

The project of property as emancipation

A Community Land Trust in Brussels

Verena Lenna

Dissertation presented in partial fulfilment of the requirements for the degree of Doctor of Urbanism (PhD) and Doctor of Engineering Science (PhD): Architecture.

Supervisor IUAV:
Prof. dr. Paola Viganò

Supervisor KU Leuven:
Prof. dr. Bruno De Meulder

August 2019



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August 2019

Abstract

On the background of growing privatisation of resources, of the incapacity of both private and public forms of arrangements to protect them, other forms of governing the resources are emerging. This dissertation questions the emancipatory role of property under the current circumstances: under which conditions can property be emancipatory? My hypothesis is that the different ways of owning currently being experimented by many practices –as the rising discourse on the commons for example, in alternative to private and public forms of property- suggest the possibility of a third turn of the relationship between property and emancipation. Beyond the exclusivity of private property, beyond the redistributive logic of the public –though not implying the obscuration of these two models. The Community Land Trust, officially established in Brussels in 2013 (CLTB), is an example of those practices and the case study of this dissertation. My thesis is that the architectural and urban project have a paramount role in realising the form of governing resources –aka property- implied in that model.

The double engagement as an activist in Commons Josaphat and as an architect contributing to the realisation of one of the first projects of the CLTB –Le Nid- allowed me to develop an ethnographic approach that in fact proved to be essential in order to address the topic of emancipation. Those immersive experiences allowed me to seize the thick fabric of relationships and the accumulation of capacities that led to the establishment of the CLT, in one of the poorest municipalities of the Brussels Capital Region. An answer to an unsolved housing question, unbearable in particular for numerous and low income households. It allowed me to learn about the values, rights and needs of the involved inhabitants and local actors and to reconstruct a history of emancipation of a whole community, one among many possible others. At the core of the CLTB, I argue property is reconceived beyond the right to access. It is la propriété repensée par la gouvernance. Established on the base of the recognition of the right and capacities of the concerned communities to decide, to take care and to govern the resources they need for the fulfilment of their basic needs, for the development of their life strategies. In other words, for their emancipation.

The other side of the right to decide and of recognition is responsibility. Responsabilization being in this case a collective endeavour and not an alienating process, condemning individuals to rely only on la propriété de soi. By referring to my direct implication in the design process of the project Le Nid, I argue space matters and the project, as a process -a specific characteristic of the Belgian form of CLT-has a paramount role in envisioning what the jurist Steiner would

define the set of possibilities: by assembling compatible needs and rights; by redefining them in relation to the spatial limitations; by balancing the spatial configuration with the actual capacities of the inhabitants and concerned communities to take care of their living environment and resources. Being substantiated –not simply supported- by a similar kind of project, then property could be emancipatory: being about the right to decide and recognition as much as about responsibility and the long term protection of resources. Being about the right to govern.

Samenvatting

Naar aanleiding van toenemende privatisatie van middelen en de onbekwaamheid in het beschermen door de private en de publieke vormen van regeling zijn nieuwe methodes voor het beheren van middelen en sociale woningbouw opkomend. Dit onderzoek behandelt de vragen over de emancipatie rol in eigendom onder de volgende omstandigheden: onder welke omstandigheden kan eigendom emanciperend zijn? Mijn hypothese is dat er geëxperimenteerd wordt op verschillende manieren - met de opkomende ontmoediging van het volk in bijvoorbeeld alternatieve private en publieke vormen van eigendom - met de suggestie van een mogelijke derde partij in de relatie tussen eigendom en emancipatie. Buiten de exclusiviteit van het private eigendom en de herverdelende logica van het volk - echter niet afkeuren van deze twee modellen. Het Community Land Trust, officieel opgericht in Brussel in 2013 (CLTB) is een voorbeeld van een dergelijk experiment en het onderwerp van dit onderzoek. Mijn werk richt zich op het impliceren van een belangrijke rol van het architectuur- en stadsproject in het realiseren van een middelenverdeling.

De dubbele benadering enerzijds als een activist van de Commons Josophat en anderzijds als architect, dat leidde tot de realisatie van een van de eerste projecten van het CLTB -Le Nid-, gaf me de mogelijkheid een etnografische aanpak te gebruiken, welke essentieel bleek te zijn in het adresseren van het emancipatie onderwerp. Deze positie stond me toe de relaties en de ophoping van capaciteiten aan te pakken, wat leidde tot de oprichting van het CLT in een van de armste wijken van de regio Brussel als antwoord op het onopgeloste vraagstuk van huisvesting voor met name de talrijke groep huishoudens met een laag inkomen. Hiervoor leerde ik de waarden, rechten en behoeftes van de betreffende inwoners, lokale partijen en het reconstrueren van de emancipatie geschiedenis van een gehele gemeenschap. In de kern van het CLTB beargumenteer ik dat eigendom verder gaat dan het recht op toegang: op basis van erkenning van de rechten en capaciteiten van de betreffende gemeenschappen om te beslissen, te verzorgen en middelen te beheersen die zij nodig hebben voor het vervullen van hun basisbehoeftes voor de ontwikkeling van hun levensloop. In andere woorden voor hun emancipatie.

Tegenover het recht om zelf te beslissen en het recht van erkenning staat verantwoordelijkheid nemen. Verantwoordelijkheid in dit geval is een collectief streven en niet een vervreemd proces, dat individuen veroordeeld tot het vertrouwen op *propriété de soi*, Terugkomend op mijn directe betrekking van het ontwerpproces van het Le Nid project, beargumenteer ik dat ruimte er toe doet en dat het project als proces - een unieke eigenschap van het Belgische CLT - een overkoepelende rol heeft in het uitbeelden van wat de jurist Steiner zou definiëren als een *compossibilities*: door het samenbrengen van congruente behoeftes en rechten; door hen te definiëren in relatie tot ruimtelijke limitaties; door de balans van ruimtelijke configuratie met de daadwerkelijke capaciteiten van de inwoners en betreffende gemeenschappen om hun leefomgeving en middelen te beheersen. Op grond van dit zou eigendom emancipatorische worden, omdat het project gericht is op het bijdragen door middel van concrete capaciteiten van de betreffende gemeenschappen op gemeenschapsgoederen: over het recht op erkenning en beslissen, als de verantwoordelijkheid en het beschermen van middelen op de lange termijn.

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This dissertation is the result of a long process. A journey, a discovery whose richness, on both human and professional level, is difficult to describe. A journey made of precious occasions and difficulties, of encounters and emotions. A journey that would not have been the same without a range of people that supported me, but also pushed me to look deeper and question everything. That is perhaps the most important teaching I received.

I am grateful to my promoters, Prof. Paola Viganò and Prof. Bruno De Meulder, for their invaluable insights and for the freedom they gave me to explore the complicated topics of this dissertation. That freedom meant for me the possibility to make sense of long-lasting experiences, but also the possibility to do mistakes and try again. To Prof. Cristina Bianchetti, for the generous conversations, always inspiring and honest, for her painstaking work of going through my writings in any phase, no matter how confused.

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In the process of making sense and verifying my ideas and hypothesis, I had the chance to discuss them with a variety of people: professors, local actors and inhabitants I interviewed,

other researchers or occasional listeners. I would like to express my gratitude for their curiosity about my work and for any insight or suggestion they provided. On the other hand, my sincere appreciation goes to all the people that accepted to share with me some of their knowledge or a piece of their lives, and often both of them.

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And finally, so far, so close, to my family: from the deep of my heart, thank you.

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S. 1 | As an introduction

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Abstract

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Appropriations (of the self)

At the end of 2012 Josaphat was an abandoned site of 24 hectares, despite the number of projects proposed in the past to reclaim this part of the city. Previously a freight yard, a strategic area (Zone d'Interet Regional), owned by the Société d'Amenagement Urbain, the site was abandoned and lacking any sort of facility or infrastructure. No lights, no vegetation, no recognizable paths across it. In some occasions only the traces of heavy trucks and crawlers, those who probably invaded the site to prepare it for the depollution process. At the beginning of our explorations, during the summer, usually forming a circle to discuss and organise, we had no choice but to sit on the ground, the soil being still sandy and white. A desert, cut into two by the railway tracks, rarely used by local trains, and surrounded by an urbanised environment. A few halls and sheds to the west; a long line of trees hiding a row of houses and their backyards to the east. Josaphat is a homogeneously almost flat surface, topographically depressed in relation to the surrounding areas, humid by nature, unknown even to the neighbouring inhabitants. Only few of them –as we discovered- were aware of its presence, because they used to walk their dogs there. A few months after our first intrusions, the area was covered by a thick, wild layer of grass and flowers, a *tiers paysage*, completing the process of depollution. Later on, bees and birds arrived, followed by birdwatchers and ornithologists, thus providing very good reasons in favour of the argument for the preservation of the ZIR Josaphat as an ecological reservoir. Finally territorialised by humans and non-humans. But back in 2012, the metamorphosis was not even imaginable and the atmosphere was that of an abandoned site, inviting to explorations and appropriations, reviving a forgotten sense of freedom. Who could feel watched in such a site, hidden and protected by trees, accessible only in two very discreet points? One serving the local railway station, the other one being gated, not necessarily open. What future for so many hectares? What the collective Commons Josaphat did has been to trigger the imagination, around the possibility to rethink the inefficient, the unjust, the oppressive, the otherwise privatised.

Commons Josaphat however has been about not only Brussels and an urban, spatial and infrastructural void. Commons Josaphat has been about the commons. A sign of a larger

discourse in those days rising in Brussels and elsewhere. In fact, at the beginning of its history, before the name Commons Josaphat was even invented, as a very small group of militants, we gathered around the possibility of a Festival des Communs, in Brussels. In the name of the commons we initially met other collectives and initiatives in Brussels, to share and discuss practices, vocabularies, experiences. It was the end of 2012 and many did not feel familiar with the concept of the commons, though being already involved in initiatives built around values such as sharing and taking care. Practices of commoning at that time were being experimented a bit everywhere, in a more or less conscious way. Just at the beginning of the same year, in New York, I had the chance to take part to the first assembly that a small group of activists and other sympathetic individuals organised with the purpose to explore the concept of commons and possible related practices. Some of them, earlier, took part to the Occupy Wall Street actions. At that time, however occupations started to lose the strength and the capacity of impact they had in the beginning. Other movements were rising, characterised by the willingness to go beyond protest: about foreclosures, the student debts, the precarity of work and living conditions, the exploitation of immaterial work. Making Worlds was one of those movements, and the philosophy and the concept of the commons were often debated. To establish sustainable practices of commoning was not easy. Nevertheless, the efforts allowed accessing or creating new resources, while triggering new ways of making the city. Some of the members of Making World were originally from Spain and were in close contact with some leading figures of the Spanish 15M, thus having the possibility to bridge discourses and visions. The 15M Movement or Indignados Movement demonstrated in Madrid in May 2011. Before that, the so-called Arab Spring protests spread in the Middle East at the end of 2010. Occupy Wall Street – and the Occupy movement- started in 2011. Looking at the evolution of these movements, it would seem 2012 was a watershed year, the year in which the modalities and the purposes of occupations –of public spaces, of streets, of privately owned public spaces (POPS), of anything object of ongoing processes of privatisation- started to be abandoned or to simply lose their purpose. In parallel, the movement of the commons started to rise.

