn are attracted by this special culture. But. I don't think that I should generalize about it. I think that you know Christianshavn is in fact a very privileged area. The apartments are very expensive, so it's middle and middle-upper-class people who live in Christianshavn. So there is a contrast between Christiania and the rest of Christianshavn. This was not the case when I moved in 40 years ago. Not at all because at that time the apartments were not so expensive and it was a more popular area, but it's not now. It's a privileged area.” – Interviewee I

The response from Christiania regarding these concerns has been weak. Interviewee I spoke of how the economic interests that some of the residents have in Pusher Street prevent it from being shut down. Even if a majority want Pusher Street closed in Christiania, because there is no consensus within the community, a closure cannot happen. Interviewee I expressed his frustration of getting to anything to work or be passed at a community level, saying:

“We have a good relationship with individual Christianites. But when we have tried to collaborate with Christiania as a whole, it has never worked. Because I think that they have an exaggerated idea of their culture. Many Christianites think that the culture of Christiania is much more valuable than the culture of the rest of society.” – Interviewee I

This opinion is shared by Interviewee G, a long-time resident of Christianshavn who runs a business in Christiania. She talks of this bloated sense of identity of the Christianites as well as how, “neither the Christianshavns people nor the Christianites know so much about their neighbourhood.” When asked about any economic benefit she sees of running a business in Christiania, she says,

“We don't pay so much rent... You have very low rent because they want it to be developed. So, in the beginning, we pay very little, but now we pay more because we have heat. Yes, so everybody pays a little more and of course now we have been there for so many years. But the help we get is that it's not so expensive. But we don't get other help.”

Low rent is always helpful to any business but especially so when the wares being sold are those that help the community. Interviewee G's store is a handicraft shop that sells items made by artists who live in Christiania, among other wares.

The other interaction I would like to pick up on in this section is that of seeing Christiania as a symbolic player in the social housing discourse. Social housing in Denmark is built upon a few central ideas: that occupants rent the house and do not own it; tenant democracy; and that housing

is a commodity that should not be made for profit. These are progressive foundations for social housing and in Denmark, they are adhered to closely. But even the most progressive ideas can coalesce into dogma if the residents are not placed at the centre of the process. Interviewee C observes, when speaking about the social housing situation in Denmark,

“Twenty per cent of Danes live in social housing...But of course if you have such a construction [housing company] and it's 50 or 100 years old, even if it's very democratic, it can grow to be very conservative and stiffened. And if you want to change something, you know. it can be difficult.”

Christiania began as a slum stormer movement that advocated affordable housing, the need for green space close to housing and control over decisions that concerned one's home. It is a symbolic space because of the extent and power of the participation and decision-making that Christianites exercise. While their meetings deal with regular issues of housing maintenance, the scope of what they can bring up is broad enough to challenge ruling frameworks. Christianites have a lot of say in decisions made for their community through area meetings and the Common meeting. This gives residents in Christiania a high degree of control and participation over their lived space. Many respondents point to this particular aspect of living in Christiania as being radically different to any other affordable housing option. Christiania is a space that is able to give its residents actual participation opportunities. While public housing exists in a lot of places, people are not always in control of what they can do. In terms of Arnstein's ladder of participation, even in organizations where citizen participation is advertised, the actual degree of power that can be exerted by citizens through those mechanisms often range from tokenism to non-participation (Arnstein 1969). As pointed out by Interviewee J,

“When you make social housing where you want the people living there to have a possibility to rule the system, it's very, very difficult. The [possibility is of making a] democracy where you can choose the colour of the paint on the walls. But you can't in fact rule the system.”

What Christiania offers is a model to the rest of Danish society of what actual participation and control of one's living situation can achieve for residents. For Christiania, the influence exerted by residents on the space is evidently a result of the collective ownership they practise, initially in spirit, and now as actual owners. It is a powerful example and one that continues to evolve with the community.

4.2.3. LAND AND THE WELFARE STATE

Much has already been written on the entanglement between Christiania and the state in this thesis. This section will reflect on what the entire series of legal cases surrounding Christiania mean for the community. To understand Christiania within the urban context of Copenhagen, the history of its tolerance, acceptance and then rejection is crucial. We have looked at this change of attitude from the government in detail. This also begets the question of the change that is needed within Christiania as well. Outsider opinion of Christiania certainly believes that there is much that can be changed in order to be able to preserve what is truly radical about the space, as noted by Interviewee J.

“So Christiania needs new people because Christiania needs a future and young people who believe in the future and who can say to those old men, please move away. We will support and develop Christiania in a good way, so I think to try to answer your question, we need Christiania. Not in the way it’s running today, but we need to use the possibility of working with them in the future.”
– Interviewee J

We have seen that there are many frustrations that exist in the community between residents that have to do with the slow implementation of change in Christiania. With the legal proceedings having settled down, the ostensible change that most residents commented on was the existence of the Christiania Foundation. The existence of the Foundation is at one level a security measure for it ensures that residents no longer have to fear eviction. It has become a tangible symbol of the transformations that have occurred in Christiania over the last two decades. Opinions vary about the state’s handling of Christiania. Most actors outside of Christiania believe a very fair handling of the case has happened from the state’s side. Internal opinion varies from willingness to cooperate with the state, to apathy, claiming that they ultimately just want to go ahead with their lives. There remains a precarious balance between government intervention that people find positive and Christiania’s desire for autonomy that would prefer minimal government interference.

To take a step back and observe the normalization process in Christiania, we see that it isn’t a typical case of state-led gentrification. It would be reductive to assign the state the role of the negligent bigger power in this story. The Danish state has been very creative and taken precautions with urban renewal projects in Copenhagen to prevent gentrification. Take the case of a massive urban renewal project that took place in the neighbourhood of Vesterbro in

Copenhagen in the early 1990s. Rather than demolishing old buildings and paving the way for new private investment, old tenement buildings in the neighbourhood were rehabilitated with the help of government grants. This, often at more cost than what it would have been to demolish the building and build it anew. Further, in the case of Vesterbro local residents were involved in the drafting of the plans (Larsen and A.L. Hansen 2008). It was a “gentle and democratic creative destruction” of Inner Vesterbro (Larsen and A.L. Hansen 2008, p. 2430). This approach allowed residents to continue their lives in the neighbourhood without having to move for a long period of construction, safeguarding social ties and livelihood connections. While ambiguous state policies have still led to what is identified as “gentle” gentrification in Vesterbro, urban planning in Copenhagen continues to be strongly influenced by a welfarist tradition although with evident leanings towards the market in the present day. In the case of Vesterbro, urban renewal unintentionally paved the way for a social transformation of the space. An unintentional consequence like this cannot happen in Christiania with the present agreement though. The way it played out in Christiania, the change of ownership proposed by the government was not to take over the land to make it available for private speculative buyers. Rather, the intention was the construction of public housing, ensuring that parts of the ramparts remain publicly accessible. This means that within Christiania there will only be the collectively owned land by the Foundation and the public housing setup. What, then, was feared would be lost with normalization if, ostensibly, the plan seems to be beneficial to the larger public?

