



The garden city as a commons: Social-ethical perspectives on the new housing question



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Europe faces a severe shortage in affordable housing. Even though the situation is less dire than in many cities of the Global South, rising rents and real estate prices affect the poorest hardest. Faith-based organisations, especially Christian churches, have monitored and tackled this problem for more than six decades.

Intradisciplinary and/or interdisciplinary implications: The paper discusses this issue from a social-ethical perspective featuring the example of Germany. It depicts the role of the churches, scrutinises the causes of the shortage, explains the situation as a problem of justice and presents an urban vision inspired by Christian tradition, namely the garden city as a commons. In a mixed motives approach, it presents concrete policy suggestions to improve the situation.

Keywords: housing; poverty; welfare; Church; tradition.

Introduction: The new housing question in the Global North

Headlines in German newspapers and in newsfeeds make it quite clear: there is a substantial urban housing crisis.¹ A recent study by the German union's research institute, the Hans Böckler Foundation, revealed alarming numbers. While a housing cost rate of up to 30% of the average household income is considered acceptable, actual figures significantly exceed that ratio. In the 77 biggest German cities, 50% of households have to spend more than 30% of their income for housing, 25% need to expend more than 40%, and 12% of households need to disburse more than 50% (Holm et al. 2021:26). Even though housing standards are considerably higher than in the townships of South Africa or the favelas of Brazil and the crisis might look like a typical first world problem from a global southern perspective, it still produces considerable unrest. This is because households at the lowest income level are hit hardest and social inequality in German society is felt keenly. Additionally, the majority of Germans live in rented housing, only a minority (42.1% of the populace) live in their own property (Statista 2020). Political attempts to cap rents in cities like Berlin have been curbed by the courts. Supply side strategies fall short because of a number of reasons: firstly, the comparatively weak buying power on the lower strata of society loses out on financialised housing markets. Secondly, real estate development is limited because of socio-ecological constraints in adaptation to climate change and habitability, and also by unfavourable regulations and a short labour market. As a result, horizontal mobility to metropolitan areas to secure job options is severely limited, commuters need to travel long distances, the space available to individuals especially in low-income households is diminishing and lock-in effects ensue. The classical modern solution of developing more space and building on the outskirts of the cities, increasing the suburban sprawl, has become problematic in the face of ecological and social challenges. New concepts are needed to deal with those problems.

This article discusses the issue of housing from a social-ethical and public theological perspective featuring the example of Germany. This perspective starts from the assumption that religions have contributed to current world views and uses cultural hermeneutics to identify traces of religious semantics, iconography, concepts, narratives and embodied practices; it utilises what we call descriptive ethics. Additionally, coming from a particular tradition – in this case: Protestant Christianity – this perspective applies doctrinal reflection to coherently articulate religious beliefs and to develop normative orientation, thus critically reflecting on ethos and morals in normative ethics, and also on the dynamics of an unequal distribution of power in the different layers of

1. Evidence from other European cities strengthens this impression (Nasarre-Aznar et al. 2021:10–23), but in the light of a recently completed research project funded by DFG, we will concentrate on the German situation.

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society, the nation state and international relations. One of the major aims is the articulation of the (particular) good as it appears from a faith-based perspective and relates it to claims of universal right in given multi-cultural, multi-worldview, multi-religious environments (Meireis 2022). In relating claims of the good and the right (Ross 1930) to the concrete problems of housing in an affluent society like Germany, a coherentist ethical methodology is applied (cf. Helms 2023; Rawls 1951, 1971; Reuter 2015).

To do so, this paper first depicts the historical and present role of the churches in regard to the housing question and explains the theological rationale of this commitment to social justice and the good life in civil society. Following the coherentist method, it then scrutinises the causes of the shortage, explains the situation as a problem of justice and presents an urban vision inspired by Christian tradition, namely the garden city as a commons. In a mixed motives approach, it presents concrete policy suggestions to improve the situation.

The right to the city as an issue in church and theology

Churches position themselves theologically, as agents in civil society and as participants in the housing market on the supply and demand side (cf. for instance, DBK/EKD 1973, EKD, 2021; Müller 1962).

