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Procedural justice for whom? A case study of a densification project

Azadeh Shahrad[a], Sanna Stålhammar[a] and Natalie Marie Gulsrud[b]

[a]Department of Landscape Architecture, Planning and Management, Swedish University of Agricultural Sciences, Alnarp, Sweden; [b]Department of Geosciences and Natural Resource Management, University of Copenhagen, Copenhagen, Denmark

ABSTRACT

Realising just and equitable pathways to urbanisation is a major challenge in urban research and practice. Environmental justice literature outlines approaches for just distribution and meaningful public participation by including and recognising different groups of residents. Despite institutionalised support for just procedures in urban planning, citizens do not necessarily perceive outcomes as just and inclusive. This paper aims to understand and critically examine procedural justice in the urban development process in a marginalised neighbourhood in Malmö, Sweden. We use the theories of procedural justice and communicative planning to provide a layered assessment of procedural justice. The overall findings show critical discrepancies between institutionalised and perceived justice. The legal guidelines are vague and lack consistency in implementation from the city's point of view. This in turn weakens citizen influence in public participation. Additionally, this case reveals novel tensions in operationalising procedural justice during the COVID-19 pandemic. The paper concludes that even if there is a mandatory requirement for participation with affected groups of citizens, planners must represent various interests, and procedural justice is not being operationalised. Just development and transformation of the urban environment requires further unpacking of the interaction between the official, the applied, and the lived dimensions of procedural justice.

Introduction

Rapid urbanisation and urban growth have become central challenges in urban research and practice. These processes are tightly interlinked with economic growth (Holgersen and Malm 2015), gentrification (Anguelovski et al. 2018; 2019; Baeten and Listerborn 2015; Haase et al. 2017), commodification, and housing marketisation (Baeten, Berg, and Lund hansen 2015; Hedin et al. 2012). Previous research shows that conflicts between economic, social, and ecological interests and approaches are unavoidable (Campbell 1996; Eisenmenger et al. 2020; Hansmann, Mieg, and Frischknecht 2012; McPhearson et al. 2021; Purvis, Mao, and Robinson 2019). Initiatives such as the European New Green Deal and Nature Based Solutions have focused on just transitions to

urban sustainability and climate resilience, but social inequalities persist (Anguelovski and Corbera 2023). In Sweden, planners are challenged with providing affordable housing and recreational spaces that are sustainable, safe, and secure for people and communities (FN 2016). The importance of Environmental Justice (EJ) is increasingly recognised in urban development, which broadly refers to fair distributions of environmental goods and bads (distribution justice) and meaningful decision-making processes (procedural justice) that involve and recognise all groups of citizens despite gender, class or race (recognition justice) (Low 2013; Schlosberg 2007). Previous research on EJ in urban contexts has investigated that dominant conceptions of justice are generally tied to a distributional aspect, such as accessibility to urban green spaces (Anguelovski et al. 2020), the amount and the quality of green spaces (de Vries, Buijs, and Snep 2020). Other researchers focus on the provision of green spaces for specific groups such as immigrants (Kabisch and Haase 2014). In this bulk of research, there is less focus on the recognition and procedural dimensions (Edge et al. 2020; Meerow, Pajouhesh, and Miller 2019). At the same time, research shows that achieving sustainable urban development requires recognising the importance of environmental justice through meaningful decision-making processes, which include diverse groups of people, ultimately creating a more equitable living environment (Agyeman 2008; Agyeman, Bullard, and Evans 2002). To fill this gap, the paper examines EJ, and more specifically procedural justice of urban planning processes on the neighbourhood level.

Procedural justice (PJ) concerns involving all people in decision-making processes (Schlosberg 2004; 2007). For Young (1990), "procedural fairness" is about democratic participation which can be enhanced by creating public agendas and actions to address the items on those agendas. Bullard (2001, 156), "refers to the 'fairness' question: the extent that governing rules, regulations, evaluation criteria, and enforcement are applied uniformly and in a non-discriminatory way". Meerow, Pajouhesh, and Miller (2019) define PJ as equitable participation in decision-making processes, which includes public participation in city planning, and more specifically, in outreach attempts to marginalised groups that are often underrepresented in traditional public participation processes (Meerow, Pajouhesh, and Miller 2019).

Citizen participation has been central in discussions in urban planning and communicative planning literature (Forester 1980; Sager 2018; Westin 2021). Communicative planning (CP) has sought to advance deliberative democracy to produce fair outcomes, and to give a voice to those directly affected by various policies and plans (Sager 2018). Citizen participation is thus the foundation of CP theory, and demands a process in which the public is more thoroughly involved rather than merely informed (Sager 2009). Importantly, research indicates that diverse participation in decision-making processes does not automatically lead to procedural fairness or the acknowledgement of inclusive, and diverse values and worldviews (Gellers and Jeffords 2018; Suiseeya 2020). In other words, it does not necessarily contribute to "recognitional justice" (Fraser 1995). Achieving this requires the meaningful engagement of marginalised individuals in decision-making processes, along with a commitment to recognising and addressing the dynamics of power, authority, and oppression in these contexts (Koebele et al. 2023), thereby shaping broader understandings of procedural fairness. Méndez-Barrientos and his colleagues combine three procedural measures: access to policy processes, opportunities to influence decisions, and the ability to shape the conditions of decision-making processes (Méndez-Barrientos et al. 2024).

In Sweden, the development of planning processes is based on communication, dialogue, and collaboration (Akarçay 2020). According to the Swedish Planning and Building Act (PBA), local authorities are responsible for organising consultation meetings and informing affected citizens about plans, and for creating a transparent and inclusive environment for meaningful participation (Boverket 2010). PJ and CP can be seen as interlinked since both focus on meaningful participation in decision-making processes. This link has rarely been explored empirically, especially in relation to marginalised urban communities (cf Castan Broto et al. 2022), known to be poorly represented in decisions that shape their environments (Edge et al. 2020; Grineski and Hernández 2010; Masuda, Poland, and Baxter 2010). This paper seeks to fill this gap by examining procedural justice in a

local development project in a neighbourhood in Malmö, Sweden. There are different forms of participation, which to various degrees can be expected to account for PJ. This is not limited to, but can include the various forms of participation mentioned by the ladder of participation (Arnstein 1969), such as, informing, consultation, placation, etc. By studying the implementation of participation in specific forms, such as public consultation in this study, can bring us closer to an understanding of to what extent PJ is being adequately implemented.

Since planning laws and regulations are locally adapted, examining in-depth cases is important for understanding the operationalisation of procedural justice in urban development. This study aims to critically examine PJ in multiple layers of the urban planning process by analysing a densification project in Bellevuegården, a marginalised neighbourhood in Malmö, where the residents mobilised the densification project. We identify and analyse three layers of PJ in the planning literature: (1) the official (routines and actions on the municipal level that operationalise planning and building law); (2) the applied (how planners together with involved stakeholders take measures to achieve PJ), and (3) the lived (how residents experience PJ).

