

Normalising jurisdictional heterotopias through place branding: The cases of Christiania and Metelkova

Nikos Ntounis

Manchester Metropolitan University, UK

Evgenia Kanellopoulou

University of Salford, UK



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Abstract

This paper explores the political dimensions of place branding as a path to normalisation for areas where a paradoxical relationship with the law exists, places that we coin “jurisdictional heterotopias” borrowing from Foucauldian literature. We posit that place branding plays a fundamental role in facilitating scale jumping in the otherwise vertically aligned legal space, a hierarchy designed to exclude spatial multiplicity from its premise. By examining the role of place branding in such areas, we endeavour to understand and appreciate the selective application of the law, the perpetuation of unregulated and illegal activity, as well as the place – specificity of legal practice. Ultimately, we argue that strong place branding associations permit the engulfment of this type of heterotopias in the “mainstream” leading to their normalisation; such a normalisation results not only in the acceptance of their uniqueness by the institutional elements, but also in the potential nullification of the liberties their communities advocate.

Keywords

Place branding, heterotopias, scale jumping, normalisation, legal geography

Introduction

In Foucauldian terms, heterotopias represent spatial otherness, inject a touch of alterity into the sameness of everyday life, and disrupt our perception of normality within a given culture and the environment that surrounds an area (Foucault, 1986). From a political point of view, they can either be seen “as systems that support the *status quo* or as arrangements that subvert it” (Heynen, 2008: 317). Specifically, *status quo* disturbing heterotopias include places such as squats or brothels, and actions associated with places, such as rave parties or cannabis festivals (Daskalaki et al., 2008; Mould, 2009; Visconti et al., 2010). This type

Corresponding author:

Nikos Ntounis, Institute of Place Management, Manchester Metropolitan University Business School, Manchester Metropolitan University, UK.

Email: n.ntounis@mmu.ac.uk

of heterotopias however, can become normalised, and therefore assimilated by their surroundings, should the association between the spatial and the social allow it. Especially in the case of heterotopias operating within the realm of illegality, social acceptance is pertinent to their normalisation, as they can be promoted as part of a place's identity (Layard and Milling, 2015) or be metamorphosed into place brands on their own merit.

In this paper, we explore the role that place branding plays in affording normalisation to heterotopias of ambiguous legal status. Contrary to conventional approaches in place branding practice that favour prescriptive marketing techniques overemphasising place promotion (Parker et al., 2015), we adopt a critical stance towards the term, and we examine how place branding affects the public and spatial environments (Giovanardi et al., 2013). This viewing of place branding beyond pre-configured sets of commodified meanings, encompasses political decision-making and bottom-up processes that favour contestation and multiplicity (Medway and Warnaby, 2014). Indeed, place branding is not only confined to traditional geographical nomenclatures (Kavaratzis and Ashworth, 2008), such as the “City”, the “High Street”, or even the “Jurisdiction”. Place branding can also engulf heterotopias and may even be employed to promote illegal events and activities held in their premises. Thus, it can contribute to their normalisation and institutional recognition (Gržinić, 2007; Vanolo, 2013).

Here, we draw evidence from two distinct scenarios of *subversive* heterotopias based on their precise and determined functions that are reflective of the society in which they exist (Stone, 2013): these are the squatted, or formerly squatted, communities of Christiania in Copenhagen, Denmark, and Metelkova, in Ljubljana, Slovenia. These spaces are renowned for their heterotopic qualities, having existed for decades in parallel with the cities of which they are jurisdictionally part of, even though they are characterised by their unique relationship with the municipal and state authorities. Branded as places where an alternative experience of space and time prevails, Christiania and Metelkova base their uniqueness on an element of illegality in the face of the initial squatting of the places' buildings and the engagement in unlawful and unregulated activities therein, and an element of advocated legality in the face of the rights and liberties that the squatters claim. These can be either rights recognized by the jurisdictional *status quo* or appeals to patterns of sovereignty and self-determination that fall outside the scope of the prescribed legal system (as per the sign “You are now entering the EU” apparent as one exits the Christiania area). In the latter case, the occupant communities seek to establish a legal presence in contrast with the jurisdiction they belong in. Ultimately, it can be argued that in both places the borders and the notions of legality remain unclear, and so does the nexus of spatial and social factors that perpetuates this situation for decades. Thus, we aim to explore *why* and *how* these distinct places have become normalised without losing their unregulated/illegal status (or at least part of it), and how the traditional hierarchies (or *scales* as per Marston, 2000; Valverde, 2009) of the law can “stretch”, should place-specific reasons allow it.

To address this, we begin by exploring the capability of legal geography to accommodate the notions of scale and scale-jumping in non-traditional legal systems, or *jurisdictional heterotopias*, such as the places under examination. We posit that legal geography assists interrelated legal spaces to co-exist and scale-jump, something that we purport is achievable through place branding. This way, we attempt to “move beyond the law/space binary” (Blomley, 2003: 17) by illustrating the intertwining relationship between place branding and the legal space, adopting a legal geography approach. The subsequent section presents the divergent functions of place branding, and explains how it allows the concept of heterotopia to come forward as a place where seemingly alternative approaches to place

branding occur. To illustrate the above we embarked on an interdisciplinary interpretive methodological approach (multi-sited ethnographic research) that examines the discursive elements and practices of place branding, unveiling the perplex nexus of legally relevant activity in Christiania and Metelkova. Finally, in the discussion, the analysis allows for the normalization of the places to come forward; *interlegality* is feasible in such jurisdictional heterotopias thanks to their omnipotent place brand.

