

VACANT NL

— WHERE
ARCHITECTURE MEETS IDEAS

Constituting the Interim In view of the attractive opportunities that the Interim offers for unconventional uses of urban space by a rainbow coalition of businesspeople, can it be accorded a special status that will help it to benefit the city?

The Constitution for the Interim presented below takes up this challenge, sketching the borderlands between opportunity and neglect, between investment and exploitation, the temporary and the ongoing, law and lawlessness—and everything else that arises in the Interim.

Preamble DRAWING INSPIRATION FROM the many examples showing, firstly, that in the Dutch context the Interim offers space for a bottom-up planning instrument, either complementary or parallel to top-down planning processes, and, secondly, that this Interim offers space for reflection and action, space that must be used and, where necessary, pressed into service;

BELIEVING that the Interim introduces a trial-and-error approach that presents, in a literally constructive way, the opportunity to learn from one's initial steps and adjust one's plans where necessary, and that the Interim can thereby offer space for urban complexity and dynamism;

AWARE that the power and attraction of the Interim lies above all in the fact that so much is *not* present, *not* regulated, and *not* (or not yet) organized, but that in consequence a great deal is generally *not* accessible, *not* usable (or only with difficulty), *not* lasting, and *not* officially authorized, and that the regime presented in this Constitution therefore aims solely to guarantee the accessibility of the Interim without compromising the freedom that it offers, and to resolve relevant long-running issues in spatial planning;

we present the following Constitution for the Interim.

Part I: The Founding Principles For whom is this constitution intended?

I Definition and Objectives of the Interim The Interim is the time period beginning when the original function of a site or building is terminated and continuing until the site or building is redeveloped (whether or not according to plan, and whether or not successfully). The Interim is therefore an autonomous and finite entity in space and time.

The objective of the Interim, within the scope of that autonomy, is to offer time and space for initiatives aimed at opening up prospects for the future.¹

II Fundamental Rights and Citizenship of the Interim Given the autonomy of the Interim as a spatial and temporal unit, the importance of the Interim in the development of the city and its culture, the relative scarcity of the Interim, and—as a consequence of the foregoing—the pressure under which the Interim must perform, the Interim *itself* is endowed with certain fundamental rights. These rights are specified in part II. They serve to secure the objective of the Interim: to offer time and space for initiatives aimed at opening up prospects for the future. The Interim has no other rights. Citizenship of the Interim is available to those Interim entrepreneurs who undertake initiatives in the Interim. Citizenship confers one essential right on the citizen: the right of access to the Interim.

III Interim Competences The specific competences of the Interim depend on the

type of Interim and are not interchangeable.

a. anticipated Interim

This is the period between the termination of a function (possibly long-term) or a long-term mode of use of an area and the commencement of a new, redeveloped function. The length of this period can be estimated in advance, but in practice, the period can last years longer than expected. In this case, the Interim is a by-product, the transition period preceding a well-defined future situation.

The anticipated Interim has the competence to question both the transition period leading up to the future function, and the validity of that function.

b. unanticipated Interim

This is the period after the decision is made to terminate an earlier function or earlier mode of use for which a new or redeveloped function has been planned, in cases where this new function is no longer certain to come about. Because the status and ownership situation are unclear, the period of time that will pass before there is a new permanent use for the building is indefinite in duration. This unanticipated Interim has the competence to provide time and space for informal developments with the potential to provoke the determination of a new formal purpose and ownership situation.

c. opportunistic Interim

This is the time after the termination of a function (possibly long-term) or mode of use of an area and before active redevelopment begins (a time in which the area has no new purpose). In some cases, a situation of this kind leads to the decision to designate the area for some temporary use, to generate a minimum of income, to protect the area from decay (or

from further decay), or to make the area as attractive as possible for some new purpose not yet determined in detail (gentrification). The indeterminate Interim has the competence to explore its potential by providing time and space for opportunistic use.