The answer boils down to Henri Lefebvre’s idea of the right to the city and which actors have the power to access and shape the city they live in. The question of land ownership and property rights is a central concern in the idea of the right to the city. In the history of capitalism, the defence and recognition of private property have been the dominant expectation of one’s rights in the city. Ownership of land assets within a city not only secures a residence and modes of livelihood but also makes one a player with stakes in the space. Ownership grants power to control how things happen within that contained space and allows one to exercise a degree of influence in how matters are conducted around the space owned. The problem with this logic is obviously that it excludes a great majority of people in cities that do not have access to resources that allows them to exercise this sway. For this section, of the population, decisions often end up getting made for them in a top-down fashion that often insinuates that they do not know what is best for them or openly ignores their needs for more profitable options. Individual ownership is presented as the only tool through which security can be bought and influence exerted in a space. But the benefits

of individual ownership are often not spoken of in terms of the path that one must tread in order to reach the end goal. The quest for ownership sees one entering debt relations with financial institutions, usually needing to finance all additional expenses on one's own and needing to adhere to the legal liabilities of ownership. As seen in the case of Christiania, ownership can be used as a tool of control.

To be clear, the intention of this argument is not to say that individual home ownership is a flawed concept. Rather, it is to point out that often individual home ownership is presented as the *only* tool to secure one's right to the city. The problem with the 2004 normalization plan in Christiania was that it not only presented one prototype of what public land should look like but also one idea of how the right to the city should be expressed. A place like Christiania existing in the middle of a city so influenced by market-driven forces then becomes a spatial reminder of an alternative method of city-building. The city can either "belong" to one through the effects of ownership or it can belong to one through shared experiences that end up building communities. Christiania's way of living, which saw the land being collectively occupied, illustrated an image of a collective right to the city. It showed a city that ordinary people could have access to as opposed to a city accessible only to the capital-driven private players. As A.L. Hansen (2011) points out, Christiania is fighting for its version of the right to the city, one premised on collective rights and sharing of resources and shared ownership of housing.



05

DISCUSSION AND CONCLUSION



5. DISCUSSION AND CONCLUSION

REBELLION, AUTONOMY AND PARTNERSHIP: THE MANY INTERACTIONS BETWEEN CHRISTIANIA AND THE DANISH STATE

In considering the development of this remarkable story, what is noticeable is that the interaction between Christiania and the state has been constantly evolving. From moments of open rebellion that saw the community's genesis to the assertion of their desire to be autonomous from the state and self-govern, to the many everyday participatory interactions between Christiania and state machinery that include joint art ventures, rehabilitation programmes and much more. It is seen as a space for people who are politically deviant ("anarchist" is a word sometimes used to describe the community), socially deviant for wanting to live in a way that veers away from middle-class morality, and also economically deviant for being a squatter community that refused to move out from land that was deemed prime real estate. A more apt recognition of the situation would be to acknowledge that Christiania's relation with the state is a simultaneous coexistence of rebellion, autonomy from it and partnership with it.

A complex picture of the relation between the state and Christiania arises from the above analysis. The welfare state is an integral node in the existence and development of Christiania. But as we have seen, it often acts as both defender and perpetrator based on internal political sways in the state machinery. In the case of the 2004 Amendment, we have seen that there is a particular and inflexible idea of development that it pushed when dealing with Christiania. What is important to recognize is the fact that all landed property is tied to state-making and only exists within the realm of the state's recognition. Therefore, even though Christiania has been approached as a multifaceted problem of legality, the underlying basis of all these claims is a land dispute. With all the legal developments, although there is written assurance of the uniqueness of Christiania being preserved, there is no denying that long-term institutional linkages have been established with the state that will push change in Christiania. For Christianites the need to adapt to the new normal was initially set up against the question of survival. The pressure that those interventions brought into the community have left more of an impact on its psyche than on the physical space. Residents preferred an agreement for normalization than risk losing their homes entirely. The new normalization plan has pushed Christiania towards a neoliberal framework for their land is now a commodity with a value, even if it is still collectively owned.

One way in which the legal framing of the case was done was positing it as a fight for the state to gain control of the land so that it could be used for the general public. In this framing, Christiania was cast as an illegal private player on the land. The nuance missed in this framing was the existence of Christiania as a space of informal collective ownership. With the agreement in 2011, this form of ownership was formalized and safeguarded with the establishment of the Christiania Foundation. With the Christiania Foundation, bringing Christiania to the negotiating table has become a much easier task for the government. From the perspective of the community, the Foundation presents itself as a middle-ground solution. For while the land they occupied has now come under ownership, the Foundation maintains the extant collective sense of the land belonging to all and diverts individual interests in private ownership. If the agreement had not taken place and had the land become fully publicly owned, it would have led to predictable measures in the area such as formally designating it as publicly accessible, and the land being used for the construction of public housing. But in preserving the Christiania way of living, a model for strong citizen agency has been safeguarded. As we have seen, their collective ownership has radical potential in guiding system change and in transforming governance models.

The subversive potential held in the institution of Christiania's consensus democracy is a strong model for citizen-led participation in governance. Given the size of the community, all opinions expressed at the Common meeting would be heard and effectively implemented in community guidelines going forward. If we are to measure it against the ladder of citizen participation (Arnstein 1969), one can say that citizen participation through mainstream democratic processes often only allows for tokenism. In a case like Christiania's, power is decentralized to allow for citizen control of their neighbourhood. And so, read as a powerful alternative housing solution, Christiania demonstrates that people want to be able to exercise true participation in decisions regarding their neighbourhoods and homes. It is a measure of authority that many residents in social housing projects lack, with important decisions often informed to them after they are decided by housing boards.

