# Squatting: reappropriating democracy from the state
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## Abstract

*By highlighting the Italian "anomaly" vis-à-vis the Euroatlantic West, our paper argues that Italian squats in general and residential squats in particular, are "good to prefigure" new modes of political agency. We understand housing struggles as practices whose material dynamics imply a reinterpretation of the home as a crucial site of sociability and subjective empowerment through cooperation. This in turn blurs the traditional clear-cut separation between the private and the public spheres, and hence may herald the possibility of a polity beyond the state.*

## Introduction

By analyzing some basic features of the Italian squatter movements, with specific reference to Rome as the most relevant case, we try to develop a more theoretical discussion of the implications of squatting for housing in current neoliberal trends. The theoretical discussion is developed through the argument that squatters challenge both neoliberalism and the law of the state. Italy, and more specifically the case of Rome, provide the actual substance of the study due to the policies implemented and the practices of movements that mobilize thousands of people.

Theoretical in scope, this article is part of an ongoing research project that attempts to weave together different disciplinary threads and approaches (from geography to cultural anthropology, from sociology to cultural studies, from literature to philosophy). Resisting the notion that human existence should be objectified into data sets and tables to be detachedly perused by the (more or less) engaged academic expert, we have attempted to take advantage of different methodological tools. Hence, we have combined statistical information on housing and eviction with ethnographic field work and interviews, activism with a mis/reading of the literature on squatters and urban social movements. Last but not least we have tried to put to good use our embodied knowledge acquired as participants to social movements politics in Rome.

Whatever its long term effects, the ongoing financial crisis has further revealed the irreversible nature of the ever-growing divide between states and the imagined communities of their citizens engendered by the present wave of capitalist globalization.

Furthermore, the active role played by the state in implementing and enforcing

neoliberal rationality (Brown, 2015; Harvey 2005) has resulted in its surrendering its function to fulfill the social needs of its citizens into the "invisible" hands of the market. Social rights, such as affordable housing, education and healthcare are increasingly transformed into commodities and inequality in all social domains has soared to an extent that even the enjoyment of basic political rights is put into question. In other words the neoliberalization of the state (Brown 2003) has resulted in the social and political exclusion of an ever increasing portion of its citizens (Finchett-Maddock 2016). While this is most commonly viewed as a crisis of democratic legitimization of the state vis-à-vis its citizens it may also herald the irrelevance of democratic legitimization as such.

In other words, to the extent that the state though retaining its sovereign power, is increasingly unable or unwilling to uphold the social and political rights of its citizens, the legitimacy of its existence may very well be put into question. This essay consists of seven sections: 1) justification of the relevance of the Italian case to develop more general perspectives; 2) and 3) discussion of the "wasteful construction process in Italy and the commodification of urban space; 4) imagining democracy through squatting; 5) considering squatters as law-breaking legislators 6) analyzing the Metropoliz case study in Rome with some interpretative hypotheses and 7) conclusions.

## Why Italy? Awry Modernity

Focusing on the Italian case and drawing from recent discussion on housing struggles as expression of new modes of post-national citizenship (Holston and Appadurai 1996, Appadurai 2002) our paper will argue that squats in general and residential squats in particular, to the extent that are a specific mode of collectively inscribing the right to decent housing in space, it also reveals the tension and contradictions between the notion of universal right and its *spatial* realization through the law of the state, they are also "good to prefigure" the possibility of a polity beyond the state (Vasudevan 2015). In his discussion on totemism, Lévi-Strauss famously quipped that animals are chosen as totems "not because they are 'good to eat' but because they are 'good to think'"; their observed behavior, appearance and relations with other species become the prop of "savage" thought[1] as a result, empirical facts become "figures of thought".[2] This reference to Lévi-Strauss is both a disclaimer and a qualification of the speculative scope of this article. A disclaimer; in discussing squatting practices in Rome, neither do we claim that squatters and activists are currently pursuing the project of a state-less society, nor that squats (residential or otherwise) are a model of such a society. What we do claim though – and this is the speculative intent of this article – is that squats can be thought of as

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[1] Cf. Claude Lévi-Strauss, *Totemism,* p. 89.

[2] Garber, 2008, p. 14.

emblematic of an *emergent* (Willams 1977) mode of appropriation of rights that implicitly challenges the legitimacy of the state.

With the term emergent Raymond Williams sought to highlight that in any given society new cultural meanings and practices are constantly created. To qualify a social practice as emergent does not imply that its novelty may in any way herald a new social order different from the dominant one, indeed it may turn out to be just a new phase whereby "the present state of things" manages to reproduce itself. In other words, to qualify social practices as emergent implies to focus *on their possible trajectory not on their probable one.*

Our focus on Italy in general and Rome in particular is first of all motivated by our own biographies, hence inevitably "subjective". Though we believe the Italian context to be a political and social "laboratory" of alternative futures, worth investigating, our claim is based on tropological[3] motives rather than on inherent geographical, historical, social or cultural traits. Geographically located at the margins of western Europe, *yet geopolitically* very much integrated into the (Euroatlantic) West. One of two mythical birth places of western "civilization" (ancient Rome) it also hosts the seat of a global religious power (Roman Catholicism) whose authority has survived practically unscathed for almost two thousand years and in part as a result of this, Italy was a latecomer to the modern political system as a nation state, whose international ambitions were often frustrated by the lack of support of its own citizens. Furthermore, its borders have been repeatedly modified as a result of international conflicts.[4] From the second half of the 1960s till the early 1980s, its democratic institutions have been challenged by state-abetted neo-fascist terrorism, authoritarian conspiracies and left-radical social movements (Aureli 1999, Balestrini e Moroni 1997, Bermani 1997, De Felice 1989, Ginsborg 1990).