However, from an ostensibly traditional point of view, one could ask why church and theology should concern themselves with such issues instead of leaving them to the authorities that be. Is not religion about individual salvation and concerned with the soul rather than social or political issues? Considering the Gospel, however, nothing could be further from the truth. Jesus proclaimed the kingdom of God where the 'least of these' (Mt 25:40, 45) would be understood as equals in worth, and this kind of preaching was already perceived as a definite threat to Roman dominion, even though Jesus – as far as we know – never aspired to political power in our sense of the word. In early Christianity, the use of the title 'kyrios', often used for political authorities understood as deities, like the Roman emperors, to address Jesus as the only Lord, was a political scandal all in itself (1 Cor 8:6; Phil 2:11) (Horsley 2003; Wengst 1986). Theologically, this has been taken up by Christian confessional documents like the Barmen Theological Declaration of 1934, which states in its second thesis (Barmen 1934):

As Jesus Christ is God's assurance of the forgiveness of all our sins, so in the same way and with the same seriousness is he also God's mighty claim upon our whole life. Through him befalls us a joyful deliverance from the godless fetters of this world for a free, grateful service to his creatures. We reject the false doctrine, as though there were areas of our life in which we would not belong to Jesus Christ, but to other lords ... (n.p.)

As Christians belong to Jesus in all areas of their life, they need to consider the implications of Christ's message also in the economic or political realm. That in turn implies to bring the biblical idea of justice into play. The biblical

concept of justice, *tzedakah*, proclaimed by the prophets and presupposed by Jesus, was relational rather than an understanding of adequate equivalents like in Aristotelian tradition. It meant a faithfulness to the community in solidarity and implied the readiness to invest whatever was necessary to uphold this community, where those better equipped needed to give more than those with less resources (Koch 1984), a concept that Jan Assmann has projected as 'connective justice' to the Egyptian concept of *Ma'at* (Assmann 2020:67.111). In light of this theological concept of justice and the relevancy of the Gospel to all areas of life, a housing situation that burdens especially the least well-off is an issue for Christian social ethics.

For that reason, churches, acting as agents within civil society, have repeatedly and publicly spoken on those issues, especially in West Germany, where a democratic system allowed for free speech, and housing was to a great extent left to capitalist market allocation. In the 1960s, a memorandum addressing the debate on private property called attention to unaffordable housing costs: 'Rising land prices often impede the option to acquire housing at plausible cost. The lawgiver is obliged to probe measures of impeding unjustified profits from land ownership'² (Müller 1962:III.16). In 1973, a memorandum on zoning laws expressed an even harsher critique: 'At the same time, land owners in urban areas reaped billions without having contributed to land improvement. Their profit was gained to the cost of the majorities of tenants and ... the common man' (DBK/EKD 1973:I.3).³ The latest statement has been issued in 2021 and calls for a politically managed social and ecological restructuring of the housing market (EKD 2021).

As the churches and their diaconal institutions also appear as economic agents on the housing market, having provided non-profit housing after World War II and still holding real estate property as well as acting as tenants themselves, the necessity to reflect on morally viable economic strategies is obvious. Thus, the 2021 memorandum also included economic housing ethics besides a thorough analysis of the housing crisis.

The shortage of urban housing in Germany and its causes

Turning to that crisis, causes and effects need to be scrutinised. Although rental costs are rising in most German cities, local manifestations and problem situations vary (Lauerbach 2020:15). As can be shown, the sharp rise in rents is accompanied by a decoupling of rents and real wages (Degan 2022:14–22). These lead to an undersupply in affordable housing in most German urban regions. This is an effect of the urbanisation as a global megatrend (Meireis, Johrendt & Wustmans 2022:3), which results in a migration movement to

2.'Die Bodenpreise versperren in vielen Fällen die Möglichkeit, Eigentum an Wohnraum für angemessene Gegenleistung zu bilden. Der Gesetzgeber ist verpflichtet, immer erneut zu prüfen, wie ungerechtfertigtem Bodengewinn entschieden mehr als bisher gewährt werden kann' English translation by TM.

