

## **Other claims and other cities: contested and shifting boundaries in informal housing and squatting**

When Berlin celebrated its 750<sup>th</sup> anniversary in 1987, a large sculpture by Olaf Metzel, a seemingly haphazard installation of enlarged crowd barriers and shopping trolleys, piled up to just under 12 meters and titled “13.4.81”, was installed on the Kurfürstendamm. The date referred to a so-called “Scherbendemo” (literally: demonstration of shards), that is a demonstration, in which squatters and autonomists made their mark by smashing display windows, in fact, one of many such occurrences during the heyday of the West-Berlin squatting movement of the early 1980s. The actual reason for the demonstration in April 1981 was to protest the situation of political prisoners on hunger strike; in particular, members and supporters of the Red Army Faction who suffered forced feeding. Metzel’s sculpture aimed to make societal contradictions visible. Shopping trolleys and crowd barriers served as pointers to the potential for violence within consensus and consumer societies.<sup>1</sup>

The artwork was appropriated and contested in several ways. Defying considerations of health and safety, people used it as climbing scaffold, viewing platform, and picnic place. On the other hand, it triggered massive public protest by concerned taxpayers who denounced the sculpture as “degenerate art” and a “glorification of rebellion” to the point of police in riot gear protecting the sculpture against an onslaught of angered citizens, which eventually led to the removal of the “riot memo-

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<sup>1</sup> Wolfgang Max Faust, *Skulptur und Mentalität*, in: Olaf Metzel (ed.), *Olaf Metzel: 13.4.1981, Berlin 2005*, pp. 22–31: 25–27; Christoph Heinrich, *13.4.81: Ein Denkmal?*, in: Olaf Metzel, *ibid.*, pp. 44–57: 44–46.

rial” from public space.<sup>2</sup> Two decades later—in the meantime, the artist had advanced to the position of director of Munich’s Academy of Fine Arts—the monument found its present-day location away from public thoroughfares on the site of a corporate headquarter by the river Spree. In a nutshell, the history of Metzel’s artwork, and particularly its emphasis on crowd barriers as artificial and contested boundaries, highlights the complex and conflicting debates that the West Berlin squatting movement triggered.

Previous research has, however, rarely investigated informal housing, and particularly squatting, as a historical field of contested and shifting boundaries. Indeed, mainstream informal housing literature has often regarded squatting as an illegal activity that *by definition* takes place outside the boundaries of formal markets and legal structures. This deficit becomes particularly apparent in a historical perspective, which shows that squatters and related urban activists have occupied and transformed public and private spaces, thus challenging conventional notions of space and contributing to the resetting of boundaries on several levels.

A few recent studies have investigated squatting in specific countries or cities.<sup>3</sup> Analysis of historical trajectories is still rare,<sup>4</sup> while the recent social movements in which squatting has been embedded have received

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<sup>2</sup> Olaf Metzel, 13.4.1981 (see fn. 1), pp. 72–74.

<sup>3</sup> E. g. Peter Birke / Chris Holmsted Larsen (eds.), *BZ din by! Besetze Deine Stadt! Häuserkämpfe und Stadtentwicklung in Kopenhagen*, Berlin 2007; Ayona Datta, *The Illegal City: Space, Law and Gender in a Delhi Squatter Settlement*, Farnham 2012; Jan-Henrik Friedrichs, *Urban Spaces of Deviance and Rebellion: Youth, Squatted Houses and the Heroin Scene in West Germany and Switzerland in the 1970s and 1980s* (Diss.), University of British Columbia 2013; Armin Kuhn, *Vom Häuserkampf zur neoliberalen Stadt: Besetzungsbewegungen und Stadterneuerung in Berlin und Barcelona*, Münster 2014; Alexander Vasudevan, *Metropolitan Preoccupations. The Spatial Politics of Squatting in Berlin*, Chichester 2015.

<sup>4</sup> Freia Anders / Alexander Sedlmaier (eds.), *Public Goods versus Economic Interests: The History of Squatting in a Global Perspective*, New York 2017; Andreas Suttner, “Beton brennt”: *Hausbesetzer und Selbstverwaltung im Berlin, Wien und Zürich der 80er*, Wien 2011; Alexander Sedlmaier, *Consumption and Violence: Radical Protest in Cold-War West Germany*, Ann Arbor 2014; Bart van der Steen / Ask Katzeff / Leendert van Hoogenhuijze (eds.), *The City is Ours: Squatting and Autonomous Movements in Europe from the 1970s to the Present*, Oakland 2014; Alexander Vasudevan, *The Autonomous City: A History of Urban Squatting*, New York 2018.

more attention.<sup>5</sup> However, these studies do not offer a systematic and historical assessment of the nature and dynamics of boundaries in squatting, and informal housing more generally. Such a perspective will help to address historical processes of negotiation and contestation that have contributed to the emergence and shifting of boundaries demonstrating the malleability of socioeconomic dividing lines in the urban fabric. Moreover, an analysis of boundaries will help to avoid the problematic dichotomy between the global North and the global South still dominating research in informal housing, which usually treats the untitled occupation of buildings in the global North and the informal settlements of the global South in separate academic containers. Approaches that seek to transcend this dichotomy are still rare.<sup>6</sup> We will therefore address structural similarities between squatting in the global South and in the global North, especially its capacity to contribute to the historical transgression, contestation, and resetting of urban boundaries in several dimensions. From a historiographic and comparative perspective, the following conceptual (if somewhat eclectic) reading of various case studies from both the global North and the global South reveals and counters a lack of scholarly attention to the historical entanglements of squatting and informality in the very process of urbanization and city development.

Employing a perspective on competing claims over use and ownership of urban space, we analyze boundaries in the following constellations: (a) real property boundaries; (b) boundaries between private and public space; (c) socioeconomic boundaries; and (d) zoning boundaries. We identify processes of negotiation that (temporary) acts of appropriation usually trigger. The findings show that these, at least implicitly,

<sup>5</sup> Miguel A. Martínez Lopez (ed.), *The Urban Politics of Squatters' Movements*, Basingstoke 2017; Pierpaolo Mudu / Sutapa Chattopadhyay (eds.), *Migration, Squatting and Radical Autonomy: Resistance and Destabilization of Racist Regulatory Policies and B/Ordering Mechanisms*, New York 2017; Claudio Cattaneo / Miguel A. Martínez (eds.), *The Squatters' Movement in Europe: Commons and Autonomy as Alternatives to Capitalism*, London 2014.

<sup>6</sup> Anders / Sedlmaier, *Public Goods* (see fn. 4); Richard Harris, *Modes of Informal Urban Development: A Global Phenomenon*, in: *Journal of Planning Literature*, (33) 2018), 3, pp. 267–286; Robert Neuwirth, *Shadow Cities: A Billion Squatters, a New Urban World*, New York / London 2016.

question existing property and power relations and often culminate in the threat or application of (state) violence concerning eviction, clearance, or demolition. Squatting movements of the global South and of the global North (and the social movements in which they have been embedded) have played a crucial role in shaping the nature of urban space by, explicitly or implicitly, addressing the social questions underlying its use and distribution. Two broad patterns can be recognized. In the first one, transgressions of housing regulations happen in pursuit of subsistence strategies and desires to participate in existing housing regimes, usually with the goal of improved tenure security and ascent on the “formal–informal housing continuum” where, short of being granted formal title, relative persistence, protection, acceptance or semi-formal recognition are sought. This pattern is typically assumed to prevail in the global South. In the second one, the aim of changing or overthrowing existing housing regimes combines with political and ideological ambitions. This pattern is typically assumed to prevail in the global North. Our results call attention to the convergence of both worlds: Informality happens in urban fringes around the world, cities like Izmir, Recife, Madrid, Seoul, Bucharest, and Bangkok have in common that both patterns of informality have played a significant role in urban development.

## **Defining squatting and informality**

Literature on informal housing has long argued that the boundaries between formal and informal are usually blurred.<sup>7</sup> Harris’ work exemplifies how developmental thresholds define different “modes of informality,”<sup>8</sup> which are located on a continuum marking the extent, seriousness and persistence of violations of housing regulations: from “diffuse informality”<sup>9</sup>—manifest, for example, in unauthorized subletting—to

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<sup>7</sup> Harris, *Modes of Informal Urban Development* (see fn. 6), p. 267.