In other words, whatever import such historical traits may have, Italy as the object of scholarly concerns has been *narrated* as an inherently conflictive, contested and uncertain space, where modernity is ever elusive and located elsewhere; across the Alps or to the other side of the Atlantic (Agnew 1996, Mason 1988); at once and at the same time blessed with civic virtues (Putnam 1993, Sciolla 1997) or plagued by amoral familism (Banfield 1958). Last but not least, since its unification Italian ruling elites of all stripes have repeatedly failed to address the age long divide between the north and the "underdeveloped" south which has been racialized, exploited and subjected to a form of internal colonization which problematizes the all-to-neat distinction between the West and the "rest" (Dickie 1997, Forgacs 2014, Gramsci 1994, Gribaudi 1996). In short, we would argue that the all too often debated "anomaly" of Italy - vis-à-vis a normative notion of western modernity (Barański and West 2001, Forgacs and Lumley 1996, Mammone, Giap Parini, and Veltri 2015) - can be very well understood as the ironic recognition of its emergent, and potentially counter-

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3 Cf. Hayden White, 1985.

4 The present territory only dates back to the end of WW2, and the treaty which officially established its eastern border, the treaty of Osimo with Yugoslavia, was signed in 1975.

hegemonic modernity (Cassano 2001 and 2011, Esposito 2012, Lombardi-Diop and Romeo 2012, Righi 2011, Virno and Hardt 1996). Let's "enter" Italian modernity through the most recent struggles for housing.

In Italy, movements for the right to housing have for a long time addressed, resisted and opposed trends of capital accumulation: speculation on land rent, production of abandoned spaces, privatization of public assets, protection of property rights. In Rome for example, approximately more than six thousand people have successfully participated to collective squatting actions in the last decade (Mudu 2014). Cooperative practices among housing activists have increased and reached the point where they have been able to squat several buildings at the same time with thousands of coordinated people.[5] Italian social movements have experienced various sequences of mobilization; in the 1970s and in the 2000s for example, their focus has been on housing, while in the mid of 1980s and at the beginning of the 1990s it was on Social Centers (Mudu, 2004; 2014). Regional and urban disparities compose an heterogeneous national situation and there are obvious limits in selecting Rome as a case study representative of the Italian situation as a whole. Yet Rome, due to its central position and large mobilizations, has been able to host emergent trends and relevant actors that have promoted experience, connections and developments relevant for our analysis. Currently, the squatting movement is loosely articulated into a large network that not only includes the traditional anarchists and post-autonomist tendencies but also various local collectives of heterogeneous left-wing origins all over Italy, an expression of this is "Abitare nella crisi" a network, which, in addition to Rome covers cities such as Asti, Bergamo, Bologna, Brescia, Cosenza, Firenze, Genova, Macerata, Milan, Monza, and Turin.[6] Furthermore, over the the last ten years the movements for the right to housing, have come to redefine the organized squatting of hundreds of apartments in the largest Italian cities as being about the more general right to *inhabit* the city (diritto all'abitare).

## "Wasteful" construction in Italy

Housing aptly illustrates the current situation whereby the state (including all its local articulations) though retaining its sovereign power, is increasingly unable or unwilling to uphold the social and political rights of its citizens. In

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[5] Eight collective squattings were carried out on 6 December 2012 involving more than 2000 people coordinated by the Roman "Right to Inhabit Movement". Nine collective squatting followed on 6 April 2013, and six were carried out on 6 April 2014, both involving thousands of people. Cf. "6 dicembre 2012 Roma alza la testa: 10 nuove occupazioni! Riprendiamoci la città!", http://www.abitarenellacrisi.org/wordpress/2012/12/06/6-dicembre-2012-roma-alza-la-testa-10-nuove-occupazioni-riprendiamoci-la-citta, accessed May 9 2017; Roberto Ciccarelli, "Lo «Tsunami tour» nella capitale degli sfratti e della povertà" in *il manifesto, March 7, 2013;* Viola Giannoli "Lo "tsunami tour" dei movimenti Occupata una decina di palazzi" in *la repubblica, April 6, 2013;* "Tsunami in Roma", http://www.dinamopress.it/news/the-tsunami-is-here-en-gr?showall=, accessed May 9 2017.

[6] http://www.abitarenellacrisi.org

particular, since the beginning of the 1990s, with the law no. 359 of August 8, 1992, that strongly limited rent control (equo canone), the Italian state expressed its unwillingness to provide affordable housing at for relevant sectors of the population. As for business groups in the building and real estate sectors, their behavior has not changed substantially from the period of fascist dictatorship through the post-war period (Bortolotti 1978), hencethe Italian post-war housing history is full of examples of mobilizations of carried out by residents and migrants.[7]

From the 1950s till roughly the 1980s, all the housing policies were met by a strong opposition of the working class (Daolio, 1974; Ginatempo, 1975). If we briefly consider the trend of the last sixty years, the Italian situation is emblematic for various aspects: demographic and urban changes, policies encouraging home ownership, dismissal of the public assets, thousands of yearly evictions, and various trends of organized resistance. Indeed, data related to the major Italian cities and Italy as a whole can offer some interesting hints (*Figure 1*). First, over the last four decades we record an increasing trend of available dwellings and rooms for housing and a decreasing trend of the whole population. The demographic structural changes of the population (new family structures, aging of the population, increase of singles, and the lowest birthrate in the EU) can partially explain this trend. In the 65 years since the end of the second world war, the population of major Italian cities increased by 130%, while the number of dwellings by 270%.

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[7] In the 1950s most of the mobilizations were carried out by Italian southern migrants in Rome or in the big industrial cities, that were non-citizens in the city where they have migrated. In fact a fascist law enforced in 1939 (law 1602/ 6 July 1939) and valid until 1961, prohibited migrations from the countryside to the cities. In the last twenty years foreign migrants became the new non-citizens.