This case is also a reminder of how political the question of land ownership really is. Within a capitalist system, land is used to compound wealth. The deprivation of land often sticks one in poverty for it is an important resource for wealth production. Ownership is also an important way by which agency is granted. In the case of Christiania, while ownership has certainly safeguarded the homes of the residents it has also been used as a tool for controlling the space. Through the debt relation entered to initiate ownership and with the legal requirements of

becoming an owner, control is exerted by the state even in ownership. For the citizens, the changed relation with the state has also meant that there is more self-monitoring and preemptive measures taken by the residents so as not to warrant further attention. Christiania becomes a good of example to challenge entrenched notions of the rights and privileges that are imagined to be had with ownership.

An overview of the case also points to the gap that exists between ownership of a space and the feeling of possession over of it. On a financial level, protection of the land from increasing market prices allows people to live in a space without having to worry about being priced out. Collective ownership models like the one in Christiania ensure this by keeping the land away from market speculation. Socially, this means that people are likely to invest in the space around them and not have to be worried about gentrification-led displacement. Socially, we have seen that if land is not truly occupied by a community, cities are often left with ghetto spaces. Within Copenhagen, Christiania has remained a vibrant and welcoming space, despite their lack of formally planned spaces. This is because of the social capital they possess as a community and the flexibility with which they shape the space around them to become whatever they need because of a history of being thrifty and innovative in resource-strapped situations.

Summing up some of these strengths of Christiania as a space is also a good moment to acknowledge that these are not diktats to be ossified and replicated elsewhere. These have worked in Christiania because of its underlying consensus democracy structure that has seen change in the community being weighed by all before implementation. It is therefore a very dynamic set up. At times the difficulty to reach a decision is also seen to be paralyzing for the community, and sometimes even divisive. These points have proven to be important moments of reflection for residents as they are able to admit the need for change even within the community.

To conclude, the findings show how publicly owned land and collectively owned land fulfil different criteria in an urban space and that there is a need and space for both. Collective ownership often complements the intent of public action and directly addresses the change that was intended. In the case of Christiania, the narrative around the land was politically charged and it therefore became an ideological battleground before it was considered as a land deal. By acknowledging and studying the internal governance and management practices of the community, we have seen that the alternative spatial and economic measures that make Christiania distinct are rooted in the robustness of its internal democracy. The most interesting

development in the space that is yet to come and will hugely impact the space in the future is the introduction of a large number of residents who have not been associated with Christiania, as a result of the latest state agreements. It remains to be seen how this will affect the governing practices and social economy of the space. The governing structure of Christiania will hopefully remain as flexible and resilient as it has proven itself to be over the years. The undeniable victory from the legal cases is that Christiania continues to exist today, even if in a very changed form. And in its existence, there is promise for future alternative communities.



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Image credits

Figure 2: "Freetown Christiania - entrance / exit", author: Neptuul; Wikimedia Commons.

https://commons.wikimedia.org/wiki/File:Christiania_in.jpg

Figure 8: Copenhagen Commune Plan for Christiania: Forslag til lokalplan "Christiania" med kommuneplantillæg" vedtaget af København Borgerrepræsentation i ("Proposal for local plan "Christiania" with municipal plan supplement"). Københavns Kommune, 2008.

Figure 9: Besvarelse vedrørende ulovlige boliger på Christiania ("Answer regarding illegal housing in Christiania"). Bygge-, Parkerings- og Miljømyndighed. Case F2 2022-12904. 13 September 2022.

APPENDICES



APPENDIX A: TIMELINE OF EVENTS IN CHRISTIANIA

Year	Occurrence
1971	Sep 26: Birthday of Christiania
1971	Nov: Police decide to give up ineffective attempts to prevent youngsters from settling in Christiania
1972	May 31: First treaty between Christiania and the state was signed. The Ministry of Defense allows residents to remain in Christiania temporarily. Given the govt-approved status of 'social experiment'
1973	'Earthquake election' of 1973. 3 right-wing parties have the parliamentary majority – the Progress Party (Fremskridtspartiet), the Centre Democrats (Centrumdemokraterne) and the Christian Democrats (Kristeligt Folkeparti)
1975	Proposal put forward by the Progressive Party to shut down Christiania by 1 April 1976 passed by a majority in parliament. Christiania files a lawsuit against the state.
1976	20,000 people in front of the Copenhagen town hall to protest the closing of Christiania. Parliament decided to postpone the scheduled eviction
1978	Christiania loses the case against the state in the Supreme Court. However, a majority in parliament decided to preserve the Freetown for another 2–3 years.
1979	By the late 1970s the support for Christiania had become so widespread, that a prominent criminologist, Flemming Balvig, referred to it as 'a people's movement'.
1979	'Junk Blockade' set up by a faction of Christianites to rid the area of hard drugs.
1980	Battle of Byggeren. Byggeren a large self-governed playground and recreational area in the neighbourhood of Nørrebro. Thousands demonstrated to resist the police and bulldozers that were sent to clear the ground. Christiania members were a prominent part of this protest.
1986	Left government urges the Conservative minority to find a way to legalize Christiania. Signals a political dialogue with intentions of a mutually acceptable agreement. Subject of negotiation includes building maintenance and regulations, unlicensed pubs, payment of rent and the sale of hash.
1987	An action plan is drawn up to normalize and legalize Christiania. A steering group is set up to mediate contact between Christiania and the state.
1989	Christiania Act passed

1991	Framework Agreement (Rammeaftalen) drawn up. It allows the area to secure 'maximum self-administration'. Christiania publishes Den grønne plan (The Green Plan, 1991) as an alternative to the city's local plan.
2004	Law about the change of law about the use of the Christiania area passed. It cancelled the earlier 1989 Act, terminating their right of use of the land. Responsibility for Christiania passes from the Ministry of Defense to the Ministry of Finance , which passes it on to the Danish Palaces and Estates Agency.
2006	In 2006, Christiania filed a case against the state at the Palace and Estates Authority (Slots- og Ejendomsstyrelsen, SES) in the High Court saying that the termination of their right of use is illegal..
2009	High Court states in its judgment that it is the state that has the right of use to the Christiania area and that the notice of termination of one and a half years was in order.
2011	The Supreme Court upholds the judgment of the High Court.
2013	Christiania Act officially repealed on 15 July 2013
2022	New agreement signed with the The Ministry of Social Affairs, Housing and the Elderly (Social-, Bolig- og Ældreministeriet). The Fristaden Christiania Foundation has agreed to, among other things, to buy Christianshavns Vold - against opening up the area and building 15,000 square meters of public housing.