d. strategic Interim

This is a deliberate pause (or trial period) after the termination of a (possibly long-term) function or mode of use of an area, during which experiments are conducted to determine the best new use. Because the status is clear for participants and potential participants, initiatives are encouraged rather than impeded; all parties know what they can expect. Another motivating factor is that a good initiative has an excellent chance of inspiring a long-term follow-up activity or acquiring a permanent status. In such cases, the sooner the planning process focuses on the potential of the Interim, the sooner the area can benefit from the Interim's catalytic effects. The strategic Interim has the competence to offer transformation pioneers the opportunity to initiate long-term developments.

IV Interim Institutions and Bodies As soon as the Interim is activated, a coalition of entrepreneurs takes shape.² The objective of every member of this coalition is, in one way or another, to derive added value from the Interim through its development. The participants (voluntary or involuntary) may include various levels of government, civil-society organizations (NGOs, neighbourhood and district organizations, etc.), and private parties (housing associations, property developers, investors, businesspeople, and individuals). This coalition can take two essentially different fundamental forms:

- the reactive coalition, which takes shape when one of the coalition partners unilaterally decides

to activate the Interim, thus compelling the other coalition partners to take action;
b. the pro-active coalition, which takes shape when the broadest possible coalition mutually decides, through a broad participatory process, to activate the Interim, thus inciting a response from the existing coalition partners and other potential partners.

V Exercise of Interim Competences The competences of the Interim are exercised through provision of access to the Interim by the coalition of entrepreneurs, who are responsible for Interim development.

The owner of the land or structures in question (whose identity is almost always known in the Dutch situation) can play a pivotal role. In some cases a coalition can provide access to the Interim contrary to the wishes of the owner.

VI The Democratic Life of the Interim The democratic life of the Interim (the operation of its governing institutions) is in the hands of the coalition of entrepreneurs. Interim entrepreneurs can come together from very different backgrounds to form a coalition. Accordingly, interim democratic life must necessarily be based on the principle of Interim inequality and non-equivalence (of authority, legal status, investment capacity, available time for investment, pioneering spirit, etc.). This results in unique combinations that make Interim development possible. In a pro-active coalition, the partners, fully aware of the fact of inequality and non-equivalence, strive toward dialogue and transparent development, in order to define and protect their common interests. Within the framework of the coalition an external party is often engaged to protect those

interests, given that the coalition itself is often unable to perform this task.

VII Finances of the Interim The capital of the Interim consists of the capitalized increase in value or potentially capitalizable increase in value created by Interim development. (Value may be created and capitalization may take place in the Neighbouring Time or in the surrounding area, or both.)

The Interim increase in value is calculated on the basis of the total capital created, including both material and immaterial assets (the latter category includes urban, symbolic, cultural, social, economic, and cognitive capital, and the like).³ In addition to tangible economic capital (land and property), account must also be taken of the creation of productive value (rent and future rental values) associated with land and immovable property, as well as of urban quality and urban activity.

Through the progressive development of capital, value is created gradually and, in the ideal situation, irreversibly (rather than explosively, with the risk of an equally abrupt setback leading to impoverishment), as specified in further detail in art. III.V (The Functioning of the Interim).

In the case of a pro-active coalition, the mechanism of value creation and the conversion rates for the different varieties of capital are to be agreed in the form of exchange rates.⁴

In the case of a reactive coalition, capitalization takes place outside the framework of the full coalition of entrepreneurs.⁵ This may be in conflict with the broader public interest, especially when the means for realizing the increase in value are, in whole or part, public property.