Scale jumping in heterotopias

At first instance, when dealing with spaces of jurisdictional “otherness” the law appears unable to incorporate their inherent uniqueness. Indeed, the jurisdictional relationship between law and space has recognised mostly vertically defined hierarchies should one move from multi-national, to state and federal, to city or even family unit level (Ferguson and Gupta, 2005). Early commentators (Blomley, 1994; Clark, 1989; Delaney, 2000; Pue, 1990) suggested that the particularity of the law’s inability to converse with space was something worth investigating. This is emphasised by the existence of jurisdictionally heterotopic places such as the ones examined herein; spaces that operate both in parallel and outside this vertical hierarchy (both on its lower layers and adjacent to it at the same time). In such legally “other” places, the existence of alternative legal systems appears unable to fit the hierarchical scale.

In addition, Blomley (2014b) argues that jurisdictional spaces are characterised by categorical separation and hierarchy, and thus exclude voices that do not fit their premise. The contribution of place branding in this case is highly significant, as it can afford to the lowest level the “voice” it lacks to reach the highest levels of the hierarchy. This premise allows us to introduce the concept of *scale* in the legal hierarchy (Valverde, 2009), as we examine the ability of place branding to assist in a so called “scale jump”, by highlighting the “tensions that exist between structural forces and the practices of human agents” (Marston, 2000: 220). Indeed, in a hierarchically constructed society, where scale is not only associated with the law but also with power, the measurement of scale is important for discussing mobility of social groups, top-down political decision making, or even notions of control and influence (Cox, 1998). As per McMaster and Sheppard (2004: 17) in Ghose (2007), such groups are seen as “powerful forces which can transcend the *hierarchical territorial spaces controlled by supra-national, national, and subnational states*”. Therefore, scale jumping refers to social groups occupying the lower scales of a hierarchy and to their attempts to reach higher and more broadly recognised norms, whilst bypassing the “steps” that social order prescribes (Herod and Wright, 2002; Smith, 1996). In order to accommodate the paradoxical relationship of such heterotopias with the law, we need to adopt an ever-broader appreciation of what scale jumping can actually accomplish; it is not only the appeal to a higher *place of engagement* that would raise local concerns to the national level as per Cox (1998), but also the attempts of these self-identifying closed social groups or closed legal systems as per Luhmann (2004) to gain recognition as such.

Hence, it is essential to adopt an approach that allows us to view space as an organisational principle around which the law unfolds and can consist of unlimited “knots” that tie law and space together, moving away from the framing or bracketing tendencies of legal practice and theory (Blomley, 2014a; Callon, 1998). We do not envision a staged acquisition of pre-determined meaning with respect to law and space; rather, we endeavour to appreciate a “non-violent” shaping of relationships that bring the space, the law, and the social together. Indeed, legal geography “investigates the co-constitutive relationship of people, place and law” (Bennett and Layard, 2015: 406),

which finds its springboard in the notion that law is “anti-geographic” (Blomley, 1994; Clark, 1989; Delaney, 2000; Pue, 1990). Its distinctive feature is the elegant and detailed attention to “the complex processes of legal constitutivity” (Delaney, 2015: 98) and the analysis of the reciprocal or mutual constitutivity of the legal, the social, and the spatial. The focus of this triadic relationship is based on the premise that “people and places are intertwined – the impact of law is both felt and made (at least in part) locally” (Bennett and Layard, 2015: 408).

Hence, the notions of scale and scale jumping incorporate an inherent legal element, especially when the vertically scaled legal hierarchy comes to mind. Delaney for instance (2004, 2010) notes that a *nomosphere* (or the legally relevant space) can be sliced both horizontally (e.g. defining property and state borders) and vertically, when attention is given to the notions of scale, referring to overlapping legal spaces. These overlapping legal spaces appear to be operating simultaneously on different scales (Santos, 1987), affording them the perception of legal continuum or interlegality. Interlegality permits otherwise contradicting legal situations, or even clashing legal systems, to co-exist, and consequently, groups such as Christiania’s or Metelkova’s squatters are both subjects of the law, obstacles to the law’s enforcement, parties to litigation, and advocates of their rights to live and enjoy their possessions and property, and by extension participate and add to the urban space.

Therefore, in the present paper, we examine how interlegality is affected in the specific heterotopias, attempting a viewing of the legal space outside the boundaries of the traditional jurisdictional verticality. Indeed, legal geography has paved the way for such an alternative viewing, by emphasising the role of people, place, and law. Against this background, we argue that jurisdictional heterotopias can scale jump and co-exist with their legal surroundings thanks to their omnipotent place brands, which have been shaped in their turn by the respective spatial, social, and legal factors.