APPENDIX B: OVERVIEW OF INTERVIEWEES

	Role	Length of interview	Setting
<i>Interviewee A</i>	Christiania resident of 40 years and actively engaged with the Christiania currency (løn)	40:15	In person
<i>Interviewee B</i>	Christiania resident and member of the Economy Office of Christiania	05:11	In person
<i>Interviewee C</i>	Christiania resident of 15 years and member of the Building Office of Christiania	54:42	In person
<i>Interviewee D</i>	Christiania resident of 30 years and volunteer tourist guide of Christiania	28:42	In person
<i>Interviewee E</i>	Christiania resident of 30 years and member of Den Grønne Genbrugshal board (a cooperative construction business in Christiania)	53:14	In person
<i>Interviewee F</i>	Christiania resident, member of the Contact Group and Christiania information office	56:20	In person
<i>Interviewee G</i>	Christiania resident of 42 years and business owner in Christiania	14:17	In person
<i>Interviewee H</i>	Christianshavn resident and cooperative business member in Christiania	01:00:42	In person
<i>Interviewee I</i>	Christianshavn resident and spokesperson for the group Christiania Naboer ("Christiania's Neighbours")	47:11	In person
<i>Interviewee J</i>	Member of Foldschak and Forchhammer, the legal team representing Christiania	40:17	In person
<i>Interviewee K</i>	Cultural studies academic specializing in Danish cultural studies	34:50	In person
<i>Interviewee L</i>	Executive member of Bristol Pay (a complementary currency programme in the UK)	01:07:27	Online
<i>Interviewee M</i>	Executive member of Chiemgauer (a complementary currency programme in Germany)	01:06:25	Online
<i>Interviewee N</i>	Member of the Unterguggenberger Institute, Austria, a non-profit organization that works with alternative economy.	01:04:34	Online

APPENDIX C: LIST OF DOCUMENTS USED FOR DOCUMENT ANALYSIS

The following is the full list of legal documents and related reports used for this study. They are listed with their original Danish titles with English translations provided in brackets for comprehension.

1. ACT no. 399 of 07/06/1989: Lov om anvendelse af Christianiaområdet ("Act on the use of the Christiania Area"). 1989. <https://www.retsinformation.dk/eli/lta/1989/399>.
2. ACT no. 431 of 09/06/2004: Lov om ændring af lov om anvendelse af Christianiaområdet (Ændret formål og ejerskab til området m.v.) ("Act amending the Act on the use of the Christiania area [Changed purpose and ownership of the area, etc.]"). 2004. <https://www.retsinformation.dk/eli/lta/2004/431>.
3. 2003/1 SF.L 205: Skriftlig fremsættelse ("Written presentation of legislative proposal). Submitted by the Minister of Defense on 31 March 2004.
4. 2003/1 LSF 205: Forslag til Lov om ændring af lov om anvendelse af Christianiaområdet ("Proposals to Act amending the Act on the use of the Christiania area"). Submitted by the Minister of Defense on 31 March 2004.
5. 2003/1 BTL 205: Betænkning over Forslag til lov om ændring af lov om anvendelse af Christianiaområdet ("Report on proposal for a law amending the law on the use of the Christiania area"). Report submitted by the Defense Committee on 13 May 2004.
6. 2003/1 TBL 205: Tillægsbetænkning over Forslag til lov om ændring af lov om anvendelse af Christianiaområdet ("Supplementary report on proposal for a law amending the law on the use of the Christiania area"). Supplementary report submitted by the Defense Committee on 27 May 2004.
7. Finance Committee (2nd meeting). Act no. 86 - § 7 Appendix 1. Aftale mellem Christiania og Staten ("Agreement between Christiania and the State"). Slots og Ejendomsstyrelsen – Finansministeriet. October 2007.
8. Forslag til lokalplan "Christiania" med kommuneplantillæg: Bilag 4 ("Proposal for local plan "Christiania" with municipal plan supplement: Appendix 4"). Københavns Kommune. 2008.
9. ACT no. 1541 of 21/12/2010: Lov om ændring af lov om anvendelse af Christianiaområdet (Ændring af revisionsbestemmelse m.v.) ("Act amending the Act on the use of the Christiania area [Amendment of audit provisions, etc.]"). 2010.
10. 2010/1 SF.LL 35: Skriftlig fremsættelse ("Written presentation of legislative proposal). Submitted by the Minister of Finance on 14 October 2010.

11. 2010/I LSF 35: Forslag til Lov om ændring af lov om anvendelse af Christianiaområdet ("Proposals to Act amending the Act on the use of the Christiania area [Amendment of audit provisions, etc.]). Submitted by the Minister of Finance on 14 October 2010.
12. 2010/I BTL 35: Betænkning over Forslag til lov om ændring af lov om anvendelse af Christianiaområdet (Ændring af revisionsbestemmelse m.v.) ("Report on proposal for a law amending the law on the use of the Christiania area[Amendment of audit provisions, etc.]). Report submitted by the Defense Committee on 2 December 2010.
13. Aftale mellem Christiania og Staten ("Agreement between Christiania and the State"). Agreement entered into by the state represented by the Palace and Properties Agency (Slots- og Ejendomsstyrelsen) and the Christiania Negotiating Group after authorization from the Common Meeting. 22 June 2011.
14. ACT no. 390 of 02/05/2012: Lov om ændring af lov om anvendelse af Christianiaområdet (Ændring af revisionsbestemmelse m.v.) ("Act amending the Act amending the Act on the use of the Christiania area [Amendment of audit provisions]"). 2012.
15. ACT no. 643 of 12/06/2013: Lov om ophævelse af lov om anvendelse af Christianiaområdet ("Act on the repeal of the Act on the use of the Christiania area"). 2013. <https://www.retsinformation.dk/eli/lta/2013/643>.
16. 2012/I SF.LL 179: Skriftlig fremsættelse ("Written presentation of legislative proposal"). Submitted by the Minister for Climate, Energy and Construction on 13 March 2013.
17. 2012/I LSF 179: Forslag til Lov om ophævelse af lov om anvendelse af Christianiaområdet ("Proposals to Act on the repeal of the Act on the use of the Christiania area"). Submitted by the Minister for Climate, Energy and Construction on 13 March 2013.
18. 2012/I BTL 179: Betænkning over Forslag til lov om ophævelse af lov om anvendelse af Christianiaområdet ("Report over Proposal for a law on the repeal of the law on the use of the Christiania area). Report submitted by the Climate, Energy and Building Committee on 23 May 2013.
19. Aftale mellem regeringen (Socialdemokratiet), Dansk Folkeparti, Socialistisk Folkeparti, Enhedslisten og KristenDemokraterne om: Fonden for blandede byer – flere billige boliger og en vej ud af hjemløshed ("Agreement between the government [Social Democrats], the Danish People's Party, Socialist People's Party, Enhedslisten and the Christian Democrats about: The Foundation for Mixed Cities – more affordable housing and a way out of homelessness"). 26 November 2021.