VIII Access to the Interim Access to the Interim can be divided into two categories. Areas and buildings gain access to the Interim when their original function has been terminated and redevelopment does not take place immediately. Areas and buildings in this situation gain immediate access to the Interim. They thus become autonomous and distinct entities in space and time, gaining the special Interim status and thereby entering the scope of the Constitution for the Interim. Individual coalition partners are guaranteed access to the Interim by the coalition partners as a body, in so far as these individual partners have a valid claim to the enjoyment of the benefits of the Interim, its capital (see VII), and the increase in that capital.⁶

IX The Interim and its Neighbouring Time As an autonomous entity in space and time, the Interim forms a parallel time zone. Simultaneously, the usual functional and developmental processes take place in what is referred to hereinafter as the Neighbouring Time. The transition from the Neighbouring Time to the Interim has a prior and a subsequent stage. The prior stage generally involves eagerly looking forward to the termination of the previous use. The subsequent stage is that in which (rightly or wrongly) one looks back wistfully at the Interim.

Should the anticipated subsequent stage fail to materialize, the result may be an overtime situation. Redevelopment may have deliberately been called to a halt, but it is also possible that something has gone wrong. Perhaps there is an economic crisis or the schedule was not discussed in a timely fashion.

If the anticipated subsequent stage fails to materialize, it is advisable to take swift action.

Part II: The Charter of Fundamental Rights of the Interim has been omitted from this printed version of the Constitution

Part III: The Policies and Functioning of the Interim How are these fundamental rights put into practice?

I Provisions of General Application The General Decree regarding the use of the Interim ('Interim Use Decree') is to state which provisions of the relevant acts apply to Interim use.

In the Interim, the only rules that apply are those necessary for optimal use of the Interim as swiftly as possible and without compromising the interests of neighbouring entrepreneurs, the surrounding area, or the Neighbouring Time.

II Citizenship Citizenship is a right guaranteed to all those who enter the Interim in a spirit of enterprise. Entering the Interim in a spirit of enterprise should, if possible, be encouraged and facilitated.

If the Interim is situated on or in private property but has the potential to be of exceptional value to the public, the local authorities should play an intermediary role with regard to access to the Interim, thereby promoting Interim citizenship.

One situation worthy of special attention is that in which the Interim is situated in whole or part on or in public property. In such a situation, the local authorities are responsible for facilitating access to the Interim and promoting Interim citizenship.

Local authorities can promote access to the wInterim in a number of ways:⁷
– by financially supporting the development of

the Interim or acting as guarantor in negotiations with coalition partners;

- through mediation, assistance in finding suitable locations for Interim development (a database of available sites and buildings), assistance with conflict management, or streamlining and simplification of procedures;⁸
- by adapting urban planning instruments and models to increase the potential for Interim development and citizenship;
- by taking an active role as the initiator or organizer of Interim development or by assigning other parties to do so;⁹
- by treating the Interim entrepreneurs as fully-fledged partners in a cooperative working relationship;¹⁰
- by actively marketing the Interim, by presenting strategies for soliciting innovative proposals and generating interest in Interim development possibilities;¹¹
- by tolerating Interim development when the required permission has not (or not yet) been granted;
- by setting out clear guidelines on which forms of Interim development are and are not allowed in which types of Interim;
- by seeing to it that the coalition draws up a statement regarding liability in the event of accidents or damage in the Interim, rather than holding a single party liable, such as the owner of the land or structures.¹²

III Internal Policies and Action In its internal policies, the coalition of Interim entrepreneurs begins by determining the ground rules. The fewer rules, the better.^{13,14} In the case of a pro-active coalition, these rules can be set out in binding agreements between the entrepreneurs involved. Of course, these binding agreements do not have to be written in a pompous, bureaucratic style.