3.'Gleichzeitig sind Eigentümern von Grund und Boden viele Milliarden zugefallen, ohne dass sie zur Steigerung seines Wertes beigetragen haben. Ihr Gewinn ging auf Kosten der Großzahl der Mieter ... und der Allgemein-heit' (author's [T.M.] own translation)

urban regions because of the special urban attractiveness for young people and migrants. Job opportunities, social and cultural possibilities and an often better equipped infrastructure are causing younger people in particular to rush to the cities.

And overall, these megatrends are strengthened by the financial market. The past phase of low interest rates forced and facilitated the financialisation of the real estate market. As savings deposits hardly generated any returns, a large number of investors were shifting their investments to the real estate market, which promised high returns along with land speculation (Löhr 2023:29–34). Although residential real estate prices have fallen in many German cities in recent years, Russia's unlawful war of aggression against Ukraine and the resulting increase in energy prices and inflation have caused interest rates on real estate loans to rise from extremely low levels to significantly higher levels over the same period. Because of the explosion in interest rates, many companies are foregoing new construction projects. Russia's war of aggression is thus exacerbating the situation on the German real estate market (Kholodilin & Rieth 2023).

However, the increased demand for an urban living space is also leading to an ever-increasing demand for construction services. This increased demand, combined with the ever worsening labour shortage in Germany and the far excessively slow procedures for official building permits, as well as a large number of building regulations and requirements, is leading to a construction backlog and is therefore unable to compensate for the additional demand (Gornig & Pagenhardt 2024).

However, it is not only the influx into urban centres and the worsening construction backlog that are leading to rapidly rising rents. Added to this is the steady increase in living space per person over the past few decades. The average living space per person in Germany was 34.8 m² in 1990 and 47.4 m² in 2022 (Umweltbundesamt 2023).

A closer look at the distribution of living space shows that older tenants consume more space at lower costs, as they are often relatively well protected from overly sharp rent increases by older rental contracts and the sharp price rises for new rentals often lead to drastic price increases despite legal regulations.

This not only puts people who move to urban centres at a disadvantage, but also leads to so-called lock-in effects. This means that people who want to downsize their living space in old age, for example after their children have moved out, cannot afford smaller apartments that are more expensive because of higher rents and are forced to stay in their large but comparatively inexpensive apartments (Höger 2022:17–18).

On the other hand, the number of persons living in households with less than one room per person has been going up, especially in cities. Even though there is no comparison to crowding in global southern megacities, it

makes a difference in the German environment (Degan 2022:32). These opposing movements – lock-in effects on the one hand, households with less than one room per person on the other – reinforce each other and together exacerbate the situation on the urban housing market.

However, a differentiated picture must be drawn for different urban areas in Germany. Not all cities are the same in terms of housing shortages; they differ in terms of historical conditions, spatial structures, social segregation and the policy measures already taken or planned.

While there is gentrification and displacement pressure in Berlin, the Ruhr region is characterised by deindustrialisation and shrinking cities, and the Rhine-Main region shows a particularly tense relationship between urban centre and periphery; rents are traditionally high in the German south. In Berlin, the differences between old and new tenants are particularly clear. While tenants with older contracts paid an average of €6.68/sqm (East) and €7.39/sqm (West), new tenants must pay an average of €9.89 (average) (ZIA 2021:6). Gentrification has also become a major problem in Berlin. More and more city neighbourhoods are being gentrified by financially strong investors. This is accompanied by considerable displacement pressure on existing tenants, who can hardly find affordable housing in their traditional neighbourhoods and must move to quarters further away from the centre (Beran & Nuissl 2019). Because of the particularly acute problem situation in Berlin, the proposed solutions are unique in Germany. Thus, on the day of the 2021 federal election, the referendum 'Expropriate Deutsche Wohnen and Co.', introduced by the initiative of the same name, was voted on and passed with a majority of 56% (Landesabstimmungsleiterin 2021). If the Berlin Senate now implements the will of the electorate, large housing companies with more than 3000 apartments in their portfolio would be socialised using Article 15 of the German Constitution. However, the government of conservatives and social Democrats that took office in the 2023 repeat election is clearly opposed to this project and is unlikely to make any major efforts to push through the referendum.