Place branding under a heterotopic lens

The political economy perspective of place branding highlights power struggles between interest groups, and uncovers political agendas that prioritise certain “images” of the place, which favour “spatially uneven development through the orchestration of economic and social inequalities” (Pike, 2009: 639). In theory, this unevenness can be eradicated by participatory place branding approaches that take into account the roles and input of all stakeholders during place brand formation (Houghton and Stevens, 2011; Ind and Bjerke, 2007; Kavaratzis, 2012). In this sense, place branding can be viewed as a bottom-up approach that entails “dialogue, debate and contestation” (Kavaratzis and Hatch, 2013: 82) and encourages “...the widest possible stakeholder participation in terms of (place) product development” (Warnaby and Medway, 2013: 358). Therefore, participatory place branding can contrast the dominance of the postmodern state that aims to largely attract economic activities (Cerny, 1997), in favour of deeper legitimacy in terms of transparency and decision-making openness regarding the place brand (Eshuis and Edwards, 2013).

It can be argued that internal place branding efforts are consistently “bottom-up” as opposed to “top-down”, and include naturally occurring, co-created processes (Medway et al., 2015) that highlight the heterogeneity of places and refrain from presenting a sterilised, amiable image that is illustrative of a place’s power dynamics at work (Johansson, 2012). The continual change of our associations with a place allows us to view “place brands as ongoing, multiple, open, and rather unpredictable, going against the dominant understanding of place brands, which sees them as set and fixed”

(Kavaratzis and Kalandides, 2015: 1375). Embracing this heterogeneity though, means accepting the inherent conflicts between different actors (Braun et al., 2013), and the spatial and social complexities of place brand formation, that lead to a multiplicity of perspectives and competing narratives for the places under question (Giovanardi et al., 2013). In this sense, participatory place branding is analogous to the concept of heterotopias, since it can be conceptualised as a heterotopic process of socio-political, spatial, and economic ordering.

Heterotopias have been extensively re-imagined in the literature as oppositional, marginalised counter-spaces (Ploger, 2010; Shields, 1991) with multiple meanings and functions (Hetherington, 1997; Soja, 1996), embedded around a set of spatio-temporal contradictions (Johnson, 2013). This of course makes the process of branding a heterotopic place very arduous, since this multiplicity of meanings rarely produces a coherent and consistent message (Warnaby et al., 2010). Nevertheless, it is exactly this simultaneous multiplicity of co-existing meanings that adds to a heterotopia's characteristics. Similarly to *interlegality*, heterotopic places can accommodate not only divergent and co-existing approaches to understanding the law, but also divergent and simultaneous approaches to appreciating the place brand. Hence, we perceive the heterotopic place as an alternative to a space entrenched by "binaries such as private/public, ideal/real, nature/culture" (Dehaene and De Cauter, 2008: 90) and even legal/illegal coding as per Luhmann's (2004) presentation of the closed legal system.

It follows that such a heterotopic place is open to parallel, interconnecting and even clashing representations of both its brand and its legal system, as opposed to the "space outside". Such a place bears characteristics of closure and isolation, when operating as a distinct system in both social and legal terms (Barnes, 2004). The spatial-temporal experience of such places implies both a heterotopic and a heterochronic experientiality (Bouissac, 2013). Time and the ongoing organisation of temporalities in space (Edensor and Holloway, 2008) highlight the role of people as place-makers, rhythm-makers, and law-makers (Mels, 2004). Furthermore, heterotopias are usually occupied by people of different social orderings and backgrounds (Chatzidakis et al., 2012), whose negotiations and discussions are constantly reconstituting and juxtaposing the identities and the rights to the place through countercultural, and sometimes illegal, practices (squatting, drug trafficking, drug use, antisocial behaviour, etc.) (Shields, 1991).

Therefore, heterotopic places are moulded as places of spatial and time-related otherness from the dominant traits of the groups associated with them (Gheorghiu and Nash, 2013). Remaining in legal limbo for decades, Christiania and Metelkova have both been shaped and have shaped the groups of people that live, visit, and work there. Indeed, place branding addresses the dialectic between social and spatial factors, as they encompass elements of autonomy and self-organization that are crucial for bottom-up approaches to the sustainability and perseverance of a place's hard and soft factors (Giovanardi, 2012), such as building and infrastructure, social and cultural life. These particular heterotopias are further defined by their ambiguous legal statuses; not only do they represent a spatial otherness with regards to their administrative limits, but also this otherness becomes accentuated by time-accumulating illegal, unregulated, or disputed practices.

Approaching law and place branding in heterotopias

To address the above, we adopt an interdisciplinary, interpretive research approach to understanding and investigating the heterotopic legal space, and the advocated place branding's influence. Specifically, we focus on the interrelationship between practices of

place branding *in* the legal space, aiming to appreciate how these affect the heterotopias in question. Heterotopias bring certain qualities as both objects of studies and conceptual methods (Johnson, 2013), thus forging a new conceptual terrain. By employing heterotopic attributes, we can draw new interdisciplinary connections between place branding, space, and law (Gandy, 2012).

In order to read into the social, spatial, and legal factors of heterotopias, we adopt a type of multi-sited ethnographic research (Marcus, 1995), which expands ethnography into multiple social spaces and physical sites. This type of research deviates from the “single tribe, single scribe” way of doing ethnography and can cut across boundaries of single traditional fields (Nadai and Maeder, 2005), thus bringing to the forefront not only the life world of the subjects in question, but also the associations and connections that make up their own social, and in our case, legal, systems (Kjeldgaard et al., 2006). In addition, a multi-sited ethnographic approach can uncover spatial, temporal, and scalar relationships that the law cannot *prima facie* recognise. Therefore, multi-sited ethnography constitutes an important method for the contemporary legal geography project (Braverman, 2014).