### Figure 1 - 1951: 2011: Number of dwellings, vacant dwellings, number of room and population in Italy

*Source: authors' elaboration based on census data*
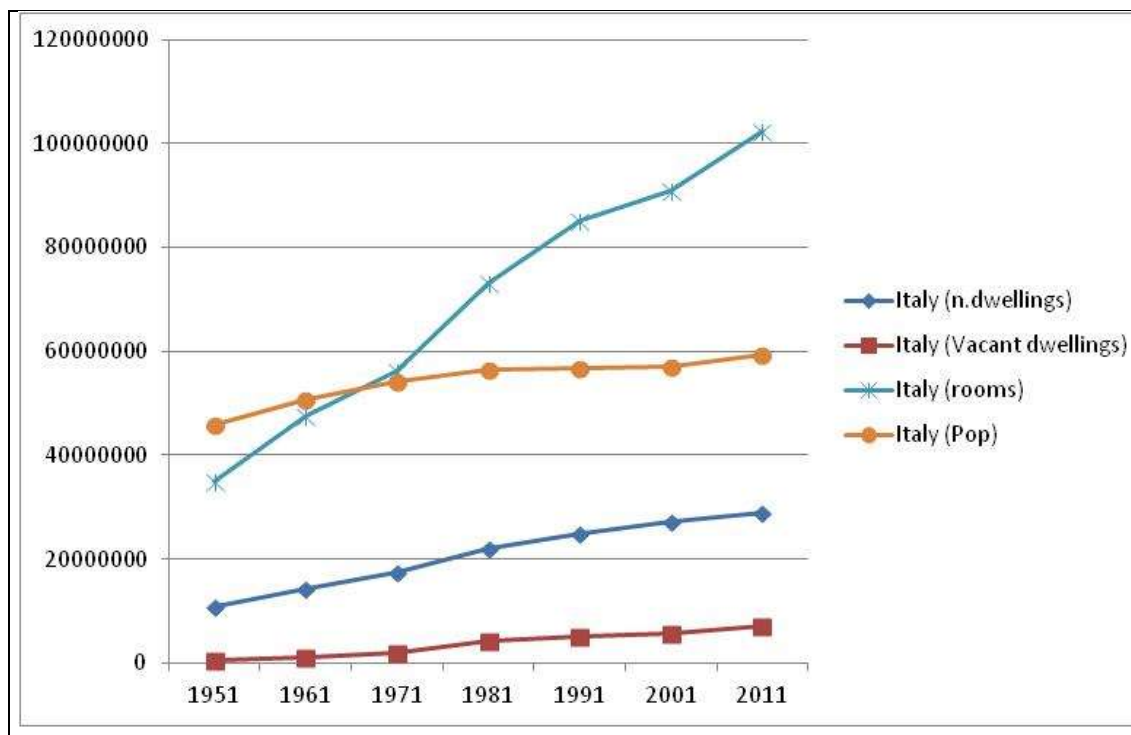


Demographic transformations went together with an anthropological transformation of the country in a nation of home owners. The trend to ownership has been national, and in 2011 the percentage of families owning their apartment ranges between 69% in the south and 74% in the North-East. According to census data, housing in Rome reflects this national trend; in 1971 34,2% of apartments was owned and 61.5% rented, in 2001 owners are 64.6% and renters 28.3%, in 2011 the figures are respectively 71.4% and 18.6%. But it would be naive to consider such broad figures as an indicator of available housing. The housing market is heavily segmented and, at least since the 1980s (Brazzoduro 1997).

Between the mid-1970s and mid 1980s rent in Italy absorbed on average less than 15% of the salaries of employees and workers. The incidence of rent expenditure has risen slightly in the second half of the 1980s and in the first half of the 1990s had risen to about 18%. Since the mid-1990s rents have been rapidly and constantly on the rise, absorbing about 30% of the salaries of employees at the beginning of the new century. The cost of an apartment has remained relatively stable during the 1970s and the 1980s, requiring on average an investment of approximately seven years of an individual income. During the 1990s, the cost of an apartment began to increase steadily reaching 14 years of an individual income (Poggio, 2009). Since the full "liberalization" of the house market in 2001 and the introduction of the Euro, renting and selling prices have

more than doubled (Ares2000 2003). This means that average pensions are below the threshold of the average renting values.

The increased figures also forced the media to report on the housing emergency (see among others: De Vito, Fama 2016, Guccione and Reggio 2015). To complete the statistical picture it is worth considering the data on evictions. In Italy, in 2014, more than 36,000 families were evicted from their apartments, almost one hundred evictions per day. Between 1983 and 2013, along thirty years, 87,644 evictions were carried out in Rome, an average of 2,827 each year (see Figure 3). The vast majority of evictions was carried out for rent arrears. Rome is a city where thousands of evicted and people without possibility to have access to the rent market or social housing have self-organized themselves.

**Figure 2 - 1983-2013 - Rome: Average monthly rent (Euros) in apartments 80-90 mq in semicentral areas**

*Source: authors' elaboration based on official statistics*
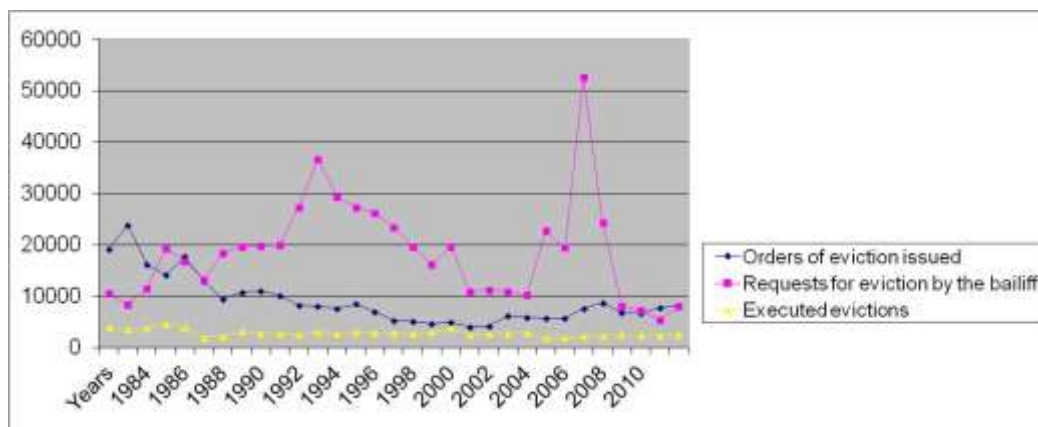


At the beginning of the century, three major squatter movements emerged in Italy: *Coordinamento di Lotta per la Casa*, *Action* and *Blocchi Precari Metropolitani*[8]. All these groups operate through squatting and have shown to be able to renovate housing faster and more effectively than the official authorities can. In addressing basic needs and political objectives they play a role that often configures that of unofficial trade unions of homeless or of organized groups lobbying institutions. Whatever is the role played, there has been for long time no convergence in joint action (Mayer 2009). Though squatting tactics in Rome have been diverse, resulting in the production of idiosyncratic spaces such as Metropoliz, Porto Fluviale, Spin Time Labs and Sans Papier, they all revolve around the definition of squatting. Within distinct political organizations, more or less top-down, and strategies, in favor or not of

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[8] Additionally, students housing activism has emerged since 2009 and other movements such as Comitato Popolare di Lotta per la Casa have been able of significant squatting practices (Parisi and Castellano 2014).

negotiations with authorities, the action of squatting abandoned spaces has been actively pursued. It is time to clarify more in detail the 'what' and 'how' of squatting.