IV The Functioning of the Interim The challenge for temporary entrepreneurs is to add a new layer of development to the many already present in the area subject to Interim development. When, in accordance with art. I.VII (Finances of the Interim), the increase in value in the Interim takes place gradually, the existing features of the

setting serve as the basis for further development. From the perspective of financial capital, this type of investment can have much faster returns than local development (and redevelopment) that starts from square one. From the perspective of urban capital, recouping the initial investment is less important than strengthening the fabric of the city.¹⁵

V Association of Times and Sites In the Interim, past results are a guarantee of future performance. The Association of Times and Sites makes it possible for successful Interim business activities to continue in the subsequent stage or make the leap to related Interim areas.¹⁶

VI The Interim's External Action The external action of the Interim (outside its area, outside its time period) is conducted by means of its ripple effects, which lead to increases in value in the Neighbouring Time.¹⁷ Furthermore, the Interim has an external impact whenever it enters into the Neighbouring Time. In such cases, the increase in value that has taken place in the Interim is transferred (at least in part) to the Neighbouring Time. In the case of a pro-active coalition, the mechanism of value creation and the conversion rates for the different varieties of capital (material and non-material) are operative. A valuation decision or provision for this purpose will be incorporated into the Constitution in the near future.

Part IV: Final Provisions The Interim Constitution provides a framework that provides the Interim with autonomy as an instrument of urban development that can make a major contribution to the development of the city and its culture. This Constitution is not (and will never be) complete – an essential feature in an Interim situation. Yet at the same time, this is an appeal to keep working on it and contributing to our insight into the policies and operation of the Interim. “Constituting the Interim” is made by STEALTH.unlimited (Ana Dzokic and Marc Neelen) and Iris de Kievith on invitation by Optrek/ laboratorium van de tussentijd, and has been supported by Fonds BKVB. 44

¹ This Constitution does not deal with the Interim that deliberately does not aim to change or influence the present or ultimate use of the space, such as the systematically repeating Interim (e.g. the interludes between the opening times of car parks, regularly occurring markets, beach properties in seasonal use, etc.)

² Entrepreneur: one who sets an activity into motion or initiates something (in other words, shows enterprise). An entrepreneur's goal is profit, broadly defined to include social benefits and other intangible gains, such as gains in time and space.

³ There are a number of different kinds of capital, with some overlap between them: – urban capital: the value of the city and its culture – symbolic capital: cultural recognition (or ‘image’) – cultural capital: knowledge, skills, and training – social capital: relationships and networking – economic capital: money and immovable property – cognitive capital: knowledge.

⁴ There will be no Interim if you try to cash in on the increase in value. Just stop trying to put a price tag on things. – Annus Hornstra, director of the housing association Haag Wonen, commenting on the Constitution for the Interim.

⁵ [T]he most avid globalizers will support local developments that have the potential to yield monopoly rents even if the effect of such support is to produce a local political climate antagonistic to globalization! – David Harvey, ‘The Art of Rent: Globalization, Monopoly and Commodification of Culture’, 2002, <http://socialistregister.com/recent/2002/harvey2002>.

⁶ I regret not having the value of the shipyard assessed before we started and setting up a joint ownership and shareholding structure with all 250 participants. In the beginning the site had a negative value of 5 million ... Now our shell has largely been refurbished and is worth 6 million. As the tenant and end user of the property, we financed the interior building costs ourselves, and they amounted to 10 million – definitely a lot more than 10 years ago. – Eva de Klerk, one of the founding members of the Stichting Kinetisch Noord (2000–2007), the organization for users, development, programming, and management of the NDSM Werf in Amsterdam North.

⁷ The stance adopted by the local authorities can essentially make or break a project, according to Klaus Overmeyer (ed.), *Urban Pioneers, Temporary Use and Urban Development in Berlin*, Senatsverwaltung für Stadtentwicklung Berlin, 2007, p. 159.

⁸ These may include entrepreneurs, independent organizations, and public bodies.

⁹ This may, for example, include entering into public-private partnerships (as long as they are mutually beneficial) in which Interim entrepreneurs are given an opportunity to use a building or site for free in exchange for its upkeep throughout the Interim.

¹⁰ Possible methods include a call or competition for ideas for Interim use (as in the case of the NDSM Werf), modified tendering procedures, and more clearly announcing the availability of Interim buildings and sites, as in the case of Neuland.