20. Besvarelse vedrørende ulovlige boliger på Christiania ("Answer regarding illegal housing in Christiania"). Københavns Kommune. Case number in F2: 2022 - 12904; Case number in eDoc: 2022-0272407. 13 September 2022.
21. Tillægsaftale mellem Fonden Fristaden Christiania og staten ("Supplementary agreement between the Foundation Fristaden Christiania and the state"). Agreement entered into by the state represented by the Housing and the Danish Planning Agency (Bolig og plantyrelsen) and the Ministry of Interior and Housing (Indenrigs og boligministeriet). 30 August 2022.
22. Folketinget committee processing. Questions regarding Act no. 89 Document on agreement between Christiania and the Danish Palaces and Properties Agency on the future use of the Christiania area. <https://www.ft.dk/samling/2011/aktstykke/Aktstk.89/spm.htm>. 2011-12.
23. "Christiania Guide". Written, photographed and published by christianites. Translated by Susanne Jacobi. 2005.



APPENDIX D: SUMMARIES OF RELEVANT DANISH STATE DOCUMENTS

These are excerpts taken from the English translations of the original Danish documents.

1. THE FUND FOR MIXED CITIES – MORE AFFORDABLE HOUSING AND A WAY OUT OF HOMELESSNESS

Date: 26 November 2021

Danish: Aftale mellem regeringen (Socialdemokratiet), Dansk Folkeparti, Socialistisk Folkeparti, Enhedslisten og KristenDemokraterne
om: Fonden for blandede byer flere billige boliger og en vej ud af hjemløshed
af 26. november 2021

Issued by: Indenrigs- Og Sundhedsministeriet (Ministry of the Interior and Health)

- A number of new initiatives which will promote the construction of public housing in order to counteract the trend towards division in the cities.
- The agreement must support that the general building activity is accompanied by well-thought-out architectural solutions, just as an elderly-friendly design of the urban spaces must be prioritized.
- The newly established "Fund for mixed cities" receives a total of DKK 10,000 million. DKK from the Nybyggerifonden. In the period 2022-2031, DKK 5,000 million can be set aside. DKK for the following purposes:
 - 100 million DKK for sustainable public housing - both in the form of new construction and in the form of renovation
 - 50 million DKK for pilot projects with adaptation of public housing and residential areas to the needs of the elderly
 - 5 million DKK for the preparation of new categories of available housing and the collection of data regarding available housing
 - 20 million DKK for more public housing on the small islands and larger islands
 - 900 million DKK for a one-off subsidy for the establishment of especially cheap family homes
 - 150 million DKK for temporary subsidy for the reduction of the rent in certain general family housing for the benefit of housing seekers with an urgent housing need and low ability to pay
 - 422 million DKK for densification of existing public family housing units with new public housing
 - 778 million DKK for land purchase loans for the establishment of public housing in areas where the total land costs do not enable construction within the maximum amount

- 675 million DKK for the acquisition and conversion of commercial properties into public housing
- 870 million DKK for the acquisition of existing residential properties
- 5 million DKK for guidance on community-oriented housing solutions
- 2 million DKK for analyses, etc. for use of the funds in the fund for mixed cities.
- A new land purchase loan scheme to support new public housing in areas with land prices above that are above the public housing organizations' ability to pay.
- Conversion of commercial properties and residential rental properties into public housing. A good way to ensure that new public housing can be established in place with a central and attractive location.
- Densification with new public housing i.e. establishing new public housing in existing public housing sections.
- More student housing and dormitories.
- Faster construction of public housing: task force to be set up for it.
- Public housing in Christiania
- More public housing on the smaller and larger islands
- Alleviation of homelessness: Funds for rent subsidies to ensure the availability of very cheap public housing for those with the lowest ability to pay.
- More homes for the elderly; elderly-friendly cities and housing with better accessibility for people with disabilities.
- A national architecture policy to go hand-in-hand with all the new building activity, with a focus on life lived, quality and climate.
- Reorganizing the operating support system under the Landsbyggefonden.

2. ACT ON THE USE OF THE CHRISTIANIA AREA (1989)

ACT no. 399 of 07/06/1989

Date: 7/06/1989

Danish: Lov om anvendelse af Christianiaområdet

Issued by: Indenrigs- og Boligministeriet (Ministry of the Interior and Housing⁹)

⁹ The Ministry of the Interior was changed to the Ministry of the Interior and Health as a result of the formation of a new government on 15 December 2022. Businesses belonging to the former ministry was transferred to respectively The Ministry of the Interior and Health, the Ministry of Social Affairs and Housing and the Ministry of the Church.

- The purpose of the Act is to enable the use of the Christiania area in accordance with the national plan directive and the local plan which the Minister for the Environment issues for the area.
- The Ministry of Defense may allow that
 - 1) buildings and areas are used for mixed residential and workshop purposes with the possibility of placing service functions such as shops and restaurants as well as institutions etc. that are compatible with the area's distinctive features, as public recreational area or for other purposes,
 - 2) buildings are erected, remodeled or demolished, or
 - 3) stalls, sheds, sheds, caravans, fences or other objects are placed outside the buildings.
- The Minister of Defense may set conditions for the permit.
- The Minister of Defense may reserve the right to revoke the permit. The permit can be revoked if the terms of the permit are violated. The permit can be time-limited.
- If the Minister of Defense does not allow the buildings or areas to be used for housing or other purposes, anyone who resides in or uses them must vacate or cease use within a period determined by the Minister of Defence.
- The Municipality of Copenhagen must, within 6 months from the submission of an application for replacement housing, offer replacement housing to anyone who has to vacate their home in accordance with § 4, subsection 1, and who, when the bill was presented, was registered in the population register with permanent residence in Christiania. However, the obligation to offer replacement housing only applies if the person in question is 18 years old at the time of moving out and either:
 - 1) has Danish citizenship,
 - 2) is in possession of an EC residence permit,
 - 3) is covered by the Nordic Convention on Social Security or
 - 4) has a residence permit according to §§ 7, 8 or 9, subsection of the Aliens Act. 2, No. 2.
 - The Minister of Defence's decisions according to the law must be in accordance with the local plan for the area.
 - The Minister of Defense may request the police to provide the necessary assistance in the exercise of powers pursuant to § 4, subsection 1 and 3, and § 6, subsection 2-4.