We address the following research questions:

(1) How are the law and planning regulations framed in order to ensure PJ in planning processes in Bellevuegården?
(2) What are the challenges to operationalising PJ from the practitioners' perspective?
(3) How have Bellevuegården residents experienced PJ?

Examining this single case study allows analysis of the mechanisms associated with procedural injustice on the local scale from multiple governance perspectives and provides insight into the barriers to and opportunities for just and equitable sustainable planning. The article proceeds as follows: in the next section, we outline theoretical underpinning of the paper – environmental justice and communicative planning theory within the framework of urban planning research. The next section describes the context of the study to show justification of the densification project in Bellevuegården, how the project has been operationalised and how the residents mobilised and protested. Then, we outline the findings based on the research questions and the three layers: official PJ to understand the routines and actions on the municipal level that operationalise planning and building law, the applied PJ to understand how planners and involved stakeholders take measures to achieve PJ, and the lived is to know how residents experience PJ. The paper concludes with the discussion of how examining the *official*, *applied*, and *lived* layers gives a comprehensive understanding of the way in which PJ is operationalised.

Theoretical background

Environmental and procedural justice in urban planning

EJ broadly refers to the issues of distribution, procedure, and recognition[1] of groups and individuals (Schlosberg 2007). Distributive justice focuses on the fair distribution of public spaces and resources for all social groups; PJ relates to the fair integration of all affected groups into the decision-making processes and planning of a public space; recognition justice refers to how individuals and communities are recognised in regards to different identities and cultures (Bennett et al. 2019; Fraser and Honneth 2003; Low 2013; Schlosberg 2007; Schlosberg 2004). Distributional aspects of justice have been more dominant (e.g. allocation of resources and access) than the recognition and procedural dimensions in urban planning literature (Edge et al. 2020; Meerow, Pajouhesh, and Miller 2019). The focus on distributional justice might be due to its relative measurability in comparison to the other two components. But it is crucial to see that it is insufficient to analyse one single dimension of EJ and how these three kinds of justice are interrelated, interdependent (Bell and Carrick 2022; McDermott, Mahanty, and Schreckenberg 2013; Schlosberg 2007).

Anguelovski et al. (2020) argue that most scholarship in the field of EJ follows a positivist approach, placing inequalities in three "boxes" of justice as distribution, recognition, and participation. Recent scholarship can also be divided into two phases: (1) "first-generation", focusing mainly on documenting environmental inequality through the lens of race and class; and (2) "second-generation" studies that extend beyond questions of distribution to integrate a deeper consideration of how gender, sexuality, and other categories of difference shape EJ (Pellow 2016). In this paper, we present a layered assessment of PJ in urban planning development – Official PJ, applied PJ and lived PJ. The official layer includes formal public policy and regulations, and how these either obstruct or facilitate meaningful participation in decision-making processes (according to Swedish law, municipalities must facilitate public participation). The applied layer refers to the planner's role in operationalising the policies and regulations involving public participation. For example, Soneryd and Lindh (2019) focus on how planners and other actors who organise public participation understand and manage the tensions between supporting deliberative democracy and neo-liberal thinking (Soneryd and Lindh 2019). The lived layer comprises how citizens perceive and experience PJ. This refers to fair and meaningful involvement in decision-making processes for all people despite gender or sexuality (Edge et al. 2020). It can range from minimum guarantees of equal basic rights in decision-making to supporting marginalised groups such as women, the elderly, and ethnic minorities (McDermott, Mahanty, and Schreckenberg 2013; Skrede and Andersen 2022). In short, official and applied PJ are institutionalised and operationalised through public participatory and consultation processes in spatial planning, and lived PJ concerns the lived dimension of experiencing such processes.

Communicative planning

Communicative planning (CP) theory and practice have promoted fair and meaningful public participation in decision-making processes since the 1980s. The core idea of CP is participatory dialogue to involve a broad range of stakeholders and affected groups in socially oriented, fairness-seeking urban development processes (Sager 2018). The CP process strives to be inclusive and transparent to achieve mutual understandings between citizens and other stakeholders and improve the living conditions of marginalised groups, exploring different ways of involving them before a plan is politically settled. In public participation, groups and individuals are invited to the planning process to create arenas for expression of opinion and information exchange between professional planners and affected groups (Sager 2018). In Sweden, the Commission on Democracy (SOU 2000) advocates the deliberative theory of democracy for participation. This means that citizens must be given more opportunities for meaningful participation.

Although since 1969 when Arnstein brings the ladder of participation into the discussion (Arnstein 1969), CP and citizen dialogues have been criticised and remain problematic. Soneryd and Lindh (2019) explain that there have been two approaches in planning research: normative, and critical. The normative approach relies on the Habermasian idea of deliberative democracy and sees citizen dialogue as part of broader democratisation or empowerment processes. The critical approach relies on Foucauldian conceptualisations of power and governmentality and views citizen dialogue as part of wider processes to enrol citizens in city developments that are narrowly defined by private interests and investments and very difficult for them to influence (Soneryd and Lindh 2019).

Sager (2018) introduces four critiques of CP in his article "Communicative Planning Theory". The first concerns the weak linkage of CP to procedural and substantive qualities, meaning that the focus on how to design and implement a democratic process is oversimplified (Sager 2018); i.e. we cannot expect a fair process and just outcome simply by involving citizens. The second focuses on the conceptualisation of power in planning processes. Other researchers, in line with Sager, consider power relations an obstruction to the effectiveness of CP and more specifically citizen dialogue (Huxley 2000; McGuirk 2001; Westin 2021): citizens are invited to influence a process in which public and

private interests are in conflict (Montin 2021; Soneryd and Lindh 2019). The third point concerns handling social conflicts of interest that arise in the planning process (Gualini 2015; Watson 2003). The fourth point concerns urban planning becoming biased toward satisfying capital interests, in particular neoliberalism (Baeten 2018; Sager 2018).

The planner's role has been criticised in CP as frequently torn between dialogical ideals and neo-liberal realities (Sager 2009). As planning development is increasingly influenced by private interests with the rise of neoliberalism in the housing sector, the planner as a mediator between politicians, developers and affected community becomes a "facilitator of the market processes" (Fainstein and Fainstein 2013). The planner's role is currently under pressure, facing conflicting demands from one side – values and expectations from CP practice – and on the other side – politicians and adminis-trators who prioritise efficiency and cost-effectiveness (Sager 2009). Mees argues that the participa-tory and communicative part of planning processes is often manipulated towards neoliberal logic. Baeten (2018) notes that as long as economic concerns are prioritised, the planners will continue to face challenges integrating economic, environmental and social issues in urban development.