¹¹ On the model of Vienna's city support desk for Einfach-Mehrfach. See: www.wien.gv.at/stadtentwicklung/06/22/05.htm.

¹² I believe that the objective should be the minimum of rules in the Interim, even if the rules are mutually agreed by the participants. The point of forming a coalition, as we see it, is to

seek the maximum degree of freedom (divergence)... So how do you make the coalition pro-active under those conditions? By making it clear what you are doing, and above all (or consequently) by building trust. That's essential, because there's a lot of uncertainty. The process manager can be assigned responsibility for this. He or she has to continually remind parties of the common interest. There's always a common interest; otherwise, there's no coalition. But the larger the discrepancies between the common interest and individual interests, the more complicated the situation becomes. – Simon van Dommelen, in an e-mail to the authors.

¹³ As a user of the Interim, you have at least have a guaranteed minimum period of use. That's the only thing that absolutely has to be worked out. – Jan Jongert of 2012 architecten, an experienced Interim user, at a pilot presentation of the Constitution for the Interim.

¹⁴ If the main theme in urban development through most of the twentieth century was the economy – with a noteworthy phase in the 1960s and 70s in which a great deal of attention was devoted to the social quality of the city – the debate may now come to be dominated by cultural quality. The emphasis is steadily shifting toward issues of ambience, identity, creativity, and the importance of beauty. If this trend continues, then the dominant issue in inter-urban and inter-regional competition. – David Harvey, *The Art of Rent: Globalization, Monopoly and the Commodification of Culture*, 2002, <http://socialistregister.com/recent/2002/harvey2002>.

¹⁵ In Berlin it is clear to see that people from very diverse backgrounds feel drawn to areas in temporary use. In the 1960s and 70s, the target group was limited mainly to hippies, but these days you see all sorts of people enjoying themselves on improvised urban beaches. Let this be a message to urban planners and municipal spatial planning departments: today's city-dwellers want not just carefully tended parks, but space for eye-opening initiatives. – from a talk by the ‘architect’ Mathias Heyden at Stroom, The Hague, 8 October 2008.

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¹⁷ This is what urban growth machines are often all about: the orchestration of investment process dynamics and the provision of key public investments at the right place and time to promote success in inter-urban and inter-regional competition. – David Harvey, *The Art of Rent: Globalization, Monopoly and the Commodification of Culture*, 2002, <http://socialistregister.com/recent/2002/harvey2002>.

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Ministerie van Onderwijs, Cultuur en Wetenschap

NAI _ Architecture of Consequence

The Netherlands Architecture Institute (NAI) is the platform for architecture, where challenges and designs can meet in the most inspiring way. Central to the NAI's agenda for the future is *Architecture of Consequence* which shows that architecture can play a part in formulating solutions to widespread global problems, and help to build a more sustainable future. The NAI calls on designers, principals and policymakers to seize this opportunity and become a force for positive change.

What is Architecture of Consequence?

The human race is facing a number of colossal challenges. The way we deal with, and think about food, health, energy, space, time, social connections and (economic) value has become distorted. And now, the tide must turn. Architecture and spatial planning can be instrumental in redefining our attitudes because the design and planning of our living environment touches on so many of these concerns.

Architecture of Consequence draws attention to a generation of designers working with these themes and using the potentials they present to design a way forward. Whether their proposals appear modest at times or utopian, they always express wholehearted confidence in the future. Architecture of Consequence started of by a publication (published by NAI Publishers) and a travelling exhibition. In the coming years the Architecture of Consequence agenda will be further explored by lectures, debates and expert meetings both at the NAI building in Rotterdam and on location, to explore and discuss the seven key themes of Architecture of Consequence.

The Dutch entry for the 12th architecture Biennial of Venice should be read in this framework.

On invitation of the Netherlands Architecture Institute (NAI), Rietveld Landscape was asked to make a statement in the form of an installation about the potential of landscape architecture to contribute to resolving the major challenges facing society today.

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