<sup>8</sup> *Ibid.*, p. 273.

<sup>9</sup> *Ibid.*, p. 276.

the “dominant informality” of a South American favela.<sup>10</sup> Our considerations concerning boundaries in informal housing are less categorical and comprehensive than Harris’ framework of modes, but they might supplement his insights, especially concerning the historical, social, and political dimensions of the question “why informality exists,” which he condenses into combinations of inability or unwillingness to conform to or enforce regulations.<sup>11</sup>

Research on the global South usually differentiates between “squatter slums” and “informal slums”. The former emerge from land invasion. In the latter case, dwellers have the explicit or tacit consent of the owner of the land but this owner is legally in no position to extend this permission because the settlements do not meet building regulations, for example when shanties are built on agricultural land without building permission.<sup>12</sup> Studies of legal issues concerning squatting have not only shown the problematic and derogatory meaning of the word “slum,”<sup>13</sup> but have also highlighted that social movements as well as legal and political discourses play an important role in the formation of different “degrees of legality,”<sup>14</sup> according to which some forms of illegality are tolerated or transformed into legal status while others are not. Therefore, approaches that place squatting *by definition* outside the boundaries of formal markets and legal structures run the danger of obscuring its historical function of influencing and altering precisely these legal structures and formal markets.<sup>15</sup> Moreover, contestations about what

<sup>10</sup> Ibid., p. 278.

<sup>11</sup> Ibid., p. 273.

<sup>12</sup> UN HABITAT, *The Challenge of Slums: Global Report on Human Settlements*, London 2003, pp. 105–106.

<sup>13</sup> Alan Mayne, *Slums: The History of a Global Injustice*, Chicago 2018.

<sup>14</sup> Ann Varley / Edésio Fernandes (eds.), *Illegal Cities: Law and Urban Change in Developing Countries*, London 1998, pp. 4–5.

<sup>15</sup> Ignacio A. Navarro / Geoffrey K. Turnbull, Property Rights and Urban Development: Initial Title Quality Matters even when it no Longer Matters, in: *Journal of Real Estate Finance and Economics*, 49 (2014), pp. 1–22; Hualing Fu / John Gillespie (eds.), *Resolving Land Disputes in East Asia: Exploring the Limits of Law*, Cambridge 2014; Lorna Fox-O’Mahony / Neil Cobb, Taxonomies of Squatting: Unlawful Occupation in a New Legal Order, in: *The Modern Law Review*, 71 (2008), 6, pp. 878–911.

constituted squatting (or informal housing) and how it was to be defined were part and parcel of the contemporary discourses and conflicts that ensued.<sup>16</sup>

Most definitions of squatting and informality are essentially relational. Forms of habitation are ‘informal’ in respect to something else that is regarded as formal and legal. Thus, informality depends on context. Therefore, to define the concept in a way that stresses absence of conformity with regulations runs the danger of overlooking (1) the grey zones that exist without, are hidden from or continue beyond regulation, and (2) the ambiguous, fluid, interpretable, and negotiable nature of regulation.

We suggest that modern-day squatting can be characterized based on three components, which together illustrate its capacity to transgress and reset boundaries: (1) a corporeal claim to the use of a habitation that is (2) positioned in a complex web of property relations and (3) at least potentially contested between multiple claimants. Consequently, squatters (1) pursue their own need for shelter, which makes them physically vulnerable, especially since their tenure security is relatively low and their domestic peace difficult to enforce. In this pursuit, they (2) knowingly or inadvertently seek out the loose boundaries of territory or buildings that offer practical inlets for habitational use; usually this happens in close spatial and temporal proximity to other uses of the same or adjacent territories or buildings. Thereby, they collide (3) with other claims to the use of the space they occupy including those based on normative rights such as ownership or regulatory authority, although this conflict of interests might not become manifest initially.

What is proposed here is to avoid rigid definitions of informality based on illegality<sup>17</sup> in favor of an analysis of boundary shifting as a result of spatial claims that are simultaneously deemed illegal while enjoying varying degrees of legitimacy due to persistence and acceptance. In many ways, the concept of “illegal informality” is an *ad hoc* construct

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<sup>16</sup> Mary Manjikian, *Securitization of Property Squatting in Europe*, New York 2013.

<sup>17</sup> Harris, *Modes of Informal Urban Development* (see fn. 6).

aiming to distinguish the chaotic and disorderly urban growth of the global South from its idealized counterpart in the global North. Instead, by paying attention to negotiation, contention, and integration, we can include within the same phenomenon spatial practices that emerged in different parts of the globe, at diverse stages of urban development, resulting from diverse motivations on the part of those who transgressed established patterns. Our avoidance of a strict definition offers the advantage of permitting an analysis of diverse urban phenomena that are usually treated separately. For example, the autonomist squatter in a metropolis of the global North and the favela dweller have similarities despite obvious differences in their motivation and socioeconomic status given that they share a pursuit of a spatial practice that is transgressive and partially legitimized at the same time. In both contexts, different sets of legitimization collide and may converge upon compromise solutions. The self-conception of Bangkok informal settlers, for example, was rooted in the rural practice of *chap chong* (grab and reserve), according to which land belongs to those who work it. Such informal relations “worked until landowning government departments and state-owned enterprises began to recognize the commercial value of their land holdings” and “customary law collided with modern property rights.”<sup>18</sup>

## Real property boundaries

As squatters move into unused or derelict buildings, or construct shanties without the landowner’s permission, they cross real property boundaries that may or may not be secured by material and tangible barriers like fencing or walls or laid down non-materially and legally in public registers or cadastres. Usually, concerns about security eventually come to the fore in public discussions that such acts trigger. Authorities often exploit the pretext of illegal traffickers inside (prostitution, weapons, and drugs) to evict squatters. This means that the transgression of real property boundaries, and thus domestic peace, also works the other

<sup>18</sup> Yap Kioe Sheng with Kittima Leeruttanawisut, Informal settlements in Bangkok: Origins, Features, Growth and Prospects, in: Anders / Sedlmaier, Public Goods (see fn. 4), pp. 211–234.

way, especially if and where informal housing is structural. With reference to squatter settlement in India, Ayona Datta points out that

for those living in squatter settlements, illegality is a legal, material, and cultural violence [...]. When their settlement is deemed illegal and hence slated for demolition, [...] their practices of everyday life are threatened through the violent enforcement of law. Negotiating this violence requires a functional and rudimentary knowledge of constitutional rights [...] for bargaining with the state.<sup>19</sup>

There are numerous historical examples where informal dwellers induced municipal governments to reproduce and accommodate their overstepping of often unclear and volatile boundaries. According to Gerd Schönwälder's research on Metropolitan Lima, this was usually done to put some order into existing chaotic settlement patterns by restructuring and consolidating settlements that had sprung up as the result of invasions so that invaders were eventually issued land titles. In practice, such legal recognition of an informal settlement happens after determining its outside boundaries once conflicts with previous landowners and adjacent settlements have been resolved. In a second step, a plan of the new settlement is drawn up, which may involve a complete redrawing of individual plots. Subsequently, a detailed census of the inhabitants determines who will be granted the right to remain. This means that the resolution of boundary or ownership disputes, assisted or arbitrated by the authorities, is a prerequisite for the granting of land titles to individuals.<sup>20</sup> Ideally, titles confirm lived boundaries. Governments, however, are often uncooperative. The Turkish military coup of 1980, for example, opened the way for a "drastic program of neoliberal deregulation." Informal dwellers on state land found it ever more difficult to obtain property rights.<sup>21</sup>

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<sup>19</sup> Datta, *The Illegal City* (see fn. 3), pp. 8–11.

<sup>20</sup> Gerd Schönwälder, *Linking Civil Societies and the State: Urban Popular Movements, the Left and Local Government in Peru*, University Park 2002, p. 149; also see Inbal Ofer, *Claiming the City and Contesting the State: Squatting, Community Formation and Democratization in Spain, 1955–1986*, New York 2017.



Peruvian economist Hernando de Soto prescribes the systematic legalization of the informal assets of the poor, many of whom are squatters, as a cure for poverty.<sup>22</sup> His theory created a controversial vision of the “slum” dweller equipped with formal title and thus turned into a small entrepreneur as an important agent of growth. De Soto approvingly cites a classic historical example of a state-driven preemption of illegal squatting, namely the “Homestead” principle in the U. S., which amounted to the acceptance by government of large-scale squatting. Most squatters are small agents in the practice of “space grabbing” who, if unprotected by government schemes like the Homestead Act, are vulnerable and easy to criminalize because of their corporeal presence *in situ*.