While cities in many German metropolitan areas are growing rapidly, the opposite trend has been observed in the Ruhr area for some time. Triggered by the decline of coal and the structural change in the steel industry, the Ruhr area had to contend for a long time with shrinking cities and the associated oversupply of housing. But these trends appear to have been at least partially reversed in recent years. The cities of the Ruhr area, such as Dortmund, are growing again and actively shaping housing policy in a planned manner. But at the same time, because of the structural change that the Ruhr area was and is undergoing, there have been massive waves of disposals by the previously important industrial companies that provided their employees with affordable housing. This is one of the reasons why the 'new housing policy' has so far been unable to stop the incipient rise in rents. In addition to an incipient rise in rents, a pronounced polarisation and

segregation tendency is evident for the entire Ruhr area but especially for Dortmund. The A40 highway, which runs from east to west across the Ruhr area and is known as the 'social equator', divides the region and – roughly speaking – also the city of Dortmund into an affluent southern part and a northern part characterised by poverty and unemployment (Lauerbach 2020:15).

If one considers the special situation of the Rhine/Main region as an extensive urban agglomeration with Frankfurt am Main as its economic and social centre, a pronounced division of society becomes apparent about the housing issue. Top earners in the financial industry are confronted with large sections of society that are employed in the low-wage sector. The consequence is that low-income groups are either displaced into the surrounding areas and/or have to spend significantly more of their disposable income on rent (Krüger 2020:85). This leads to a continuing aggravation of the situation and a spreading of the problems to the surrounding Rhine-Main metropolitan region.

Urban housing and the question of justice

Looking at the findings on German urban areas, it becomes clear that the housing issue is a question of justice with more than just one dimension. It is a question of justice from a social, ecological and economic perspective.

In the sense of social justice, freedom of movement as the freedom to choose to live in the countryside or in urban agglomerations should be mentioned in particular (Degan et al. 2024:109–111). Freedom of movement is also guaranteed as a fundamental right by Article 11 of the German constitution and the treaties of the European Union (Dürig et al. 2022, Rn. 34).

The realisation of socially just living conditions then implies equivalent living conditions in urban and rural areas as well as affordable housing in urban centres (Eltges & Milbert 2022:223–234). It must be understood as a deficit of participatory justice if people are denied corresponding opportunities because of their financial resources, especially, as job opportunities with living wages are increasingly concentrated in the cities, as well as infrastructure, social and cultural offering. Opportunities for relocation must also be available within the cities, however – lock-in effects are to be prevented not only because of the housing shortage. The multifactorial-based increase in the price of housing because of scarcity, financialisation of the real estate market, construction congestion and corresponding market movements (gentrification) often makes it (almost) impossible for them to find suitable, permanently affordable housing (Barahona, Fabian & Sascha 2023:164–166). This must be named as a lack of social justice. The market situation prevents people from asserting their right to freedom of movement and to live in the socio-cultural environment they prefer (Barahona et al. 2023:164–166). The increase in land

prices, which reflects the population's growth in wealth and the economy's growth in productivity, and which can also be speculatively exaggerated (in anticipation of further increases in rents and land prices in the future), also leads to a justice deficit. In particular, although land is usually traded as a marketable good, it cannot be regarded as an ordinary market good because of its lack of reproducibility (Löhr 2023).

However, the increasing migration to urban centres must also be understood as an ecological problem that interferes with social and economic problems. The development of new land in the periphery makes – in the sense of ecological sustainability – only limited sense, as here not only further land is sealed and considerable resources are consumed, but a constantly growing mobility problem also arises (Meyer 2013:19–29). The urban sprawl caused by the expansion into the periphery not only impairs biodiversity to a high degree, but at the same time forces increasing mobility, which in turn – at least in the form of car-related individual traffic – is not desirable in view of its climate impact. Urban sprawl and sealing of peripheral, previously unsealed areas are endangering or destroying more and more habitats and threatening more and more plant and animal populations (Schmitt 2022:8). Further densification of already existing urban areas is also only of limited use in the sense of a city that is resilient to accelerating climate change, as, for example, in the event of heavy rainfall, compaction can cause large quantities of water to fall onto sealed surfaces, preventing them from penetrating the soil. This leads to an overload of the sewer system and ultimately to flooding. In dry periods, the water that does not seep into the ground is not available as a reservoir (Feldmann et al. 2024).