Similar to other place branding studies that employ a multi-sited ethnographic approach (Aitken and Campelo, 2011; Campelo et al., 2014; Giovanardi et al., 2013), we engaged with a variety of data sources, namely cultural texts, news articles, official and promotional governmental documents, and primary legal material, prior and pursuant to our fieldwork. This way, we immersed ourselves in the fields of study prior to visiting, which allowed a close-up analysis that was not reliant on “long-term stints in the field” (Ekström, 2006: 499). Fieldwork was conducted in August 2016, consisting of 14 in-depth interviews with municipality officials, urban planners, tourism and marketing agents, and community representatives, as well as participant observation of the communities’ everyday activities.

Combining the distinct positionalities in our capacities as researchers in law and in place branding respectively, we aim to find common ground towards the appreciation of the jurisdictional heterotopia by approaching both the Christiania and the Metelkova areas as places where strong place associations are born. We examine these associations in both their legal and place branding dimensions aiming to bring their interplay and interdependence to the foreground.

Setting the scene: Christiania and Metelkova

Christiania is an autonomous enclave in the centre of Copenhagen, Denmark. Nowadays home to almost 900 residents, it first emerged in the late 1960s through the initial occupation of abandoned barracks by homeless people. By 1971, the squatting was completed, as “hippies” and activists joined in, and the proclamation of “Freetown Christiania” gained widespread media attention. The social impact of the squatting led the Social Democratic Danish government to declare Christiania as a “social experiment” in 1973. In 1989, with the passing of the Christiania Act the Ministry of Defence and the Community concluded collective framework agreements on the residents’ continued use of the area spanning from 1992 to 2004, when the newly elected Liberal-Conservative government amended the act, and the collective rights of administration use of the area were squandered (Thörn et al., 2011). This led to a lengthy period of unrest between the people of Christiania and the government, which intensified in 2008 when negotiations broke down. In 2011, after a Supreme Court ruling,¹ the state was awarded the full right of disposal of the Christiania area, whereas Christianites raised arguments of expropriation,² usucaption, and the entitlement to peacefully enjoy one’s possessions.³ Upon its victory, the government presented Christianites with an ultimatum; to either purchase the land at a discounted

price, or Freetown Christiania would be redeveloped as a public housing association (Eriksen and Topping, 2011). Amongst fears of completely losing their autonomy, Christianites decided to accept the deal, and an association was formed that took over ownership and control of the land. The deal was finalised in 2012, officially putting an end to an era of conflict over use of the area between Christiania and the government. The Foundation sells Christiania Shares⁴ to locals and visitors alike as a form of crowdfunding donation, supporting the Freetown on their loan payments. In addition, Christianites now pay rent and a form of “*ad valorem*” property tax.

‘Truce’ over use of space has not solved the problem that still confers Christiania this ambiguous legal status: sale and use of drugs, non-compliance with health & safety and building regulations, and non-acceptance of the presence of law enforcement and institutional agencies (e.g. Urban Planning). In the heart of Christiania lies Pusher Street, an open-market hash and marijuana bazaar that generates roughly a billion kroner (£115m) per year.⁵ Soft drug trading in Christiania has triggered numerous clampdowns by the state in an attempt to eradicate the presence of gangs around the area. Even though soft drug commerce is the most famous economic activity in the area (Jonasson, 2012), it contrasts with the freethinking mentality of the Christianites, and its highly commercialised nature defies the values of autonomy, collective self-government, direct democracy, and consensus-decision making that Christiania was built upon (Amouroux, 2009; Vanolo, 2013).

More recently, Christianites took it upon themselves to dislodge Pusher Street’s stalls in September 2016,⁶ in a move that brought clashes within the community to the surface: free use of drugs is and has always been favored within the Christiania area, and is a strong part of its autonomous non-conforming identity. However, the issue of sales on Pusher Street and the hash market’s popularity with “dubious” characters (e.g. Hell’s Angels), has been dividing the community for decades, as one-half of the Christianites profits from the illegal trade of hash (as only Christiania’s residents can participate in the trade), whereas the other half views their existence as a threat to their peaceful way of life. Nevertheless, the Christianites’ choice to deal with the issue “internally” has never been disputed even among those who strongly opposed the drug trade.

Thus, the paradoxical relationship between Christiania and the state authorities comes to the foreground as property-related disputes found their way to the Danish courts and did manage to get resolved, whereas drug-related state legislation has succumbed to Christiania’s own norms and laws regulating such activity. Indeed, Christiania operates under its own “Common Law”: “No weapons – No hard drugs – No violence – No private cars – No bikers’ colours – No bulletproof clothing – No sale of fireworks – No use of thundersticks – No stolen goods” (Ludvigsen, 2003). The 9 laws have both been shaped and have shaped in their turn the place brand of Christiania, moulded by its conflicted elements. The initial squatting and the controversies it brought with it, coupled with the residents’ attempts to establish a presence as an alternative social, political, and legal system, inevitably leads to clashes with the surrounding *status quo*. These clashes materialise in both the physical and the representational space, piercing the veil of perceived isolation, e.g. in front of a court of law or faced with Danish law enforcements agents, as well as the City of Copenhagen’s rules and regulations.

