

THE 'EXCLUSIONARY CITY' GOES UNNOTICED BY MOST PEOPLE

The exhibition “The Exclusionary City”, organised by Projekt Udenfor and Aalborg University, highlights how exclusionary design and laws push homeless people out of urban spaces. Exclusionary architecture combined with criminalising legislation, such as bans on begging and sleeping in public, creates an ‘atmosphere of rejection’ that complicates survival for people experiencing homelessness. These measures render homelessness invisible, making social issues harder for the public to confront. The authors argue for sustainable solutions like affordable housing, improved mental health care, and adopting initiatives such as the Homeless Bill of Rights to ensure inclusive urban spaces.



By **Kirsten Skovlund Asmussen**, communications and disseminations officer, Projekt Udenfor and **Pia Justesen**, PhD and human rights lawyer, CREATE Aalborg University, Denmark

'I've never thought about just how unpleasant these cement benches are. They are so cold!'

'I didn't know that it's illegal to beg and that the punishment is so hard. Just asking for a few coins, you can get a prison sentence for 14 days. That seems extreme.'

'I've noticed the music they play in some train stations and thought it a bit annoying. I can't imagine what it must be like to listen to it all day if you have nowhere else to go. Or having to leave a place that brings you warmth when it's cold outside'

'Even though we spoke about hostile designs at university, there are many examples that I haven't noticed. They are so hard to spot.'

Such were the reactions when we invited people inside our exhibition, "The Exclusionary City".¹ With the exhibition on design and law that exclude homeless citizens from urban spaces, we, Projekt Udenfor and the research project *Exclusionary Design – Social Exclusion in Urban Spaces* at Aalborg University, aimed to highlight the city's excluding elements and encourage visitors to reflect on the broader societal impacts of increasing social exclusion in large cities.²

1 Catalogue: The Exclusionary City – An exhibition on design and law that exclude homeless citizens from urban spaces (2024). See: https://udenfor.dk/wp-content/uploads/2024/11/ProjektUdenfor_Katalog_Forsogsmuseet.pdf

2 See: <https://udenfor.dk/den-udstodende-by/>

The various design interventions and judicial regulations pushing people experiencing homelessness out of city centres or into prison have harsh consequences for people who are already in a socially vulnerable position. However, the development also affects other city residents, as they are confronted less with social issues.

Still, most people do not notice these changes.

“Exclusionary design... prevents people experiencing homelessness from using public spaces in ways they find meaningful or necessary.”

EXCLUSIONARY DESIGN AND LAW – AN ‘ATMOSPHERE OF REJECTION’

‘Exclusionary design’, also known as hostile architecture, is various design interventions preventing people experiencing homelessness from using public spaces in ways they find meaningful or necessary. It includes designs that create barriers to lying down, staying in certain places for extended periods, and barriers to gathering or finding warmth. It can also be benches made of material that cools the body, or benches that are short, have arm rails in the centre, or are completely removed. Loud music in parking basements or train stations, surveillance cameras, automatic lighting, raised heating vents, or steel grids are other examples of exclusionary design.³