3. ACT AMENDING THE ACT ON THE USE OF THE CHRISTIANIA AREA (CHANGED PURPOSE AND OWNERSHIP OF THE AREA, ETC.) (2004)

ACT no. 431 of 09/06/2004

Date: 9 June 2004

Danish: Lov om ændring af lov om anvendelse af Christianiaområdet

(Ændret formål og ejerskab til området m.v.)

Issued by: Indenrigs- og Boligministeriet (Ministry of Interior and Housing)

3.1. COMPARISON OF THE 1989 ACT AND 2004 AMENDMENT

Act on the Use of the Christiania Area, 1989	Act amending the Act on the use of the Christiania area: Changed purpose and ownership of the area, etc., 2004
<p>§ 1. The purpose of the Act is to enable the use of the Christiania area in accordance with the national plan directive and the local plan which the Minister for the Environment issues for the area.</p>	<p>§ 1. The purpose of the Act is to enable the development of the Christiania area as a sustainable neighbourhood in Copenhagen in accordance with the planning carried out for the area.</p> <p>PCS. 2. The Act specifically aims to ensure,</p> <p>1) that the part of the main rampart and outer rampart of Christianshavn's Wall,...be restored as a unified recreational, landscaped area, taking into account the historical design of the memory of the past,</p> <p>2) that the areas in Ulrich's, Sophie Hedevig's and Vilhelm's Bastions as well as the areas between these are maintained and developed as a residential area, taking into account both the area's location on the historical memory and the area's distinctive cultural environment,</p> <p>3) that the part of the Christiania area that is not covered by no. 1 or 2 be developed as a mixed residential and business area through renovation and conversion, demolition and new construction as well as improvement of open spaces, taking into account the area's special architectural and cultural-historical values, and</p> <p>4) that a change of ownership of buildings and land in the area is carried out.</p>
<p>§ 2. The Act applies to the area on which the Bådsmadsstrædes Barracks and Ammunitionsarsenalet were located, as well as to the part of Naval Station Copenhagen to which there is public access (Christiania).</p> <p>PCS. 2. The Act does not apply to the part of the area which is leased to Copenhagen Municipality.</p>	<p>§ 2. The Act applies to the Christiania area, cf. Annex 1 of the Act.</p> <p>PCS. 2. The Act does not apply to the parts of the area which are transferred in accordance with § 8.'</p> <p>After § 2, insert:</p> <p>"§ 2 a. Rights of use for buildings or land in the Christiania area must be notified to the Ministry of Defense no later than 1 January 2005. The Minister of Defense can postpone it in the 1st point. mentioned period with up to 6 months.</p> <p>PCS. 2. The notification must be in writing and accompanied by documentation for the right of use. It must also be stated in the notification which building or part of a building or which area the right of use covers.</p> <p>PCS. 3. Rights of use which have not been notified within the period in subsection 1 stated period, cannot be asserted after the period has expired.</p>

Act on the Use of the Christiania Area, 1989	Act amending the Act on the use of the Christiania area: Changed purpose and ownership of the area, etc., 2004
<p>§ 3. The Minister of Defense may allow that:</p> <p>1) buildings and areas are used for mixed residential and workshop purposes with the possibility of placing service functions such as shops and restaurants as well as institutions etc. that are compatible with the area's distinctive features, as public recreational area or for other purposes,</p> <p>2) buildings are erected, remodeled or demolished, or</p> <p>3) stalls, sheds, sheds, caravans, fences or other objects are placed outside the buildings.</p>	<p>PCS. 4. The Minister of Defense announces acceptance or rejection of the notification.</p> <p>§ 3. The Minister of Defense can terminate rights of use for buildings and land in the Christiania area with appropriate notice.</p> <p>PCS. 2. The Minister of Defense can grant permission for the use of specific buildings and areas.</p> <p>PCS. 3. The Minister of Defense may allow,</p> <p>1) that buildings are constructed, remodelled or demolished, and</p> <p>2) that stalls, sheds, sheds, caravans, fences or other objects are placed outside the buildings.</p> <p>PCS. 4. The Minister of Defense may set conditions for the permit.</p> <p>PCS. 5. The Minister of Defense may reserve the right to revoke the permit. The permit can be revoked if the terms of the permit are violated. The permit can be time-limited.</p> <p>PCS. 6. The Minister of Defense may terminate permits with appropriate notice.</p> <p>PCS. 7. The Minister of Defense may decide that buildings that may not be used for housing or other purposes must be rebuilt or demolished.</p> <p>PCS. 8. The Tenancy Act and the Business Tenancy Act do not apply to rights of use pursuant to permits granted pursuant to subsection 2.</p> <p>PCS. 9. The provisions on the demolition of dwellings in Section 46 of the Housing Regulation Act do not apply upon termination of rights of use and permits pursuant to subsection 1, 5 and 6.</p>
<p>§ 4. If the Minister of Defense does not allow the buildings or areas to be used for housing or other purposes, anyone who resides in or uses them must vacate or cease use within a period determined by the Minister of Defence. The Minister of Defense can, without the assistance of the bailiffs, have persons who do not want to leave the buildings or areas removed from the area.</p> <p>PCS. 2. If the Minister of Defense does not allow stalls, sheds or other objects to be placed on the land, the owner or user must remove the objects within a time limit set by the Minister of Defence.</p>	<p>§ 4., subsection 1, 2. pt., is repealed.</p>