Housing is to be understood as an existential good in order to be able to lead a dignified life and to participate in the democratic process of political decision-making (Löhr 2021:8–11). Therefore, universal access to affordable housing must be achieved and promoted. The state has a duty to guarantee the right to affordable and adequate housing. First and foremost, it is the task of the state to provide and promote sufficient affordable housing or to bring it about through market mechanisms. The choice of the means required to fulfil this guaranteed obligation may differ depending on the situation. Market-immanent instruments might also be conceivable here (Löhr 2021:29). However, where the market and its mechanisms based on supply and demand do not lead to fair access to housing, or where the real estate and housing markets lead to a clear undersupply, the state is obliged to use other means and instruments.

Here, the state has the obligation to look after a different regulation of these markets or/and to make use of other instruments in order to guarantee the right to affordable adequate housing. As the market primarily prioritises demand with purchasing power, there is a control plausibility through instruments of the public sector, ranging from planning and land value taxes, to the promotion of non-profit housing, urban real estate policy and integrated urban planning, which implies social justice, ecological concerns,

quality of life and the influence on market movements. Here, the purely market-based allocation of land as a non-reproducible good seems implausible (Löhr 2023:40–45). But direct market interventions, such as regulatory measures, graduated interventions in rights of disposal and ownership, or the regulation of rent development, must also be weighed here. In addition, the skimming of profits from land speculation has long been, and is currently again, a frequently encountered position in the debate (Schmitt 2022:13). Government instruments should therefore be both demand- and supply-oriented. Purely demand-oriented instruments – such as social benefits and state subsidies – can lead to misallocation. Pure supply orientation, on the other hand – that is, subsidies for housing construction companies – rely unilaterally on market mechanisms.

Overall, a look at social, ecological and economic justice issues shows that a policy based purely on market-based distribution mechanisms is not convincing.

If we consider all three dimensions raised, a governmental and societal approach to the housing issue as a question of justice must take place within the so-called sustainability trilemma. Social, ecological and economic issues must be balanced and harmonised as far as possible within the trilemma. From a social-ethical perspective, priority must be given to those who are most disadvantaged by social structures, market mechanisms and the consequences of ecological change.

A sustainable vision of the good life: The garden city as a commons

However, there is more to housing than just questions of justice, important as they are. As housing means ‘home’ to people, questions of the good pertaining to ways of life always play a role in that regard. Of course, questions of the right, of justice, should take precedence, because they deal with the coordination of humans of diverse religious and cultural backgrounds. But that does not mean that questions of the good should be ignored. They complement the abstract principles of the right – equity of access to urban housing, freedom of movement – with concrete social imaginaries of a good life both urban and rural (Reuter 2015:69–71). Other than in questions of the right the objective of reflection is not the immediate implementation of generally binding policies or claim rights, but rather the contribution to debates on what a city should look like in civil society and the enrichment of the social imaginaries mentioned above through the development of concrete scenarios of a living quarter deemed habitable, especially in the integration of different perspectives. In the German situation, where spatial, regional and urban planning are little integrated, this is an important task (Meireis, Wustmans & Johrendt 2023). Religious agents and organisations have traditionally contributed to such ideas in Germany (see Chapter 2 and Degan et al. 2021).

Visions of the good life in regard to housing can relate to ideas of the city as commons (cf. Degan & Emunds 2022;