Land and space grabbing that is stretching or violating existing rules, however, has been practiced by much more powerful individuals and organizations. Robert Home, for example, demonstrates how the Torrens title system—introduced in Australia following the gold rushes from 1851 onwards to enable the upper echelons of colonial society to acquire legal title to land and subsequently becoming pervasive throughout the British colonial empire—condoned the land-grabbing of white settlers while classing settlements of indigenous or ‘subaltern’ populations as illegal squatting. One of Home’s instructive examples is how in Kenya “Africans living on white-owned farms were classed as squatters” even if their occupation predated the crown grant to the white farmers.<sup>23</sup> Conflicts over squatting were at the roots of the Mau-Mau uprising.<sup>24</sup> Post-colonial land dispositions struggled with this legacy, Home notes, as the desire for a more equitable distribution of land often conflicted with the guarantees of private property rights.

<sup>21</sup> Ellinor Morack, Squatting and Urban Modernity in Turkey, in: Anders / Sedlmaier, Public Goods (see fn. 4), pp. 99–121.

<sup>22</sup> Hernando de Soto, *The Mystery of Capital*, New York 2000.

<sup>23</sup> Robert Home, Squatting and Encroachment in British Colonial History, in: Anders / Sedlmaier, Public Goods (see fn. 4), pp. 78–96: 84–85.

<sup>24</sup> Tabitha Kanogo, Squatters and the Roots of Mau Mau, London 1987; Christopher Youé, Black Squatters on White Farms: Segregation and Agrarian Change in Kenya, South Africa, and Rhodesia, 1902–1963, in: *International History Review*, 24 (2002), pp. 558–602.

The dynamic of urban “space grabbing” also becomes apparent in the calculated vacancies due to real estate speculation that have attracted squatters in many European cities since the 1970s and 1980s. The recent establishment of anti-squatting service providers testifies to squatters’ power of disruption in transgressing boundaries that protect unused urban space. With the aim of preventing squatters from moving in, real estate owners hire private companies who place “security guards” in vacant properties who live there.<sup>25</sup> These anti-squatting occupants have few rights and must be prepared to leave on short notice. Companies circumvent tenants’ rights by giving residents a form of employment contract. A handful of anti-squatters can thus “protect” a large building. The leading company, Camelot Property Management, operates in five countries. In the Netherlands, the anti-squatting industry in conjunction with an anti-squatting law of 2010 ended a period of roughly 40 years of relatively tolerant legal practice vis-à-vis squatting, which had provided for its social and political institutionalization. This was based on a 1971 Supreme Court ruling according to which squatters were entitled to protection of their domestic peace,<sup>26</sup> which also means that they enjoy a degree of privacy.

## Public-private boundaries

Anthropologist Nazima Kadir points out that squats

present a convergence of the public and private [...]: On one level, these houses are private spaces, here ideally a resident should feel comfortable in [...] a warm living group, which provides a safe haven from urban alienation [...] However, they are also public spaces in that they both constitute and are produced by a social movement.<sup>27</sup>

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<sup>25</sup> Deanna Dadusc, *The Micropolitics of Criminalisation. Power, Resistance and the Amsterdam Squatting Movement* (Diss.), Universiteit Utrecht / University of Kent 2017, pp. 183–187.

<sup>26</sup> Hans Pruijt, *Squatting in the Netherlands: The Social and Political Institutionalization of a Movement*, in: Anders / Sedlmaier, *Public Goods* (see fn. 4), pp. 256–277: 269–272.

<sup>27</sup> Nazima Kadir, *The autonomous life? Paradoxes of Hierarchy and Authority in the Amsterdam squatters movement*, Manchester 2016, p. 159.

Fluctuations, transgressions, and re-negotiations of boundaries between private and political are intrinsic to squatting. On the micro level of everyday life in a squat, it becomes immediately clear that, intentionally or not, notions of a protected private sphere and a domestic place of retreat come under challenge. Ethnologist Rosa Parisi has worked on early-21<sup>st</sup> century female Moroccan migrants in Rome who resorted to the means of squatting, often against the will of their husbands who kept away from “the domestic.” She observes that “they have shaped themselves as political subjects and redrawn the boundaries between public and private spheres”.<sup>28</sup> Perhaps over-optimistically, squatter activists in the global North tend to assume that squatting offers a chance of freeing oneself from the drawbacks of individualization. Deanna Dadusc, drawing on participant observation among Amsterdam squatters, states hopefully that the creation of “collective living space” becomes

a practice that subverts the neoliberal dialectic of public/private as home becomes something different than the intimate space of the individual or the family. [...] [H]ome becomes the locus of transformation of the self and of the relation to the society.<sup>29</sup>

Human geographer Ann Varley understands the relation between legal and illegal housing as a variant of the public–private dichotomy. Drawing on examples from Mexico, she argues that the difference between legal and illegal low-income housing is not as great as the proponents of incorporation into the formal market assume.<sup>30</sup> The latter’s theories about legalization tend to be dualistic in excluding the private from their account. The potential beneficiaries of legalization, however, chiefly rely on support from friends or relatives. Both “private and public actors

<sup>28</sup> Rosa Parisi, *Squatting as a practice of Citizenship: The experiences of Moroccan Immigrant Women in Rome*, in: Roberto G. Gonzales / Nando Sigona (eds.), *Within and beyond Citizenship. Borders, Membership and Belonging*, New York 2017, pp. 96–109: 102.

<sup>29</sup> Dadusc, *Micropolitics of Criminalisation* (see fn. 25), pp. 153–154.

<sup>30</sup> Ann Varley, *Private to Public: Debating the Meaning of Tenure Legalization*, *International Journal of Urban and Regional Research*, 26 (2008), 3, pp. 449–461.

make use of legal ambiguities and regulation arbitrariness.”<sup>31</sup> When housing is viewed as a crystallization point of class and family structures, as a direct interlock between the private and the political, squatting is tangent to the complex interrelation between public and private spheres of interest on several levels: as a social practice it has the capacity to challenge fluid boundaries because, at least potentially, it puts into question both private and public ownership structures as well as the public order that is governing them—regardless of whether squatting is interpreted as a reaction to social plight, as owed to specific opportunity structures due to system transformation, or as a form of protest by social movements.

The constitution of new property relations as a result of war or forced displacement often entails the reorganization of the boundaries between public and private property. In her work on inter-war Turkey, Morack shows how squatting in the residential properties that the expelled Greeks and Armenians had left behind—often justified along nationalist lines—became a challenge for local governmental authorities. The latter were also claiming the property of the Greeks and Armenians but eventually acceded to the legalization of such cases of squatting.<sup>32</sup>

In Western Europe, especially in Britain, France and the Netherlands, squatter organizations demanding housing as a “human and citizenship right” stepped forward immediately after the Second World War.<sup>33</sup> Even though these organizations have received little retrospective attention, their actions were by no means “hidden from the public eye”, as Kadir misleadingly claims.<sup>34</sup> Post-war organizations such as the Marseille-based *Comité d’entente squatters* (Committee for Squatters’ Alliance) or

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<sup>31</sup> Harris, *Modes of Informal Urban Development* (see fn. 6), p. 275.

<sup>32</sup> Morack, *Squatting and Urban Modernity* (see fn. 21).

<sup>33</sup> Minayo Nasiali, *Citizens, Squatters, and Asocials: The Right to Housing and the Politics of Difference in Post-Liberation France*, in: *American Historical Review*, 119 (2014), 2, pp. 434–459: 434; James Hinton, *Self-help and Socialism: The Squatters’ Movement of 1946*, in: *History Workshop Journal*, 25 (1988), pp. 100–126; Kesia Reeve, *Squatting since 1945: The Enduring Relevance of Material Need*, in: Peter Somerville and Nigel Springs (eds.), *Housing and Social policy: Contemporary Themes and Critical Perspectives*, New York 2005, pp. 197–217.