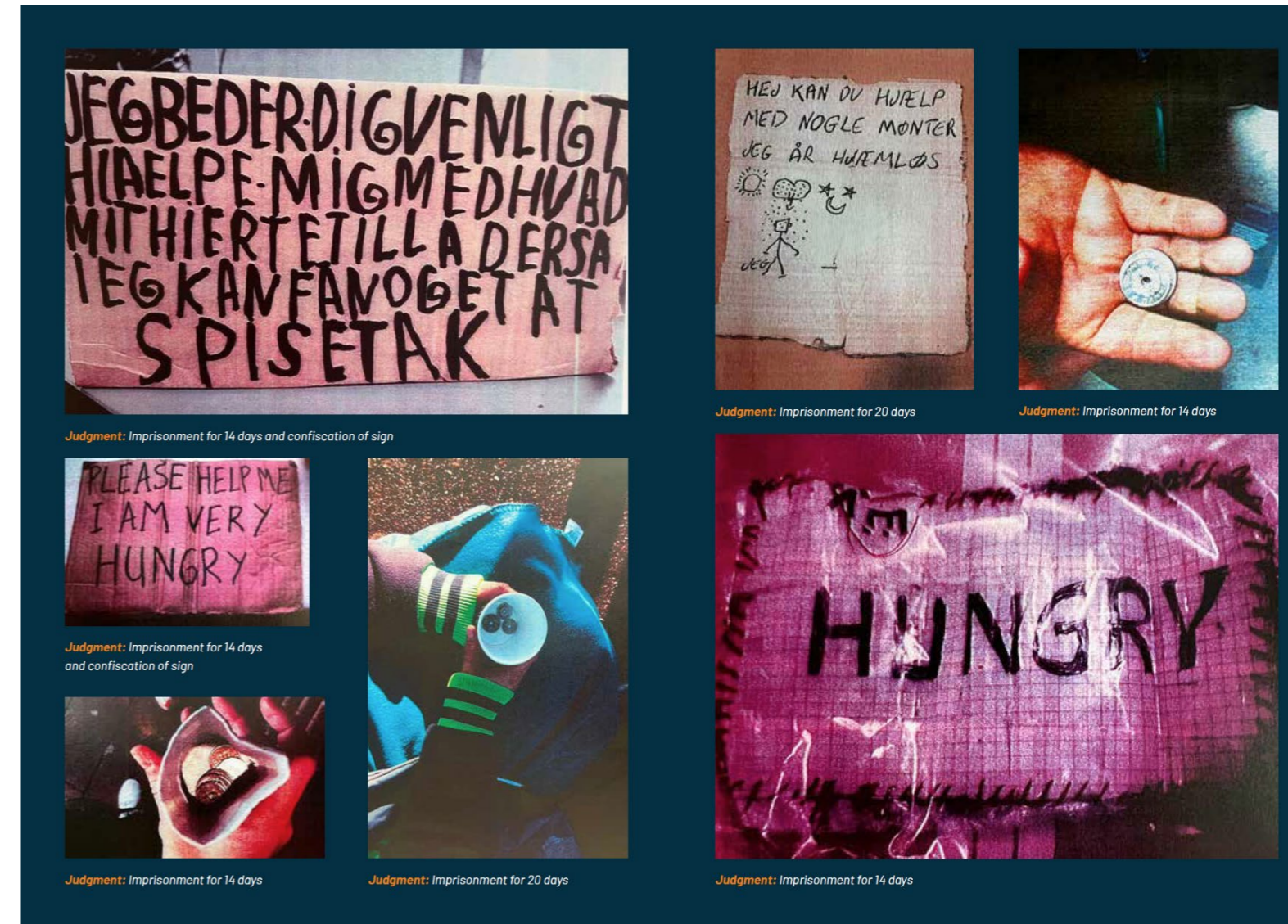
‘Exclusionary law’ is legislation criminalising certain behaviours that people experiencing homelessness and poverty may have due to their socially vulnerable position. In Denmark in 2017, criminalisation of certain ways of sleeping in public spaces was put in place, as well as stricter punishments for begging. The rules prohibit so-called “intimidating camps”⁴ and “intimidating begging”⁵ and were at the time dubbed “Roma Laws” by the Danish media. They were a political response to a moral panic ignited by the then mayor of Copenhagen and certain media stories about foreign rough sleepers begging and living in encampments in public spaces, allegedly creating discomfort for other city residents.⁶

3 Nielsen, C. H. (2024). *Ekskluderende design – Når design skaber eksklusion*. Aalborg Universitet, page 127 f.f.

4 Danish Public Order Regulation, article 3(4) and 6(3).

5 As of 2017, the penalty for “intimidating begging”, cases where begging is committed in pedestrian streets, near train stations, at supermarkets and on public transportation, has been increased to 14 days of unconditional imprisonment for first-time offenders. Danish Criminal Law, article 197.

6 Justesen, Pia. (2023). *A Crime to Sleep in Camps – Denmark and International Human Rights*. *European Journal of Homelessness*, 17(1), 113-129.



The police often take photographs when they arrest people for »intimidating begging«. The images are examples from individual police files. They show coins, cups, and begging signs that have been used as evidence in court cases about begging. All images are from cases where people were found guilty of begging. They often received a prison sentence of 14 or 20 days. In comparison, they would typically have only received a fine if they had been guilty of shoplifting.