The relationship between the two phases could be in itself the object of investigation: the shift from voicing, from the speakers in Zuccotti square; to the concrete action and initiatives, far from the squares, re-appropriating urbanity and abandoned parts of the city, taking care of them by using and transforming them. This was a conscious move in New York, in Madrid, in Istanbul, where the occupation of Taksim Square, in 2013, since the beginning was considered as an occasion to experiment alternative forms of urbanism, and practices of sharing. Across the world, the number of initiatives and actions inspired by the commons increased in the following years, as well as the theoretical debate: triggered by the urgency to reclaim resources, in the name of the right to fulfil basic human needs. Especially given the failure of the existing institutions in controlling speculation and the processes of growing privatisation. Despite their fragility, the constellations of experiments emerged since 2012 managed to raise awareness around alternative forms of governance of resources and the related projects. Both on the

side of citizens and of administrations. To the point that today, at the light of Chiapello and Boltanski lesson on the spirit of capitalism, it would be already time to question possible forms of institutionalisation in relation to more spontaneous and unpredictable forms of commons.

Commons Josaphat is just an example of a reaction, part of an ongoing movement, which started to grow immediately after the crisis of 2008 and which pervasively questioned the modalities to access and to govern resources. In other words, it questioned property. Such an observation is at the origin of this dissertation. The pictures in the forthcoming pages hence have the purpose to evoke an atmosphere, to provide a glimpse of the choreographies and of the actions triggered by a vacant site of 24 ha in Brussels and their multifaceted, complex nature. As in many other contexts, those gestures and discourses rose in the name of the commons. A sign of the times, calling for a reconceptualization of property, around the re-appropriation of resources but also of the capacity of making things: claiming back what Castel would define as *la propriété de soi*. A capacity of making that in the case of Commons Josaphat was expressed in the form of temporary activities and initiatives that have been organised on the site. But also in the long runimagining in which terms this portion of the city could have been the object of a commons inspired form of governance, involving the concerned inhabitants and local actors.

Since 2012, the spatial and infrastructural void of the vacant site of Josaphat became the occasion for a physical and symbolic re-appropriation. Of the city and of the self, by making possible the enactment of choreographies, the exploration of capacities, of needs, of an alternative future: for the site and for those involved, collectively and individually. In the name of the commons.











The need for affordable housing, the interest in the co-production of the city, the opportunity of engaging in the making of one's own cadre de vie, to install more sustainable practices and forms of living, to protect resources and their accessibility– especially scarce resources such as land, water, air and the “natural” environment. Last but not least, the opportunity to resist speculation and the dispossession of resources: all these purposes are at the core of the discourse on the commons and represent a shared horizon of meaning and of action for the initiatives operating in that direction. A certain pragmatism should be also recognised, as a common trait of their approach: as a corollary of care and engagement as the primary attitudes at the origin of any process of commoning.

While these may be the reasons to explain why a number of projects and people gathered around the platform Commons Josaphat -or any other federating initiative established in the name of the commons- the needs and values that motivated to take action at an individual level, also need to be explored and recognised. Because ultimately, a commoning process heavily relies on individuals –even before communities-, on their will, their capacities and possibilities. Which hence leads to question about the emancipatory occasions provided by the processes of commoning at both an individual and collective level.



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It is possible to observe that many forms of civic activations do not blossom only to respond to a given need, to complement the lack of services or infrastructures. These are perhaps necessary, but not sufficient conditions. Another important reason –the strength finally at the core of these activations- is the possibility for individuals to express themselves, to contribute meaningfully to the making of society on the grounds of their capacities. The possibility of reclaiming the political in everyday life.

In the absence of the traditional forms of protection, but also of the related obligations, people invent new roles, becoming through them. Precarity teaches and forces individuals to live and to think in the *hic et nunc*. It teaches to identify and to valorise the available and accessible resources: from one's own capacities to the neighbourhood's resources. It teaches to generate new ones, by transforming one's unicity in a starting point and an advantage towards the appropriation of the self –*la propriété de soi*.











In the name of the sovereignty of the self, the separation between redistribution and recognition seems to be obsolete, thus confirming the theorisations of Fraser and Honneth. If on the one hand, in the absence of solid forms of social protection based on redistributive capacities of the State, individuals are pushed to re-invent forms of solidarity and social protection based on their capacities, on their will and availability to contribute; on the other hand those capacities and new ways of doing things become expression of emerging subjectivities, looking for recognition.



The exercise of the îlot modèle, by leading the single involved initiatives to reciprocally adjust and to align, shifted the emancipatory potential from the singular to the collective level. Each single claim, while maintaining its specificity, actually contributed to the realisation of the others. Despite the small scale, the exercise has been interesting to observe how the spatial conditions provided the ground for negotiations: among the juridical architectures, the plausible forms of governance and the morphological needs and choices.



In the name of the commons, the preservation of a piece of land cannot be limited to a juridical agreement.

It is a matter of governance, of regulated accessibility, of care, of social rituals and attitudes. A matter of

uses. What needs to be stressed is that the emancipatory value of practices inspired by the philosophy

of the commons –and similar- is not simply about sharing or co-producing or taking care of resources–

though undoubtedly these are crucial in the current conjuncture. It is also about the process that leads to

such a result. A conversation among converging initiatives, around compatibilities and incompatibilities.

A re-definition of the individual strategies and interests into a larger collective endeavour. In other words,

a project.











“It is unfortunately quite usual for an individual to find himself in situations where official prohibitions inhibit various kinds of activity by which the individual could become involved in the built environment that surrounds him. His dissatisfaction may express itself by his ceasing to take any further interest in the built environment. In effect, this means handing over the responsibility to others who may not in any way serve the interest of the individual. Alternatively, his reaction to this dissatisfaction may express itself through forms of vandalism, destruction and so on.” (Kaj Noschis, 1978)

The pictures on pages 28, 29, 31, 35, 36, 37, 39, 41, 45, 46, 48, 49, 51 are by Paula Bouffioux. The others are of the author. Text fragments are taken from a long draft initially conceived to describe the complex interweaving of actions and motivations at the core of Commons Josaphat.



Appropriation is about being in the world. Humans and non-humans, continuously appropriate the world –moving from the material to the cognitive level- by acting in it, by transforming it. They appropriate in order to become, to evolve, moved by needs and desires, organised in the form of projects and programs, working at different scales and time frames. It can be about using an object or walking across a square, going across a landscape, experiencing a place, while contributing to their making, to the construction of the territories within which they are embedded. For Deleuze, a process of territorialisation cannot happen without appropriation: without the subjects establishing a relationship with and absorbing the environments where their activities unfold. And, vice versa, appropriation could not happen without marking the territory, without territorialisation (Sibertin-Blanc, 2010). While happening on a material level, beyond use and ownership of artefacts, appropriation implies a process of interiorisation of the transformation of the world, a process of meaning construction. Noschis, psychologist and scholar of environmental psychology, focusing on the relationship between individuals and their environment, defined appropriation “as the totality of actions to which we proceed in order to enter into possession of our surroundings, in the sense of their transformation for a certain use. [...] However in addition to physical action there can be a psychological appropriation (at an individual’s thought level).” (Noschis 1978)

Appropriation is about inhabiting, we could say with Heidegger, or in other words, about being and becoming. Therefore, if we think about appropriation –the cognitive happening through the physical level- as a fundamental process for the becoming of human and non-human beings, necessarily concerns should arise any time that process is impeded. Space seems to be a fundamental dimension for the process of appropriation and becoming to unfold, the dimension allowing any action to be performed, allowing the process of territorialisation. Therefore, any limitation to the accessibility of space –legal or physical- is in fact also as a limitation to the capacity and the possibilities of becoming of human and non-human beings, who are deprived of both the availability of resources and, with them, of the possibility to explore, to act and to transform the world.

This is why property matters when it comes to the fulfilment of basic human rights, when it comes to emancipation. It is not only about the material availability of a resource: but also about the implication of the concerned subjects in the processes of their governance. Interweaving the capacity to aspire and the capacity to do, to organise, to plan, as an antidote to assistentialism and de-responsibilisation. Allowing individuals and collectives to express themselves, thus emancipating as part of a larger social project.

1.2 Structuring the research

Abstract
 Significance of the dissertation
 Position and identification of the themes
 Research question
 Appropriateness of the case study
 Ethnographic approach
 Articulation

Abstract

The position of the photographic essay, at the opening of the section and of the whole dissertation, is meant to work as an immersive prelude, relying on the power of pictures to evoke atmospheres and suggest the assemblage of the different aspects and motivations converging in this sort of practices. From human needs and capacities to the spatial opportunities and the organisational challenges. From the individual to the collective dimension. To clarify why these pages are at the beginning of this dissertation –in the first and second paragraph of this introductory chapter- allows me to address some relevant elements. To start with, the pages on Commons Josaphat are about situating this dissertation, about bringing together both historical-contextual and biographical coordinates. They are about the significance of research around property under the current circumstances and they define my position as researcher. It is in relation to these –and not only to the case study- that the topics and the research question of this dissertation can be framed and fully motivated. A matter of significance of the dissertation, beyond its purpose, the former enhancing the latter. The methodological choices are almost consequentially defined in relation to these elements. I will conclude this introductory chapter by shortly referring to the articulation of the different parts and chapters in the dissertation.

Significance of the dissertation

I have been involved in Commons Josaphat (CJ) as a co-founder and member from 2012 through 2017¹. For a short period, this happened in parallel with my implication in the realisation of one of the prototype projects of the Community Land Trust of Brussels (CLTB), case study of this research². Hence, it has been unavoidable to wonder, firstly at an intuitive

1 As a platform –*collectif a géométrie variable*- Commons Josaphat started to exist by the end of 2012. I had the chance to contribute from the very beginning to the creation of Commons Josaphat, thus having the chance to observe, through the years, the evolution of the activities. Since the second half of 2017, the activities and the meetings of CJ started to shrink increasingly, for a variety of reasons that it is not possible to summarize here.