## Squatting an "abandoned" space

"A squatter is a person who occupies land or empty buildings without legal title and without paying rent" (Wates and Wolmar, 1980: 230). Quite often "[…] with the demise of the private landlord and with the social priorities and assumptions of local authorities as landlords, there exist whole sections of the community for whom any housing provision remains" (Ward 1976: 33).

Squatter settlements, once concentrated in Africa, Asia or Latin America or in the post-war big European capitals such as London or Paris are now a global phenomenon. Private property and housing policies, migrations and homelessness, frame the practice of squatting. "But when landowners and other adversaries refuse to act upon petitions, letters, demonstrations, and other mild measures; when they insist on exploitation to the point of starvation or exposure; when they repress the fair and just requests of individuals; then direct action in the form of land occupation, squatting, and rent strikes is often the only viable choice to further social development" (Corr 1999:9). Since the 1960s, squatting in Europe has been a tactic reflecting the drive on the part of social movements to develop and experiment alternative cultural practices (van der Steen, Katzeff, van Hoogenhuijze 2014). Though squatting an empty tenement building to live in, and squatting an empty factory to host cultural events, political meanings or experiment an alternative form of sociability may reflect different concerns, it is also true that the constituencies involved often overlap. Be that as it may, squatting is not possible if a series of actions are not set in motion: defining what is an abandoned property, find it and take it.

The conditions of possibility for the occurrence and development of squatting has been analyzed at a general level (Martínez 2013). Based on the Italian case we can rearticulate these conditions to frame collective squatting practices. In fact, to squat a site it is necessary to consider various elements:

1. The existence of abandoned buildings (a wasteful construction process in our case) that can be "recycled".

2. The presence of deprived individuals that have no access to either material or immaterial capital, or both.

3. The action of squatting; that is, taking over an abandoned property.

4. The self-management of the squatted space.

5. The general framework of squatting necessity and rights in the society that create the conditions to re-imagine democracy.

Briefly, we have to consider the fact that squatting cannot happen without people that take the decision to enter a property or land illegally. The existence of population "interested" in squatting derives from a "state of necessity" that gives a justification for breaking the law (Fichett-Maddock 2016). The justification can be either political or based on a material need (van der Steen, Katzeff, van Hoogenhuijze 2014). The action of squatting implies taking over an abandoned property through several "micro-actions", for example finding and identifying an abandoned house, entering it, establish water and electricity and so on (Common Place 2008). This means making a space suitable for people to live in it, also through maintenance works (Martínez 2013). Tackling the implementation of a squatting implies a decision-making process that is usually through self-management. The way squatted spaces are run has been analyzed also in detail (Piazza 2011). We will focus our analysis on the definition of abandoned spaces, usually not investigated carefully and the framework to conceptualize squatting that is usually addressed focusing on legalization, institutionalization, opportunities or policing (Martínez 2013, Pruijt 2003).

The question "what is an abandoned space" is interesting not only because it clarifies some terms that are fundamental to understand squatting practices, but also because it leads us to a more difficult question: through which mechanisms a space can be defined abandoned? The abandonment has a multi-scalar nature: it can refer to a single apartment, a building (that is the most common situation), an entire neighborhood, a piece of land or even a city. The word "abandon" in itself leads the discussion toward not an objective status of an object, but to the idea of giving up one's rights for a time, due to particular social relations (Mudu and Aureli 2016). The literature on current abandoned land has classified "temporarily obsolete abandoned or derelict sites" (TOADS) in various ways (Greenberg, Popper and West 1990). Typologies of vacant land has been proposed (Northam 1971).   Nevertheless, the case of a direct production of abandonment not for the usual market, but produced directly as waste (something hardly applicable for previous periods) highlights the extent to which neoliberalism is totally indifferent to equity or social justice, and uniquely geared to profitability, for its own sake (Bowman and Pagano 2010). Capitalism has introduced a new set of abandoned lands associated to downturns between different cycles of investment such as underused parking lots, landfills, former industrial sites, infrastructural corridors, toxic landscape, derelict urban sites (Berger 2006).

Abandoned buildings are an interesting case of waste production. On the one hand, houses are sold at accelerated rates to secure the most profit. On the other hand, the exigencies of capitalist profit-making may lead to this factor of production being excreted (as a form of waste) into nearly completed buildings, barely finished apartment blocks, creating surplus housing that are partially excluded from capitalist exchange and social life. This waste production deserves some more analysis.

## "Wasteful construction" and the commodification of urban space

In its pursuit of endless accumulation, capitalism is lead to annihilate space through time in order to stave off its recurrent over-accumulation problems. According to David Harvey (2003) the movement of capital can be viewed as sequence of "spatial-temporal fixes". This concept seeks to evoke the contradictory nature of the process whereby it is only by embedding itself into the land that capital can move over it in search of maximum profit. Yet, as the rate of profit decreases that same built environment, from a solution to the problem of over-accumulation becomes a liability, the more so since the invested capital is "fixed" into the land and hence cannot be moved. Harvey stresses the crucial role of the state throughout the whole process of space production; first, it ensures the enlarged reproduction of capital by developing different forms of public assets such as affordable housing, public health care, public utilities and so forth; then, by actively participating in their privatization and commodification in order to open up new fields of accumulation to the "bogged down" capitalist. David Harvey defines "accumulation by dispossession", which mainly occurs through privatization, as the predatory mechanism that supports capitalist development. According to Harvey accumulation by dispossession represents a way for capital to overcome the cyclical processes of over-accumulation by finding new opportunities to regain profitability.