Metelkova occupies the former Slovenian headquarters of the Yugoslavian Army. After the breakup of Yugoslavia, the site of Metelkova became part of a wider plan for the cultural and urban regeneration of Ljubljana. Metelkova was envisioned as a place dedicated to art and social life, and as such, it was promised to an association representing various stakeholders such as the student body of Ljubljana. Upon the departure of the army however, the city council hurried to illegally order the demolition of the buildings, leading

the – by then already established – “Network for Metelkova” to take action and to non-violently occupy the site (Niranjan, 2015).

Ever since, a big part of Metelkova remains autonomous and contributes to the branding of Metelkova as a non-conforming cultural and social place. The brand has grown to attract the presence of institutional museums (Museum of Contemporary Art MG + MSUM), as well as the establishment of new entrepreneurial activities (the Hostel Celica operates from the former prison cells of the abandoned barracks). In essence, Metelkova is not only a cultural zone, but also a commercial area, and a civil participation hub, where NGOs are located. According to the representative from the Museum of Contemporary Art, there are three different Metelkovas, representing art and social life, civil engagement, and commercial activity. Turning to the autonomous non-conforming part, it operates in all three fields of activity as a hub for artists and craftsmen, as a refuge for Ljubljana’s anarchist community, and as an area of well-visited bars and live music venues.

Nonetheless, the autonomous part resists all (perceived) gentrification attempts and proactively dissociates itself from the institutional and the regulated side of Metelkova, for instance by not partaking in collaborative art exhibitions. Moreover, the autonomous part remains in legal and administrative limbo, bordering legitimacy and tolerance (Breznik, 2007). It remains an urban squat, since the land officially belongs to the municipality of Ljubljana that chooses not to implement any official top-down urban plans that would interfere with its character, contravening Slovenian Law.⁷ Furthermore, with regards to the unregulated landscape prevailing in Metelkova, we observe the non-compliance with construction and spatial management legislation.⁸ Specifically, the 2012 Construction Act sets the conditions for the construction of facilities, the essential requirements for compliance, including penalties for violations and inspection supervision, which the occupiers of Metelkova openly contest. Moreover, bars and venues in Metelkova lack the official licences for their operation and the sale of alcohol, resulting in tax avoidance. All alcohol sold in Metelkova bars is subjected only to VAT, which according to community representatives is compliance enough. It follows that similar inspection visits from tax authorities, or even health inspectors, remain unwelcome and protested against.

Despite these apparent illegalities, Metelkova remains a focal point in Ljubljana’s cultural life hosting numerous events, exhibitions, and concerts. Metelkova is organised non-hierarchically, with a Forum of all participants making decisions mirroring direct democratic principles. Metelkova sits well with the local authorities, which appear eager to accumulate and boost its place value, whilst turning a blind eye to illegal and unregulated activities. For example, the Mayor of Ljubljana appears more than sympathetic to both Metelkova’s particularities and to its future development:

Metelkova will continue to grow, develop, keep its autonomy and will care, here and far, for the promotion of the city of Ljubljana, in the future. (Janković, 2013)

Scale jumping and normalisation of jurisdictional heterotopias

At first instance, both places are presented as perceived *sui generis* legal systems. Nevertheless, thanks to their unique place branding associations, they gain not only acceptance by their surrounding jurisdictions, but also normalisation – as they are subsequently perceived to be an intrinsic part of their respective cities. Therefore, we argue that the place brand of a jurisdictional heterotopia permits or affects interlegality, which in turn translates into normalisation.

With respect to Christiania, it operates as a jurisdictional heterotopia in two distinct utterances: Christiania vis-à-vis Christiania's citizens and Christiania vis-à-vis the laws of Danish state and the regulations of the City of Copenhagen. Aiming to deduce scale jumping, and thus *interlegality*, both need to be examined in their operational dimensions. The fact that an own legal system is in operation as such, can *prima facie* be observed by Christiania's own Common Law, as stated earlier. The 9 Laws are observed by Christianites and visitors alike, resulting in ostracisms from the community, should they be broken. Indeed, in Christiania, everybody "has to be policeman and make the decision". Hence, in Christiania's legal system, Common Law enforcement is left to Christianites themselves, as are all kinds of decision-making processes. Christiania operates as a direct and "flat" democracy, where all matters, including crises, are dealt with collectively or in specialised groups:

In Christiania there is nobody in charge, so tasks are allocated at the meeting, everybody is in charge, it's a very flat structure, we don't vote.

Thus, Christiania's own system does not recognize any single point of authority, rather consensus needs to be reached for matters stretching from housing allocation, to building and to dealing with crime. However, Christiania maintains a parallel form of bespoke administration that operates individually, but bares strong resemblance to official state and municipal departments, similar to what Finchett-Maddock (2016) refers to as mimicking or resignificating on one's own terms the actions of the law. Christiania's technical office, which deals with building permissions and regulations, operates similarly to Copenhagen's Technical and Environmental office, as one of the urban planners interviewed explained:

They have organised themselves as a copy of our department so when they want to build they go to their office, they act like individuals in a community.