2 In fact a few other people had this double implication, having taken part to the foundation of both.

level, which kind of insight on the case of the CLTB could derive from my engagement in CJ. Because as it has been pointed out, our minds work through the world and by being in the world (Clark, 1996) and the researcher can never be outside of the interpretive process. “He or she is always located within the hermeneutic cycle and is always part of what is being studied”. But also, “the observed world does not stand independent of the perception or observer organisation” (Denzin, 1989) as quantum physics also suggests. Retrospectively, at the time of writing this introduction, I could say it was perhaps in the attempt to answer the question about how my experience with CJ could have determined my understanding of the CLTB that, at the beginning of my research path, I was in fact writing and questioning about both. However, beyond my personal experience and beyond the evident continuity of themes and discourses, I had to question which role the two cases could have had, in relation to my research question and to the argument I was supposed to build. If the CLTB was supposed to be the case study, in which terms to refer to CJ? Was it a matter of comparative approach? Or perhaps were they representing two different stages of possibly the same evolution? Josaphat perhaps more as a radical city project, suggesting a utopic horizon, while the CLTB as an exercise in that direction? This is where writing played a crucial role. Beyond reporting, beyond describing, writing has been the process through which I have been able to explore and to interpret the materials—so to speak- voluntarily and involuntarily collected during an immersive, lived experience, before and after the period of collaboration with the CLTB. Materials not always explicitly related to my case study, but expressing my inclinations and my interests, towards certain urban practices and the questions they raised. Materials, also, which seem useful to depict atmospheres and ways of doing things, emerging attitudes and approaches. If their relevance could be necessarily amplified at my eyes because of my direct implication, on the other hand they could have been enough to suggest the emergence of some new discourse, for example around the Commons, as a different way to manage resources. As a different approach to property. It took me some time and a few drafts to test some options and how the argument could be differently shaped depending on the meaning I decided to attribute to CJ and the CLTB as episodes of a whole narrative about Brussels and its experiments on welfare. Finally, I realised there are in fact at least two important reasons to refer to Commons Josaphat and to do it at the beginning of this dissertation.

The first is about the significance of the dissertation. By evoking the number of other similar initiatives happening in these years in Brussels and in many other cities, the pages on CJ are meant to refer to the cultural-urban conditions on whose background the case of the CLTB should be read and collaterally, the meaningfulness of the dissertation could be seized.

Given its embryonal state -especially in the initial phase of my PhD-, the case of the CLT of Brussels in itself could not prove the relevance of the topics that I shall point out and hence of a dissertation around them: property and its relationship with emancipation and the role of the urban-architectural project. While the case is indeed appropriate to deal with those topics, to show the possibility of a reconceptualization of property—as I shall explain in one

of the next paragraphs-, this is different than proving the urgency or the need to deal with those topics in the present economic and social conjuncture. To simply refer to the case of the CLT would result in a sort of self-referential work. Why look at property? Who could care about that, beyond the academic purposes and the public of a dissertation? To notice a void in the scientific literature –as I shall explain- does not equal to point out the reasons why to fill that void would be also socially –and not only scientifically- relevant and why in this specific historical moment. In other words, in the hypothesis of not providing the bigger picture, CJ could evoke, what I would have missed, as a researcher, was the societal motivation for this dissertation. Significance cannot be related only to the literature on the topic(s), but also –and perhaps most importantly- to concrete on-going socio-cultural transformations, debates and the needs of the concerned actors and communities. Especially when not fully or not yet recognised³, possibly risking losing an occasion to amplify their potential for a radical transformation. Commons Josaphat is reported here as an episode of commoning, one among many others happening in a number of cities, calling for a reconceptualization of property as the juridical arrangement regulating the use and the access to resources. A crucial challenge towards more just and emancipatory living environments. While such a reconceptualization is indeed one of the main topics in this moment at the centre of the juridical debate, as I shall show in chapter 2.2, that is not the case for the disciplines concerned with the project of the city, despite the self-evident pertinence of the topic when the object of property laws is the land.

Position and identification of the themes

The second important reason why I refer to Commons Josaphat as an introduction to this dissertation is about my position as a researcher. To inform the reader about my engagement in Commons Josaphat during the years of my PhD allows to situate my point of view and to understand why looking at the case study of the CLT in Brussels my interest is about property and emancipation, and the role of the architectural and urban project. These categories which are at the core of my research question emerged because of my double implication, on the one hand as an activist in CJ, on the other hand as an architect collaborating to the realisation of one of the first projects of the CLT. They necessarily emerged out of an exploratory research approach⁴.

While commons are by definition about a different approach to the management of resources, my implication in CJ allowed me to discover how in fact this cannot be simply a matter of a

3 The Venice Biennale will attract the attention on the dispossession of the cities and alternative forms of ownership only in 2016, in particular addressing architects, urbanists and designers (as explained in chapter 2.2).

4 I refer to the distinction between exploratory, descriptive and explanatory research. An exploratory approach is by definition required when a topic is not yet well established or a new angulation is proposed. In the field of social sciences, an exploratory approach “seeks to find out how people get along in the setting under question, what meanings they give to their actions, and what issues concern them. The goal is to learn ‘what is going on here?’ and to investigate social phenomena without explicit expectations.”(Schutt, 2006)

juridical arrangement concerning property.

Besides the organisational aspects or its evolution –how this specific common worked, how it was organised, how it pursued its goals and purposes through the years- at a fundamental level, I had the chance to seize first of all the importance of engagement and personal motivations at the core of these practices. Although commoning is about caring and sharing, both of them need to be solidly grounded in the capacity and the willingness to give of each involved individual. The smaller the commons, the more evident this interdependence. While the triggering element apparently may be the belief that a more just society is possible, to engage for many also represents the possibility to explore their potentials and capacities, to re-appropriate the self through the making of the city. A similar process necessarily moves from the individual to the collective and the reverse. In fact, it would be not easy to say where one realm ends and the other begins. The collective proves to be very often the realm making possible the continuation of the process of self-exploration that each engaged person goes through when confronted with the question “How can I contribute? What can I do?” When one’s own capacities and role are confronted with the purposes of a collective endeavour. The preservation of resources or the experimentation of different ways of governing hence become the laboratory for individual and collective explorations. It becomes –for those who engage- a path for individuation, which, as Simondon theorised (Simondon, 1989) always happens triggered by and in relation to a larger ongoing social change. In the model of the commons, the use and preservation of resources are hence strictly related to different levels of emancipation, at a collective and individual level. In between the right to express and explore the self and the need to redefine that right in order to take care of a given pool of resources. Emancipation –and/or individuation, the becoming of the individual (Caillé and Chaniel, 2011)- emerged hence as a fundamental theme, at the core of the commons, sustaining their functioning.

The other relevant theme suggested by the experience of CJ in relation to a different approach to the management of resources is the role of the project *in the making* of the commons. Not only as a long term vision for the site, thus orienting actions and strategies⁵. But more substantially as a process of making the commons possible. *La friche*, as a ground of possibilities, inspired and made possible the convergence of different needs and rights, of individuals and collectives. Not necessarily always aligned, sometimes conflicting. Beyond the common concern for the preservation of a resource, beyond the mentioned individual and collective emancipatory aspirations, the efforts and the activities of CJ showed what else is needed to make possible a different approach to property, or the management of resources. In the attempt to go beyond

5 Such a long-term vision was the result of a call for ideas – *Appel à idées*- that was organised in 2014 in the attempt of collecting as many ideas as possible around the project of the site of Josaphat as a commons. As a synthesis of those results and of the long debate that followed, as open to the public as possible, a pamphlet *-Josaphat en Commun-* was edited. The project for an *ilot modèle* was the attempt to transform the otherwise abstract principles of that sort of manifesto in a concrete project. The purpose was to prove to the SAU that a neighbourhood based on the principles of commoning could be realised as part of the Masterplan conceived for the site. Despite the efforts of CJ and the conversation established with SAU, the proposal of CJ has never been approved.

a temporary occupation of the site, imagining the realisation of a neighbourhood inspired to the principles of commoning, the design process developed for an *ilot modèle* made possible the interweaving of a spatial configuration and of a juridical architecture, of the rights and aspirations, of the needs and the actual capacities of the concerned actors and inhabitants to take care of their living environment⁶. Without the assemblage of all these elements, an approach to the management of resources relying on the direct implication of the concerned communities, having as a primary purpose the preservation of the resource rather than the privileges of the owners –as advocated by the Italian jurist Rodotà- would not be possible. It is not possible to explore more into detail the concrete forms and the conditions of such a process in the case of CJ⁷. What is relevant to point out is that my implication of CJ certainly influenced my interpretation of the relevant issues at the core of the CLT as a case study, and out of them, of the research question. Beyond interpretation however, the redundancy of the themes in the two cases is a confirmation of their relevance in the socio-economic conjuncture of the years after 2008.

Research question

The story told in the previous pages is a story of commoning set in Brussels and going back to 2012. Experiments of this kind have multiplied in the last years, as mentioned, concerning a variety of settings and conditions. Fragile, many of them already extinguished. Others resist. Emerging out of necessity or for the pleasure of doing things differently; or voicing a critique towards existing forms of governing resources, these experiments are a clear manifestation that a new approach to the management of resources is needed, a different way of owning. A turn motivated by the need of individuals and collectives to have access to resource, for a variety of purposes, at an individual as well as at a collective level. In order to build their *stratégies de vie*, to use the words of Castel (Castel and Haroche, 2001). A turn motivated by the incapacity of the public and of the private to protect those resources and their accessibility (Mattei 2012). If it is true that many resources are inherently scarce, an unjust administration has the effect of creating abundance for a few, while aggravating scarcity for the greatest number. Though, as previously mentioned, the commons are not only the answer to a matter of scarcity: they are also about the desire to do things differently, to re-appropriate the self by appropriating space and the capacity of doing things, by inhabiting in the sense meant by Heidegger (Heidegger, 1927).

To question the way resources are used should be one of the main concerns to urbanists and architects, given their responsibility in enabling different patterns and approaches. It means to question property laws and forms. As in the past so today, the questioning of property regimes comes in occasion of peak moments concerning emancipatory claims. Inevitably, given that the

6 See Appendix A.

7 Ethnographic accounts and explanatory texts are provided in Appendix A.

flourishing of individuals and collectives, the fulfilment of the basic needs is strictly related to the use of scarce resources. Emancipation cannot be unconditional, it has to be rather relational, built in relation to the needs and the rights of the rest of the world and to the limitations determined by the available resources. In other words, emancipation is a collective endeavour, rather than an individual one. There cannot be an emancipation of a few to the detriment of the rest. What I argue is that at the core of the commons, what is being questioned, once again, is the relationship between property and emancipation. This research will focus on that relationship, rather than on the commons.

