

In addition to the numerous pre-conditions that exist before the design of architecture can begin (gravity, geometry, program etc.) it is the power of text that we wish to focus on here. These pre-conditions or regulations are known to planners and designers as rules, zoning, or code and are accepted as unavoidable conditions that can be „interpreted“ in the best case. Can these preconditions be considered as pro-active instruments or tools for design rather than obstacles? Can the designer be instrumental in establishing these conditions rather than the recipient of them?

## **PROGRAM**

### **INTRODUCTION**

**ARCH+, Berlin**

**Arno Brandlhuber, Architect, Harvard Studio Berlin**

### **1. HISTORY AND PRACTICE: HOW LAW CREATES FORM**

#### 1.1 From Backyard to Court & Garden: Berlin

**Dr. Fritz Neumeyer, Harvard Studio Berlin:**

**10 min presentation, 5 min talk**

The Hobrecht-Plan of 1862 together with the following building regulations defined the required minimum size for backyards for the mass-produced housing type of the „Mietskaserne“. The building regulations in 1887 and 1897 allowed the backyard to develop in size. The housing reform of 1900 transformed the backyard into court and garden; internal private roads opened up the perimeter block and open building patterns of housing groups left behind the stereotype of the „Mietskaserne“.

#### 1.2 Unfuck Context?

**Dr. Florian Hertweck, Architect, École Nationale Supérieure d'architecture de Versailles: 10 min pres., 5 min talk**

Peer review process and § 34 Federal Building Code in the Stimmann era.

#### 1.3 The Open Fields of Law

**Dr. Niklas Maak, Author, Journalist, Harvard Studio Berlin:**

**10 min presentation, 5 min talk**

Who has the authority to define the term ‚dwelling‘? This short talk will address Raymond Geuss' deconstruction of the term ‚privacy‘ as well as legal definitions of ‚dwelling‘ in Germany, above all the recent debate about the Federal Constitution's Article 13 in the present climate of fear regarding Big Data. Article 13 refers to the ‚inviolability‘ of the home, informational self-determination and a right to privacy, and their political consequences. But the question remains: Just who is it who wants to ‚violate‘ the home, and how? Who is protecting us against whom? How is the legal definition of privacy and common ground shaping our idea of dwelling? How could we regain the power to define these terms ourselves, thereby encouraging new building typologies and dwelling concepts?

#### 1.4 On the Pleasures of Legislation

**Sam Chermayeff, Architect, Berlin / New York:**

**10 min presentation, 5 min talk**

We architects are trying to find a way to claim that good architectural solutions are inevitable.

This is an effort to guide us through the making of buildings without becoming arbitrary. Laws are by definition outside of ourselves and therefore tools upon which we can find logic that makes architecture. The pleasure in laws as tools is the pleasure of macro decisions that create unexpected micro conditions.

#### 1.5 Legislation and the Freedom to Build

**Frank Barkow, Architect, Harvard Studio Berlin:**

**10 min presentation, 5 min talk**

**Materials and Methods:** technology and the legal approval process + **The Berlin B-Plan** and Estrel high-rise case study.

Barkow emphasizes legislation as a challenge not so much in reaction to zoning and code issues as to one that limits and demands approval for emerging technologies, materials, and their architectural applications requiring „guarantees“ for viability and public safety. This talk illustrates what some of those mechanisms are and how this furthers experimental research-based work that is translated into buildings. In the second part of this talk the B-Plan (Bebauungsplan) or land use planning uses Barkow Leibinger’s Estrel high-rise as a case study and how it’s implementation impacts it’s site and neighboring context and how a B-Plan limits this.

#### 1.6 The Extralegal in Action

**Dubravka Sekulic, Architect, Serbia / Switzerland:**

**10 min presentation, 5 min talk - via Skype**

How legislating „illegal“ becomes a way to create grey area for extraprofit in the city and more speculation and how in this case laws are the problem. On the example of my book „Glottz nicht so Romantisch! On extralegal space in Belgrade“ I show how the shape of the house maps this grey area.

#### 1.7 National (Refugee) Law outvoted through Practice: Urban Citizenship and the Oranienplatz

**Jochen Becker, curator and critic, Berlin / Stockholm:**

**10 min presentation, 5 min talk**

Ongoing occupations by refugees of Berlin places - in front of the Brandenburg Gate, on Oranienplatz, in the Gerhard-Hauptmann-School or a hunger strike on the roof of the hostel in Gürtelstrasse - and the broad support by Berliners establish a new understanding of urban citizenship. On a very local level of „right to the city“, these fights have transnational dimensions.

## **2. LEGISLATING ARCHITECTURE (IN BERLIN)**

#### 2.1 Legislative Consulting Process

**Markus Rosenthal, Managing Director nuances, Berlin:**

**10 min presentation, 5 min talk**

For today’s generation of architects and urban planners, the question is this: are they, the involuntary heirs of “critical reconstruction,” restricted in their design freedoms or can the same creative leeway found in France, the UK and the USA also be found in Berlin? To date, politics in Berlin have had no way to achieve this. Today, political and architectural challenges are aligning and strengthening. This is Berlin’s chance to make a difference. Policy-makers are necessary to understand the different viewpoints within the local environment as well as the international character of architecture. It is crucial that policy-makers have and explore the opportunity to visit other cities to learn from best-practise examples. nuances works to enable a comprehensive understanding of the situation at hand in

order to enable a communication process which helps to define the priorities of policy-makers, architects and investors.

## 2.2 The Berlin Model of Cooperative Land Development

**Grit Schade, André Moschke, „Housing Coordination Office“, Senate Department of Urban Development and the Environment, Berlin:**

**10 min presentation, 5 min talk**

As Berlin is an attractive and vibrant city offering a relatively low cost of living, it has experienced a significant increase of population over the last years. With more than 175,000 new inhabitants since 2011 and the expectation for this upward trend to continue until 2030, the pressure put on the Berlin housing market is enormous. Actions like housing strategies or alliances between stakeholders of the housing market are supposed to meet the urgent demand for tens of thousands of new dwellings and particularly the need for affordable housing. On new building sites the requirement for housing construction is the existence of development plans. In combination with these plans, urban development contracts can be concluded between the city and the developer of a plot or individual property owners. The “Berlin Model of Cooperative Land Development” is a newly developed guideline for this kind of contracts, guaranteeing a fair burden-sharing concerning the cost of creating technical infrastructure, social facilities and subsidized housing. The advantage of this guideline is the establishment of a transparent and standardized procedure for public-private contracts in Berlin

## 2.3 Modify or Exploit Legislation

**Imke Mumm, Technische Universität München:**

**10 min presentation, 5 min talk**

Construction is the human activity which acts in the strongest and long lasting way within the public space. To built is not only a private matter, it always touches public interests. For this reason instruments has been developed to enforce and secure these public interests. The particular view what defines the public interests has continuously changed and will change even today. How limited is the flexibility to plan or design within these legislations? What rules could be changed and what tools are rarely used for different reasons?

## 2.4 Case Studies, What If ...

**Frank Barkow, Arno Brandhuber, Grit Schade, André Moschke, Imke Mumm @ all**

## **SYNOPSIS**

**„ON FREEDOM, INVENTION AND THE POSSIBILITY OF A DIFFERENT URBANISM“**

**Jean-Philippe Vassal, Architect, Berlin / France**