Kornberger & Borch 2015) and also to the conceptualisation of the city as a garden. In the Christian tradition, the kingdom of God was often understood as a New Jerusalem in the merging of an ideal city and the garden of Eden, the ideal of a non-threatening nature and a beneficial communality of equal stakeholders, as for instance depicted in Jan van Eyck's Ghent Altar and has time and time again inspired urban planning (Carlowitz 1732:104). A comparatively recent example is the garden city movement. In 1889, the British parliament stenographer Ebenezer Howard published the first edition of a book, that would become famous under the title *Garden Cities of Tomorrow* (1902). Through his parliamentary experience, Howard was well-acquainted with the social problems of Manchester capitalism and aware of the desolate living conditions of the majority of the populace in the industrial cities of the British Empire. Inspired by biblical motives and the work of the utopian socialists Robert Owen and Robert Bellamy, Howard tried to achieve a mitigation of the class struggles of his times through the means of urban planning. He built on the idea of the Garden of Eden and adopted the then popular juxtaposition of town and country, which was, however, understood differently according to perspective. In a cultural and religious view, the city was seen as a place of sin and deceit, the countryside as an oasis of quiet and morality; economically however, rural areas were seen as backwards and urban centres as powerhouses of prosperity (Becker & Jessen 2020:602–604). Howard's idea was a combination of the best of both worlds in the concept of the garden city. Howard planned a circle of garden cities with affordable houses for labourers and small shop owners and their families around economic centres (Howard 1902:54). He imagined a dispersed development with a lot of greenery, connected through public transport. As problems like an extended urban sprawl or the ecological problems stemming from surface soil sealing were not yet recognised, he planned his cities in the open countryside. The social-political point was the use of public land to provide affordable, healthy and communal housing. Howard's idea had an international impact, albeit not in the way he had imagined.

The success, but also the dismantling of Howard's ideas may well be because of the many ways in which people could relate to it: conservatives would cherish the cultural and religious idealisation of the countryside, socialists the idea of a public property of land, libertarians the appreciation of the economic significance of the metropolis. Given the factually unequal distribution of capital and power, the way in which his ideas were implemented holds little surprise.

The idea of communal property was the first to be abandoned. The first British project, Letchworth Garden City, was developed by a commercial company, the First Garden City Ltd., which was indebted to its stockholders rather than to its inhabitants (Bruder 1990:84), and Welwyn, the second garden city, fared little better (Beevers 1988:77–78). In Germany, the concept was also taken up eagerly, but the socialist ideas of the first protagonists, including Howard, were quickly foiled (Bruder 1990:137). Important settlements like Dresden

Hellerau (1909) or Essen Margarethenhöhe (1910) were financed by wealthy company owners who intended to act as patrons to their workers. The idea of a network of smaller garden cities designed to relieve the strain on the metropolitan centres was also given up in favour of a development of those centres (Bruder 1990:144). What remained after World War II in the USA and elsewhere of this idea was the concept of designed suburbs with detached single-family houses and malls for automobilised commuters (Bruder 1990:201). In the surge of market-oriented neoliberalism and new public management in the last decades of the 20th century, public urban planning became less and less significant (Bruder 1990:198–199, 204–206).

However, many ideas of the original, religiously inspired concept of the garden city are still valid, especially if revisited under the current challenges of sustainable living. The basic idea of a fusion of the city and gardens remains relevant in regard to ecology, but also living conditions: the resilient sponge city needs greenery and unsealed areas to deal with weather anomalies as consequences of climate change (Zevenbergen, Fu & Pahtirana 2018). A public regulation of land property designed to curb socially destructive speculation is important to deal with the financialisation of the housing market, where international investors and agencies interested in shareholder value rather than the living conditions of tenants contribute to the inhabitability of cities. The idea of the city as communal civic space and as a commons, which is also to be found in Howard's concept, can claim renewed attention (Kornberger & Borch 2015:1–8). It is the combination of social and ecological sustainability that lends plausibility to a late modern reconstruction of the garden city idea.

The vision of a garden city thus allows for the combined, vivid and stimulating integration of ecological concerns for resilience and a mitigation of climate change through a modified building and planning practice and a restructuring of the energy and mobility infrastructure, of social concerns for the urban stakeholdership of citizens and the provision of affordable housing into urban planning. Many of the targets listed under the heading of the eleventh sustainable development goal ('sustainable cities') go well with the garden city idea: 'access for all to adequate, safe and affordable housing ... to safe, affordable, accessible and sustainable transport systems ... to safe, inclusive and accessible, green and public spaces', the reduction of environmental impact and the increased resiliency in the face of disasters (UN 2015).