Act on the Use of the Christiania Area, 1989	Act amending the Act on the use of the Christiania area: Changed purpose and ownership of the area, etc., 2004
<p>§ 5. The Municipality of Copenhagen must, within 6 months from the submission of an application for replacement housing, offer replacement housing to anyone who has to vacate their home in accordance with § 4, subsection 1, and who, when the bill was presented, was registered in the population register with permanent residence in Christiania. However, the obligation to offer replacement housing only applies if the person in question is 18 years old at the time of moving out and either:</p> <ol style="list-style-type: none"> 1) has Danish citizenship, 2) is in possession of an EC residence permit, 3) is covered by the Nordic Convention on Social Security or 4) has a residence permit according to § 7, 8 or 9, subsection of the Aliens Act. 2, No. 2. <p>PCS. 2. Replacement housing must, as far as possible, meet the requirements specified in the Urban Renewal and Home Improvement Act § 38, subsection 1.</p> <p>PCS. 3. The provisions in the Urban Renewal and Home Improvement Act § 42, subsection 1-4 and 7-12, §§ 43 and 86 apply accordingly.</p>	<p>§ 5. The Municipality of Copenhagen must, within 6 months from the submission of an application for replacement housing, offer replacement housing to anyone who has to vacate their home pursuant to § 4, subsection 1, and who is registered in the national register with permanent residence in Christiania. The duty to offer replacement housing only applies, however, if the person in question is 18 years old at the time of moving out and has had his right of use registered in accordance with § 2 a.</p> <p>PCS. 2. The assigned replacement home must be of suitable size, location, quality and equipment. The home is of an appropriate size when it has either one more room than the number of household members or the same number of rooms as the household's previous home.</p> <p>PCS. 3. The provisions in the Act on Urban Renewal and Development of Cities § 64, subsection 1-5, §§ 65 and 66 and § 105, subsection 1 and 3, apply accordingly.</p> <p>PCS. 4. Residents who must be assigned replacement housing, cf. subsection 1, has the right to reimbursement of reasonable and documented moving expenses. An application for relocation allowance is submitted to Copenhagen Municipality, which calculates and pays out the allowance.</p> <p>PCS. 5. The Municipality of Copenhagen provides compensation to companies that must vacate their premises pursuant to section 4, subsection 1. However, the company is only entitled to compensation to the extent that the company is continued and it is documented that a loss has been suffered that could not reasonably have been avoided.</p> <p>PCS. 6. Compensation according to subsection 5 is provided to cover</p> <ol style="list-style-type: none"> 1) loss of inventory and installations, 2) operating loss during the relocation period, 3) moving expenses and 4) reasonable expenses for expert assistance. <p>PCS. 7. Copenhagen Municipality's decision pursuant to subsection 5 can be brought before the assessment authorities referred to in the Public Roads Act. Complaints to the assessment authorities must be submitted within 4 weeks of the complainant being notified of the decision.</p> <p>PCS. 8. The Minister of Defense reimburses Copenhagen Municipality's expenses for the provision and designation of</p>

Act on the Use of the Christiania Area, 1989	Act amending the Act on the use of the Christiania area: Changed purpose and ownership of the area, etc., 2004
<p>§ 8. Rules in the legislation on conservation, on the use of land and on the construction, furnishing, use, conversion and demolition of buildings do not apply to the area of the Act. However, the planning legislation applies to the extent that it is necessary for the planning that the Minister of the Environment prepares for the area, cf. § 1. The Minister of Defense exercises the powers which according to the planning legislation belong to municipal authorities.</p> <p>PCS. 2. The Minister of Defense should obtain an opinion from the relevant expert authorities before a decision is made in accordance with the law.</p> <p>PCS. 3. The Minister of Defence's decisions according to the law must be in accordance with the local plan for the area.</p>	<p>replacement housing as well as for relocation allowance and reimbursement pursuant to subsection 5.</p> <p>§ 8. The Minister of Defense is authorized to hand over the part of the Christiania area which includes the ancient memorial to a public authority, cf. except subsection 2.</p> <p>PCS. 2. Before transfer pursuant to subsection 1, the Minister of Defense may sell government buildings on land covered by § 1, subsection 2, no. 2, as social and cultural considerations can be taken into account in the disposal. The access is registered according to the Land Registration Act's rules on buildings on leased land.</p> <p>PCS. 3. For the part of the Christiania area that is not covered by subsection 1, the Minister of Defense is authorized to sell properties, as social and cultural considerations can be taken into account during the disposal.</p> <p>After section 8, insert:</p> <p>§ 8 a. The Minister of Defense is authorized to transfer the administration of the state's ownership of the Christiania area to a state institution. The institution takes over the powers and obligations that according to § 2 a, subsection 1, 1st point, and subsection 2-4, and §§ 3-8 and 10 belong to the Minister of Defence.</p> <p>PCS. 2. The Minister of Defense cannot issue service orders regarding the institution's handling and decision-making of individual cases.</p> <p>PCS. 3. The institution's decisions cannot be appealed to another administrative authority.</p> <p>PCS. 4. The Minister of Defense lays down the detailed rules on the institution's tasks, board, budget, etc. The Minister of Defense can appoint a board of directors for the institution.</p>
<p>§ 9. The Minister of Defense may lay down detailed provisions on the implementation of the law's rules, including on the participation of the Municipality of Copenhagen pursuant to § 5, on setting up a special steering council, on the establishment of a secretariat and on the representation of residents before the authorities.</p>	<p>§ 9. "on setting up a special steering council, on establishing a secretariat" is deleted.</p>
<p>§ 10. The Minister of Defense may request the police to provide the necessary assistance in the exercise of powers pursuant to § 4, subsection 1 and 3, and § 6, subsection 2-4. The Minister of Justice can, after</p>	<p>In §10, "1 and" are deleted.</p> <p>After section 10, insert:</p>

Act on the Use of the Christiania Area, 1989	Act amending the Act on the use of the Christiania area: Changed purpose and ownership of the area, etc., 2004
negotiation with the Minister of Defence, lay down detailed rules in this regard.	"§ 10 (a). Lawsuits for review of decisions on matters covered by this Act must be brought within 6 months after the decision has been announced. The Minister of Defense may, upon application, in special cases grant a dispensation from the provision in the 1st point. Application for dispensation must be submitted within the period in the 1st point. said deadline.
<p>§ 11. Unless a higher penalty is due under other legislation, the person who:</p> <p>1.1) without the Minister of Defence's permission uses land or uses, constructs, rebuilds or demolishes buildings or sets up stalls, sheds or other objects as mentioned in section 3, subsection 1,</p> <p>1.2) overrides conditions that the Minister of Defense has set pursuant to section 3, subsection 2,</p> <p>§ 11. PCS. 3. For violations committed by a limited liability company, limited liability company, cooperative or similar, the company may be held liable for fines.</p>	<p>§ 11. Subsection 1, no. 1, shall read as follows:</p> <p>"1) without the Minister of Defence's permission, they carry out in subsection 2 and 3 mentioned actions,'.</p> <p>In section 11, subsection 1, no. 2, is changed to "§ 3, subsection 2,' to: '§ 3, subsection 4</p> <p>PCS. 3, shall read as follows: "PCS. 3. Companies etc. (legal persons) may be held criminally liable according to the rules in Chapter 5 of the Criminal Code.'</p>

4. ACT AMENDING THE ACT ON THE USE OF THE CHRISTIANIA AREA (AMENDMENT OF AUDIT PROVISIONS ETC.) (2010)

ACT no. 1541 of 21/12/2010

Date: 21 December 2010

Danish: Lov om ændring af lov om anvendelse af Christianiaområdet

(Ændring af revisionsbestemmelse m.v.)