Naturally, this represents Christiania as an obstacle not only to Danish law enforcement agents, but further to any top-down attempted strategies, e.g. urban planning. Indeed, matters came to a direct clash between Copenhagen's urban planning department and the community with respect to a proposed bicycle lane, designed to pass through the Christiania area. Facing a hostile environment on the one hand, and constant contradiction of any proposal on the other, city representatives also have to deal with Christianites' anti-establishment mentality that is inherent in Christiania's brand: "The biggest challenge is that Christiania don't [sic] want to be a part of Copenhagen, they tend to maintain that we are not a part of it, so we try with a lot of dialogue (to collaborate)". However, this view is contested by Christianites themselves: "I would have liked to cooperate with the planners, but they didn't want to cooperate the other way around. They wanted to dictate the process... all plans are discussed and we take plans from the city very seriously, we just have different ideas".

Nevertheless, even though Freetown Christiania makes every effort to appear and be a distinct legal entity, it does also operate as a *status quo* recognized legal entity tasked with the administration of the area (the Foundation), and as a litigant in front of the Danish courts, claiming collective and individual human rights *inter alia*.⁹ Hence, interlegality is attested via Christiania's many legally relevant functions, and Christiania's own legal system gets acknowledged by the surrounding (and official) jurisdiction, permitting and assisting in its scale jump, and affecting normalisation. Christiania's normalisation therefore, has been partially afforded by the "legalisation" of the situation that has been prevailing for decades. Moreover, Christiania has been figuring in the official Danish tourist guides

as “any other part of Copenhagen”, aligning perfectly with the “open and sustainable” themes that the tourism board seeks to promote. According to a representative from Wonderful Copenhagen:

We only sell one product – Visit Copenhagen, and Christiania is an important part of it. Very unique, interesting construction, but you cannot do whatever you want there, it is a complicated place. It is featured on our website and we have a thorough description of what is going on there. Like any part of Copenhagen, we do not promote it, it would be stupid to do so as it is a self-promoting place. People go there, they have a good time, they tell the story.

Considering Christiania as a set of narratives and meanings (Lichrou et al., 2008) is important here, as the positive experiences and interesting stories that Wonderful Copenhagen communicates via digital media aim to facilitate the image of Christiania as the dominant embodiment of counterculture in Copenhagen, but at the same time exploit “the historic values, the freedom and the creativity that is very much in the core of the brand”, as a participant mentioned. Christiania’s tourism boost has been partially attributed to the normalisation of the area, and place branding, particularly in its top-down form, contributes to Christiania’s scale jumping by inserting the uniqueness of the Freetown into wider circuits of capital (Deckha, 2003; MacKinnon, 2011). This is exemplified by NOMA’s¹⁰ decision to move next to Christiania:

NOMA, the world’s best restaurant, are moving to the outskirts of Christiania which adds to the area. It is a gutsy move; they want to change the concept of the restaurant and build an urban farm out there (in the outskirts) and be self-sustained. I think that they for sure capitalising on the brand of Christiania, it is very aligned with the concept that the owners have, creating interesting dishes, it is an interesting fit. It is going to be experienced as it is Christiania, even though it is not officially in the area.

This move not only aims at appropriating and commodifying Christiania’s symbolically charged cultural capital (Harvey, 1989), but also imposes a huge challenge to Christianites, as “the media and the world is going to be there within the next two years, this is their golden moment to act fast and change for this”. This implies that Christiania will become a *de facto* tourist destination, which materialises the initial vision of the Danish conservative party back in 2012: “We can’t stop it, so let’s try to make some money out of it, let’s try to accept it and create a tourist attraction” (Thornburgh, 2012).

The risk of cultural and social normalisation within the Freetown (Coppola and Vanolo, 2015) is high due to the advent of place branding, such as Christiania’s connection to the rest of the city via the commuter bike lane. “What’s really funny about Christiania is that they look like society outside. . . it’s like any other part of Copenhagen”, according to the urban planners interviewed. “We are spending a lot of time having dialogue and trying to persuade them, to make them realise that the regulations could help them. . . Maybe it’s like the rest of the city, people don’t accept experts anymore”. It appears that from the authorities’ point of view, accepting Christiania’s unique status is a *sine-qua-non*-condition for any regulatory and capitalistic intervention. In Christiania’s case, the path to normalisation requisites “. . . a passage from an ‘insurgent’ autonomy to a ‘regulated’ autonomy. . . that is coherent with neoliberal governmentality” (Coppola and Vanolo, 2015: 1165). Thus, from the legal perspective, the many years of illegality combined with the implicit promotion of these activities via place branding seems to benefit the city (and the entrepreneur) seeking to appropriate and capitalise on the brand, having already “engulfed” the area by resolving the property issue following the Supreme Court ruling of 2011.

Similar observations regarding normalisation can be made in the case of Metelkova, even though the “purpose” of this urban squat appears to differ. Even though Metelkova also operates through autonomous and direct democratic structures, it is not a typical squat, as its functions are more culture- and art-oriented. Metelkova’s buildings stopped accommodating permanent residents in 1997, when the city agreed to dedicate the buildings to the promotion of arts and culture, during Ljubljana’s appointment as European Capital of Culture:

In ordinary squatted situations, buildings are squatted for living, but in the case of Metelkova it is a squat for cultural production... if you live in the squat is a private matter, and you don’t want people to come and see you. In the case of Metelkova, there is an enormous wave of different cultural productions. Metelkova is converging many publics who want to see theatre, hear music, think and be critical, free talks, they can do it here.