Of course, reconstructing the idea of the city as a garden also requires changes to the original concept. Firstly, it is essential to abandon the unfettered establishment of new cities in the countryside, because a sustainable housing policy must focus on avoiding additional urban sprawl and sealing in order to promote biodiversity. Instead, following on from the well-established concept of the compact and socio-economically mixed city [*nutzungsgemischte Stadt*] (Becker & Jessen 2020:605–606, cf. also BBSR 2021 *passim*), the internal development and densification of existing cities should be

prioritised, so that internal flexibility of the concept is necessary in order to be able to adapt to different circumstances. Secondly, the idea of the single-family home, which has long been propagated by the German mainline churches, and which still dominates the social imaginary of good living in Germany and elsewhere, must be overcome in favour of modular, 'breathing' forms of housing that make it possible, for example, to increase or decrease the number of rooms in an apartment depending on the phase of life without having to change the entire apartment (Reicher & Söfker-Rieniets 2022:311–354). Refurbishment is generally preferable to resource-intensive new construction (cf. Weizsäcker, Lovins & Lovins 1996).

The concept of a city as a garden includes the use of green roofs and façades as well as the creation of green spaces and parks. These can be used for recreation – also in the sense of urban gardening – as well as contributing to climate control and the absorption of precipitation, thus making it easier to deal with expected warming and extreme weather events. In addition, as a habitat for insects and birds, they can increase biodiversity if the right plants are selected.

The central problem of any restructuring of existing cities – both to provide affordable housing and to mitigate climate change and adapt to the already foreseeable consequences – is the issue of land. In addition to privately owned land and the public areas already used for local recreation or energy production, public roads and parking lots are the main potential space suppliers. However, this implies a traffic turnaround that prioritises public transport and bicycles as a central urban mobility facility and strongly sanctions individual automobile traffic with its space requirements, which also arise in the case of electromobility. As cities such as Barcelona or Copenhagen show, an implementation of corresponding changes is not impossible.

The focus on modular living space and a life that is located in social space rather than stressing individual privacy – like urban gardening activities, which generally require coordination and cooperation – seems to contradict the late modern ideal of individualistic singularity, the 'curated self' (Reckwitz 2017:295–335). However, the realities of new housing estates in dormitory towns require comparable levels of coordination with immediate neighbours because of the space-saving construction of terraced houses or semi-detached houses. It goes without saying that urban planning cannot produce social engagement, but can only enable it (Bruder 1990:209–211, Gillette 2012) – nevertheless, enabling social participation in the local neighbourhood does not seem entirely implausible in view of the challenges posed by increasing urbanisation, climate change and higher resilience requirements in the context of the global situation.

The need to balance ecological, social and economic and the outlined model of the city as a garden depicted here lead to the question of a concrete implementation of suitable political and legal instruments that address the problem of rising

costs for urban living space and support the model in the sense of a right to urban living space. This raises the question of concrete policy.

In the German context, this can be divided into a meso level (municipal instruments) and a macro level (regional and federal measures) because of the federal structure of the country.

Implementation: A mixed motives approach

As sketched earlier in the text, the approach chosen here implies mixed ethical motives. Aspects of the right, questions of justice, are addressed besides questions of the good, pertaining to the social imaginary of a good urban life in the vision of a renewed garden city concept inspired by the Judaeo-Christian concept of the garden of Eden.

The implementation of those normative motives also implies a mix of policy measures. At the municipal level, problems of ever-increasing land, housing and rental prices can be countered primarily through forward-looking planning and the measures associated with it. As the price increases in the housing market are not least because of an ever more rapidly rising land price, the allocation planning of municipal land appears to be essential. As land, and in particular land in municipal ownership, is a scarce commodity that cannot be increased and should therefore not be subject to the usual market mechanisms (cf. Horn 2023), criteria for the allocation of public land must be found and laid down in a binding manner that goes beyond the simple logic of supply and demand. For example, planning requirements for the provision of social housing could be included in the allocation criteria and preference could be given to those private-sector developers who want to build a minimum or even more social housing or who commit to maintaining it (cf. Schmitt 2022:13). In addition to the creation or preservation of social housing, the intentional reservation of land for the purpose of promoting biodiversity should be taken as a basis for every decision on the allocation of public land in the interests of ecological sustainability. The creation of inner-city biotopes and species-rich green spaces not only benefits urban biodiversity and thus ecological sustainability, but also social sustainability through its value for local recreation. Green spaces and biotopes significantly improve the standard of living of city residents and create spaces for social interaction.