Furthermore, in Copenhagen, there are local ‘No Sleeping’ signs in 150 parks and green areas. Here, people experiencing homelessness could otherwise seek shelter from bad weather and would typically find benches and access to clean drinking water and toilets. The signs are put up by the City of Copenhagen and enforced by the police. Violations may result in a fine or expulsion.⁷

These designs, laws, and local sleeping bans not only complicate survival strategies that people experiencing homelessness might use, such as finding a warm place to sleep that is elevated from the ground or having shared sleeping spots for people to look out for each other and each other’s belongings, but they also create ‘an atmosphere of rejection’ by conveying a joint message to people living on the street: “you are not welcome here, go away!”.⁸ Simultaneously with the exhibition, we published the book “[No Access – Social Exclusion in Urban Spaces](#)”. Luna, who has been in and out of homelessness since the age of 19, describes in the book:

‘... I get frustrated with the rejection because it’s getting harder and harder to find a place to sleep. (...) They say that we make the city unsafe. But it makes us feel incredible unsafe to be rejected all the time. We are just trying to find a place to sleep where we can get a few hours without being disturbed. But we don’t dare to lie down. We’re constantly afraid that someone will come and scold us: ‘You can’t be here.’

7 Justesen, Pia (ed.). (2024). *No Access – Social Exclusion in Urban Spaces*. Danish Architectural Press.

8 Jensen, O. B. (2020). *Atmospheres of Rejection. How Dark Design Rejects homeless in the city*. Proceedings of the 4th International Congress on Ambiances, *Alloaesthesia: Senses, Inventions, Worlds*, (s. 326-331). Réseau International Ambiances.

»It feels really insecure to live on the street because you never know what will happen.«
Marlene, February 2022

»Homeless Problem Weighs Heavily on Copenhagen«
Headline, Jydskevestkysten.dk 2014

»V about Homeless Unrest: Relocate the Shelter from Klosterport«
Headline, tv2estjylland.dk 2018

»People on the Street Cause Noise and Create a Sense of Insecurity Near Schools and Supermarkets«
Headline, sjællandskenyheder.dk 2020

»It's also about what matters to us as human beings, being able to be in a place where you feel safe and where you can hang out with the people you relate to.«
Daniel, January 2022

»It's incredibly stressful not knowing where you will sleep tonight, and you can't feel safe anywhere, neither on the street nor in shelters. There is nowhere to go where you can say that you feel safe, there just isn't.«
Sussi, January 2022

»We just end up being thrown from place to place all the time, and they call it urban development. Yeah, right, it's actually the dismantling of us.«
Jacob, July 2022

»The regulations on intimidating camps are intended to combat the insecurity that may follow when homeless individuals settle in camps...«
Quote from Press Release, Justitsministeriet.dk 2020

»Several Areas in Nørrebro are Tormented by Homeless Individuals Causing Conflicts and Insecurity: Efforts Underway to Find a Solution for All Parties«
Headline, Københavnliv.dk 2023

»When you're alone at night, you're really vulnerable, and it feels damn unsafe. That's why we gather in groups, so we can look out for each other a bit.«
Brian, June 2022

»The capital requests help from the government to address Roma people living on the street and causing insecurity«
Subheadline, dr.dk 2017

»It's so stressful being homeless, and we all experience anxiety. The fear of being attacked, the fear of never getting out of this mess, and the fear of falling into addiction. It's so hard and you just get overwhelmed.«
Lykke, January 2022

»We design and arrange our spaces with the aim of ensuring satisfied and comfortable customers. Our stations are for travelers, not for people sleeping«
Quote from article, Avisen.dk 2014

»I know some people complain about the homeless, but I think it's also because they don't understand how hard it actually is for us. It's tough and really stressful.«
Heidi, May 2022

»In the city, it is becoming increasingly difficult to find a decent place to sleep«
Kasper, July 2022

»Group of Homeless Individuals Created Discomfort for Residents – Now They Are Returning«
Headline, tv2kasmopol.dk 2023

The quotes have all been translated and edited for readability. The original quotes from individuals who are or have been homeless are in Danish and can be found in the PhD thesis 'Ekskluderende design - når design skaber eksklusion' (2024) by Carsten Hvid Nielsen.

Find the PhD and the Danish articles that have been quoted at www.udenfor.dk/den-udstodende-by

Undignified, unsafe, and stressful are some of the words used to describe life in homelessness. These statements come from people who are or have been homeless, and who have shared their experiences with exclusionary design and legislation. Intimidating, noisy, and conflict escalating are on the other hand some of the words used to describe homeless citizens. The safety and security of people experiencing homelessness are rarely considered in legislation and design that shape our cities.