Issued by: Indenrigs- og Boligministeriet (Ministry of Interior and Housing)

This law postpones the planned audit by one year. The postponement is due to the fact that Christiania had filed a case against the state at the Danish Land and Property Agency in connection with the implementation of the Amendment Act. The Supreme Court was expected to make a decision regarding this case in February 2011.

In addition, the law contains a technical amendment to section 11 of the Act on the use of the Christiania area, as a section reference was missing in the latest revision.

5. AGREEMENT BETWEEN CHRISTIANIA AND THE STATE (2011)

Date: 22 June 2011

Danish: Aftale mellem Christiania og staten

Based on the Christiania Act, the state and Christiania entered into the following agreement to transfer the Christiania area to a new fund.

- With the agreement, the financial basis is secured so that the residents can stay in the area, the commercial, social and cultural activities can continue and develop, while making sure the heritage of Christianshavn's ramparts is protected.
- The agreement requires Christiania establishes a fund, which will be the owner and tenant of buildings and plots of land at Christiania. The purpose of the foundation is to maintain Christiania as an alternative residential and business area. The foundation must ensure good and trusting cooperation between Christiania and the authorities.
- The foundation's board is made up of five people resident in Christiania and six independent people who are not residents of Christiania, but who have special professional knowledge of building conditions, economy, culture, social conditions, law, environment and sustainability. The foundation's board is responsible for implementing the elements of the agreement that are linked to the foundation, including administration of the housing allocation.
- With the agreement, Fonden Fristaden Christiania buys the buildings and land that the state owns and that the state has the option to sell within the legislation. Where the land under the buildings cannot be sold together with the buildings, these are leased to the foundation. The state buildings that the state cannot sell are leased to the foundation. The state also rents out the land under self-build houses in sub-areas II and III.

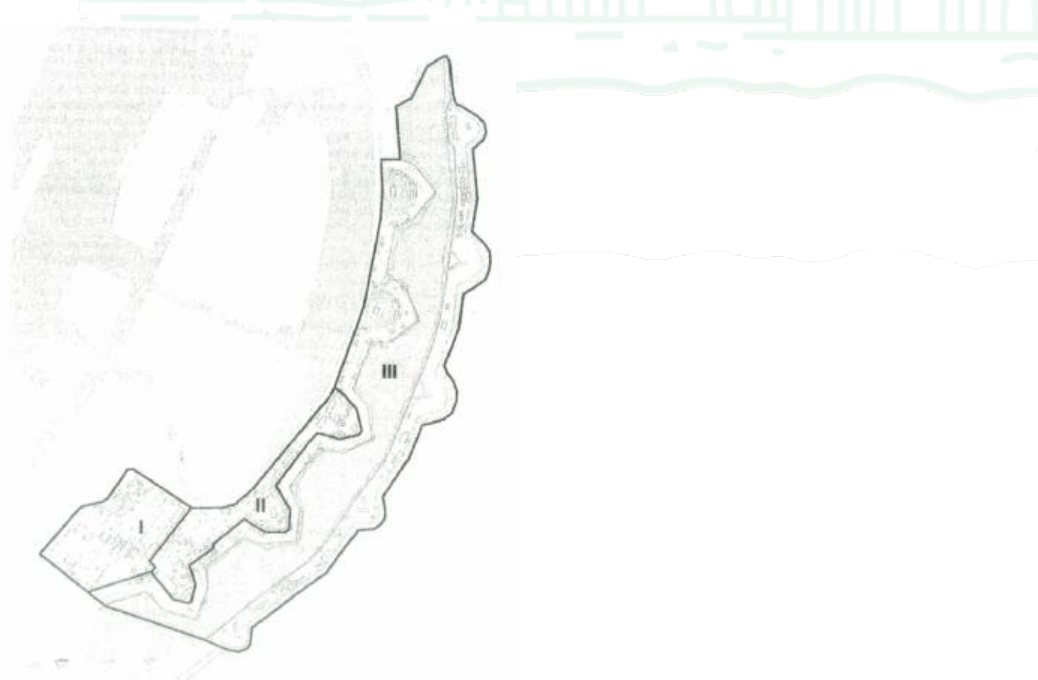


Figure 11: Division of Christiania into sub-areas map. Source:

Aftale mellem Christiania og staten, 2011.

6. ACT AMENDING THE ACT AMENDING THE ACT ON THE USE OF THE CHRISTIANIA AREA (AMENDMENT OF AUDIT PROVISION) (2012)

ACT no. 390 of 02/05/2012

Date: 2 May 2012

Danish: : Lov om ændring af lov om anvendelse af Christianiaområdet

(Ændring af revisionsbestemmelse m.v.)

Issued by: Indenrigs- og Boligministeriet (Ministry of Interior and Housing)

The law postpones a planned revision of the law on the use of the Christiania area by one year. Proposals for revision of the Act must be presented in the 2012-13 parliamentary year.

In June 2011, an agreement was concluded between the state and Christiania. The agreement implies that a newly established foundation, Fonden Fristaden Christiania, must buy part of the area, rent another part and take care of the future restoration, operation and maintenance. The agreement must be completed on 1 July 2012. Once the agreement has been completed, the Minister for Climate, Energy and Buildings will propose revising the law, which reflects the new arrangement, and that Fonden Fristaden Christiania takes over responsibility for the area.

7. ACT ON THE REPEAL OF THE ACT ON THE USE OF THE CHRISTIANIA AREA (2013)

ACT no. 643 of 12/06/2013

Date: 12 June 2013

Danish: Lov om ophævelse af lov om anvendelse af Christianiaområdet

Issued by: Indenrigs- og Boligministeriet (Ministry of Interior and Housing)

The law means special legislative rules no longer apply to Christiania. After this, it is only the general rules of the legislation and the agreements entered into between the state and the Foundation Fristaden Christiania that regulate the use of the area. An agreement was concluded in June 2011 between the state and Christiania. The agreement implies that a newly founded foundation, Fonden Fristaden Christiania, has bought part of the area, rented another part and will take care of the future restoration, operation and maintenance.