Municipal housing companies can also make an important contribution here. They can be obliged by local policy to manage their properties sustainably – in a social, economic and ecological sense (cf. Schmitt 2022:18). The new construction projects they plan and are responsible for should also comply with the relevant sustainable procurement criteria in terms of integrated urban planning and neighbourhood development, or in the best case even exceed them.

In addition to integrated urban and regional planning, which also involves active and controlled neighbourhood development and municipal housing construction companies, and sustainable award criteria for municipal building land, measures relating to land prices should also be implemented at the meso level. For example, it appears necessary to ultimately not sell scarce and, above all, non-renewable municipal land and thus remove it from the market. However, in order to avoid a shortage of supply and thus hinder the construction of new – and in the best case, socially committed – housing and thus jeopardise economic sustainability, consideration should be given to the increased use of leasehold contracts or community land trusts (Schmitt 2022), which, as non-profit land trustees, make urban land available to specific users on a leasehold basis and thus permanently remove it from market-based transaction cycles. As leasehold agreements mean that land remains in municipal ownership, it can be ensured that inner-city land prices are not subject to market mechanisms and the land speculation that takes place as a result, while at the same time being available for construction projects that meet the city's sustainability-orientated allocation criteria (cf. Horn 2023).

However, the stability of land prices is not solely the task of municipal policy, but, in the German context, lies primarily within the remit of federal and state legislation and requires appropriate implementation approaches.

As land prices, which make a significant contribution to the rise in building prices and thus also rental prices, are rising rapidly, not least because of land speculation, a ban on land speculation would appear to make sense from the point of view of economic sustainability. This could be realised, for example, through a building obligation. If buyers of land were obliged to realise their planned construction project within a certain period of time, this would counteract the purely speculation-driven purchase and resale of scarce land. Building land could not be passed on from investor to investor, the price increased and the land left fallow. This would allow building land to be used sensibly and promptly for (socially-bound) housing construction (see Löhner 2023).

However, this goal could also be achieved by skimming off profits from land speculation through higher taxation and planning value tax that is levied on profits off zoning when land value increases for reasons of its being zoned as a building plot (cf. Schmitt 2022:13). This would make land speculation economically unattractive. The aim of these measures is to activate land for development, to gain previously unused land for housing construction and thus to expand the supply of (socially tied) housing.

In order for local authorities to have the opportunities outlined earlier in the text for an actively and sustainably managed land policy, a more active local authority land supply policy appears necessary, above all through a renewed legal authorisation and strengthening of public land pre-emption rights (cf. Degan & Emunds 2022:93). Municipal bodies or local authorities must be empowered by federal

legislation to acquire land on a preferential basis and then transfer it to property developers on the basis of suitable sustainable criteria, preferably via leasehold agreements. These measures could also be made possible or facilitated by the establishment and sufficient financial resources of a public land fund. But even minimising land speculation cannot reduce the price of urban living space to the extent that appears socially and economically sustainable. For that reason, the public sector must take further measures. This can be realised through subsidies as well as direct market interventions or interventions in the rights to dispose of residential property (cf. Degan & Emunds 2022 and Vgl. Reicher & Söfker-Rieniets 2022:225–229). An example would be conversion and misappropriation bans, which can be seen as a comparatively mild but nevertheless effective instrument for securing housing in urban areas in the long term. If flats are not allowed to be misused for other purposes (such as short-term rentals via Airbnb) or permanently converted into other forms of use (office or commercial space or holiday flats), they remain on the rental housing market in the long term (Vogelpohl et al. 2017:120). In addition to such interventions, it is also necessary to work towards enabling and strengthening civil society organisations and to implement the management of individual areas of the urban commons. The allocation of public land with conditions and legally binding obligations that are oriented towards social and ecological sustainability must be flanked by an intelligent reintroduction of non-profit housing – which could also be organised by faith-based organisations, given the necessary expertise (see Löhr 2021).

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This article does not contain any studies involving human participants conducted by any of the authors.

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