Within public participatory literature, some research focuses on the residents' experiences of par-ticipatory processes (Fors et al. 2021; O'Brien et al. 2011; van Holstein 2017). According to Fors et al. (2021), one of the main aspects, especially among marginalised groups, is the experience of various types of barriers, such as lack of resources, including limited time, insufficient support from auth-orities, and conflicting interests (Fors et al. 2021). Not having access to necessary information, skills, knowledge, and income appears to be a greater barrier for marginalised groups. Van Holstein (2017) found that residents feel they are offered limited opportunities to steer the development planning process, which makes them feel frustrated and dependent.

Additionally, Susan Fainstein has highlighted the importance of the conversation around just planning (Fainstein 2000; 2001; 2005; 2010). She introduces a framework for justice within urban developments that includes democracy as the foundation of decision-making power, diversity as the consideration of inter-group relationships, and equity as the outcome. According to Fainstein (2010), achieving a just city involves fostering values of democracy, equity, and diversity; applying processes of participation, contestation, and democratic planning; and realising tangible outcome. She argues that just policies should not perpetuate inequalities but, rather, lead to more equitable outcomes to protect those who are less advantaged (Fainstein 2010).

PJ in the Swedish planning system

Sweden has taken legal and administrative steps towards developing planning processes based on communication and dialogue between local governments and other actors (Akarçay 2020; Listerborn 2007). Hofstad (2013, 273) describes planning systems in Sweden as hierarchical governance that "consists of democratically elected representatives who ultimately control and are supported by bureaucracy". The system emphasis the role of experts rather than citizens in social problem-solving, leaving limited space for non-public actors to negotiate (Hofstad 2013). Municipalities have a planning monopoly in this hierarchal system (Hägglund 2013; Nylund 2014). According to PBA, every municipality must make spatial planning decisions by developing a comprehensive plan for the long-term development of built and non-built environments. The comprehensive plan must be approved by the city council. While not legally binding, it is an important strategic document with a long-term political vision and guidelines. Municipalities must produce a detailed development plan (*detaljplan*) for each development project in order to legalise decision-making processes. A detailed development plan describes the specific use, density and accessibility of a limited local area and must be approved by the city council to become legally binding (Nylund 2014; Thune Hedström and Lundström 2013).

According to PBA, when developing a programme or a detailed development plan the municipal-ity must consult with different stakeholders, e.g. the County Administrative Board, other authorities, organisations, neighbours and other concerned parties (Figure 1). The consultation should aim for
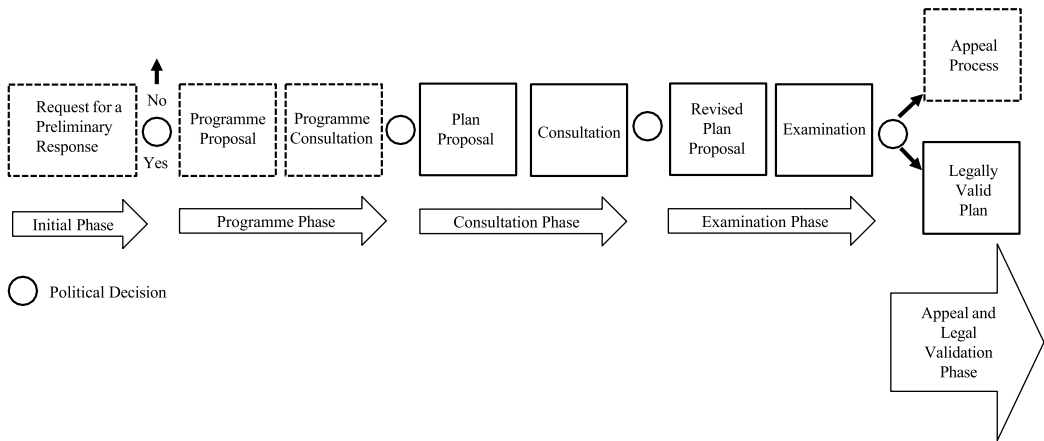
Figure 1. Planning process in the Swedish planning system.

the best possible decision and to provide the opportunity for transparency and influence (PBA 2010). The municipality must present the planning proposal on its website and document all comments and suggestions. While public consultation is obligatory according to the PBA, municipalities determine how they will achieve procedural aspects of justice (Nylund 2014; Thune Hedström and Lundström 2013; Wänström 2013).

Methodological considerations

The overall approach of this paper is to illuminate the tensions between institutionalised and perceived justice. This is done through a layered assessment of PJ in a case in Malmö. This approach includes examining the official, applied, and the lived layers, which gives a comprehensive understanding of how PJ is operationalised, including its obstacles and opportunities, and shows the extent to which the layers are aligned.

Research context

Located in southern Sweden, Malmö is the country's third largest city with a population of over 350,000 (Malmö-Municipality 2022c). In the last decade, Malmö has undergone tremendous changes, going from an industrial town to a post-industrial city with emphasis on economically-driven urban development that benefits wealthier residents who purchase real estate and private developers (Holgersen and Malm 2015). This development is frequently branded under the guise of urban sustainability, but it has also been described in the literature as neoliberal and potentially exclusionary (Holhersen and Malm 2015). According to the city's comprehensive plan, urban densification has three overarching goals: resource and energy efficiency, regional economic development, and support of a more vibrant, multi-functional urban centre. The city is becoming more compact and growing inwards in order to preserve surrounding agricultural land, and more housing will be built in all neighbourhoods and urban environments (Figure 2) (Malmö-Municipality 2018).