This way out of capital must be taken with a pinch of salt and situated practices can maybe offer other way out solutions (Ong 2006). As Whiteside points out, "since dispossession as privatization is about opening up spaces, this theory is not positioned to account for why the state may instead close off spaces in reaction to crises" (Whiteside 2012). If we examine in detail the mechanisms whereby capital dominates the housing market, we can define the dispossession process as a contradictory one. It is *dispossession by abandonment*, by producing and accumulating abandoned places. The process of dispossession occurs not as a second stage of depredation after something has been produced and then has to be privatized or taken away from the poorest. It is a process that immediately starts from the beginning of the production process that already possesses the seeds of future depredation. Social and spatial assets heretofore conceived as being off-limits to profit-making initiatives are transformed into opportunities for capitalist exploitation. The consequence of this process has been the transformation of urban space into a commodity like any other thus triggering the senseless consumption of land through "wasteful construction" (*spreco edilizio*). "Wasteful construction" aptly illustrates the present paradoxical predicament generated by speculation whereby offer and demand are totally mismatched (Indovina 1973). *"Wasteful construction"* happens because of the economic centrality of construction. In a time of capital financial expansion the building sector has traditionally experienced disinvestments. Within the last decade the financial market crisis was fatally linked to the financial bubble and the promotion of socially useless, not requested new houses to adapt to a period of crisis. If we explore more in details this issue we find several cases of 'wasteful constructions' built but unavailable when 1)

having been built by private companies, they lack the relative infrastructures, electricity, water and sewage systems, etc.; 2) when owned by public institutions there is no clear procedures to give them to individuals or families or 3) when they provide the concrete base for virtual financial constructions, speculative investment funds. Rome shows many examples of the three cases. The first point has been a major issue for years because many buildings are not on the market because owners (usually private companies) do not want them to be. The second component is used irregularly to mismanage public assets whereas the third one has been one of the new features of the recent global financial crisis.

Abandoned buildings and areas are socially "communicated" as an abstract commodity, no longer identifiable with particular decisions and political patterns, they are depoliticized. The common sense discussion of the "housing crisis" of the "homeless emergency" as the result of a lack of housing, seldom takes into account the functioning logic and the evolution of the housing market. But, it is arguable to isolate the "abandoned buildings" from their production and reproduction (Indovina 1973). Various actors, that can be easily identified, actively conceal the responsibilities inherent to a particular market structure for housing and take decisions on behalf (habitually in collaboration) of a restricted elite of well-known speculators and *rentiers* often for a share of the ensuing profits. Once welfare provisions are eliminated, the housing "crisis" is transformed in a police problem. Laws on housing contribute to interpret the lack of offer of housing for the lower classes within a repressive framework against the homeless "criminals" (Dadusc, Dee E.T.C. 2014). The production of "wasteful construction" is a dynamic relationship between the forces which control the housing stock and the construction sector and the urban features in which they operate. The urban features in many southern European cities is related to corrupt system based on controlling the outsourcing of public functions.[9]  When the whole structure of housing for the lower classes is managed in openly corrupt, clientelist, nepotistic ways, it is obvious that a conflict against organized squatters has to be implemented through evictions, repression and arrests. This conflict is carried out not to enforce justice, or the rule of law, but to repress the organized resistance of the disenfranchised and to intimidate their potential supporters. We have argued here that wasteful construction originates in the conscious production decisions of capital and this in turn accounts for the failure of the existing   system of   to address housing needs of the lower classes. But a social response exists and involves thousands of people as autonomous producers of rights that renders the process the unequal distribution of basic resources visible. Furthermore, in analogy with wasteful production they are humans-as-waste (the case of the Romani is an

[9] A case in point is the so-called "Roma mafia capitale" scandal in 2015. The Roman municipal government has been involved with crime syndicates to misappropriate and mismanage money earmarked for city services, in particular housing. See, among others,659852394  *The Guardian*, "659852394 Rome mafia trial begins with 46 accused of systematic corruption", 5 November 2015 or Elisabetta Povoledo, "659852393 Italy Gasps as Inquiry Reveals Mob's Long Reach" *The New York Times*,12 December 2014.

exceptionally vivid example, Maestri 2016), expelled from the status of workers and consumers (Yates 2011, Sassen 2014).

Squatting, on the contrary, advocates a "construction thrift" (*parsimonia edilizia*), whereby abandoned or otherwise underutilized buildings are reused and taken care of (see the discussion on Metropoliz below). The evolution of social resistance to the lack of low-income housing, the privatization of housing assets, which also benefited the middle classes, the lack of any intervention for the homeless population, and the search for alternative political and cultural forms, has taken the form of collective squatting in various European countries (SqEK 2013; SqEK, Cattaneo, Martinez 2014).

It thus can be argued that squats put into question four aspects of contemporary western societies: 1) the neoliberal project of accumulation by dispossession; 2) the efficiency of privatization and "free" market as optimum service providers; 3) the idea of private property as the cornerstone of capitalist sovereignty and 4) the "bourgeois" rule of law characterized by the contradiction between universal rights and their actual implementation through national and international legislation. If this is the case, the failure on the part of the state to recognize rights to an increasingly elusive and denationalized citizenry, could be an opportunity imagine the possibility of a polity outside the state.   This in turn would imply that state law need not to be the structuring element of rights and that approaching the vast phenomenon of squatting in purely juridical terms may actually efface its emergent character. Indeed, we would argue that the "grass-root" conflictive manipulation of the rule of law may open up the possibility of the emergence of a "non-state law". Hence a fifth point that should be added to the previous aspects challenged by squats. This aspect is the idea of squatted home, as prefigurative of a different articulation between the private and the public spheres.


## Imagining democracy through squatting

Today it would seem as if nation states do not really require the consensus of their citizens in order to function and thus the latter are facing the prospect of having to fare for themselves. And housing is a case in point. Hence, when discussing the current de-democratization process engendered by neoliberalism, we can consider two reference positions simplified by the work by Wendy Brown and Saskia Sassen. Brown notes that there are two fundamental consequences to the fact that states, within their eroding sovereignty in democracies, detach from being popular and supervenient. "On the one hand, democracy loses a necessary political form and container, and on the other, states abandon all pretenses of embodying popular sovereignty and hence carrying out the will of the people […]" (Brown: 2010). But can citizens exist without a state to turn to? Indeed, is democratic self-government conceivable let alone possible?