<sup>34</sup> Kadir, *The autonomous life?* (see fn. 27), pp. 10–11.

the *Birmingham and District Squatters Association* acted in the context of international debates over human rights and welfare programmes. In France, squatters became part of the wider debate on “which rights constituted human rights.”<sup>35</sup> Against the backdrop of the politically unstable post-war situation and the significant extent of the shantytowns emerging around French cities, several strategic occupations of vacant public and ecclesiastical buildings raised concern among French authorities that both “public order and private property” were increasingly falling into disregard. The authorities’ attempts to solve their problem with forcible evictions and arrests encountered criticism that articulated a sense of entitlement: If only the public housing authorities did their job, “the homeless would have no reason to squat.”<sup>36</sup> The squatters received support from Catholic and communist organizations, which came along with a shift in the mode of legitimization away from human rights claims towards citizen rights arguments. With the hardening of the Cold War fronts during the early 1950s, communist parties, and with them the squatter organizations, lost influence in France and elsewhere. Due to the prevailing anti-communism and internal disagreements within organizations and movements, these connections have largely fallen into oblivion.<sup>37</sup>

So far there are only a few pertinent studies on squatting in central and eastern Europe during the period of state socialism.<sup>38</sup> Even though the extent of squatting remained limited because states guaranteed

<sup>35</sup> Nasiali, *Citizens, Squatters, and Asocials* (see fn. 33), p. 437.

<sup>36</sup> *Ibid.*, p. 441.

<sup>37</sup> Anders / Sedlmaier, *Public Goods* (see fn. 4), p. 5; Brodwyn Fischer, *The Red Menace Reconsidered: A Forgotten History of Communist Mobilization in Rio’s Favelas, 1946–1956*, *Hispanic American Historical Review*, 94 (2014), pp. 1–33.

<sup>38</sup> Ioana Florea / Mihail Dumitriu, *Living on the Edge: The Ambiguities of Squatting and Urban Development in Bucharest*, in: Anders / Sedlmaier, *Public Goods* (see fn. 4), pp. 188–210; Tatiana Golova, *Leningrad / St Petersburg: Squatting and the Moral Economy of Public-Private Relations*, in: *Baltic Worlds*, 9 (2016), pp. 57–67; Udo Grashoff, *Schwarzwohnen. Die Unterwanderung der staatlichen Wohnraumlückung in der DDR*, Göttingen 2011; Peter A. Mitchell, *Socialism’s Empty Promise: Housing Vacancy and Squatting in the German Democratic Republic*, in: Juliane Fürst / Josie McLellan (eds.), *Dropping out of Socialism: The Creation of Alternative Spheres in the Soviet Bloc*, Lanham 2017, pp. 277–301.

living space to citizens, “homelessness and squatting” were by no means “absent from socialist cities.”<sup>39</sup> Socialist authorities, whose legitimacy was not least based on the satisfaction of basic human needs, responded with moderation and ambivalence when segments of the population who were not entitled to their own living space—mainly young, unmarried and childless people—took to “self-help.” They were joined by migrants from other parts of the country who did not have permission to move to the big city. Such infiltration of the governmental monopoly on the distribution of living space was regarded as an offense, but the dwellers were rarely evicted. Since socialism was supposed to be devoid of homelessness, authorities that did evict often felt obliged to provide replacement. In the absence of potent legal pressure, squatters enjoyed significant prospects of subsequently legalizing the living space they appropriated.<sup>40</sup>

Drawing on examples from Leningrad in the 1980s, Golova shows that “squatters remained mostly silent about squatting practices [...] and did not produce legitimization discourses.” They “did not have institutionalized property rights—but the majority of Soviet citizens [...] did not have them either, and neither were they classic tenants.”<sup>41</sup> The squatters’ appropriation was therefore not so different from the common appropriation of state housing based on the place-making practices of Soviet urban dwellers,<sup>42</sup> the more so as “theft of state property” was a commonplace, partly legitimized practice among large parts of the population.<sup>43</sup>

By self-managing the housing problem, citizens in a sense relieved the authorities of their responsibility and contributed to stabilizing the system via reducing the moment of delegitimization that emanated from shortage. Squatting notably turned into a challenge of established politi-

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<sup>39</sup> Gregory Andrusz, *Cities: Post-socialist*, in: *International Encyclopedia of the Social & Behavioral Sciences*, vol. 3., ed. Neil J. Smelser and Paul B. Baltes, Amsterdam 2001, pp. 1835–1840.

<sup>40</sup> Mitchell, *Socialism’s Empty Promise* (see fn. 38), p. 277.

<sup>41</sup> Golova, *Leningrad / St Petersburg* (see fn. 38), p. 65.

<sup>42</sup> *Ibid.*, p. 57.

<sup>43</sup> *Ibid.*, p. 59.

cal demarcations when cross-movement structures between different social movements pointed beyond the merely practical issues of housing. During the crisis of the 1980s, socialist authorities reacted sensitively to squats that—like their counterparts in western Europe—sought to create collective free space. These were quickly suspected of facilitating subversive activity, even though the appropriated living space was not the main issue.<sup>44</sup> The symbolic protest actions in short-term squats by the “Leningrad movement for the defense of historical heritage became a catalyst for a large-scale democratic movement.” On a level below a targeted critique of the communist system, they made a modest contribution to the end of the Soviet Union:

The groups involved emphasized the conservative orientation of mobilization—preserving historical buildings from demolition, and, more broadly, preserving the historical identity of the city as relevant for meaningful everyday life—which was a relatively safe field, in comparison with openly anti-Soviet rhetoric.<sup>45</sup>

The preservation of traditional urban structures was also a main motivation of activists, radical groups and voluntary associations in countless neighborhoods and cities across Western Europe during the 1970s. Activists sought alliances with local residents to oppose new development schemes, fight for the right to housing, to defend living standards through self-administered reduction of utility rates, and to have access to improved infrastructures and public services.<sup>46</sup> Alliances between squatters and groups from the New Left appealed to the public. In London, for example, members of contemporary social movements, such as the *Campaign for Nuclear Disarmament* and the *Vietnam Solidarity Campaign*, organized squatting activities for the homeless in the

<sup>44</sup> Mitchell, *Socialism’s Empty Promise* (see fn. 38), p. 294; Golova, *Leningrad / St Petersburg* (see fn. 38), p. 62.

<sup>45</sup> *Ibid.*

<sup>46</sup> Freia Anders / Alexander Sedlmaier, “Squatting Means to Destroy the Capitalist Plan in the Urban Quarters”: Spontis, Autonomists and the Struggles over Public Commodities (1970–1983), in: Martin Baumeister / Bruno Bonomo / Dieter Schott (eds.), *Cities Contested: Urban Politics, Heritage, and Social Movements in Italy and West Germany in the 1970s*, Frankfurt 2017, pp. 195–211.

hope of triggering a mass movement and of publicizing “the breakdown of social housing provision.”<sup>47</sup> Squatters did not confine themselves to the mere acquisition of living space but focused on their contribution to an alternative public infrastructure.

One of West Berlin’s most spectacular squats, the *ufaFabrik* took the radical position right from the beginning that the spaces were reclaimed not exclusively for [...] private pleasure but rather to be made available for public use.<sup>48</sup>

Squatting and rent strikes were primarily practiced in buildings owned by public companies.<sup>49</sup> Among the Italian district committees, there were discussions in how far *autoriduzione*—the coordinated reduction of rent payments by the tenants—could also be used against private owners, but this remained exceptional.<sup>50</sup> The rent strikes by migrant workers in Frankfurt during the 1970s were mainly targeted at real estate companies that were responsible for the speculative misuse or even targeted destruction of living space, which was often tolerated by the authorities. This, however, remained largely unsuccessful and culminated in a wave of eviction decrees.<sup>51</sup> The fact that squatting was not so much directed at private property but concentrated on public property was lost on much of the public debate intensified by media campaigns against the squatters.

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<sup>47</sup> John Davis, “The most fun I’ve ever had”: Squatting in England in the 1970s, in: Anders / Sedlmaier, *Public Goods* (see fn. 4), pp. 237–255: 238.

<sup>48</sup> Michael A. La Fond, *eXperimentcity: Cultivating sustainable development in Berlin’s Freiräume*, in: Jeffrey Hou (ed.), *Insurgent Public Space: Guerilla Urbanism and the Remaking of Contemporary Cities*, New York 2018, pp. 61–70: 65–66.