Furthermore, the comprehensive plan focuses on the city as a social and democratic space and encourages public participation, stating that:

> People who feel part of the democratic process and find support amongst their peers are the people with the best health. Physical planning can promote participation both in the layout of communities as well as actively encouraging input in the planning process. (Malmö-Municipality 2018)

Thus, PJ is advocated in the national urban planning framework (law and regulations) as well as on the official municipal level. No concrete suggestions for performing this procedural inclusion and
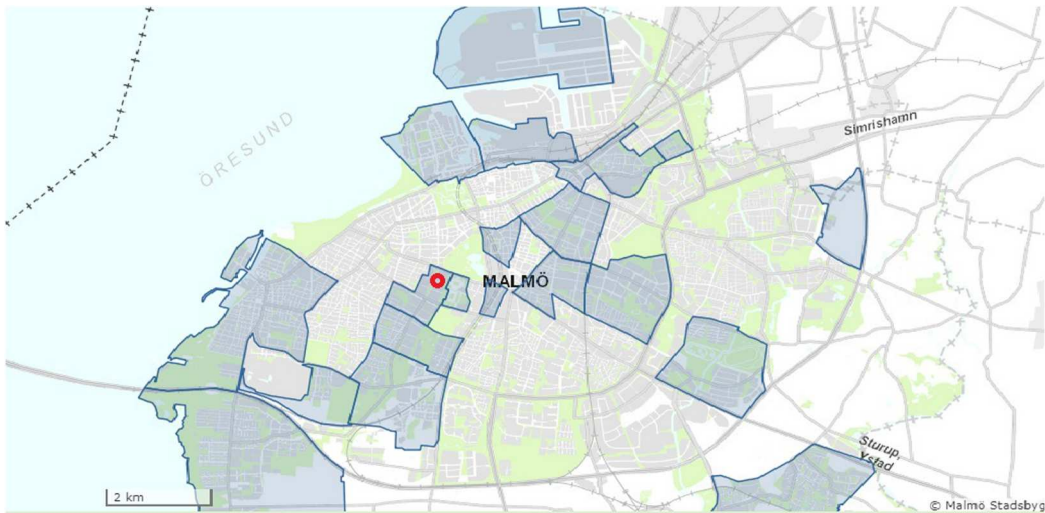
Figure 2. Urban development plan, Malmö. Light blue indicates new development areas, including both urban transformation projects in built areas and non-built environments. The red dot shows the Bellevuegården transformation project (Malmö-Municipality 2021b).

justice are offered on the national or municipal level, however. Therefore, whilst there are initiatives to involve the citizens in the planning process such as exhibitions, seminars, city walks, teaching materials, reference groups and focus groups, these have a more informative function, rather than offering participatory influence or self-determination (Nylund 2014).

Bellevuegården

Built in the 1970s as part of the Million Programme project, Bellevuegården is a neighbourhood in western inner Malmö. The Million Programme was an ambitious national project to build one million housing units in ten years from 1965 to 1974 (Hall and Vidén 2005). Houses in Bellevuegården (Figures 3 and 4) are uniform, multi-storey rentals with large green yards and open spaces, and a centre with local services (Malmö-Municipality 2022d). Bellevuegården's residents are socio-economomically challenged, with a higher unemployment level (40%) and a lower level of education compared to Malmö on the whole (Malmö-Municipality n.d.). About 25% of the population is elderly (65 or older) and around 45% are immigrants (Malmö-Municipality n.d.). Since 2015, Bellevuegården has been listed as a so-called "vulnerable area", afflicted by high crime rates (Swedish Police 2015; 2021).

Densification in Bellevuegården
The development and densification of rental housing in Bellevuegården is part of a larger regional development plan in which Malmö and the Scania region reached an agreement with the state, which will finance expansions to public transport. In return, the city will build new housing. Lorensborgsgatan will be transformed and narrowed, with a separate express bus lane, a car lane, and bicycle paths. Based on the detailed plan for Bellevuegården (Stensjön and Delsjön residential areas), 330 flats will be constructed partly on parking lots, and partly in the courtyards (Figure 5) (Malmö-Municipality 2022a).

Operationalisation of PJ in decision-making process of densification project
The city planning board decided to review the densification for Bellevuegården in 2020 and sent the proposal to referral bodies and interested parties for review. Information about the proposal was available for the public from the city's website, at Bellevuegården library, and at the municipal

Figure 3. Outdoor environment in Bellevuegården.

rental housing company's office, MKB Fastighets AB, in Bellevuegården. Information about the plan proposal, the review period and the invitation to the review meeting were sent by post to residents and posters were hung in stairwells in the area. A digital review meeting was held on 11 November 2020 (Malmö-Municipality 2021c).

Possibilities for dialogue were limited during the consultation period for both the detailed development plan and the planning programme due to the COVID-19 pandemic. The initial information meeting was cancelled at the last minute due to the pandemic, and residents were asked to phone the city planning office for information about the plan. Three information meetings (two in person, one digital) were organised after the end of the consultation period, in June 2020 due to pandemic restrictions (Malmö-Municipality 2020). Thus, consultation meetings were not organised without gathering the residents' opinions from during the official consultation period.

The consultation period for the broader planning programme[2] for the area was 9 June–30 September 2021 (Malmö-Municipality 2022b). Two consultation meetings were held online, one at the beginning of this period and one at the end; around 55 people attended each meeting. Questions could be asked before and during the meeting, and the project manager, other experts and politicians were available for questioning. A model of the entire plan area was exhibited at Bellevuegården library. There were information sheets and copies of the plan programme there, but no oral presentations of the model. Furthermore, "future walks" (*framtidsvandring*) were offered to provide a better picture of the project goals and proposals on walks around the neighbourhood[3]; there were three of these during the consultation period (Malmö-Municipality 2022a). Additional citizen dialogues were also conducted before the official consultation, with workshops organised by the city and MKB to gather views about the planning area.

Figure 4. Outdoor environment in Bellevuegården.

Residents' mobilisation against the densification project

Bellevuegården's residents mobilised and protested the densification project in 2020, after Malmö Municipality held an information meeting and published news about the project on their website. Some of the residents started a Facebook group to express their objections to the project. They collected around 700 signatures protesting the plans as a community response. In February 2021, the protester group appealed to the Land and Environmental Court (*Mark- och miljödomstolen*), citing poor procedure for the consultation meetings and maintaining that the plans would decrease the green areas by densifying with construction on green commons in the courtyards. The appeal maintained the high value of the green space for residents especially since the area is characterised by marginalised populations with lower socio-economic status; the adjacent spaces thus have critical importance for residents' recreation and social cohesion. Additionally, the brief states that residents are often impaired regarding their mobility and therefore unable to travel to other green spaces, increasing the importance of very local access. The appeal also includes concerns about gentrification and rent increases for existing residents. The court dismissed the appeal citing PBA (5 § 11): the municipality decides on the content of the public consultation and how to use information. Residents submitted a second appeal to the Supreme Land and Environmental Court with 121 signatories, but this was also dismissed and not given a trial permit (Figure 6).