The commons are in fact “only” a sign, a powerful sign, that that relationship needs to be revised. And they suggest a direction for a possible alternative. Other options could be experimented. Or it might be just a matter of reshaping the rules and the manners of the existing. Redefining the modalities and possibilities of private and public property, for example. It would be simplistic to think commons are the panacea. Also because –as I shall explain- to say commons does not mean anything in concrete. Commons need to be instituted, every time site-specifically. There is no standard, no prototype. There is a system of values, which requires being interpreted in the form of an architecture of legal, economic, social arrangements. Which means that anyhow, at the time of designing a legal framework, property regulations would have to be questioned. To deal with the symptoms does not equal to heal the disease: in other words, while the resurgence of the commons is an undeniable indicator that existing forms of managing resources need to be reconsidered and redesigned in order to make possible the emancipation of individuals and communities, the concept of property as we know it is the actual dysfunction at the core of it. The other reason to focus on property is the pertinence of this legal arrangement as far as the project of the city is concerned. It has been said that every time the structure of the city changes, it is because of a change in the system of solidarities (Secchi, 2000). Such a sentence could be re-written considering that a system of solidarities finally corresponds to and is determined by a certain approach to property, characteristic of a specific time, expressing its values and culture and resulting in a certain configuration of properties (the private, the public, the collective). This brings me to the third element at the centre of this dissertation, the project of the city. Despite the growing relevance of the debate on property on the side of many disciplines, from law to geography, to economy, urbanists and architects seem not to be involved very much. While in fact, the relationship between property and emancipation necessarily concerns the city and its project. As mentioned, the socio-spatial dynamics of the city are strongly determined by property, both in terms of physical delimitations and porosities, dealing with land property in particular. And more in general in terms of the distribution of resources, for example through the welfare system, which in fact is also called *la propriété sociale*. Or impeded by privatisations and the financialisation. The modernist project of the city for example, was centred on the relationship between property and emancipation: a rational and efficient organisation of resources through property would have allowed the flourishing of the greatest number. It seems today that relationship needs to be revised at the light of failures and different values.

On the background of increasing wealth polarisation and unjust appropriation of resources, looking at the emerging practices, I argue what is being questioned –again, in the history of urbanism- is the relationship between property and emancipation. A relationship which should matter to architects and urbanists it for its direct implications concerning the design and the making of the city. How could property be emancipatory, at present? Under which conditions? These are the research questions at the centre of this dissertation. In particular, I argue the project -meant as a process of design of a piece of city, from a building to a neighbourhood, to ideally even larger scales- has a relevant role to play in the articulation of that relationship, in the establishment of a new way of owning. And while the juridical debate is currently questioning how property could be reconceptualised at the light of the more recent evolutions and of the demands emerging from many existing practices, perhaps not surprisingly, as I shall explain, urbanism and architecture do not seem to be very much involved in that debate. Purpose of this research is to reopen that conversation, in the belief that design and planning are the alter ego of property arrangements when it comes to deciding about the management of land-related resources. The case study I will explore is the Community Land Trust in Brussels.

Appropriateness of the case study

Dealing with the categories implied in the research question at the core of this dissertation (property, emancipation, the urban project), to treat them by referring to a singular case study which additionally -at present- has a very marginal quantitative impact could seem inadequate. On the other hand, I argue dealing with emancipation there are at least two reasons why in fact this may be the most appropriate approach.

In the first place, I assume emancipation is not only a matter of numbers but also –and perhaps, most importantly- a matter of possibilities. Possibilities that despite their marginality could prove that a different –emancipatory- path is feasible. Rosa Parks was alone when she decided to disobey. The universal dimension which should characterise any emancipatory experiment, approach, attitude is not a matter of numbers but a matter of social groups potentially benefitting from the shift under consideration (Laclau, 1992). Intuitively, certainly, the higher the number of subjects concretely benefitting, the better. But at the same time, the emancipatory value of an initiative should be evident from the very concept and the purpose at the core of a given action or alternative model. Any process of emancipation, addressing both large and small groups, in any case would have to start in fact with a prototype, with a marginal beginning, with a breakthrough moment. The difficulties that may arise would eventually become a continuation of that breakthrough moment and a substantial part of the emancipatory process. Emancipation being in fact (continuously) triggered and renewed by oppression. I argue the emancipatory value of an experiment is not diminished by its (initial) marginality in terms of impact: an alternative is anyhow being suggested, many paths could disclose from a –by definition fragile- beginning, though not necessarily immediately. On condition that the

opportunity of a transformation would be recognised. If that initial moment would not be valorised or recognised as the trigger of a larger emancipatory transformation, any possibility to make it grow and to amplify its impact would indeed be lost. Collaterally, this brings to the conclusion that in fact to recognise the emancipatory value of a still marginal experiment –as in the case of this dissertation- is part of the very process of realising its potential. Additionally, it should be mentioned in this research the evaluation of an emancipatory potential will concern not only the case of the CLT –as a situated achievement- but more largely, the alternative concept of property which, as I suggest, is implied in the model of the CLT. A concept which could possibly be realised by a variety of other formulas: the CLT hence provides also some sort of *porte d'entrée*⁸, a pretext to develop a wider reflection on the disruption on the concept of property, by proving through its very existence that another way of owning is possible.

The second reason concerns the form of knowledge that could be developed by dealing with only one case study, at a close distance as it happened for this research. Emancipation is a process concerning and involving both individuals and society: one could not happen without implying the other. The emancipation of an individual could not happen without society being ready for that, without society supporting the process; and on the other hand society could not emancipate without implying –without being fuelled by- emancipation at an individual level (Simondon, 1989). To focus on a single case study allows to have an intensive observation of the whole process. It allows to observe how the different individual issues and expectations at stake articulate and redefine, singular paths of emancipation becoming possible because embedded in a collective, social endeavour. It allows observing the continuity of the emancipatory transformation, from the individual to the social, from the social to the individual. It allows understanding how emancipation unfolds–as a process. And it makes possible to understand what emancipation is about, at present: which are the factors of oppression, by allowing to come in contact with the system of values, the motivations of the individuals concerned by and/or engaged in the realisation of the experiment under consideration. It is on the background of such a thick reading, of a specific understanding of the oppressive conditions which triggered the whole process that a difference could be made between a simply innovative form of housing and an emancipatory form of property. Between a project fulfilling the needs of a few households and a model experimented to respond to much larger and complex dynamics, engendered at the scale of the Region, but whose heaviest consequences fall back mostly on the disadvantaged neighbourhoods, where the flourishing of individuals is eventually impeded. A model suggesting the rights –and making them practicable- which should be at the core of a different approach to property.

8 I borrow this expression from the philosopher Vinciane Despret, to refer to those situations that allow establishing a fieldwork, by providing a pretext to be involved in the piece of life being observed with an ethnographic approach.

Ethnographic approach.

A challenging part of my research has been to define the contents of emancipation under the current circumstances. Emancipation is a moving horizon, an empty signifier to use the words of Laclau (Laclau, 1996), each time specified according to a given context, the needs of the concerned subjects and their oppressive conditions. By definition always partially and temporarily realised. Hence, looking at the present, what would be oppression about? According to whom? According to which system of values and cultural background could it be defined? Intuitively, there is not a univocal answer to all these questions, as they would vary from subject to subject. It gradually became clear to me I could tell only one among a thousand histories of emancipation. And only a site-specific account would have allowed me to talk about emancipation.

Having been involved in the design process of one of the first prototype projects of the Community Land Trust in Brussels I realised I had the best position to tell a history of emancipation. On the one hand I had the chance to come into close contact with the actors, with the needs of the involved inhabitants, their struggles and their values. On the other hand, having to contribute to the realisation of a real project in Brussels, I had the chance to encounter and explore the large network of actors through which the CLTB performed its work. And in parallel, my engagement in the activities of Commons Josaphat gave me the chance to complement that knowledge with that of other collectives, other initiatives and emerging discourses in the city. More institutional the former, spontaneous and non-institutionalised the latter. A double immersive experience which allowed me – as non-Belgian, not from Brussels, researcher and activist- to experience and to be engaged in the making of the city from two different points of view. Different in terms of institutional engagement, of origin of the initiative, of means and capacities. But in fact having in common the same concern for a different approach to the management of resources. In fact, I suggest those years could be considered as the years in which the discourse of the Commons started to form in Brussels⁹. Explicitly addressed and labelled by Commons Josaphat, directly practiced by the CLT. My direct implication in the two situations allowed me to seize the emergence of such a discourse. At the core of it, I argue the relationship between property and emancipation appears to be pivotal. At the same time, the circumstance of being engaged provided the best conditions to deal with emancipation, given the previously mentioned characteristics of such a process. The ethnographic approach allows me to deal with the variety of materials derived from such an immersive experience. In particular, I have identified five kinds of materials that all together should allow conveying the thickness of the piece of life I have been part of for a few months,

9 At the beginning, before the name of Commons Josaphat was created, we organised informative meetings and assemblies around the topic of the commons, at that time still unknown to the great majority of the people. Those more aware of the concept were the people dealing with digital resources and internet, intellectual property. On the other hand, without explicitly referring to the concept of the commons, many initiatives of the inhabitants of Brussels were already practicing it: as for example community gardens or urban squats (though not all of them could be considered as forms of commons).

absorbing a substantial amount of information: both through my engagement in the activities of the CLT and through the conversations and interviews with the people involved. Voices, agencies, walks, images and interactions: I suggest these forms of life performances allow to render the multiplicity of points of view and motivations, of emotional states, of initiatives and capacities, of morphological and spatial conditions, of relations that continuously interweaving and accumulating, complementing and reinforcing each other, finally led to the implementation of the CLT in Brussels. To distinguish them has not the purpose to simplify, to dissect, by reducing life to a set of fragments: rather the purpose is to recognise them, out of an otherwise flattening representation. To recognise and to create a specific space for all these different threads should allow seizing how a process of emancipation could unfold and how a number of elements, often serendipitously combining, will finally lead to the breakthrough. Far from being the result of a demiurgic intervention, a top-down strategy, but indeed a clearly oriented path, fuelled by the commitment of the concerned subjects, guided by pertinent forms of expertise and strengthened and shaped by the continuous emergence of obstacles and unforeseen challenges.