Brown's gloomy prospects can somehow be counterbalanced by Saskia Sassen's argument that the current "unbundling" of state territorial sovereignty does not

necessarily imply the demise of the institution of citizenship, which she argues is inherently "incomplete" hence its articulation to the nation state is *a historically contingent development*, hence the modern notion of citizenship as inherited and formalized condition is apparently giving way to a "denationalized", informal variant: "This reinvention takes the institution away from questions of nationality narrowly defined, and towards the enactment of a large array of particular interests [...]. In global cities, these practices also contain the possibility of directly engaging strategic forms of power." (Sassen:2003:43).

Somewhat simplistically, we have described Brown's approach as "gloomy" as opposed to the more "optimistic" Sassen. Maybe their differences might be better framed by taking into account the preferred spacial focus of their work. Brown's critique of neoliberalism takes at its reference point the self-contained state-national level. At this level, Sassen's "unbundling" of the relationship between state, citizenship, and territory generated by neoliberalism, is depicted as the "unraveling" of the demos; the democratic public sphere, and hence its inhabitant, the democratic citizen, vanishes and is substituted by the market-place that can only be inhabited by competing economic actors, who have few non-negotiable rights, dwindling entitlements and guarantees. Everything and, most importantly, anybody is expendable. In other words there is literally no place for democratic deliberation (Brown 2015). But, more important from our perspective, is her focus on the active role of the heretofore democratic state in bringing about the demise of the polity. The state retains its sovereign power but its legitimacy is based on a logic of economic performance, not on its upholding of the rights of its citizens. Hence, while individual and collective rights are increasingly rendered conditional, dependent as they are upon the individual's performance in the pervasive market, the relative obligations towards the state are still enforced. In other words the state is not accountable to those who are subject to its authority. Democracy as we know it is thus hollowed out. Brown's gloomy diagnosis of western liberal democracy is claustrophobic, because the notion of citizenship in positive legal terms, (state) laws constitute citizens, who are empowered as result, which implies that such empowerment is conditioned by the "goodwill" of the state. In other words one only has those rights that are already regulated by the laws of the land. And since the state has granted them, the state can very well take them away, by protecting the process of wasteful construction and dispossession, for example.

From Sassen's perspective the disappearance of the democratic polity is really the unbundling, the coming apart, of the three transhistorical components, territory, authority and rights, whose institutional isomorphism, which is now unraveling as a result of neoliberal globalization, is interpreted as one possible version of their articulation. Hence, in terms of the relationship between the state and citizenship, it is their mutual national embeddedness that is unraveling. This in turn reveals the inherently incomplete nature of citizenship, which when it was institutionally anchored to the national state allowed the latter to accommodate new right-bearing subjects into its fold while today, with the erosion of its territorial sovereignty, leads to the emergence of forms of

denationalized citizenship practices (Sassen 2008). What distinguishes such practices is that while they are still located in what has been historically constructed as the national level their claims are not expressed in terms of allegiance to the national state, since the latter in unable or willing to recognize their legitimacy.

It should be obvious why we would be drawn to residential squatting and use it as an emblem of what it may mean to live in a state-less society *today, in our neoliberal present.* To occupy an abandoned building, or a plot of land nobody uses, in order to make a home for oneself and for (and with) others, tells the lie to one of the ideological foundations of the modern state, which in securing its legitimacy by protecting property as a universal right, conflates the home one owns to live in, with a building whose owners let (or not) for a profit. In the process one's home becomes a commodity just like the building owned by developers, which like any commodity can be sold, used as collateral or abandon. Yet the difference between the home one lives in and the building someone owns is quite substantial; the former provides the shelter of one's basic autonomy as a human being, the latter makes this basic prerequisite of human life conditional. The former is one fundamental resource for the nurturing of one's subjectivity; the latter is a way to exploit, hence wage power over, the material means of re/production of the subjectivity of someone else. Hence, to paraphrase Virginia Woolf (2004 [1928]), having a place of one's own enables one's ability to actively and meaningfully engage with one's peers socially and *politically.*

Such being our assumptions, we would further argue that residential squatting as prefigurative politics is particularly stimulating *today*, in our present neoliberal predicament.

This said, it seems to us that juxtaposing Brown's vanishing demos, with Sassen's denationalized citizens practices could generate some interesting implications well beyond housing or squatting; one being that once the public domain of politics vanishes, where does the private go? Or to put it in another way, once the separation between public and private spheres becomes ever so elusive as in the vanishing demos or in the denationalized conflictive spaces of the global city, how can one decide whether a claim is a right or a privilege? Who is to decide whether a struggle is partial, partisan, or self-serving (or conservative) or is a potentially empowering attempt to practice a politics of equality and dignity for all?


## Squatters as law-breaking legislators?

The current trend of neoliberal policies on housing is to converge toward defending speculators and subsequently to enforce laws against squatters. This situation, where occupants are tolerated for a time but not given rights of tenure, represents a rather unusual pattern of routinization without regularization (Smart 2001). Yet, squatting as such questions the law *of the state* as the structuring element of rights. A right in this context can only be

interpreted as "the capacity to call upon the collective" to stand behind one's claim to benefit from one's possession, without a property title (Bromley 1991: 94).

Hence, at the "grass-root" level the conflictive manipulation of the rule of law opens up the possibility of the emergence of a "non-state law", based for example on "common law", something that lies between the liberal juridical forms and the feudal consuetudinary norms. Some authors have qualified these anti-authoritarian forms of resistance as operating in a law-making fashion, creating '*hidden* law' that evades the spotlight of the system, is non-hierarchical, non-representative and non-coercive (Finchett-Maddock 2016).

On our part we would argue that by turning a property someone has abandoned into an object owned by nobody, squatting potentially produces an a-legal other, which is alien to the law of the state (Mudu and Aureli 2016).