Data collection

The empirical material for this paper is based on two groups of sources: document analysis and interviews (Table 1). First, we collected official planning documents on the Bellevuegården densification project from Malmö's municipal archive and website. We then conducted two interviews with a
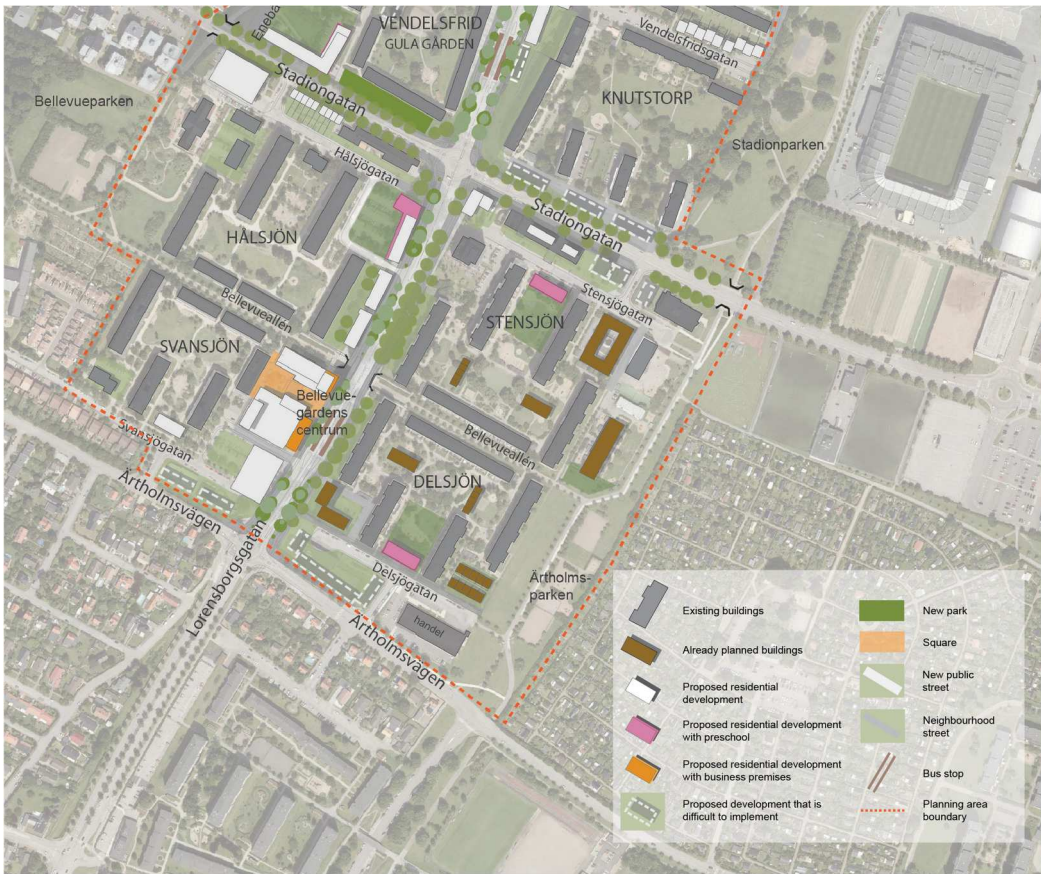
Figure 5. Bellevuegården (Delsjön and Stensjön) with current buildings and the planned new buildings (Malmö-Municipality 2021a). Illustration was modified by Christopher Klich.
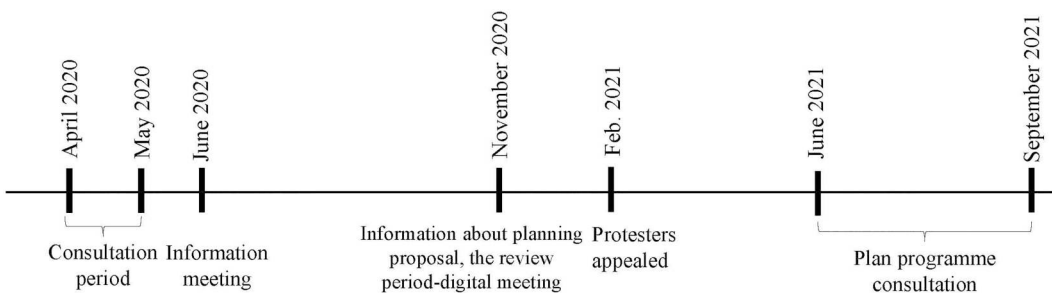
Figure 6. Plan process timeline for Bellevuegården densification project showing that the information meeting took place after the consultation period due to the pandemic. It shows that the municipality started the consultation period for the plan pro-gramme around one year after consultation for the detailed plan.

municipal employee and an MKB project manager, and ten interviews with Bellevuegården residents who had attended consultation meetings. All interviews took place in the summer and autumn of 2021. Interviews were recorded and translated by both the first and second author. We also attended two public consultation meetings and two future walks.

Table 1. Overview of empirical data.

Data collection	
In-depth interviews	**Informants (position/sector)**
10	Residents, Bellevuegården (6 women, 4 men, 4 employed and 6 retired)
1	Planner, City Planning Office, Malmö Municipality
1	Housing company project developer
Content analysis of official planning documents	
	Comprehensive Plan (Malmö-Municipality 2018)
	Planning programme 6050 (Malmö-Municipality 2022a)
	Consultation report for planning programme 6050 (Malmö-Municipality 2022b)
	Detailed plan 5513 (Malmö-Municipality 2022b)
	Statement report after review (Malmö-Municipality 2021a)
	Consultation report for detail plan 5513 (Malmö-Municipality 2020)
Summary of outcomes from legal cases concerning the densification process	
	Appeal, Växjö District Court P1127-21 Aktbil 1 (Växjö district court 2021)
	Appeal, Svea Land and Environment Court of Appeal P5906 21 Aktbil 3 Överklagan Dp 5513.
	Protocol for decision. Svea Land and Environment Court of Appeal. 2022. Aktbilaga 35 Mål nr P5906-21

Official documents

We carried out document analysis to understand the official layer of PJ in the Bellevuegården densification project by including documents related to the densification project in the comprehensive plan and the appeal documents (Table 1).

Interviews with the planner and stakeholder

The first and second authors conducted two semi-structured, 1–1.5-hour interviews separately with a planner from the Malmö Municipality and a project manager from MKB. The interviews were online (Zoom) and aimed to understand the interviewees' involvement in the project procedures, how they applied the procedures, and how they themselves experienced the process in terms of PJ. Combining data from two datasets from the first and second authors allowed for rich material and cross-comparisons between initial coding and interpretation to establish themes.

Interviews with residents

Interviews with residents (Table 2) aimed to capture the lived layer of PJ. We used in-depth interviews, which allow discovery or elaboration of information that is important to participants but may have been overlooked by the researcher (Gill et al. 2008). It gives participants an opportunity to raise issues or topics not anticipated by the researcher (Braun and Clarke 2013). An interview guide (Appendix 1) was prepared including a series of supporting questions developed to understand how residents experienced the densification project in their neighbourhood. We interviewed

Table 2. Overview of the infromants.