<sup>49</sup> Davis, *The most fun* (see fn. 47), p. 239; Freia Anders, *Wohnraum, Freiraum, Widerstand: Die Formierung der Autonomen in den Konflikten um Hausbesetzungen Anfang der achtziger Jahre*, in: Sven Reichardt / Detlef Siegfried (eds.), *Das alternative Milieu: Unkonventionelle Lebensentwürfe und linke Politik in der Bundesrepublik Deutschland und Westeuropa 1968–1983*, Göttingen 2010, pp. 473–498.

<sup>50</sup> Mathias Heigl, *Rom in Aufruhr: Soziale Bewegungen im Italien der 1970er Jahre*, Bielefeld 2015, p. 64.

<sup>51</sup> Karl Christian Führer, *Die Stadt, das Geld und der Markt: Immobilienspekulation in der Bundesrepublik Deutschland, 1960–1985*, Berlin 2016, p. 161.



Squatting has often contributed to the preservation, or even expansion, of (semi-)public goods. On the local level, limited success was possible when the squatter movements facilitated efforts of expanding public housing. In Italy during the second half of the 1970s, the proposals of the Communist Party were realized with

the elimination of slums, the creation of a new public housing program and the delimitation of the boundaries of illegal [settlements] and the inclusion of these in the master plan. [...] In other words, as radical action spread, it did correspond to the reformists' final push that opened a new and last season focused on social housing. In fact, the advent of a left-wing administration [...] accelerated the implementation of the emergency plan and, more generally, helped the housing economy recover, making social housing provision possible.<sup>52</sup>

A more confrontational merging of squatting and public housing policies formed the backdrop of the far-reaching “legalization” of squatting in the Netherlands of the 1980s, which was possible because municipalities, after tenacious struggles with squatters, brought themselves to acquire hundreds of buildings, which were then transferred to “semi-public housing associations” formed specifically for the purpose of concluding tenancy agreements with the squatters.<sup>53</sup>

During the 1970s and 1980s, squatting in Western Europe was an integral part of the changing cross-movement mobilization structures emanating from “1968”. In an interplay with feminist, peace, and environmental movements, squatters were repeatedly successful in resisting governmental urban planning agendas. These squatting movements were heterogeneous. They brought together conservationists, who sought to preserve historic building structures, members of socialist and communist parties, for whom the housing issue had been high on the agenda since the inter-war period, and groups of the New Left,

<sup>52</sup> Luciano Villani, *The Struggle for Housing in Rome: Contexts, Protagonists, and Practices of a Social Urban Conflict*, in: Baumeister / Bonomo / Schott, *Cities Contested* (see fn. 46), pp. 321–346: 344.

<sup>53</sup> Pruijt, *Squatting in the Netherlands* (see fn. 26), p. 268.

which began to tap into the housing question.<sup>54</sup> Up to the present day, squatting has been particularly closely and poignantly interlinked with the formation of autonomist movements, which are looking for new ways of challenging the capitalist system as such. Squatting features prominently in the history of political groups that explicitly thought of themselves as autonomists. As an important element of “autonomist politics,” squats served as cultural and political laboratories of counter-societal ways of life.<sup>55</sup>

Squatter and autonomist movements, however, do not neatly merge into each other. Squatter movements have always been heterogeneous in their motives and value concepts. Puijt distinguishes different sub-movements according to the aims of their activists and especially the presence or absence of explicitly political goals. In his typology, the category “political squatter” derives from those who formed autonomist groups in the movement context of the 1980s.<sup>56</sup> Autonomists, however, were only one group among the squatters with political goals who explicitly went beyond mere housing needs. Among migrant families, homeless people, young workers, and students, autonomists remained a minority, which radicalized the *Häuserkampf* (housing struggle) but enjoyed only limited success in transferring their contemporary understanding of autonomy to other groups.<sup>57</sup>

The Frankfurt *Spontis* of the late 1970s and early 1980s (a group of political activists that sought to continue the traditions of the 1968 movement by invoking the spontaneity of the masses) did not conceive of squatting as primarily an expression of counter-cultural ambition developing in the “free spaces” of the squats, but as a “pointed form” of “class confrontation.”<sup>58</sup> This also applies to their Italian role models, the

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<sup>54</sup> Villani, *The Struggle for Housing in Rome* (see fn. 52).

<sup>55</sup> Sebastian Haunss, *Identität in Bewegung: Prozesse kollektiver Identität bei den Autonomen und in der Schwulenbewegung*, Wiesbaden 2004; Anders, *Wohnraum* (see fn. 49).

<sup>56</sup> Puijt, *Squatting in the Netherlands* (see fn. 26), pp. 264–269.

<sup>57</sup> Anders / Sedlmaier, *Squatting Means to Destroy* (see fn. 46); Anders, *Wohnraum* (see fn. 46); Kadir, *The autonomous life?* (see fn. 27).

<sup>58</sup> Sebastian Kasper, *Spontis: Eine Geschichte antiautoritärer Linker im Roten Jahrzehnt*, Münster 2019, p. 92.

groups *Lotta Continua* (Continuous Struggle) and *Potere Operaio* (Workers' Power). The far-reaching programme under the slogan *Prendiamoci la città* (Let's take the city) stems from the former, and both intervened in struggles for living space fought by inhabitants of proletarian quarters.<sup>59</sup>

Squats have also been part of the history of (autonomist) women's movements since the 1970s, especially in Italy, West Germany, Switzerland, and the Netherlands. Activists experienced that the context of squatting is predestined to shift and create new gender orders. Next to the organization of the practical daily routine, of gendered tasks like cooking, cleaning and clearing work or building and repair work on the house itself, squatting brings up questions concerning the self-conception of squatters, their political stance, their conduct *vis-à-vis* owners, authorities and police, deciding on rules of cohabitation, the furnishing and division of the building as well as questions of security.<sup>60</sup> Gender asymmetries and male dominance in structures of self-administration, which did not correspond to the ideal and promise of a broadening of gender roles, have time and again caused women to look for their own squats. There they have (temporarily) institutionalized their own infrastructures such as women's shelters, health centers and working environments that offer protective and emancipatory spaces, also for women outside the context of autonomist politics.<sup>61</sup>

Quite naturally, squatting under the label of autonomy, as a politically defined practice of autonomist activists, has time and again reached the limits of the "wrong life [...] rightly lived" (Adorno). The practical application of the utopia "autonomy"—i. e., self-determination and self-administration as regards living arrangements, way of life and of work—is confronted with material limits as well as intrinsically with the prob-

<sup>59</sup> Heigl, Rom in Aufruhr (see fn. 50); Nanni Balestrini / Primo Moroni, Die goldene Horde: Arbeiterautonomie, Jugendrevolte und bewaffneter Kampf in Italien, Hamburg 2002.

<sup>60</sup> Sabin Bieri, Vom Häuserkampf zu neuen urbanen Lebensformen: Städtische Bewegungen der 1980er Jahre aus einer raumtheoretischen Perspektive, Bielefeld 2012, p. 397.

<sup>61</sup> Ibid., p. 402; Amantine, „Die Häuser denen, die drin wohnen!“ Kleine Geschichte der Häuserkämpfe in Deutschland, Münster 2012, p. 36.

lem of setting collective rules.<sup>62</sup> Squatter success stories that highlight their agency against the odds have tempted some authors to idealize squatting as a manifestation of autonomy. Vasudevan describes his book about squatting in Europe and North America as the “first attempt to reconstruct this history as the expression of an autonomous understanding of shared city life.”<sup>63</sup> The bulk of the literature that adopts the autonomy paradigm, however, is focused on the present time, and treats places like “autonomous” social centers, squatter and artist collectives or *Bauwagenkolonien* (informal settlements of converted old construction trailers) and their struggles for their existence in urban spaces, often in conjunction with other practices of counter-economies, as “alternatives to capitalism.”<sup>64</sup> This research on present-day non-institutionalized urban practices comes along with a hope that they “have the potential to bring about radical structural transformation of the urban system.”<sup>65</sup>

Such far-reaching hopes need to be put into a historical perspective. Yet crises of living space and the squatting resulting from them have contributed to an extended politicization of urban space, which has played a part in boundary shifts on various levels up to the point of transcending system limits. On the level of (potential) activists it has furthered mobilization, (self-)organization and self-empowerment, which has often corresponded to emancipatory contents. On an institutional level, squatting has the potential of compelling regulatory competence beyond the rule of force. At the same time, squatting can delegitimize governmental power as it touches on criteria of legitimate

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<sup>62</sup> Barbara Sichtermann / Kai Sichtermann, *Das ist unser Haus: Eine Geschichte der Hausbesetzung*, Berlin 2017, p. 27; Ulrike Heider, *Keine Ruhe nach dem Sturm*, Berlin 2001, pp. 174–177.