Squatters in this sense would be an-archic legislators, where the act of squatting represents a political gesture: reclaiming democracy from the state and freedom from capital and thus the right of not being governed or at least the right of not being governed in this way.

There is an interview where Arjun Appadurai makes an interesting remark about the politics of visibility of squatters in Mumbai/Bombay:

> One of the troubles of being poor, and certainly with being homeless, in Bombay is that you are in permanent view. A very large part of the production of locality, of the work of the imagination, of the labor and vision of social reproduction for the disenfranchised, for the homeless, for the poor in places like Bombay is how to cope with being permanently and inescapably on view. (Appadurai 2003b: 50)

The relevant political contrast here is visibility versus publicity. The homeless condition, as the marker of the lack of autonomy, is here epitomized by the condition of being subject to uncontrolled exposure, to be seen without being recognized. To be seen is to be controlled, disciplined, exploited, made redundant and expelled. If visibility is to be seen as a redundant presence deprived of subjectivity, the first step towards regaining autonomy is to become invisible, to establish the material conditions that allow you to control when and where to be seen as a human subject, and hence to redraw the boundaries between the private and the public domain in your own terms.[10] It would seem that this is what can be gleaned when entering Metropoliz.

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[10] "If you cannot be sure about the walls that separate your intimate sphere from the wider world and about the roof that protects you from the elements, then the physical basis for citizenship — understood as a series of spatial activities — is highly circumscribed." (Appadurai 2013). Accessed 18 Apr 2016. <https://placesjournal.org/article/housingand-hope/>

## Metropoliz: Challenging the Partition of the Sensible

A former salami factory in the outskirts of Rome, Metropoliz was squatted by B.P.M. (Blocchi Precari Metropolitani) activists in 2009. The site originally squatted by activists, together with over one hundred people of different nationalities, included the grounds of an abandoned car dealership nearby. Later that year, in accordance with the activists, a group of Romani from Eastern Europe having been evicted from a previously squatted factory, moved into the car dealership grounds. In the summer of 2012, they were again evicted by the police and decided to move into Metropoliz where they now live.

Back in 2009, Romani's participation to the squatter movement attracted the attention and solidarity of researchers and activists.[11] Workshops and action research projects were soon developed by artists architects and researchers to help the inhabitants in renovating and decontaminating the grounds and the buildings. These series of projects led to a sci-fi docu-fiction (Space Metropoliz), directed by Fabrizio Boni and Giorgio De Finis, developed and shot in cooperation with the residents, the whole production process took more than a year and the film was finally released in 2013. In the meantime in 2012, having completed the shooting of the film Giorgio De Finis proposed to the residents and to the B.P.M activists to use the artwork built for the set as the first nucleus of an art museum to be hosted on the premises. The project was accepted and the Maam (*Museo dell'altro e dell'altrove metropolitano*) was born. So far, the project has been rather successful and has become one of the most important artistic venues in Rome attracting avant-garde artists from Italy and abroad who develop and donate their site-specific art work to the museum and in the process contribute to the ongoing renovation of the squatted factory. Metropoliz shows an hybrid nature, which apparently allowed activists, residents and artists to frame their respective trajectories as articulations of a shared project.

Hence, according to the activists:

> Metropoliz_mestizo autonomous zone is a liberated space, an experience of grass-root reclamation of a former factory […] where Peruvians, Africans, Ukrainians, Roma and Italians live together and struggle for their right to live with dignity.[12]

A statement that somehow reverberates in the self-description of the "museum", which contrary to its institutional counterparts:

> […] transforms its spatial marginality, its utter lack of funding, its lack of purity (Maam is an inhabited museum, a "real" museum) into a resource. By putting in

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[11] Romani in Italy have rarely actively participated in social movement struggles; cf. Mudu and Chattopadhyay 2017.

[12] http://metropoliz.noblogs.org retrieved, 06/20/2015.

motion a virtuous relationship between art and the city and between art and life, Metropoliz will have at its disposal […] a precious collection of art works that will contribute to protect it from the always looming threat of forced eviction. Maam seeks to transform the whole factory into a super-object and into subject of collective art. Artists are invited to lend their free contribution by interacting with the space, its residents, and fellow artists.[13]

Though different in tone, both statements articulate a "will to hybridity", a desire to collapse or at least to blur social and cultural differences, indeed that crossing social and cultural boundaries can open up a whole realm of possibilities for collective empowerment and cultural innovation. To be sure, the activists stress that the nature of their project is a collective and oppositional pursuit whose goal is the reclaiming their right to the city, while the "curator" of the museum highlights that the museum's site-specific artwork, in and of itself contributes to the residents' struggle.

The ethnographically intriguing aspect lies precisely in this apparently negligible difference, more specifically it lies in how the project of blurring social and cultural differences is practiced.

Let us take a second look at how art at Metropoliz can contribute to the political objectives of its inhabitants. In other words how can art forestall their forced eviction?

First, because of its cultural and market value; second, because Maam is, in the words of the curator, "a counter-museum" that seeks to transform the whole factory into a work of art, and as a result attracts patrons who normally would never dream of entering an illegally occupied building and yet, each Saturday (when the Maam is open) they do come, and while looking at the art work they come in direct contact with the residents and discover that they are indeed fellow human beings and might be sensitized to their plight.[14] Hence, at the most immediate level, art is used as a sort of "trap"; the public, intrigued by the art discovers that law-breakers cannot be that bad if they live surrounded by valuable works of art.

At another level though, the aesthetic of the Maam is very much dependent on its location, and that it is "inhabited". The curator is very keen stressing that the "relational" nature of the "museum" is also what makes it unique. Here the adjective "relational" can refer both to the juxtaposition of works of different artists, that sometimes results in their collaborating with one another, and to how art is experienced by the patrons; as a way to enter, however fleetingly, in contact with the "other" which in this case is both the location, the actual factory, but also those who live in it.

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[13] http://www.museomaam.it/cose-il-maam/, retrieved, 06/20/2015.

[14] Interview with Giorgio De Finis, June 9, 2015.

Visibility is then very much what Metropoliz is about. Indeed, what to show to whom and to what purpose is an ongoing concern for all those involved in the squat; the residents, the activists and the "curator" of the "museum". And what can or should be shown very much varies depending on who does the showing. If you talk to the activists, for example, you might have the feeling that for them being visible implies something quite different from how the Maam understands it.