	Gender	Interview setting
Informant 1	Woman	Her home
Informant 2	Woman	Together at the tenant association room
Informant 3	Man	
Informant 4	Woman	Together at their home
Informant 5	Man	
Informant 6	Man	Together at the tenant association room
Informant 7	Woman	
Informant 8	Man	On a bench in the courtyard
Informant 9	Woman	On a bench in the courtyard
Informant 10	Woman	At the tenant association room

ten residents (six women and four men); the conversations lasted 45–60 minutes. All participants were signatories of the list protesting the densification project, selected since they could be expected to have either participated in public consultation meetings, or have opinions about the densification process, etc. In three sessions, the informants were interviewed in pairs for reasons of availability. The interviewees chose the interview locations: at their homes, on benches in the garden, or in a public meeting place in the neighbourhood. All participants had been living in Bellevuegården between 17 and 40 years.

Due to the sensitive nature of questions relating to the issues of vulnerability, segregation, and marginalisation of this study ethical approval was applied for from the Swedish Ethical Review Authority (Dnr: 2019-05938).

Data analysis

Qualitative thematic analysis

In order to answer the three research questions, we divide the analysis into three themes that correspond to the three layers of procedural justice. We used experiential thematic analysis to identify emerging themes, within the overarching three research questions, and patterns of meaning across the dataset. Braun and Clarke (2013) call this "pattern-based analysis"; it aims to capture the most meaningful elements in order to answer research questions. We went through seven stages of thematic analysis, from preparing the transcriptions, reading and familiarisation, coding, search for themes, defining and naming the themes, and finally writing and finalising the analysis (Braun and Clarke 2013). Step 1 – Transcribe the data: The audio files from the interviews were listened couple of times and transcribe. Step 2 – Reading and familiarisation. Step 3 – Generate initial codes: At this stage, the researchers (first and second authors) only coded data that are relevant to the research questions. The code in this study is in the form of statement considered by informants. Similarities in responses between interviews were underscored and organised. Transcripts were reviewed several times and new or modified codes were updated. Step 4 – Search for themes: All relevant coded data were organised into different themes. Step 5 – Reviewing and naming the themes: In this stage, all themes were revised and modified. Step 6 – Define themes: The main questions we focused in this stage were; what are the relations between themes from interviews from stakeholders and the residents? How do these relations attain the research questions? Step 7 – Writing and finalising the analysis.

Findings

The findings are organised according to a three-layered assessment of participatory justice (PJ) as examined in this study: the official, applied, and lived dimensions.

Official PJ – operationalisation of PJ in policy and planning

This section is based on a document analysis of official sources, including municipal plans and reports (Malmö Municipality 2021a; 2021b; 2022a), as well as information from Malmö's website. This material was analysed to uncover how PJ is operationalised through public consultation processes in the case of Bellevuegården. The selection of Bellevuegården as a designated vulnerable neighbourhood was especially relevant after interviews with local residents and officials involved in consultation meetings.

Malmö's overarching city planning strategy, as outlined in its 2018 comprehensive plan, emphasises inward growth or "densification" rather than suburban expansion. The plan stipulates that housing development should be pursued across all urban areas, including the city centre, coastal regions, and large residential districts, and also encourages the development of detached housing on the city's outskirts. Within large-scale residential areas, ecological upgrades and structural

adjustments are proposed to facilitate sustainable development. According to the plan, densification is ongoing and will be expanded across the city in the near future[4] (Malmö Municipality 2018).

In alignment with this strategy, Bellevuegården's courtyards are viewed by planners as potential spaces for increased housing capacity. Currently, these courtyards allocate approximately 40 square metres per apartment, which planners intend to reduce to around 20 square metres per apartment to enable additional housing. Documents assert that this adjusted ratio will accommodate various social activities while preserving adequate outdoor space. Planned renovations of the courtyards and surrounding areas are further expected to contribute positively to Bellevuegården's identity. These changes are projected to enhance residents' sense of belonging and improve "social supervision" in the area (Malmö Municipality 2021a; 2022a).

The city's documentation frames issues of neighbourhood vulnerability and crime primarily as consequences of wider social problems, suggesting these are mainly under police jurisdiction rather than factors that urban planning can directly address. Referring to a Swedish police report, city officials highlight Bellevuegården's architectural design and traffic infrastructure – specifically noting a pedestrian tunnel under Lorensborgsgatan (Lorensborg Street) that separates vehicle and pedestrian traffic and has been labelled as a safety risk by police (Malmö Municipality 2021c). Additionally, the police report identifies apartment overcrowding as a concern, underscoring the need for new housing (Swedish Police 2017).

The document analysis also indicates that pandemic-related restrictions limited the city planning office's ability to engage directly with Bellevuegården residents. In response, efforts were made to distribute planning documents more widely and provide accessible information to uphold and strengthen democratic engagement throughout the process (Malmö Municipality 2022b).

Applied PJ – facing implementation challenges

This second section presents findings from interviews with a planner from Malmö Municipality and a project manager from the housing company MKB, illustrating the practical applications and challenges of implementing participatory justice (PJ) in urban development. The data highlight the complex role planners and developers play in balancing residents' needs, developers' interests, and the political objectives for city growth, as well as the logistical and interpretive challenges of organising public consultation meetings.

The municipal planner described legal requirements as ambiguous, indicating that the Planning and Building Act (PBA) lacks clarity on how to inform residents, leaving considerable room for subjective interpretation. Although the PBA mandates public consultation meetings, it provides limited guidance on the format, content, or consideration of resident feedback (Thune Hedström and Lundström 2013). The planner noted, "This makes estimating the process of informing residents difficult; how much to do, and when to do it," revealing the challenges in setting clear protocols. Both the planner and project manager described uncertainty regarding stakeholder identification and notification protocols, as well as concerns about the reasonable workload involved in these tasks. The municipality ultimately chose not to mail information directly to each household due to financial constraints and perceived difficulties in resident comprehension. As the planner explained:

> We feel that our processes are so difficult to understand that it would be too much, and a flyer like that would go straight to the bin. One can't take it in (…) So in a way we can say 'yes, we've sent it to everyone,' but whether that's how to really reach people with information is uncertain, unfortunately.

Instead, the decision was made to distribute information via landlords and housing associations. The municipality provided informational materials, and MKB was entrusted with determining the most effective distribution methods. In parallel, the city displayed the proposed plan at a local library, and it was made available on their website and through newsletters; however, there was no municipal follow-up to verify how MKB conducted this distribution.

The planner also expressed some ambivalence toward specific elements of the plan, noting certain development requirements had been prioritised according to developers' interests. The project manager from MKB acknowledged the project's financial complexity due to its location in an already developed area, contrasting it with new development zones like Hyllie.[5] MKB's goal of regulating rents necessitated maximising housing units, including within courtyard spaces. The planner noted, "MKB's proposal did not contain technical problems that could be stopped," likely due to Malmö's model for rent control, which incentivises high-density development.