<sup>63</sup> Vasudevan, *The Autonomous City* (see fn. 4), p. 9.

<sup>64</sup> Claudio Cattaneo / Miguel A. Martínez, Introduction: Squatting as an Alternative to Capitalism, in: Cattaneo / Martínez (eds.), *The Squatters' Movement in Europe* (see fn. 5), p. 1; David Eden, *Autonomy: Capital, Class and Politics*, New York 2016; Alan Moore / Alan Smart (eds.), *Making Room: Cultural Production in Occupied Spaces*, Geneva 2015.

<sup>65</sup> Ngai Ming Yip / Miguel A. Martínez López / Xiaoyi Sun, Introductory remarks and Overview, in: Ngai Ming Yip / Miguel A. Martínez López / Xiaoyi Sun (eds.), *Contested cities and urban activism*, New York 2019.

rule, i. e., legality, conformity of governance with ethical principles, and acceptance of the political order. In this political struggle, all actors are aware that the acceptance of a political order that is unable to solve the housing question is potentially at risk.

In 1978, for example, the Dutch Supreme Court rejected a law that defined squatting as a “violation of private property.” Such a law, the court argued, would have to be accompanied by another law regulating vacancies in housing space. The court thus conceived of the housing question as a public responsibility. In 2010, when the aforementioned anti-squatting law was passed, this intention had evaporated. Vasudevan calls attention to the ideological core of this boundary shift between public and private interests:

It is [...] not hard to see the new wave of anti-squatting legislation as an attempt to protect the ongoing commodification of housing at a moment when many people are looking to alternatives that reassert the cultural, social and political value of housing as a universal necessity and as a source of social transformation. These are [...] laws that are driven by ideological motivations. They seek to uphold the sanctity of private property and defend the interests of ‘hardworking homeowners’ against squatters.<sup>66</sup>

## Socioeconomic boundaries

Exclusionary socioeconomic boundaries emerge and shift between those who participate in formal housing markets and those who do not and are thus tied to or pushed into informality. Further boundaries exist between different levels of affluence as manifest in milieus, segregation, and gentrification. This corresponds to “objectified forms of social differences manifested in unequal access to and unequal distribution of resources [...] and social opportunities”<sup>67</sup> concerning, for example, infrastructure like sewage, public transport, education, or retail.

<sup>66</sup> Dadusc, *The Micropolitics of Criminalisation* (see fn. 25), p. 26; Vasudevan, *The Autonomous City* (see fn. 4), p. 7.

<sup>67</sup> Michèle Lamont / Vírág Molnár, *The Study of Boundaries in Social Science*, in: *Annual Review of Sociology*, 28 (2002), pp. 167–195: 169.

Since the mid-1970s, squatter activists in the global North have been facing an intensifying debate concerning their own role in processes of gentrification, as alleged trailblazers of neoliberal real estate valorization and its concomitant erection of social boundaries and displacement of less affluent social groups. On the other hand, squatters have played an important role in anti-gentrification fights, hopefully conceiving of their projects as spanners in the works of neoliberal “upgrading.” There are plenty of examples where legalized squats managed to uphold lifestyles and activism of resistance in neighborhoods that have “meanwhile undergone hyper-gentrification,”<sup>68</sup> or where squatters successfully resisted property developers, reinvigorating campaigns against gentrification and real estate speculation linking tenants, community groups, and political parties, sometimes even enjoying the support of municipal authorities, as was the case at Tolmers Square in central London in the mid-1970s.<sup>69</sup> In West Germany during the 1980s, radical squatters saw themselves confronted with the contradiction that emerging subcultural infrastructures ultimately seemed to contribute to the economic upgrading of the disputed quarters and thus to gentrification. A fraction of squatters—increasingly emerging under the label “autonomists”—responded with the development of their concept of militancy.<sup>70</sup> In the more recent past, however, it seems that German squatters tended to again join middle-class, refugee, and urban poor activists in wider *Right to the City* networks. As Peter Birke demonstrates for the case of Hamburg, these have emerged as a result of countless conflicts over the neoliberalization of municipal politics.<sup>71</sup>

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<sup>68</sup> Frank Morales, My personal experience as a NYC neighbour, in: Cattaneo / Martínez, Squatters’ Movement in Europe (see fn. 5), p. 132. On anti-gentrification action as an important element in recent Eastern European urban movements, see Kerstin Jacobsson, Urban Grassroots Movements in Central and Eastern Europe, Abingdon 2015.

<sup>69</sup> E. T. C. Dee, The Right to Decent Housing and a Whole Lot More Besides: Examining the Modern English Squatters’ Movement, in: Cattaneo / Martínez, Squatters’ Movement in Europe (see fn. 5), p. 89.

<sup>70</sup> Anders, Wohnraum (see fn. 49).

<sup>71</sup> Peter Birke, Right to the City—and Beyond: The Topographies of Urban Social Movements in Hamburg, in: Margit Mayer / Catharina Thörn / Håkan Thörn, Urban Uprisings: Challenging Neoliberal Urbanism in Europe, Basingstoke 2016, pp. 203–232.

In Central and Eastern Europe, the demise of state socialism ushered in waves of neoliberalization with re-privatization processes worsening the situation of tenants and squatters who were confronted with evictions, expulsions, and gentrification. In the medium term, however, this also led to what Dominika Polanska has called a “re-activation and re-definition of squatting and tenants’ movements,” identifying capitalism as their main enemy rather than state authorities.<sup>72</sup> Concerning the squatting movements in East German cities during the 1990s, Andrej Holm and Armin Kuhn, drawing on examples from East Berlin, Potsdam, Leipzig and Dresden, investigate how far these movements exerted a sustained influence on urban politics, whether they succeeded in establishing a “new regime of urban renewal” and “practical alternatives to capitalism”—which corresponds to the self-conception of many squatting activists in the cities of the global North—or whether squatting was merely a point of departure for gentrification, as often claimed in the relevant literature. Their case studies show that squatting and gentrification “were not causally related.” The specific conditions of German reunification with its transition to a market economy in an age of neoliberalism, however, prevented squats from disrupting the realization of commercial real estate interests in any sustained way. The East German squatting movement did succeed in legalizing a considerable number of squats and in contributing to the preservation of a segment of affordable housing in areas affected by gentrification, but the challenge they represented for official programmes and institutions originating from West Germany remained limited.<sup>73</sup>

Lack of sustained economic and political leverage, however, does not mean that squatters did not fulfill a function in urban development. In pursuit of uplift, squatters and urban activists operate at the margins and boundaries of the urban fabric. Scholars have stressed that living and being on those margins and boundaries is embedded in power relations

<sup>72</sup> Dominika V. Polanska, *Neoliberal Post-Socialist Urban Transformation and the Emergence of Urban Social Movements in Poland*, *ibid.*, pp. 317–320.

<sup>73</sup> Andrej Holm and Armin Kuhn, *Squatting and Gentrification in East Germany since 1989*, in: Anders / Sedlmaier, *Public Goods* (see fn. 4), pp. 278–304.

that are not only encrypted in laws but also in everyday social relations and symbolic interactions.

[T]he fluidity and ambiguity of squatting—the grey zone, the edge between legality and illegality, rightfulness and unworthiness, coexistence and violence—is used not only for the sake of economic interests but also in pursuit of symbolic capital,

Ioana Florea and Mihail Dumitriu point out.<sup>74</sup> While illegal and informal housing have historically contributed to urban development in “indirect, unplanned, problematic, undesired and unavoidable” ways, they have also benefited other urban actors, as “social workers, real estate developers, politicians and neighbours capitalised in different ways on the vulnerability and coping strategies of informal dwellers,” and they have “offered loopholes for urban development, especially where formal budgets and regulations failed.”<sup>75</sup>

The history of informality in the global South—as presented, for example, in Jonathan Anjaria’s treatment of informal economic actors and the semi-persistent and systemic economic structures in which they have been embedded in Mumbai—helps to challenge common assumptions of novelty concerning dispossessions of the poor and elite-oriented development as effects of a new logic of neoliberalism.<sup>76</sup> Attempts to actualize urban regulations usually require unofficial compromise. Informal *ad hoc* arrangements do not necessarily contradict democratic principles since concepts such as “the public” and “the citizens” emerge through contestation and negotiation. “[N]eat dichotomies between the informal and the formal have a way of breaking down.”<sup>77</sup> On a micro level, the physical boundaries that authorities have installed to discipline

<sup>74</sup> Florea / Dumitriu, *Living on the Edge* (see fn. 38), p. 189.