Voices are the biographic narratives of actors and inhabitants that have been involved more or less directly in the process leading to the installation of the CLT. These biographical accounts are meant to reveal more vividly and specifically the oppressive conditions but also the motivations and the ambitions which finally triggered the concerned subjects to take action. They also provide samples of the relational fabric that finally led to the establishment of the CLT. A fabric to which emotional states, coincidences, personalities and personal attitudes contributed. Through their life stories, biographies are also the memory of the city, as seen and transformed through individual paths of emancipation.

Agency is the capacity to act. I use this word to refer to those actions and programs which emerged under specific circumstances, as an answer to a given problem, as an initiative of the concerned inhabitants or local organisations. The enactment of these initiatives create a space for voicing the needs and the rights of the concerned inhabitants, *le temoignage collectif*¹⁰. But most importantly they show a capacity to take action, to experiment new approaches and to assume the related responsibilities. Recognition is asked not only concerning the needs and the rights expressed by these initiatives, but also concerning their capacity to take care of those needs and rights, more or less autonomously.

Walks trace an imaginary section across the neighbourhoods where the history told in the forthcoming pages is set. Along those lines, my steps allowed collecting visible and invisible information and perceptions around the socio-spatial characteristics of the city. Written in the first person, the walks are also moments to position my voice, reminding the reader about the situated narrative of this dissertation. It is my position –as a researcher, as a collaborator at the CLT, as an activist with CJ- and the related biographical elements that created the occasion for this narrative to exist. Better said, to be exposed, an interpretation following some specific

threads and not others. Thus framing of a history of emancipation in Brussels –one among many possible others.

Images are fragments of conversation taken from the fieldwork materials. Thematically pertinent and highly figurative, they have the power to convey liveliness and concreteness to the whole narrative. More than illustrative, they tend to complement the main narrative.

Interactions are fragments of situations I had the chance to live as part of my fieldwork. They are hence necessarily related to my collaboration with the CLT and their purpose is to provide a more concrete idea about the unfolding of the design process. Interactions are introduced as thick descriptions (Ryle, 1971; Geertz, 1973; Denzin, 1989; Ponterotto, 2006) and they hence present the following features : they give the context of an act; they state the intentions and meaning that organise the action; they trace the evolution and development of the act; they present the action as a text that can be interpreted (Denzin, 1989).

Voices¹¹ [v], agencies [a], walks [w], images [i] and interactions [int] are distributed in the second part, as a whole providing a sort of second level thick description, spanning across the years, from the 70s till the present days and mapping a number of situations and lived experiences across different neighbourhoods. Purpose of part two is to provide a multi-layered –if not properly thick- description of the conditions that led to the establishment of the CLT in Brussels: a history of emancipation, as I will try to show.

Articulation

This dissertation is organised into two parts. The first part has the purpose of framing the research, as mentioned, while referring to an urgent question, asked by Saskia Sassen in 2014: “Who owns our cities?” In the first section, I introduce the themes, and urgencies in relation to which the purpose, research question and contribution of this research are defined. As previously mentioned in this chapter, those themes are suggested by the case of CJ, allowing depicting an atmosphere, the current proliferation of practices experimenting a new approach to the use of resources. The idea is to design the horizon in relation to which the case study of this research could be understood. Necessarily so, given the entity of the themes: I could not suggest –as I do- that the relationship between property and emancipation is possibly at a third turning point without giving that larger picture. That case study is in fact one example, among many others, their numerousness and the pervasiveness of their discourse motivating such a bold hypothesis. The second section of part one has the purpose to define the themes and the theorisations pertinent to my research question (chapter 2.1): property, emancipation and the project of the city. I will introduce the definition of property and emancipation, but also the main moments of their relationship; as well as the theorisations concerning the project

11 On the use of biographies and biographical accounts, Joanna Bornat pointed out their increasing relevance, as a way to obtain a richer and more complex understanding of the working and the emergence of social processes (Bornat, 2008) .

of the city and its role in the articulation of that relationship. Land being a scarce resource, it inherently is emancipatory, ideally obliging to negotiate the conditions for the coexistence of conflicting rights and the preservation of the resource. Ideally obliging to a social construction balancing individual projects within a larger, collective endeavour. To conclude (chapter 2.2), two sketches concerning the current state of the debate. From the point of view of architecture and urbanism, concerning the role of the project, of architecture and urban design, when coming to terms with the emergence of practices promising the installation of a different approach to the making of the city and to governing resources. From a juridical point of view, concerning the reconceptualization of property, as triggered by those same practices, but not only, as I shall explain. This dissertation is meant to contribute to the interweaving of those debates.

The second part is dedicated to the case study. Though specifically my experience as a participant observer concerned the Community Land Trust in Brussels, it would be reductive to say the history of emancipation I narrate concerns only this actor. A larger urban ecology is implied and needs to be traced. The second part is organised in three sections, articulated along a chronological line and progressively narrowing the observation on the case study. In the first section the ecology which triggered the process leading to the discovery of the CLT is depicted. In chapter 3.1 the oppressive conditions of the so-called *croissant pauvre* – the poorest neighbourhoods of the Brussels Capital Region- are traced mostly referring to the literature. The socio-spatial segregation characterising the *croissant pauvre* triggered the progressive emergence of a fabric of local and community based organisations: being not possible to provide an accurate picture of these initiatives in the framework of this research, to retrace the history of one of them in particular –in chapter 3.2- will provide a main narrative thread –on the background of the different moments of the transformation of the city. By following the evolutions of Maison de Quartier Bonnevie it will be possible to glimpse the triggering elements, the challenges, the relational dynamics, the capacities, and the drive characterising the *modus operandi* of the local associations and community based initiatives in Brussels and in particular of those dealing with the issues of the poorest neighbourhoods of the Region. Project after project, the history of Bonnevie will finally lead to the discovery of the model of the CLT. The fourth section, interrupting this chronological flow, will introduce the model of the CLT as it was discovered in the United States by the future founders of the CLT in Brussels. Chapter 4.1 will point out the main values at the core of the classic model, while chapter 4.2 will focus on the technical and organisational aspects, as evolved through different phases and experiments, around the interpretation of the core principles. While describing the CLT classic model the fourth section will also allow overviewing the literature on the CLT, in particular looking at the urban, featuring housing models. Collaterally, it will be possible for the reader to get a picture of the potentials and challenges of the fully developed CLTs. This would allow understanding the interest for such a model on the side of those actors willing to provide an additional possibility to access homeownership in Brussels, especially addressing low income, immigrant

and numerous households. The fifth section is dedicated to the implementation of the model in the Region of Brussels. While in chapter 5.1 the cultural and socio-spatial conditions are explored allowing the installation of the first projects, in chapter 5.2, the juridical architecture will be discussed. By looking at the juridical structure and at the decisional system, I will articulate my argument concerning the emancipatory value of the form of property implied in the CLT model. While the argument will emerge by looking at the decisional structure installed by the CLT, it is the narrative developed in the previous chapters that explains *the reasons* for the establishment of such a model, triggered by the oppressive conditions of different contexts and moments in history: at the time of Henry George and Howard, on the background of the industrialising urban settings; in the racists south of United States of the 60s; in the poorest and segregated neighbourhoods of a global city in Europe, in a post 2008 socio-economic condition. In other words, the previous chapters allow understanding to which form of oppression this model responds, thus providing *the reasons why* it could be considered as emancipatory. On the other hand, the dissection of the decisional system allows being more precise concerning the hypothesis of an alternative model of property being (implicitly) proposed by CLTs and *how* it works, in order to be emancipatory. Addressing land as a scarce resource, the project and the design process have a paramount role in supporting the functioning of the CLT –and the implied model of property. This is what chapter 5.3 will describe, in particular by referring to my direct involvement in the design process concerning one of the first prototype projects developed by the CLTB, Le Nid.

S. 2 | Property, emancipation and the project of the city

Ch. 2.1 Emancipatory properties of the ground

Emancipation and property

Emancipation by property

The project of emancipation

Ch. 2.2 (The return of) the debate on property

Concerning the project of the city

According to jurists

2.1 Emancipatory properties of the ground

Emancipation and property

Emancipation by property

The project of emancipation

Emancipation and property

Property and emancipation are the two themes that, as previously mentioned, I argue to be at the core of the current re-emergence of the practices of commoning. Commoning would be the third turn in the evolution of that relationship, as I shall explain. A relationship that concerns urbanists and architects for its implications concerning the project of the city. In this paragraph I will try to define the concepts of property and emancipation, clarifying in which terms they are used in this research. While defining emancipation I will show how these two concepts are in fact strictly related, in particular emancipation having triggered some important turns of property way of functioning.

Concerning property, historical overviews are countless and vary according to cultural backgrounds and national settings¹. The few historical elements I will provide will be less finalised at retracing an evolution than at better understanding some of the current characteristics of property and the roots of the current debate, introduced in chapter 2.2. In fact, chapter 2.2 will provide additional historical elements more closely related to the themes of the current debate on property. Purpose of this paragraph will be in particular to point out those aspects which are commonly less well known or somehow misunderstood especially by the non-jurists. Aspects that have been a discovery for me in the first place, but in fact fundamental to seize how emerging approaches to the management of resources are being conceptualised by the juridical debate. A debate that is relevant to consider here not only law being the point of arrival, legitimation and recognition of processes of social and cultural transformation. But also because property rights are among the tools allowing to realise a given project of the city. It is hence unavoidable to imagine that a different approach to property as a legal arrangement will have consequences on planning processes, concerning both their conception and their implementation. I will come back to this aspect later in this dissertation.

“Everyone has the right to own, use, dispose of and bequeath his or her lawfully acquired possessions. No one may be deprived of his or her possessions, except in the public interest

1 Any recent occasion –event, conference or publication- organised to debate around property, at least since 2004 – begins or presents at some point an historical overview of the institution. Or questions the current meaning of property. Genealogical reconstructions that can be interpreted as the sign of the need to orient something that seems an unavoidable change.

and in the cases and under the conditions provided for by law, subject to fair compensation being paid in good time for their loss. The use of property may be regulated by law in so far as is necessary for the general interest.”² Such a definition of property rights can be found across the different countries under the Civil Law juridical model³, with slight variations which may give more importance to the right of exclusion of the owner or on the contrary, may rather stress the obligations and limitations framing the right of property. This definition has its roots is more in the art. 544 of the Napoleonic Civil Code, formulated in 1804. Such an exclusive formulation can be considered as one of the main achievements of the French Revolution, which recognised property as an inviolable and sacred right in the “Déclaration des droits de l’homme et du citoyen” as established in 1789. The absolutism of the right of property was meant to liberate property from the burden of obligations and subjugations deriving from the Ancien Regime approach to the regulation of uses, rights and forms of ownership of resources: not yet property as we know it today (Rodotà, 1981; Xifaras, 2004). The arbitrariness of the decisions of the king was finally limiting in a substantial way the freedom of landowners, who were often dispossessed or obliged to an excessive number of personal services –in addition to transferring part of their gains and harvest (Castel, 1995). It is in the atmosphere of those days that article 544 was elaborated, the ultimate purpose being the protection of freedom.

