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# Shifting sands of planning in Israel

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## ABSTRACT

The planning scene in the 21st century is characterized by rapid transformation and upheavals. Countries with a long tradition of multi-tiered planning systems have seen their planning systems overhauled in the past decade. Through the Israeli case, a country with a highly centralized planning system, I examine the dynamics of such a transformation. These dynamics are an outcome of multi-dimensional struggles at several levels: between four advocacy coalitions, between elected officials and planners, between the central government and local governments, and between epistemic communities. In Israel the economic advocacy coalition and elected officials have utilized a policy window opened by the hike in housing prices since 2008 to frame the issue as a supply-side story line whereby planning obstructs the supply of housing thereby causing the price hike. On this basis, a series of actions were undertaken fragmenting the planning system, changing the power structures within the planning system and limiting the purview of planning commissions. To this end, and utilizing the relative advantage of the economic coalition and elected officials at the legislature, 'emergency' legislation was pushed through and the composition of planning bodies were altered. The cumulative outcome of these actions is a shift in power toward elected officials at the national level, at the expense of planners, civil society and local government. These actions had implications also for the content of planning - toward silo planning, driven mainly by economic considerations (largely developers' profitability), at the expense of comprehensive planning and sustainability considerations.

#### 1. Introduction

The planning scene in the 21st century is characterized by rapid transformation and upheavals, particularly with regard to regulative planning. In countries with a long tradition of multi-tiered planning systems, which produced comprehensive plans, the planning systems have been overhauled in the past decade. These transformations have been linked to the advent of neo-liberal ideologies, as regulative planning came to be framed as part of the set of controls that limits the flexibility and fluidity of capital (Harvey, 2005; Haughton et al., 2014). As Allmendinger (2016) shows for the English case these transformations take two forms: devolution to the local level and short-cutting planning procedures in order to speed up the approval processes. Similar changes have been noted in the Danish (Damsgaard, 2014) and Dutch (Needham, 2012; Zonneveld and Evers, 2014) cases, both of which were among the most highly-regarded multi-tiered planning systems in Europe.

These transformations are part of a shift in the focus of planning from systems that seeks to balance various interests and goals to systems that facilitate growth (Sager, 2011; Allmendinger, 2016). This change was, arguably, partially facilitated by the discursive shift in planning, as the emphasis shifted from the outcome of planning to the process of planning, thereby side-lining unjust outcomes (Fainstein and Fainstein, 2013) and de-professionalizing planning (Lord et al., 2017). Much of the literature on planning in the neo-liberal era has thus focused on the changes in planning (Sager, 2011), or on the ideological bases that underlie the transformations of planning systems (Allmendinger, 2016) and the agents that advanced the neo-liberal ideologies with regard to planning (Haughton and Allmendinger, 2016).

A question that has received only scant attention is how do these transformations come about? Have planners changed their professional ethos? Who are the agents of change? And how do they get to change the planning system. Clearly, the answers to these inter-related questions differ across settings, as planning legislation and structures vary across countries. Still, in order to address these questions it is necessary to conduct case studies, out of which perhaps some generalizations may emerge.

The purpose of this paper is to identify the factors and actions that led to the recent transformations of the Israeli planning system. The Israeli (regulative) planning system is a three-tiered system, largely modeled on the 1947 British system. Compared with other Western countries Israel's planning system is highly centralized, maintaining strong national-level institutions (Alterman, 2001). Israel, whose early years were characterized by the dominance of statist socialist ideologies

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has become a de-facto neo-liberal state (Ben-Porat, 2008), albeit with substantial state involvement (Maman and Rosenhek, 2012). Thus, the shift in dominant ideology has led to a particularly pronounced conflict over the role and practice of planning. This conflict is the focus of this paper.

To identify the factors that underlie the transformation of the Israeli planning system a grounded theory approach is undertaken. The Israeli case is analyzed in detail as a basis for suggesting a general framework that can be further tested in other contexts. In the analysis of the Israeli case insights gleaned from several theories on changes in policies are utilized. Specifically, I weave Sabatier's (1986) advocacy coalitions theory with Kingdon's (1995) three streams framework, as well as elements of Hajer's (1995) work on the interactions between discourses. Yet, as none of these (or the other public policy theories on policy change) captures the full scope of factors that are involved in shifting the role and practice of regulative planning, I propose a framework for analyzing such shifts on the basis of the Israeli experience.

In the next section a brief literature review of shifts in planning systems is presented, followed by a short overview of the Israeli planning system<sup>1</sup> as it operated until the first decade of this century. Then, the parties that struggled over the nature and structure of the Israeli planning system are identified, and the advocacy coalitions they formed are outlined. In Section 5 the actions that were taken by the different actors and coalition in the past fifteen years are detailed. The factors that allowed these actions to take place are discussed in Section 6 with relation to Kingdon's (1995) 'policy windows' concepts. Then, in the conclusions, I specify the dimensions and levels that should be used to analyze structural shifts of regulative planning systems.