<sup>75</sup> *Ibid.*, p. 206.

<sup>76</sup> Jonathan Shapiro Anjaria, *The Slow Boil: Street Food, Rights and Public Space in Mumbai*, Palo Alto 2016, p. 7.

<sup>77</sup> *Ibid.*, pp. 36–37; Ananya Roy / Nezar AlSayyad, *Urban Informality: Transnational Perspectives from the Middle East, Latin America, and South Asia*, Lanham 2004; Gareth Doherty / Moises Lino e Silva, *Formally Informal: Daily Life and the Shock of Order in a Brazilian Favela*, in: *Built Environment*, 37 (2011), 1, pp. 30–41; Colin McFarlane / Michael Waibel (eds.), *Urban Informalities: Reflections on the Formal and Informal*, London 2012.



people, especially street vendors, such as fences meant to keep pedestrians on sidewalks and separate from automotive traffic in Mumbai, have been turned against the regulators, as the fencing was appropriated by hawkers who turned it into the physical infrastructure for their informal economic pursuits that target customers in passing cars. “[T]he fence ultimately had an opposite effect, as more people chose to walk amidst traffic than to be hemmed in by this unforgiving architecture.”<sup>78</sup>

The global North has of course not been free from the blurring of boundaries due to deviant spatial practices. “[T]he transformation of social problems into questions of spatial order [by governmental policies] was mirrored in a growing reference by non-conforming youth to [urban] space as a site of liberation.”<sup>79</sup> The public appearance of youth delinquency was characterized by a “double dissolution of boundaries” during the 1960s, when it was no longer easily attributable to working-class youth and to specific urban areas such as harbor and red-light districts. By meeting at inner-city public places, such as parks or train stations, Friedrich argues, “drug users [were] transgressing the boundaries between an orderly urban centre and negligible proletarian neighbourhoods.”<sup>80</sup>

Transgressing society’s norms and regulations may help to push boundaries in definitions of urban welfare.<sup>81</sup> When commons and autonomy are presented as alternatives to capitalism, squatters appear as the living proof “that it is possible to resist the commodification of social resources, to self-organize without waiting for state policies and

<sup>78</sup> Jonathan Shapiro Anjaria, *Is There a Culture of the Indian Street?*, Seminar 636 (2012), pp. 21–27: 26.

<sup>79</sup> Friedrichs, *Urban Spaces of Deviance* (see fn. 3), p. 6.

<sup>80</sup> *Ibid.*, pp. 10–12; Klaus Weinbauer, *Polizei und Jugendliche in der Geschichte der Bundesrepublik*, in: Detlef Briesen / Klaus Weinbauer (eds.), *Jugend, Delinquenz und gesellschaftlicher Wandel: Bundesrepublik Deutschland und USA nach dem Zweiten Weltkrieg*, Essen 2007, pp. 71–93: 79–80.

<sup>81</sup> Sophie Signe Bøggild, *Happy ever After? The Welfare City State in Between the Freetown and the New Town*, in: Håkan Thörn / Cathrin Wåsshede / Tomas Nilson (eds.), *Space for Urban Alternatives? Christiania 1971–2011*, Vilnius 2011, pp. 93–132: 116.

to manage a place and a neighbourhood without accumulating money.”<sup>82</sup> The promise is an urban existence less riven by socioeconomic boundaries with squatters as pioneers for alternative ways of collective consumption.

While squatters can indeed contribute to the blurring of boundaries, they can also erect or reinforce symbolic boundaries, a precondition for more objectified and material boundaries. Social scientist María José Álvarez-Rivadulla studies the “boundary work” of Montevideo squatters who have sought to distinguish themselves from the poorest of the poor since the 1990s. Although these attempts at constructing symbolic boundaries remained weak, they are instructive since they have also been part of struggles to resist exclusion and to belong to the city. In planned invasions, a group of people countering their experience of social decline with organization seize a plot and try, as closely as their remaining resources would allow, to “reproduce their previous formal neighbourhoods in their new informal setting in the hope of being legalized by the state in the near future.”<sup>83</sup> Squatting, but only planned squatting, became a valid alternative for the downwardly mobile urban working class and with it came “intense boundary work” by the new squatters to separate themselves and their “normal” neighborhoods from earlier and even poorer squatters and their settlements, which were associated with the social problems of overcrowding.

Even in dictatorial regimes, squatters enjoyed some success in their struggle to establish their right to the space they occupied. There are cases where squatting brought authoritarian regimes to the limits of their exercise of power. Plans by the South Korean state to resettle squatters to new housing projects in the periphery of the capital to de-

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<sup>82</sup> Thomas Aguilera / Alan Smart, *Squatting, North, South and Turnabout: A Dialogue Comparing Illegal Housing Research*, in: Anders / Sedlmaier, *Public Goods* (see fn. 4), pp. 29–55: 34; Cattaneo / Martínez, *Squatters’ Movement in Europe* (see fn. 5); Cesare Di Feliciano, *Spaces of the Expelled as Spaces of the Urban Commons: Analysing the Re-emergence of Squatting Initiatives in Rome*, in: *International Journal of Urban and Regional Research*, 41 (2017), 2, pp. 708–725.

<sup>83</sup> María José Álvarez-Rivadulla, *Squatters and the Politics of Marginality in Uruguay*, New York 2017, p. 254.

stroy the old squatter settlements reached the limits of economic feasibility and encountered diverse resistance from the squatters in the late 1960s and early 1970s. They resorted to bribing subordinate officials but also to demonstrations and street fighting. “The politics of squatting serves as a reminder that the South Korean state, even at its most brutal and ambitious moments, was by no means wholly effective in implementing elite projects to transform society.”<sup>84</sup> Inbal Ofer shows with reference to the shanty towns that sprang up on the outskirts of Madrid during the last two decades of the Franco dictatorship, how the local neighborhood association successfully navigated two distinct sets of rights: those of landowners, who did not necessarily reside in the shanty town, and those of ‘neighbors’ (*vecinos*), who derived their claim from actual use. In April 1971, the Ministry of the Interior and of Housing approved a plan to clear the area of the shanty town Orcasitas and let private developers re-build it. Ofer argues that the dwellers of Orcasitas, in their struggle to establish their right to the land they occupied, succeeded in asserting the claim that ownership could not take precedence over land use. Their demand to be re-settled in the renovated *barrios* was ultimately met. After a protracted struggle and planning process during the final phase of the dictatorship and the transition period, in which the *Neighborhood Association* became increasingly more accepted and involved, it was decided in 1977 that Orcasitas in its new form would belong to the people who lived in it: Former *chabolistas* were turned into owners of newly built apartments.<sup>85</sup>

As these examples have demonstrated, the spatial practice of squatting can function as a resource in navigating socioeconomic challenges and boundaries. Because uplift on the “formal–informal housing continuum”—i. e., to integrate squatters in one way or another into the broader urban development—has been the intention of most initiatives

<sup>84</sup> Erik Mobernd, *Unlicensed Housing as Resistance to Elite Projects: Squatting in Seoul in the 1960s and 1970s*, in: Anders / Sedlmaier, *Public Goods* (see fn. 4), pp. 170–187.

<sup>85</sup> Inbal Ofer, “Right to the city”: Squatting, Squatters and Urban Change in Franco’s Spain, in: Anders / Sedlmaier, *Public Goods* (see fn. 4), pp. 150–169; Ofer, *Claiming the City* (see fn. 20).

for change, both from above and from below, it might seem that historical development is bound to ultimately eliminate informal housing.

## Zoning boundaries

A targeted and centralized urban planning that incorporates the interests of squatters has long been regarded as a solution for the “squatter problem.” Concerning Istanbul’s squatter settlements of the 1960s and early 1970s, historian Kemal Karpat comes to the conclusion “that priority should be given to proper land zoning and housing construction policy, not only to speed the squatter integration [...] but also to provide for an orderly migration and harmonious urban growth.”<sup>86</sup> *De facto* urban development, however, has time and again revealed the limits of various zoning models.