Back in 2009 the B.P.M. chose to squat the former factory not just because it was empty, but because they knew that a subsidiary of Salini-Impregilo, a major Italian general contractor, was planning to develop the site. Hence, their initiative was not just a grass-root solution to the housing crisis, it was also a statement regarding the origins of that same crisis, those who profited from it and the complicit role of local government in the whole process,[15] in other words they made the connection between wasteful construction, abandoned spaces, commodification of urban spaces and dispossession public. Moreover, by squatting the former factory they not only sought to make that connection visible, they also pointed to its inherent conflictive nature; and in so doing, they did not only identify the enemy, they also prefigured the kind of community best suited to confront it. Namely, a socially and culturally diverse one.

What should we make of all this?

Well, if the homeless condition can be understood as being subject to uncontrolled exposure, to be visible without being seen, the "inhabited museum" generates a space that constrains all those who enter it to *physically* take into account the existence of the other and to "find their feet" vis-à-vis one another.

Probably the French philosopher Jacques Rancière would not be entirely at ease with our reading of his work, but we would say that finding one's feet is very much at the center of what he argues art and politics are about.[16] They both challenge what he calls the *partition of the sensible* that structures the social order by allocating bodies, objects, roles, discourses, feelings and perceptions to their proper place and functions. Art and politics are acts that may disrupt such partitions. They both prompt us all to find our feet once we realize that normative reality involves an *excess* which it not so much excludes as does not acknowledge; it is there but is not seen, heard but not understood. The virtual at the center of reality. While art is the act that reveals the virtual within the partition of the sensible, making the virtual real, thus redrawing the borders of this same partition, is the always unfinished business of politics.

Thus, squatting becomes a possible stepping stone for the re/appropriation of the right to have rights in common, independently from the state. The capacity to self-produce not only proper residential spaces, but also public spaces

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[15] Interview with Irene Di Noto, June 15, 2015.

[16] For example, Jacques Rancière, *Dissensus: On Politics and Aesthetics,* London: Continuum, 2010.

external to the law of the market, is at odds with the neoliberal model of urban governance.

To the extent that our neoliberalized present is characterized by the fading away of the imagined national polity of formally equal citizens, by the blurring of public space where they can exercise their rights, and by the emergence of an ever-expanding redundant humanity, the hybridity of Metropoliz/Maam could help us imagine the kind of   a political gesture that may generate a non-state public space in *constant flux* through the   subversion and re-articulation, of the "private" (Appadurai 2003a). For the privacy of the squatters is not the same as the privacy of the homeowner and, least of all, of the developer. For the simple reason that it is the result of a collective project, and the individual "home" thus acquired is most typically the result of the joint efforts of fellow squatters in the most concrete terms; whether it's a plot of land, an empty factory or an office building, the allocation of space where families and individuals can set up, or build, their living quarters, requires lengthy negotiations, implies the agreement on some shared norms based on the ethical commitment to a minimum of reciprocity.[17] In other words, the squatter's home is not the proverbial "castle" that isolates the household from the outside world but an example of that "production of locality" that empowers the disenfranchised to meaningfully engage, indeed to imagine, an autonomous sociability (Appadurai 1996). Which is what having a room of one's own is really all about, a place where Woolf's Mary Benton, while looking out from her window onto the streets of the imperial city, can piece together the genealogy of her subjection. And she can do so precisely because that "private" space is part and parcel with a *collective* project of empowerment always in the making. And so if we like to argue that squatters may have a little of Mary Benton in them, it is because through their collective action they invent spaces that substantiate the unfixed, contested and multiple identities in places considered abandoned, wasted or not eligible for an urban political presence (Massey 2005). But in so doing, they also challenge the neat partition of the sensible that locks the private sphere in a zero-sum relationship with the public domain, with the former conceived as the sphere of the mere human who has no rights, and the latter that of the citizen whose empowerment is conditioned to being the lawful subject of the state (Rancière 2004). More than a claim to the right to housing, or to the city, squats would thus embody the right to have rights, or better still the "right" to a life in common not predicated on the sovereignty of the state and its social order.

## Conclusions

Arguing that squatters are an-archic legislators is a metaphor and, like all metaphors its heuristic value rests on its ability to question the taken for granted partition between the world "as is" and how it could be. Hence dubbing squatters as an-archic legislators is to a certain extent an ironic provocation. As

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[17] For the relevance of self-build infrastructures in empowering squatter communities, see Amin, 2014; for the relevance of autonomous norms within squats cf. Finchett-Maddock, 2016.

a general rule, actually existing squatters do not draft laws (some do, when they get elected to local or national office, but this need not concern us here). Yet laws are also a way to conjure an imagined community into a permanent and transcendental entity vis-à-vis its living members. Yet, has we have tried to argue, our present neoliberal predicament is putting into question the permanence of the state "democratic" polity, and from this perspective Brown's "vanishing demos" or Sassen's "umbudling" of territory, authority and rights, are two different ways of describing this process, whose consequence seems to be the creation of a constantly expanding "surplus" population. If this is the general trend , "wasteful construction" and the related production of abandoned urban space is one way in which this surplus is materially produced in Italy (and elsewhere). Furthermore, to the extent that wasteful construction and abandoned spaces coexist with homelessness, leads us to interpret this paradox as structural and would vindicate our belief that the state-market dicotomy is a fictive one, that masks the Janus-faced reality of power. Hence, to our mind, collective squatting not only clearly exposes the limits of the property's "social function" under "free market" dynamics but it challenges state democracy   by disrupting the partition of the sensible enforced by the "rule of law".

In what sense squatters may represent a practical form of citizenship engaging strategic forms of power? At the most immediate level they are an attempt to resist neoliberalism's privatization and commodification of public assets such as housing and cultural venues; at the institutional level, by claiming that "rights are to be conquered and practiced", squatters implicitly challenge one of the cornerstones of state sovereignty, namely private property; and finally, at deeper political level squatters implicitly put into question the law of the state as the structuring element of universal rights, i.e, the liberal democratic arrangement.

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