Homelessness is a significant attack on people's right to live in dignity. International human rights outlines obligations to prevent homelessness and ensure the right to a dignified life, an adequate standard of living and housing, a dignified emergency shelter, health, basic sanitation, privacy and the right to move freely in public spaces.

There is a double victimisation of people experiencing homelessness. In addition to living a life without a home, homeless citizens are ostracised from urban spaces on which they depend to stay, eat, sleep and earn money. Not only are homeless citizens pushed around the city or even out of the city, but they are also penalised for engaging in these vital everyday actions. Furthermore, the majority of those in Denmark penalised for begging and for violating various sleeping bans are migrants from Eastern Europe, which points toward discriminatory practices. The existence of exclusionary design and law and the discriminatory enforcement of the rules indicate that the Danish state is not living up to its human rights obligations.

WHEN SOCIAL ISSUES ARE MADE INVISIBLE, IT'S HARDER TO ACT

Many people are unaware of the rise in exclusionary design and law. Hence, the outraged reactions from the visitors to our exhibition. Three concerns can be raised about the current development:

1. The criminalisation of begging and encampments was justified by reference to foreign rough sleepers being a nuisance and someone creating insecurity and intimidation. The discourse shifts the public's focus away from the social issues that were really in play.
2. Politically sanctioned discriminatory rhetoric and enforcement of laws risk making other city residents less empathetic towards not only foreign people sleeping rough but potentially all people experiencing homelessness, as the laws target behaviour used by many people in extreme poverty.
3. Design and law 'collaborate' on excluding people in homelessness from urban spaces. This development makes street homelessness more invisible, thereby distorting other city residents' views on society making it more difficult for the public to act and hold decision-makers responsible.

Accessible public spaces have the democratic advantage of forcing city residents to encounter and share space with people who are different from themselves. But when homeless and socially marginalised individuals are rendered invisible by exclusionary measures, public spaces no longer enhance the collective awareness of fellow citizens.⁹ This lack of confrontation with social marginalisation may result in stronger societal divisions.

⁹ Roberts, Joseph T F (2023): The Value of Public Space: What is Hostile Architecture? The Collector, published September 17th (2023): <https://www.thecollector.com/public-space-hostile-architecture/>

“They say that we make the city unsafe. But it makes us feel incredibly unsafe to be rejected all the time. - Luna.”

OTHER PATHS TO TAKE

It is an international trend that exclusionary law and design pushes some of the most vulnerable citizens away from city centres. Part of the reason is urbanisation and increased competition between cities, contributing to gentrification, higher property prices, and a growing commercial exploitation of urban spaces, which creates less room for people experiencing homelessness.

Growing poverty and lack of life opportunities, mental health crises, and a financially unavailable housing market across Europe lead to homelessness, rough sleeping, and migration. The challenges are not solved by exclusion and punishment, thereby making it possible for other city residents to turn a blind eye. It is necessary to see the exclusion and the social challenges to come up with sustainable solutions.

Better and well-funded mental health care and access to social assistance and affordable housing for all people experiencing homelessness is a more sustainable solution that has a real positive effect on

our society. Instead of social exclusion in urban spaces, initiatives such as the Homeless Bill of Rights pose other paths to take.¹⁰ The Bill states that ‘People who are homeless should be granted the right to use public space, and to move freely within it, with no greater restrictions than apply to others’.

The European Commission has a goal to reduce the number of people living in poverty by at least 15 million (including at least five million children) by 2030.¹¹ The European Commissioner Dan Jørgensen stated in his confirmation hearing in November 2024 that:

‘It’s not just about providing the actual roof over the head of the people. That’s the first thing. It is also about coupling it with social measures, with job opportunities, with creating a life for people.’

Now, goals and fine words need to be followed by concrete political action.

¹⁰ Feantsa and Housing Rights Watch: [Homeless Bill of Rights](#)

¹¹ See: [European Pillar of Social Rights action plan](#) of March 2021.

“When homeless and socially marginalised individuals are rendered invisible by exclusionary measures, public spaces no longer enhance the collective awareness of fellow citizens.”