This distinct function is evidenced through Metelkova’s non-hierarchical organisation. The *Forum*, which acts as Metelkova’s sole decision-making body and deals with issues such as day-to-day maintenance, and building and infrastructure, is also responsible for artist workshop allocation and art funding applications. However, with regards to building maintenance, minimal cooperation, if any, is sought with Ljubljana’s urban planning department. Metelkova’s occupants choose to self-fund construction projects rather than rely on government funds:

The celebration (of Metelkova’s anniversary) is a good opportunity for us to raise money to maintain the buildings, we prefer to do it on our own, we don’t want the city to help with renovations.

Nevertheless, Metelkova’s buildings still remain non-compliant with the relevant laws and regulations, affording Metelkova its unregulated status. From the municipality’s perspective, there is an overarching issue of liability, with respect to the absence of sanitation and infrastructure maintenance, since the legal owner of the area of Metelkova is the city itself:

They are obliged by law to do renovations, but there has been no maintenance for 25 years and the buildings are run down. There could be a hazard, but place users might see any intervention from state authorities as an infringement of their rights, which is not necessarily the case.

From the authorities’ point of view, Metelkova is described as a close-knit system with which communication remains impossible, as an administrator explained: “We started with the communication, we were looking for one responsible person in Metelkova to discuss and collaborate with...one person should be in charge (but it’s not), so it’s difficult for the municipality to contact all of them individually”. However, the aforementioned approach is not well-received by the squatters, who in their turn choose to make a mockery out of public administration:

The government is all about structure, and that’s why they want to talk to one of us. So, we use the Metelkova brand as our strategy, when we go to the city to negotiate, we go 10 people not one, because this way they have to deal with 10 different ideas, and they just give up, as they cannot talk with us. We always use this strategy to play with them, make a joke out of this, because they want to be really serious. This strategy, you see the results, 23 years of Metelkova, it’s working and it was the same strategy from the beginning. We always think of how to protect this (public) space (from them).

These tactics are employed as a means to reinforce Metelkova’s autonomous identity. However, even though Metelkova’s community attempts to distance itself from any

top-down interference, this seems to come in sharp contrast with Metelkova's reliance on government funding for their art programmes: "Public money and state money to do our programmes in our illegal place, which is for me something unique", states the representative of Metelkova's Galerija Alkatrazz. Therefore, Metelkova chooses to perform a function recognised by the *status quo* when applying for funding, competing directly for money allocation with the institutional museum (+MSUM). Nevertheless, it does so by capitalising on its unregulated and non-conforming place brand, which consequently perpetuates the unregulated and illegal activity, Metelkova's own brand allows it to operate in a manner that both recognises its own closed system and assists it to scale jump and gain recognition e.g. through official funding.

An important discursive distinction between the official part of Metelkova and the squatters is that the branding element changes; the municipality and its departments consider Metelkova's brand as "young by heart, alternative and not autonomous", which is in contrast with the brand that the squatters claim: "an autonomous, organic, self-declared, independent culture". This is proven by the organisational bottom-up activities of Metelkova's squatters, who remain in charge of the place's administration, while being neither the legal owners nor the legal occupants. Metelkova consolidated internal rules of governance, based on the occupants' dynamic, non-hierarchical, and participatory structures.

A more holistic viewing of the legal space would accommodate Metelkova's spatial conundrum without a need to justify ownership and control. Layard (2010) suggests that the law should become more sensitive to the spatial location of a site, and that the two should be conceptually and legally separated. In the current state of things however, normalisation of Metelkova's identity is being sought by and from the authorities that possess the power to enforce decisions and regulations to the potential detriment of its uniqueness. Aware of the consequences and seeking to internalise the place's value, the post-political state chooses to accept the situation as it stands by perpetuating it (Swyngedouw, 2011). In essence, even though ownership and control appear to be separated, the former is constantly attempting to accumulate the latter either directly or indirectly.

Consequently, in the case of Metelkova the authorities appear willing to incorporate and reinforce its brand through various channels at their disposal. As a result, Metelkova is being marketed top-down as part of Ljubljana's cultural tourism, with guided tours offered to both tourists and the media. Metelkova's recognition as an important contributor to Ljubljana's cultural scene, leads to "problems and illegalities" being overlooked, but also "lessens" its autonomy: "it's like an informal institution now, for me is not like an autonomous zone anymore", as one administrator explains.

Concluding remarks and further research

In both cases, it appears that place branding has the ability to afford the perception of a *de facto* legality to heterotopias outside the traditional scales of state or municipal law. Thus, heterotopias become normalised, or reabsorbed by the society they span out of (Saldanha, 2008). As our analysis showed, the principles of self-determination and the liberties in heterotopic spaces stem from the need to redefine and reconfigure the abandoned space in a way that would allow the internalisation of the space's use value (Vasudevan, 2015). The redistribution of these urban surpluses mirrors direct democratic practices. However, this appears to be in direct clash with the state-prescribed hierarchy of the law that controls the same space by imposing rules and regulations, retaining or allocating ownership. Therefore, the purported non-interference with the space-claimers does not

appear to resolve the continuous clash between claimers and public authorities. The prescribed legal authority, seeking to engulf and internalise the value of the self-claimed space, can only achieve this result by affording it a legal relevance in the traditional sense. This results in the oxymoron where the seemingly illegal practices are both accepted in their uniqueness, and exploited in the name of traditional capitalistic paradigms.