Since the beginning however such an absolutist and material definition of property clashed with the number of variations and hybrid interpretations related to the concrete situations, as technically interpreted in law courts, where they tried to implement such an abstract article into the real life of the law (Xifaras, 2004)⁴. Since the beginning hence, the arrangement of property working as a device to regulate the relationships with resources as part of a societal architecture, trying to balance interests and rights, the very conceptualisation of property necessarily evolved, increasingly departing from the original dogmatism. Through the time the absolutistic understanding of property underwent a number of critiques, attacks and revivals, alternating as a result of social tensions and economics needs of the different circumstances. It is on the background of the social question that in 1840 Proudhon will define property as

2 Source: the European Union Charter of Fundamental Rights. Accessed at <https://fra.europa.eu/en/charterpedia/article/17-right-property>

3 The definition is also recognised by the countries of Common Law, despite they have in fact a different tradition concerning property rights. Not having been concerned by the radical changes determined by the French Revolution the Napoleonic domination, their regulation of property was and is a continuation of the approach of Middle Ages, basically as a bundle of different rights and forms of uses around the same thing, necessarily involving different individuals and a hierarchy of power. While the notion of bundle of rights –defined in the next section- goes back to that tradition, it cannot be said the decisional power was equally spread among all the concerned subjects.

4 « Ainsi, sous couvert de glose de l’article 544 du Code civil, les juristes théoriciens donnent à la notion de propriété un contenu effectif qui déborde largement l’énoncé que ce contenu est censé « appliquer » inventent, des modèles théoriques inédits de l’institution qui prennent en charge la richesse de ses multiples déterminations concrètes. Ainsi, il n’y a pas véritablement de conception de la propriété selon le Code civil, mais bien plutôt l’usage de diverses conceptions qui peuvent toutes s’en réclamer ». (Xifaras 2004)

theft. The debates and criticisms in the following years however did not manage to change the actual essence of property. Which in fact will be questioned again at the beginning of the 20th century, in the name of social but also economical needs, the matter being to balance the rights and interests of the different social parts on the background of an industrialising society. And for similar purposes, after the second world war: it was the invention of *propriété sociale* (Castel 1995) or the welfare state or the new property (Reich 1964) -as I shall explain in the next section-accessible depending on the employment situation, as a substitute of private property. The theorisations about the need to balance individual rights and a just development of society led to elaborate the concept of the social function of property, in between the end of the 19th century and the 20th. Property is not conceived anymore as a barrier to protect the freedom of the individual. It is rather an arrangement allowing to achieve a just distribution of resources, while serving economic and social needs. Rudolf von Inhering was among the first to point out the interdependence existing between the individual dimension of property rights and a balanced, harmonious development of society. Leon Duguit writes in 1912 «La propriété n'est plus le droit subjectif du propriétaire ; elle est la fonction sociale de la richesse» (Duguit, 1912). Or with Louis Josserand, in 1927 « Le but social, la finalité de la propriété, est de réaliser un aménagement de la richesse aussi fécond, aussi productif que possible par une mise de l'égoïsme individuel au service de la collectivité » (Josserand, 1927)⁵.

Coming to more recent times, it has been said property efficacy –and its appeal as a guarantee of freedom- have been undermined because of the evolution of capitalism, increasingly relating freedom to the relationships among people, individual rights and conventions, rather than to the dominium over things (Xifaras 2004). However, according to the Italian jurist Rodotà, it will be under the neoliberal regime that private property will get a new life, one more time being promised as universally accessible. It seems anyhow largely recognised that the emergence of new objects and the related systems of rights -from immaterial goods to environmental concerns- (Xifaras, 2004), the emergence of non-ownership interests (Rodotà 1981) finally undermined the capacity of the classical concept of property to make possible an effective and just management of resources and to respond to the needs of these days. Purpose of the next chapter will be to clarify in which direction property is being reconceived, as an answer to emerging needs and approaches to the use of resources.

To conclude this short introduction concerning the definition of property, two forms of simplification need to be pointed out, in order to avoid misunderstandings around the use of this concept and to better frame the existing debate around property. The first: the differences between the forms of property are ignored, neglected or simplified to the point that property is often understood as merely private or public. While in fact the characteristic of pure privateness is very rarely verifiable and any arrangement combines different powers and rights : “La théorie

5 Both quoted by Bernard in the book chapter « Les limites de la propriété par les droits de l'homme » (Bernard, 2017)

de l'« individualisme possessif » a pu dominer les esprits, imprimer sa marque aux théories, s'imposer dans la législation, elle n'est jamais venue à bout de la pratique juridique, toujours ouverte à des configurations dans lesquelles les propriétés collectives ou communes ont leur place. » (Xifaras 2004). And while property is an arrangement for the government of resources, private property is mostly meant to serve individual liberty and emancipation.

The second simplification is about the absoluteness of private property, while in fact through the time, a number of limitations emerged as a result of the previously mentioned turns, critiques, redefinitions. To the point that at a certain point property has been said to disintegrate. While other have rather attributed to a large, non-dogmatic or restrictive conceptualisation of property a greater resilience (Macpherson, 1978). Besides, the limitation to the absoluteness of private property, as mentioned, has been conceptualised as the social function of property. Embedded in a fabric of relations, limitations and rights, the social function allows regulating the relationships between the individuals and society, by implying the recognition of the right to use a given resource as prevailing over the right to exclude. During the 20th century the social function of property has been largely recognised and consolidated by the Constitutions of many countries across the world, from Brasil to Ireland, from Romania to Greece (Bernard, 2017) and has provided the grounds for the regulation of the uses and the preservation of natural resources or cultural heritage.

Concerning emancipation, this is a major ideal which characterised the whole modernity. Though the concept of emancipation exists since the time of the Romans, it is only with the Enlightenment that the word changed meaning, through a few phases which is not possible to remind here. But basically the shift was from the idea that one could be emancipated (originally by the *pater familias*) to the idea that one could emancipate oneself (Koselleck, 2002). Emancipation is defined as a process of freeing or being freed from some form of control. Though the definition may seem very simple, the concept implies ambiguities and possibly contradictions, which are in fact inherent to the process (Laclau, 1996). Going through the literature it is possible to seize the complexity and vastness of the topic. Theorisations can concern the factors of oppression: from labour conditions to the inaccessibility of material resources; from gender issues to political frameworks; or they can rather address the means and conditions allowing to emancipate: from psychoanalysis to education, from redistribution to recognition. Additionally, emancipation is about the interweaving of the individual and the collective, one as the continuation of the other: the different words –emancipation, individuation or subjectivation- in fact overlap and simply indicate different sides of the same continuum (Caillé and Chaniel, 2011). And perhaps different entry points to observe the same process: the liberation from oppressive conditions, interweaving individual and collective.

This research could neither have the ambition to review those theorisations, nor to explore the evolutions of the concept of emancipation and its potentials or limitations. Instead, emancipation represents in this research a question mark, and a major one. Referring to my

research question, before suggesting how the project could contribute to shape property in emancipatory terms, some other questions need to be answered: what is emancipation about, at present? Whose emancipation? Under which conditions? While the reasons and the modalities of the return of the debate around property may suggest –as I will show- an oppressive framework in relation to which an emancipatory horizon could be identified, this cannot be equal to indicate the specific form those oppressive conditions would assume in relation to a given context. While an emancipatory answer in fact is by definition site-specific: as the result of some given factors of oppression and local potential for a reaction. Emancipation is about particularisms as much as it is about universals, as I shall explain in the next lines. Against this background, it is in the second part of this dissertation that the case study will allow me to answer the above-mentioned questions and to define emancipation in relation to the Brussels Capital Region, as a specification of the themes introduced in this part. The Community Land Trust will work as an entry point to the exploration of the larger ecology in which it emerged and within which it operates. “A history of emancipation” -the title of the second part- refers in fact not only to the Community Land Trust but to that ecology, as the actual case study of this dissertation. Through the text I will refer to pertinent theorisations, but more with the purpose to frame some emerging themes than to question the theorisations, as a philosopher may be better qualified to do. Having clarified in which direction property may serve emancipation –one among others-, my ultimate purpose will be rather to focus on the role of the project.

Nevertheless, although it is true that as previously explained, emancipation is situated and it would not be possible to define the content of emancipation outside of a specific framework, a theoretical understanding would allow to distinguish between actions and projects simply realising the particular goal of a given community and the emancipatory ones. A theoretical framework more useful to confirm the actual unfolding of an emancipatory process than to read the conditions making it possible. In this sense, the theorisations about emancipation of Laclau seem to be pertinent, by addressing the nature of the process rather than its contents. For example, Laclau provides an interesting concept to deal with the problematic relationship between the particular and the universal, in a moment in which the deflagration of rights (Armony, 2004; Supiot, 2007; Bianchetti, 2016) creates ambiguities about the need and the possibility of a universal emancipatory horizon. The concept of empty signifier is what allows to conceive at the same time, on the one hand the particular forms that emancipation might assume through the time and in relation to the different contexts; on the other hand, the universal, as the negation of the particular. Should a particular –condition, project, emergent situation, demand- coincide with emancipation, this would negate the possibility of emancipation for other particulars, necessarily emerging from the evolution of political, economic and cultural conditions: “The death of the universal [would] leave us in a purely particularistic world in which social actors pursue only limited objectives.”(Laclau, 1996) ⁶. A

6 The emergence of a given particular, as an interpretation –so to speak- or incarnation of the universal is described by Laclau as a hegemonic operation. Hegemony is a key concept in Laclau and Mouffe theorisations of

similar understanding of emancipation not only allows to frame particularisms as moments of realisation of a universal; but it also conceptualises the continuous, moving horizon of emancipation, as a condition which is never fully reached and whose content necessarily evolves through the time and the changing of circumstances. Similarly, Koselleck writes about the continuity of the emancipatory challenge from generation to generation (Koselleck, 2002). This is the reason why, when looking at the past, it can be problematic to judge emancipation. Something perceived as emancipatory one century ago, but which later transformed in an oppressive condition, could not be considered as non-emancipatory *tout court*. First, because at least for some time it was emancipatory. Secondly, because exactly the oppressive condition it generated triggered a new emancipatory shift. As Laclau, but also Foucault, pointed out: there is no emancipation without oppression and no oppression without emancipation. One is actually part of the other, oppression negating some aspect inherently implied in the oppressed (Laclau 1996).