The idea of functional zoning underlay the 1956 Spanish Land Law created by Pedro Bidagor, an architect and a member of the Fascist party. Functional zoning went hand in hand with the regime’s political needs: “Spatially segregated ‘sleeping neighbourhoods’, devoid of spaces for social interaction and cut off from most employment centres, were essential for maintaining a demobilized and docile working-class population.” The law also established a legal distinction between urban land and rural land. Squatter settlements emerged largely on the latter during the following decade. The regime favored limited urban development, but the reality of urban life escaped its control.<sup>87</sup>

Similarly, during the early 1970s in Barcelona, when the neighborhood movement increasingly concentrated on organizing self-help infrastructure improvement, developing alternative plans for urban development, and exerting political pressure on the Franco regime by occupations of public space. In 1974, the municipality responded with a new urban planning framework (*Plan General Metropolitano de Barcelona*, PGMB), which meant that Barcelona became the only major city of Spain to reform its urban policies before the death of Franco.

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<sup>86</sup> Kemal Karpat, *The Gecekondulu: Rural Migration and Urbanization*, Cambridge 1976, p. 235.

<sup>87</sup> Ofer, *Right to the city* (see fn. 76), p. 153; Ofer, *Claiming the City* (see fn. 20).

A new generation of planners became involved whose urban policy ideas overlapped with those of the movement. A turn away from urban renewal based on territorial growth in favor of a restoration of the existing urban structure, which integrated living, working, and leisure in the urban quarters, complied with some of the movement's goals. On the other hand, PGMB stuck with the relocation of industries to the periphery and with supporting the service sector of the extended inner city. Limited participation in the guiding principles of the urban policy "model Barcelona"—reduced by the head of the urban planning authority to the notion of "making the old city hygienic and the new city monumental"—contributed to the demobilization of the movement. During the 1980s, the municipal administration pushed through from above what the movement had long demanded from below, albeit without the latter's critical input.<sup>88</sup> When in 1986 Barcelona won the right to be host of the 1992 Olympic Games, urban renewal was shifted towards large projects such as an airport extension and the new construction of urban motorways. The upgrading of inner-city areas that went hand in hand with these developments was no longer geared towards the interests of the residents, let alone the squatters, but aimed at "cleansing" these areas from undesired segments of the population under the guise of combating drugs and sex work. Planning was brought under public-private partnerships and, in the final analysis, withdrawn from democratic control.<sup>89</sup>

In the global South, accounts of the hopeful application of social zoning laws, participatory planning, and property regularization to the calamities of the poor and the dominant informality surrounding them have often been disheartening. Referring to Brazil, historian Brodwyn Fischer summarizes that the legal instruments municipalities use to deal with the informal city "have proven largely ineffective [...] bogged down in clientelism and petty conflict," despite the "convergence of

<sup>88</sup> Kuhn, *Vom Häuserkampf zur neoliberalen Stadt* (see fn. 3), pp. 106–109.

<sup>89</sup> *Ibid.*, pp. 112–114.

neo-Marxist redistributionists and neoliberal followers of de Soto.”<sup>90</sup> Such measures can have simple consequences: legalization reduces the amount of illegal land or living space in a certain area, thereby depriving the poorest of one of their few resources, illegal land, which may be undesirable, but affordable to the poor.<sup>91</sup>

In Delhi, a single planning authority, the Delhi Development Authority (DDA), was created by an act of Parliament in 1960. Members of the National Planning Commission collaborated with the U. S. Ford Foundation in producing the first ever master plan for Delhi.

Land use was to conform to a set of statutory restrictions and zoning—commercial, industrial, residential and retail areas physically separated from each other. [...] The notion of DDA becoming the sole owner of all public land in the city was related to a strong desire among urban planners for regulation of public property and civic space by a state institution in the context of intense anxieties over the ‘squatter problem’ in the city.

The *Urban Land Ceiling Act* of 1976, which set an upper limit to the amount of land that could be owned by an individual, enabled the DDA to acquire large tracts of land, as a result of which it “came to have over 62 percent share in the number of squatters in the city, which could now be demolished and resettled [...]” Zoning was used for masterplanning “illegality”:

The masterplan selectively dealt with areas of the city as ‘spaces of exception’, as violations of zoning and land use—allocating slums and squatter settlements for resettlement and demolition while elite farmhouses built on fringes of wildlife sanctuaries, five-star hotels and warehouses built in violation of the zoning guidelines were overlooked.<sup>92</sup>

In many other locations, regulations such as building and sanitary codes and zoning were historically used to push informal settlements to the

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<sup>90</sup> Brodwyn Fischer, *Beyond Insurgency and Dystopia: The Role of Informality in Brazil’s Twentieth-Century Urban Formation*, in: Anders / Sedlmaier, *Public Goods* (see fn. 4), pp. 122–149: 142.

<sup>91</sup> Flavio A. M. de Souza, *The Future of Informal Settlements*, in: *Geoforum*, 32 (2001), pp. 438–492.

<sup>92</sup> Datta, *The Illegal City* (see fn. 3), pp. 35–39.

urban margins and to prohibit them. The fundamental problem is that zoning—ultimately leaning on the state’s monopoly of violence—tends to place itself above the right to housing or a place to stay with secure tenure.<sup>93</sup> This seems to be the case even where it tries to accommodate some of these notions, as in the Brazilian experiments with Special Zones of Social Interest where under certain conditions, short of individual titling and freehold, protection against eviction and possibilities of selling, transferring rights into inheritance, and access to credit are granted to informal dwellers.<sup>94</sup>

### **Conclusion: the possibilities of boundary shifting in informal housing**

Squatters and informal dwellers, their organizations, and the social movements they were embedded in have frequently succeeded in shifting urban boundaries at perilous odds. The present article suggests that the interplay of squatters’ strategies and the official responses they triggered unfolded dialectics between successful appropriation and semi-formal entrenchment on the one hand, and cycles of eviction and displacement on the other. This article has contributed to shed light on the historical dynamics of squatting, a topic often side-lined by literature on informal housing and contentious politics.

Moreover, we would like to contend that squatting and its capacity to highlight urban boundaries (or lack thereof) has been historically instrumental in addressing important social questions, e. g. in struggles against poverty, alienated lifestyles, privatization, and displacement. Without wishing to unduly idealize squatters and urban activists, who follow their own interests and idiosyncrasies that create their own dilemmas, their activities have the potential of pointing towards the democratization of the urban imagination and of urban criticism.<sup>95</sup> Contributing to an opening of urban and social matters to political analysis,

<sup>93</sup> Home, Squatting and Encroachment (see fn. 23), p. 89.

<sup>94</sup> Willem Assies, Land Tenure, Land Law and Development: Some Thoughts on Recent Debates, in: *Journal of Peasant Studies*, 36 (2009), 3, pp. 573–589: 582.

discussion, and creation of utopias, informal dwellers are an embodiment of the rallying slogan “the personal is political,” which can serve as a corrective to the planning processes of representative democracies by confronting elite technocrats and private capital interests with the results of citizens’ small-scale attempts at taking the city into their own hands. This can further a democratization of planning not via the ballot box but via the personalized urban bricolage stemming from socioeconomic pressure. In this respect, they effectively counterbalance the pervasive misappropriation of grassroots democracy “by various interests to legitimate new forms of state bureaucratic planning.”<sup>96</sup> In their own way, consciously or inadvertently, squatters by their corporeal claim to urban space erect modest boundaries that seek to limit the “world of commodities”<sup>97</sup> that is encroaching upon social needs.

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<sup>95</sup> Justus Uitermark, An actually existing just city? The fight for the right to the city in Amsterdam, in: Neil Brenner / Peter Marcuse / Margit Mayer (eds.), *Cities for People, Not for Profit: Critical urban theory and the right to the city*, New York 2012, pp. 197–214: 202.

<sup>96</sup> Brenner / Marcuse / Mayer, *Cities for people, not for profit: an introduction*, in: *ibid.*, pp. 1–10: 6.

<sup>97</sup> Henri Lefebvre, *Theoretical Problems of Autogestion* [1966], in: Neil Brenner / Stuart Elden, *State, Space, World: Selected Essays*, Minneapolis 2009, pp. 138–152: 148.



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