Following the consultation period, the city planning office compiles feedback into a consultation report, which documents the extent to which resident comments have been addressed. This report is presented to the municipal board, where planning decisions are made. However, the planner expressed concern that the report is a one-way communication, as it is not shared directly with residents prior to political review:

> I think I might check whether we could publish it earlier. Although that doesn't really work, because the politicians have to weigh in on my responses; they have to approve that document as well, actually. So I can't respond to the residents (…) to optimise communication with the residents I should answer right away, but it really has to go through the political process.

An informant from MKB acknowledged the consultation process was more challenging than usual due to the pandemic but noted that both in-person and digital meetings were held, with adequate space for all attendees. The informant clarified that while aspects of the plan were open to resident influence, others were not, as the city government had mandated additional housing. They stated:

> The city requested that we look at densification possibilities, and we want to build housing. If someone says 'we don't want this' … it's not something you can affect as a resident. However, they might be able to influence where the houses will be placed, their height; they can influence a lot of things, actually. They can influence how the future will be in the area, and we also tell them about possibilities for residents to join and get involved in the courtyard design, and we bring in landscape architects.

However, the informant also reported limited resident interest in courtyard design, attributing this disengagement to socio-economic factors and daily challenges faced by residents in vulnerable neighbourhoods, which reportedly limit their capacity and willingness to engage in the consultation process.

Lived PJ – residents' experiences of PJ

Awareness and initial reactions to the densification project

Analysis of interviews with Bellevuegården residents reveals that they became aware of the densification project through multiple channels, including newspaper articles, a model displayed in the local library, and informational posters in building stairwells. Upon learning about the project, residents organised a collective response by creating a Facebook page, *Mot Bygget på MKB Bellevuegården* ("Against the Construction at MKB Bellevuegården"), in April 2020 to exchange information. By the time they were invited to consultation meetings, residents were already opposed to the development plan, perceiving the process as unfair based on three key concerns: (1) how they were initially informed; (2) their experiences of the consultation meetings; and (3) their views on the project as a whole. Each of these themes is discussed in detail below.

Consultation meeting information process

The interview data indicate that residents learned of the project in different ways and often could not pinpoint exactly when they first received information. Due to pandemic restrictions, the municipality held two consultation meetings digitally, a format that drew considerable criticism from residents. Each meeting, scheduled for approximately one hour, included a project presentation followed by a brief question period. Participants noted that questions could be submitted in advance but felt

that the municipality seemed to select only less challenging questions. As one participant stated, the limited time and the municipality's control over the format hindered deeper discussions:

> They [the organisers] had the power over the meeting, especially the authority to end the consultation. This means they could conclude the meeting without addressing people's concerns, which makes it much easier to control the meeting and end it compared to in-person meetings.

The online format also presented challenges for older residents, who experienced technical difficulties or lacked devices, limiting their ability to participate.

The interview data further indicate a discrepancy in expectations between residents and organisers. The municipality and MKB aimed to present the development plans and discuss specific details, such as building locations within the courtyards, while residents hoped to protect their green spaces. This difference in expectations left many feeling disappointed and unheard. As one resident, Informant 3, remarked:

> It is called a consultation meeting (*samrådsmöte* in Swedish). But in fact, they don't want to hear our points because they have already decided. If it is consultation, it should be like maybe a questionnaire, asking, 'do you think we can do this or that?' But they don't do that. They decided first, then they go out [to the public]. And any of those steering the meetings don't want to go back and accept changes. It's almost like a joke of democracy … We already talked to them and informed them, but as to what they said, what were their points or comments, we can take it another time [laughing].

The lived experience of densification. Residents' awareness of the densification project prompted an increased appreciation of Bellevuegården's existing qualities, which they now saw as threatened. Residents valued two main qualities: aesthetic and social. Nearly all participants praised the neighbourhood's openness, specifically the space between buildings, the scenic views, and the green areas with unique hilly landscapes. These hills are used year-round by children and adults alike, especially in winter for sledding. Some residents reminisced about their initial impressions of Bellevuegården, citing the open spaces and greenery as defining features.

The neighbourhood's landscape also supports social life. Facilities like benches, picnic tables, barbecue areas, and playgrounds contribute to daily life and are popular gathering spots during warm weather. While residents noted a shortage of social spaces, they expressed appreciation for the open grassy areas surrounding the courtyards that can be used when other spaces are occupied. Bellevuegården is also connected by walking paths to nearby green spaces like Stadionparken, Pildammsparken, and Krokbäcksparken, which are valued by dog owners and families alike.

Concerns about the densification project have, however, disrupted daily life. Nearly all participants reported feeling worry and uncertainty about the future. As Informant 2 explained, "Not a day goes by where we don't talk about the densification project at home, especially when we're sitting in the kitchen and looking out the window. We don't know what will happen."

The prospect of the development has led some to consider moving, although financial constraints make relocation difficult for many.

Experience with the appeals process. Following the public consultation, residents felt compelled to appeal the project, given that their feedback had not been meaningfully addressed. Informant 1 commented,

"We had the opportunity to express our opinions, and they did not consider them, so we appealed." Residents reported frustration with the appeal process, citing the significant time and resources required to collect the necessary signatures and the specialised knowledge needed to understand the procedural requirements. Informant 10, who took an active role in the appeal, explained, "It requires knowledge, and it requires ideas, and it requires knowing what question I should ask now to get the right answer." The findings underscore residents' sense of disenfranchisement in the face of a complex bureaucratic system, one which they perceive as unresponsive to community needs and difficult to navigate without specialised knowledge.

Discussion

The overall contribution of this paper is an illumination of the tensions between institutionalised and perceived justice, through an examination of official, applied, and lived layers of PJ. In line with previous research (Carvalho, Pinto-Coelho, and Seixas 2016; Castell 2016; Listerborn 2007), the findings show a misalignment of PJ between the three layers, which prevented efficient operationalisation. Through our empirical analysis, we found that integrating the three perspectives provided additional insights into the process, insights that were otherwise inaccessible through isolated analysis. This integrative approach enabled a deeper understanding of the interrelationships among the perspectives, such as between different authorities and different individual differences.

The formal requirements for participation were met at the *official* layer, since affected residents were consulted during the planning processes. However, at the *applied* layer, planners are spread thin between different logics and value systems to fulfil residents' needs, developer's wishes, and political goals for development of the area. Residents did not feel heard at the *lived* layer of PJ. The residents' perception of unjust procedure stemmed from a misalignment of their expectations when attending consultation meetings with the formal participatory requirements, and the planners' interpretation of these. Residents initially expected greater influence over development in the area and hoped to save their green spaces but were given only minor opportunities to influence plans, and subsequently felt unheard.