This perpetual misconception of what a self-acclaimed place is does not seem to lead to any tangible resolution; indeed, it remains in a constant state-of-flux, where both sides (authorities – occupants) appear to be benefitting from this quasi-legal status, to the ultimate detriment of its autonomy. In this sense, place branding is part responsible for the normalisation of heterotopias, contrary to other activities, such as law enforcement, that failed to achieve the same result. This pinpoints the pervasive role of top-down place branding, and other state-originating activities (e.g. law enforcement, land registries) that clash with the bottom-up principles that characterise the heterotopias examined.

Place branding as a bottom-up process communicates symbolic and cultural artefacts of a place and characterizes representational spaces that are embodying spatialised resistances to legal ordering (Butler, 2009). Hence, it influences *how* the law happens (Braverman et al., 2014), which is bound to a space's ideological representations. This is portrayed by the reluctance of authorities to completely eliminate illegal practices from Christiania and Metelkova, due to these spaces' social and cultural importance. However, as Butler advocates, "Law is simultaneously a body of ideological representations of space and a collection of material practices which maintain social order and govern social space" (2009: 322). Therefore, place branding, when examined under a legal prism, "prioritises mental conceptualisations of place, over its material and lived dimensions" (2009: 323) that accentuate the negative connotations associated with incivilities, social struggles, and illegal activities in heterotopias. The continuity of these connotations creates an almost static perception of the place brand, which legitimises state authorities to internalise the brand and perpetuate the uniqueness of this heterotopic ambiguity. Therefore, what is created by squatters in both places becomes an "official" representation, an alternative city narrative, a result of top-down strategic planning processes. This "official" place brand ossifies the plurality of voices of the bottom-up place brand and subsequently mongrelises the autonomous and neoliberal parts of both places towards normalisation (Coppola and Vanolo, 2015; Maiello and Pasquinelli, 2015).

Henceforth, heterotopic places are achieving normalisation through the promotion of their brand as illegal places advocating their own perception of legal orderings, which, even though located at the lower levels of the legal hierarchy, are able to scale jump and attain normalisation directly from the higher spatiolegal source. Thus, the place brand is being internalised by the authorities, commodified, and "sold" as part of the global city discourse that favours city competitiveness in a globalizing economy (Davidson and Iveson, 2015). In the cases of Christiania and Metelkova, internalisation takes the form of a dual state-centred normalisation activity: (1) Place branding strategies employed by governmental agencies and (2) Enforcement of state and municipal laws, albeit on occasion. This interwoven relationship between place branding and the law emphasises the capacity of the former to effectively influence social order and normalise social space.

Whilst trying to explore the relationship between place branding and the law, we reaffirmed the premise that the relationship between law and space is not dual (legal and spatial) but rather triadic (legal, spatial, and social). All three parameters carry with them their own individual, scientific backgrounds (political and social sciences, geography, and law) and it is through the adjacent field of place branding that we were able to explore dynamics that have not been previously acknowledged. This paper seeks to open an interdisciplinary discussion

between scholars from all fields, and offers a first insight into the unique relationship between place branding and the legal space. The examination of jurisdictional heterotopias regarding their normalisation attempts through place branding is only one of the many ways that this triadic relationship can be viewed. This paradigm can be employed in future research in order to address legal geographies of mundane activities and habits, and their influence upon the urban space and place-making practices stemming from bottom-up place branding approaches (Azuela and Meneses-Reyes, 2014; Blomley, 2016). Furthermore, this paradigm can assist the dialectic of the post-democratic discourse of the global city and the right to the city per se (Lefebvre, 1996). Consequently, it can assist the examination of post-democratic, managerial-style forms of governance (Swyngedouw, 2007), and their influence on citizenship and extended rights in jurisdictional heterotopias.

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Notes

1. Case nos. 158/2009, 161/2009 and 203/2009 Judgment 18. February 2011.
2. Article 73 of the Danish Constitution.
3. Article 1 of the Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms.
4. www.christianiafolkeaktie.dk/frikoeb.php
5. According to rough estimations from the Copenhagen Police, available at: www.dr.dk/nyheder/politik/politi-svaert-komme-hashhandel-paa-christiania-til-livs (accessed 09 May 2016).
6. As of April 2017, the stalls are reportedly back in Pusher Street, and police clampdowns are still regular.
7. Law on Physical Assets of the State, Provinces and Municipalities (ZSPDPO) 2007, and the Regulation of the Physical Assets of the State, Provinces and Municipalities 2007.
8. Construction Act 2012, Spatial Planning Act 2007, and Spatial Management Act 2002.
9. Referring to the arguments of expropriation, usucaption and entitlement to peacefully enjoy one's possessions as per footnote 3.
10. Noma is a famous two-star Michelin restaurant constantly featured in world's best restaurants lists.

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