Because of this condition, of the continuous moving of the emancipatory horizon, two considerations need to be added as far as this dissertation is concerned. On the one hand, any reference to supposedly emancipatory past moments in the history of architecture and urbanism will not be about evaluating their actual emancipatory potential, but simply about reporting them, relying on what a consolidated literature defined as emancipatory. On the other hand, as previously mentioned, the first step towards answering my research question would be defining what is emancipation today. And because the universal is incarnated by a particular, necessarily I will have to situate my argument, by referring to the specific case study of the Brussels CLT.

Emancipation by property

In this paragraph, I will briefly point out the main shifts of the relationship between emancipation and property, whose return and transformation under the present circumstances would represent a third turn, in the hypothesis at the origin of this dissertation (Fig 2.1.1). As previously mentioned, a number of practices are in fact questioning the use and access to resources and the related possibilities for the becoming of the human being.

The etymology of the word emancipation reveals the origin of that relationship, emancipation being the acquisition of power over property, recognised by the *pater familias* (from the Latin *emancipatio*, from *e-manu-capere*)⁷. In the Middle Ages, and for a long time, the term lost

the political, famously explored in “Hegemony and Socialist Strategy” (Laclau and Mouffe, 1985). Hegemony is the result of a group having the capacity to incarnate the emancipatory needs of society in a given moment in time and history. The logic of hegemony is what creates the grounds for a truly democratic society: “It is because of this that we can have democratic politics: a succession of finite and particular identities which attempt to assume universal tasks surpassing them; but that, as a result, are never able to entirely conceal the distance between task and identity, and can always be substituted by alternative groups. Incompletion and provisionality belong to the essence of democracy. (Laclau 1996)

7 “In the Roman Republic, *emancipatio*, derived from *e manu capere* described the legal act by which a

its relation with the Roman tradition and started to designate the age of maturity, around 25 years. Emancipation was hence an automatic status, a matter of time. Legally, while socially it was a matter of status and rank. Only those at the highest positions of the social hierarchy could be considered as individuals, their role being established and officially recognised through specific rituals, which often corresponded to the acquisition of land ownership. The others were simply inscribed in the fabric of relations of servitude, as Castel showed. Security was about belonging to the community. The vagabonds, the deviants, the outlaws were the individuals not able to inscribe themselves in that system of relations –or refusing to do so: they had no security and were considered dangerous for the maintenance of the social order (Castel, 1995; Castel and Haroche, 2001). The previously mentioned shift, the reconceptualization of emancipation as one's capacity to self-liberate corresponded to a radical cultural change, the oppressed becoming the authors of their own liberation. In the Roman tradition that was unthinkable and the verb *emancipare* was only used as a transitive. It corresponded to a shift from status to property. To become an individual was not anymore a matter of hierarchy, depending on the society's recognition, rather a matter of having access to ownership.

Land, in particular, was considered a means of production, a second boundary –a second skin beyond the body- defining and protecting the individual against the rest of the world, allowing to build a *stratégie de vie*, to use the words of Castel (Castel and Haroche, 2001). No wonder hence that private property will be claimed as a basic right, allowing to gain economic autonomy, to position oneself in the world. But also, being deserved, as a recognition of the amount of work an individual could have invested in a piece of land, hence having the right to own the products –as well as the means- of his work, as theorised by Locke (Locke, 1689)⁸. The Enlightenment was characterised by a remarkable development of the concept of emancipation, interpreted and appropriated in a variety of contexts and conditions: at an individual and at a collective level, from the emancipation of colonies to the emancipation from ignorance, from the Church and from the Ancien Regime (Koselleck, 2002). The previously mentioned redefinition of private property in the direction of an increased exclusivity was the fruit of that epoch. Private property was consecrated by the French Revolution as an inviolable right: as a major battlefield for the disruption of the feudal order, for the eradication of the controlling, authoritarian and paternalistic logic of the king, the clergy and aristocracy, of their private absolutisms. The farmers' revolution was at the core of the bourgeois revolution (Soboul,

paterfamilias could release his son from paternal power. With this act, the son completely left the family and became, in terms of civil law, *sui juris*. A son who was not yet emancipated still possessed civil rights, the right to trade, and the privilege of marriage-only he was not yet entitled to the power of discretion over property". (Koselleck, 2002)

8 « Les statuts traditionnels se desserrent et l'individu cesse d'être pris dans une relation étroite de dépendances et interdépendances produites par la coutume et les liens de la filiation. S'extrayant de cette gangue holistique l'individu peut commencer à devenir un individu dans le monde et donc exister à partir de ses propres activités d'appropriation [...] c'est Locke qui donne au travail sa signification anthropologique générale et sa centralité dans la société : désormais l'homme peut se construire à travers son rapport aux choses, en s'appropriant puis en transformant la nature au lieu d'être défini à partir des rapports de dépendance et d'interdépendance qu'il entraînait dans une société holiste (Castel, Haroche, 2001)

1980) which - from 1789 till 1792- liberated property by abolishing a number of privileges being borne by vassals and servants. Patronal and royal obligations trickled down from the sovereign to the rest of the aristocratic hierarchy, finally to be mostly born by *travailleurs*. As part of that system, minor forms of slavery or servitudes –*corvées, banalités réelles et personnelles, mainmorte*- still existed in 1789 and when finally abolished, this happened often without any indemnity: the Constituent Assembly considered unconceivable that personal freedom could have been the object of a contract.

It has been pointed out that the French Revolution, in fact, was not only liberation of land property, but the replacement of the specific regime of property of the feudal age with a new regime established to serve the shift to a new society (Rodotà 1981). A holistic, supposedly emancipatory process: against feudal privileges, against commodification of the Commons; against land accumulation actuated by more powerful owners -as lords and the emerging bourgeoisie, the *coque du village* and corporate subjects such as the religious orders; against high cost of life and the low wages of farmers (Soboul, 1980). In fact, to serve the variety of emancipatory aspirations characterising a very heterogeneous Third State, the process happened not without contradictory and exclusive implications, as it will be shown.

Almost paradoxically the shift to the new order happened by confiscating and redistributing the land and properties of émigrés and ecclesiastical domains⁹. In fact, at the beginning of the Revolution, in order to make possible expropriations, the concept of property as a natural right was overshadowed in order to respond to the urge to redefine the distribution of resources in the name of the public interest (Rodotà, 1981). Private property rights were violated, with the purpose firstly to reach and secondly to establish the new power configuration emerged the day after the revolution: at the advantage of those medium and small farmers who had the possibility to increase their patrimony thanks to the first wave of expropriations. An order, however, defined by owners for owners: destitute individuals had no right to vote and to take part to the decisions of the Assembly. Inspired by principles of equality and freedom, the right of property was defined by the new public authority - the Constituent Assembly - in 1789 in the following terms: “La propriété étant un droit inviolable et sacré, nul ne peut en être privé, si ce n'est lorsque la nécessité publique, légalement constatée, l'exige évidemment, et sous la condition d'une juste et préalable indemnité ».¹⁰

From the beginning, the emancipatory spirit of the French revolution was expressed itself in

9 Not completely paradoxically however. In fact, although confiscations violated property rights. They were nevertheless justified in the name of the public interest. One of the main reasons why the French revolution burst was the state of indebtedness of the monarchy. Hence the alienation of the Church's patrimony was understood in the name of the general interest. Among the most craved, there were the huge domains of the Church, preserved through the centuries thanks to forms of servitudes such as *mainmorte* which assured the inalienability of the goods though centuries.

10 «Déclaration des Droits de l'Homme et du Citoyen» , 1789, art 17.

plural and often divergent terms, resulting from the multiplicity of expectations animating the so-called Third State, a definition grouping the great majority of the population and hence, an extremely varied set of social and economic conditions at the time of the *Ancien Régime*. The expectations concerning land, property and emancipation not necessarily coincided as it emerged in the process of land confiscation and redistribution.

As soon as the small and medium landowners obtained the dismantlement of many royal and feudal obligations, supported by the narrative of equality, the destiny of common lands and confiscated resources became a major argument, engendering conflicts among farmers, in particular dividing owners from waged workers.

At the end of the process, the emancipatory process of the French Revolution liberated property more than individuals. Despite the radicality implied in its principles: in the new regime, political citizenship depended on property and equality finally concerned only those who had access to it. While in the feudal system, obligations and limitations to the individual entrepreneurial possibilities existed despite property; after the French revolution, the new threshold of emancipation shifted to coincide with private property, which represented the new social divide: “Bientôt ce sera entre ceux qui possèdent et ceux qui ne possèdent pas que s'établira la lutte politique; le grand champ de bataille sera la propriété” (De Tocqueville, 1893). As Arendt pointed out, the revolution contributed to emancipation on a political level, but failed on the social level (Arendt, 1963). Despite what was built as a common emancipatory horizon, emancipation remained incomplete, both in the aftermath of 1789 facts; and in the long term, since private property created the conditions for the emergence of the oppressive framework of capitalism, which will later trigger further emancipatory narratives¹¹.

Emancipation as a matter of sovereignty over the self was supposed to be achieved through the sovereignty over the land, land being the main source of wealth, well-being and material security, the basic condition for and the trigger of an increasing multiplication of entrepreneurial urges. « C'est par la propriété privée [...] que l'homme peut accéder à la propriété de soi » (Castel, 1995). But the land was also a scarce resource. Necessarily an emancipatory project built on the universal, private appropriation of land was an unsolvable paradox. The aporia of the French revolution as Castel named it¹².

In the long run, the aporia of private land ownership necessarily led to new oppressive conditions. The technological progress of the rising industrial sector and the transformation

11 This should not overshadow however, what still today is perceived as emancipatory concerning private property. Just to mention a few aspects, intuitively: recognition, material support to the development of a life strategy, autonomy, sense of security, sense of belonging and the possibility of territorialisation that comes with it. But what I am trying to stress in this paragraph is that it was the oppressive side of private property to trigger the subsequent shift, towards the establishment of public property.