An important aspect of procedural injustice is the extent to which different actors – planners, developers, and citizens – may influence planning practices. As mentioned above, for residents, the consultation meetings were like an information meeting (Castell 2012; 2016) rather than an arena to discuss and ideally influence the plan, corresponding to "tokenism" in the ladder of participation (Arnstein 1969). This opposes the Commission on Democracy, which advocates greater opportunities for participation and the provision of meaningful engagement (SOU 2000). This is also aligned with Méndez-Barrientos et al. (2024), which states that creating opportunities for residents to influence decisions and shaping the conditions of decision-making processes are essential to achieve PJ.

The planners face a difficult situation in their role mediating meaningful participation between the interests of government, developers and residents. The result shows that planers are "torn in between dialogical ideals and neo-liberal realities" (Sager 2009). On one hand, they want to value residents' needs, whilst on the other, they tend to accommodate the neoliberal logic of the political and the developer's goal. Sager (2009) discusses the planner's role as either oriented towards the values of empowerment and inclusion of communicative planning, or more exclusively in the service of efficiency and cost-effectiveness (Sager 2009). Although planners were aware of the green spaces' values, the plan ultimately fulfils the developer's wish to build extra housing in the courtyards. This shows the planners' struggle to satisfy the politicians and the official layer in addition to the residents, as if they function between the layers of PJ.

The findings echo urban planning literature that shows how public participation and engagement of residents in marginalised neighbourhoods has been a difficult task for planners (Castell 2012; Fors et al. 2021; Molin and Konijnendijk van den Bosch 2014). Because of their low social status and their struggle with daily life, it is difficult for them to process the new changes and comprehend the complex development project. Soneryd and Lindh (2019) state that "citizens are excluded from dialogue on many issues that affect them and on which they may have opinions because these issues are often deemed too big and complex" (Soneryd and Lindh 2019). Again, the planner's role is even distinct, as planners are responsible for finding ways to create open and inclusive participation.

Despite the municipality's and developer's effort to create just decision-making processes, the case does not show ways forward for finding solutions to this PJ issue. It is crucial to understand the importance of the context and the aspect of time. A more successful example of lived PJ is the green space planning project in Urbanplanen, Copenhagen (Denmark), where sufficient funding was allocated to the social master plan, which employs social workers to engage residents

in these change processes (Manzo et al. 2023). Funding and capacity make it possible to build bridges between planning and subjective and local values.

This paper demonstrates the trivalent interrelationships between distribution (losing physical green space), recognition (misrecognised the residents' need for green spaces) and the procedure perceived as unjust (Bell and Carrick 2022; McDermott, Mahanty, and Schreckenberg 2013; Schlosberg 2007). The courtyards in Bellevuegården, a marginalised neighbourhood, play a greater role in residents' everyday lives because of their low social status, lack of resources, and limited access to other green areas. The appeal claimed that since the residents might not be able to travel during holidays, the green spaces are important for recreation, health and well-being. The value of green spaces in a marginalised neighbourhood is thus higher than in a neighbourhood without such problems (Kristensson 2008; 2012). This not only points to the classic issue of distribution, but also addresses the processes that construct maldistribution and lead to misrecognition of specific groups and hamper meaningful participations (Bell and Carrick 2022; Schlosberg 2007).

The Swedish case also aligns with PJ global studies, where green solutions such as urban densification aiming to stop urban sprawl support agricultural land and nature conservation. As the result shows, the problem emerges when existing urban green space disappears for the sake of densification and more housing. This creates a contradictory situation: the agricultural land and nature around the city must be protected to maximise capital, whilst residential green space is taken away to accommodate more housing. Biodiversity thus misplaces the burden and injustice on vulnerable urban residents, e.g. in Bellevuegården, who lose their green space.

Conclusion

The paper advocates that layered assessment of PJ sheds light on how disconnected layers caused the unjust outcome for the residents. This not only concerned perceiving unjust process but also distribution injustice by building on green spaces and misrecognition, as the final decision misrecognised the residents' voices, and their concern about the importance and the value of green spaces in Bellevuegården. Opportunities for residents to influence plans through formal public consultation or appeal through formalised processes in this case were minimal and would have required expert knowledge from the first point of engagement. Barriers to participation found in this study align with Fors et al. (2021), who outline reasons for non-participation that include lack of trust in existing political decision-making structures; fear of lacking any real political influence; direct exclusion from the physical or social landscape; and lack of awareness among users about their possibility to participate (Fors et al. 2021).

We assert that while the concept of just development in the urban environment is still more on a visionary (official) level, it remains challenging to operationalise the regulations meant to facilitate procedural justice. This disconnect can lead to experiences of unjust processes and outcomes. Residents are concerned about their neighbourhood environment and how new buildings might affect them. The courtyards have many different values for residents: the green views, open spaces, social values for gathering families and friends, and places for children to play.

The COVID-19 pandemic further complicated the decision-making process in Bellevuegården, creating a unique situation that affected all groups in this study, residents and stakeholders alike. New technology and new ways of holding consultation meeting influenced residents' satisfaction with participation in consultation meetings. It is thus unclear how the pandemic affected residents' willingness to participate. The interaction between researchers and participants was also affected. In this study, we primarily interviewed residents who have lived in the neighbourhood for a long time (17–40 years). The group of residents with less residency duration was not included, in part due to difficulty reaching different groups.

This is a qualitative case study, and the findings cannot be extrapolated or generalised across Swedish cities, it reveals critical patterns regarding the lack of citizen participation in marginalised

neighbourhoods. Future research could benefit from a larger sample of municipalities and use of comparative case studies, which could include various socio-democratic variables as well as different planning and governance contexts. Such research could deepen our understanding of the intertwined nature of procedural justice and citizen engagement, ultimately contributing to more equitable urban development practices.

Notes

1. Martha Nussbaum and Amartya Sen added capability as the basic functioning of individuals and communities. We onlyuse the trilogy definition of distributional, procedural, and recognition justice (Schlosberg 2007).
2. Sometimes municipalities start with a programme (planprogram) to formulate and approve a detailed development plan. Such programmes often gather basic information on a larger area that will be divided into different detailed development plans (Thune Hedström and Lundström 2013).
3. E.g., Limhamn's lake town, Holma, Kroksbäck, Johanneslust, Östervärn, Norra Sorgenfri, Gröndal, Almgården, Lorensborg, Rosengård, Persborg, etc.
4. There were around six people in total participated in the Future walks, which were related to Bellevuegården neighbourhood.
5. Hyllie is one of the districts in Malmö located in the southeast, which has grown rapidly and transformed from agricultural land to become a densely built-up environment.

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