Case studies are tailor-made for analyses of processes of change, and particularly for answering questions of why and how such processes occur (Meyer, 2001). In qualitative analyses of such case studies, and particularly in policy studies, multiple sources of information are needed in order to triangulate the observations regarding such processes, which by nature are messy (Ritchie and Spencer, 2002). In the analysis of the Israeli case multiple sources are utilized. They include various policy documents, protocols of Knesset (Israeli Parliament) committee deliberations, newspaper reports and informal discussions and interviews with many planners, as well as several of the players involved in making planning policies over many years. In addition, as the author was personally involved in many of the discussions regarding the shifts analyzed herein, insights gained from a participantobserver position are also incorporated.<sup>2</sup> While such observations are prone to the well-known limitations of this type of research, they are indispensable as they allow gaining insights to processes and discussions that were not recorded. But in contrast to studies that rely solely on such observations, the multiplicity of sources allows for critical analyses of the insights of this study, and for cross-checking the statements made.

#### 2. Transformations of planning systems: A brief review

The role, structure and form of regulatory planning has waned and waxed since World War 2. In the immediate aftermath of the war

comprehensive multi-tiered systems were established in several Western countries (Hall and Tewdwr-Jones, 2011). These systems produced comprehensive land use plans. These were later subject to critiques, arguing that such plans impose unnecessary impediments on development, subsequently leading to changes in planning practices, most notably the advent of structure plans (Booth, 2003).

The critiques of the plans were however, only part of the criticism leveled at the planning systems. The multi-layered system itself was critiqued as being excessively bureaucratic, imposing substantial delays on development processes and therefore raising the cost of development (Dobry, 1975). Such critiques underlie reforms that were undertaken. perhaps most notably in Britain. In Britain such reforms were largely implemented following changes in government. Thus, following Thatcher's conservatives rise to power steps were taken to roll back planning. With the rise of the 'new labor' a planning renaissance of sorts took place with the new plan-led reform of 1991, followed by the introduction of regional level requiring the preparation of regional strategic plans (Nadin and Stead, 2014). However, once the conservative government came to power in 2010, and following the 2008 economic downturn, a devolution of planning to the local level through the Localism Act, annulling the regional level, was followed by a series of additional reforms, creating a sense of crisis in British planning (Haughton et al., 2014; Ellis and Henderson, 2016). In essence under the up surging neo-liberal story lines planning was framed as restricting economic growth, and as one of the main causes for rising housing prices (Ruming and Goodman, 2016). However, the response has been multi-faceted leading to what Allmendinger (2016) terms a system of neo-liberal spatial governance involving the creation of new temporary mechanisms, called by Haughton et al. (2013) 'soft spaces'. This system advances a new ethos of planning, that promotes development and diffuses conflict, and changes the scale at which planning is carried out. Thus, while infrastructure approval was shifted upward through the creation of the Infrastructure Planning Commission, other development was shifted downward to the community level through the Localism Act (Lord and Tewdwr-Jones, 2014). While Allmendinger (2016), Lord and Tewdwr-Jones (2014) and Haughton et al. (2013, 2014) focus on the British case similar shifts have been discerned in Australia and New Zealand (Gurran et al., 2014), as well as in the Netherlands (Zonneveld and Evers, 2014) and Denmark (Damsgaard, 2014).

In the Dutch case, which was noted for its stability for many decades, the change came about in 2008, when the hierarchical system was overhauled. Local plans do not require any longer approval from the Provincial or national levels (though these levels can intervene if local plans are deemed to contradict the stated national or provincial policies). Moreover, the Ministry of Housing, Spatial Planning and Environment (VROM) was dismantled and replaced by the Ministry of Infrastructure and Environment, thereby substantially weakening spatial planning (Zonneveld and Evers, 2014). Infrastructure planning is conducted through a separate mechanism (MIRT), and the new national plan (SVIR) is merely a statement of 13 national interests. Moreover, only these national interests can justify the intervention of the national level in local plans.

While the shifts briefly reviewed above and their planning implications were extensively described and discussed, the politics that underlay them remain largely opaque. The premise of the studies analyzing shifts of planning systems is that they are an outcome of the rise of neo-liberal regimes and changes in government. That is undoubtedly correct, but it is likely to be only a partial explanation. Public policy studies show that such transformations are much more complex and involve many actors operating over long time spans. Thus Sabatier (1986) suggests that processes of policy change require time perspective of a decade or more. According to him the most useful way to think about change over such a time span is by focusing on policy sub-systems and that such subsystems are comprised of coalitions that include actors from different levels of government as well as actors from outside government. The actors in each coalition have a common belief system,

<sup>&</sup>lt;sup>1</sup> The Israeli Planning and Building Law pertains to pre-1967 Israel and the areas it annexed (East Jerusalem and the Golan Heights). This is the planning system analyzed herein. In the West Bank different systems are in place, legislated through military orders (in areas C) or by the Palestinian Authority. These systems are beyond the purview of this paper, as the dynamics there differ considerably from the Israeli system.

<sup>&</sup>lt;sup>2</sup> In addition to his academic affiliation the author served as a consultant to the head of the Planning Administration between 1993 and 2002, was part of the teams that prepared several national, district and metropolitan plans in the 1990s, chaired the National Parks and Nature Reserves Commission and is a consultant to the Local Jurisdictions Center (a body representing the local jurisdictions in national level discussions).

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