12 It is worthwhile to point out that it is exactly in relation to such a paradoxical situation that property – meant in the large sense of the word-, as the arrangement for the government of land, has an inherent emancipatory potential, by forcing to mediate the conflicting strategies and rights, as part of a process of social construction. This requires a continuous re-articulation and the redefinition of the property, adapting to the unavoidable evolution of cultural paradigms, economic needs and political attitudes.

of agricultural productivity engendered a process of land accumulation, accentuating scarcity and -as a consequence- existing inequalities, decreasing property accessibility for the majority of the population. Although for a long time, small property was maintained by workers to increase their security, at the beginning of the 20th century most of them preferred to sell their properties in the countryside and to invest their energy and savings in the dream of living in the city, relying on a supposedly emancipatory waged position, in the city¹³. Having lost any form of material support, for the greatest number, the only source of security became their capacity to work. It is at this point that a second relevant shift occurred concerning the relationship between property and emancipation, with the establishment of public property and the welfare state as the system to regulate the access to it. According to Castel « La propriété sociale n'est pas la propriété privée, mais c'est une sorte d'analogon de la propriété qui fait fonction de propriété privée pour les non propriétaires et qui leur assure la sécurité » (Castel and Haroche, 2001). Considered as an invention (Castel, 1995) *la propriété sociale* or the welfare state was constituted as a redistributive machinery¹⁴. It had the same function of private property, by providing the financial and material means for security and social assistance¹⁵, therefore supporting the emancipation of the individual. As a condition to access that machinery, waged labour replaced private property in the provision of individual security (Polanyi, 1944; Castel, 1995), in the achievement of social citizenship and in the establishment of a social order. The State, at the core of the system, guarantees the access to social property on the base of the same exclusive prerogative of private property: the prerogative of a territorial sovereignty The

13 Emile Vandervelde, born in Ixelles in 1866, is one of the central figures of socialism at a European level, enrolled in the POB (Parti ouvrier belge) since its foundation and founder of the Labour and Socialist international (1923). One of his first works, "La propriété foncière en Belgique" (Vandervelde, 1900), describes the transition from the agricultural society to the industrial society. The book is published in 1900, after a decade of promulgations of the first labour laws. As in the case of other countries – although happening in different moments- that transition corresponded to the installation of the waged society. To summarise, two synergic, complementary processes converged, supporting the progressive industrialisation of the country: land division and land accumulation. Because of the succession regulations and in the name of the Napoleonic strategies of control of the population, land parcels became increasingly small. This did not impede the concentration in the hands of few owners especially in those areas surrounding the growing industrial agglomerations such as Brussels. Where bankers, small industrialists and other wealthy investors preferred to invest, far from the unhealthy urbanising centres but well connected by the railway system. With the progressive concentration of lands and resources in the hands of few owners, private property of land became either inaccessible or insufficient to support the wellbeing of the proletarian households. The unsolved demands for security and social protection, the emergence of the social question defined the conditions for the creation of new forms of social assistance and the first labour regulations. In other words, the conditions at the origin of the welfare state.

14 For the definition of welfare in Belgium, see Appendix B, Glossary.

15 « Le logement social, les services publics, un ensemble de biens collectifs fournis par la société et mis à la disposition des non propriétaires pour leur assurer un minimum de ressources, leur permettre d'échapper à la misère, à la dépendance et à la déchéance sociale. » (Castel and Haroche, 2001). What is lost is the identification of property with the primordial gesture of appropriation and transformation of resources. The property of *propriété sociale* corresponds to the acknowledgement of the contribution of the individual to the functioning of society. The expression "to own is to be" is replaced by the expression "to work is to be", as suggested by Castel (Castel, 1995) but also Polanyi (Polanyi, 1944). Private property continues to represent a status symbol, but is not indispensable in relation to the emergence of the individual or individuation.

State, *instance du collectif* (Castel, Haroche 2001), as a second absolute (Rodotà, 1981; Mattei, 2012), public and private property working both on the basis of a logic of sovereignty and exclusion. As an analogon, *la propriété sociale* far from replacing private property, actually consolidated it, by creating an alternative so that private owners could continue to enjoy their goods, undisturbed by whatsoever contestation of their wealth or of the privilege of owning. The expression *propriété sociale*, well-known in the socialist associative movements around the end of the 19th century, was used by intellectuals such as Durkheim and Bourgeois looking for an alternative, a third solution in between the hegemony of private property and its complete abolishment.

As private property, the definition of a public form of property made also possible some relevant emancipatory shifts. It introduced the possibility of social mobility, made conceivable and possible by the differentiated continuum of social positions characterising the waged society (Castel and Haroche, 2001). The introduction of social property did not eliminate inequalities and the distances between the different social categories remained almost the same¹⁶. But it produced a generalised improvement of living conditions and most importantly, it made inequalities comparable. Before the installation of a wage-based system of social insurance, social discontinuities –the distance between the patron and the servants- appeared and were unsurmountable. In a waged society, inequalities –far from disappearing- are made comparable and the possibility of social mobility –in theory- is a concrete option.

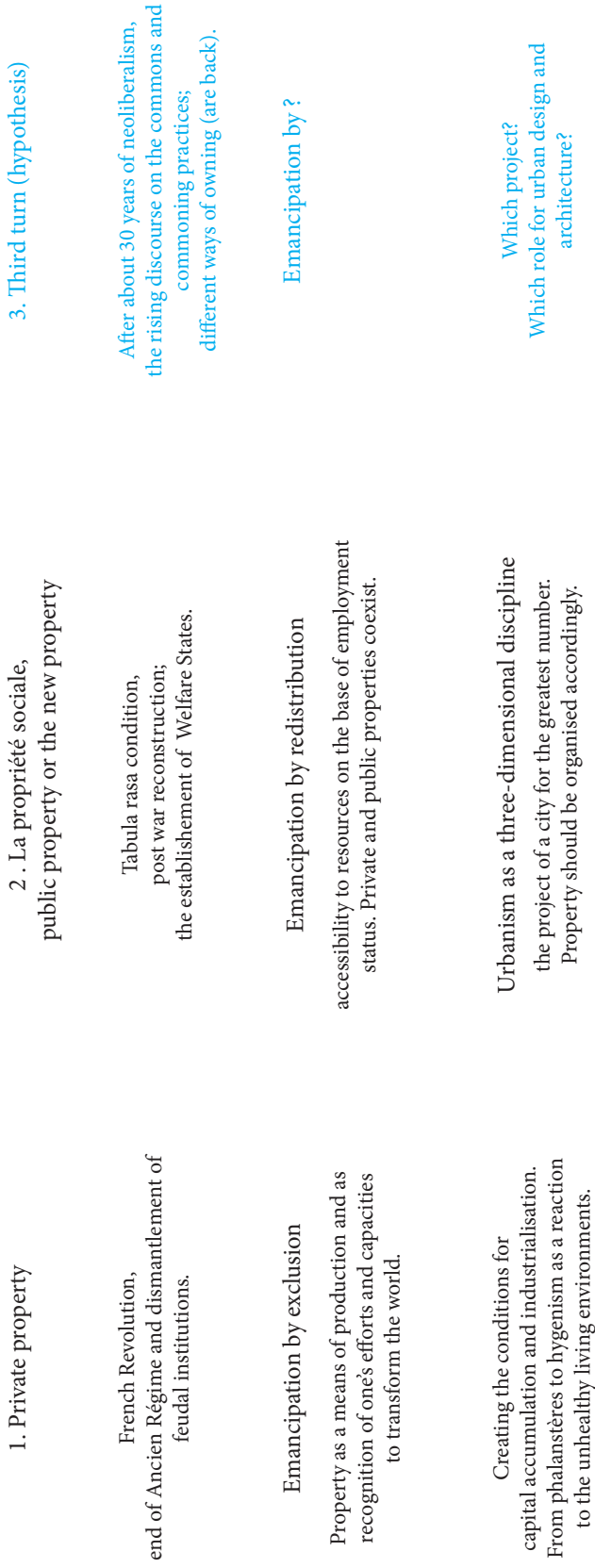
Secondly it embedded individualistic projects of emancipation –built on private property- in a larger collective endeavour, implying a reciprocal recognition: of the individual towards society, as a provider of security when unable; of the society towards the individual, rewarded in exchange of her contribution to the making of society. Assistentialism was replaced with the right to social security¹⁷. Although it has to be said, the whole system being based on labour as a means of exchange, it entails the stigmatisation of non-working subjects. Durkheim and Bourgeois, both actively engaged in the installation of the social property theorised and introduced the concept of social rights. Not only the access to social property and security progressively became a right, but being embedded in society and mediated by the State, it was also de-personalised, freed from paternalistic concessions. The State, an abstract *instance du collectif*, gives the possibility to emancipate from community-related forms of protection typical of the proto-industrial age. Those forms of protection were certainly based on a less abstract relationship between employers and workers, but at the same time, they were also less universalistic in their range and often paternalistic in their manners (Sennet 1980).

And finally, the third radical shift introduced through the establishment of a public property

16 As stated by Castel concerning France (Castel, 1995), but also as reported by FGTB (Fédération Générale des travailleurs Belges) concerning Belgium (Puissant, 1998).

17 This is the reason why Castel uses the expression *état social* instead of *état providence*. In the perspective of a social embeddedness, a true emancipatory process would not happen in individualistic terms and at the expenses of other individuals. But it would involve and concern the rest of society. Laclau would identify this aspect as the holistic dimension of an emancipatory process.

Fig. 2.1.1 - The relationship between property, emancipation and the project of the city: main turns.



was the concept of accessibility as an alternative to the ownership of resources¹⁸. Implicit in the redistributive logic of financial supports, the concept of accessibility will be fully expressed in relation to the land use and the project of the city, as it will be shown in the next chapter: by providing social housing, a variety of services and structures for health, wellbeing, education; public space infrastructured for social gathering and the making of society. Roads and a system of public transport to make accessible workplaces and leisure areas (Ryckewaert, 2011; Munarin and Tosi, 2014; Swenarton, Avermaete and van den Heuvel, 2015). Though all of this, it has to be said, did not always happen without contradictory and controversial effects. Anyhow, in the name of the paradigm of accessibility, directly and indirectly, emancipation shifted from the scale of an individual plot to the scale and the project of the whole city, claiming the right to healthy living environment for the greatest number. Among other tools, zoning was developed for the design of the urban space and the management of the territorial resources, with the purpose of separating functions, organising accessibility, assuring the compatibility of the different activities.

As it is well known, the model of society and the rights established by the welfare state relied on the productive rhythms characterising the first thirty years after the second world war, the so-called golden age of the welfare. As soon as unemployment started to rise again, a new social question emerged: at its core the precarisation of work – and the related forms of protection-, on the background of growing individualism. At present the small private property is increasingly inaccessible, the middle class is disappearing as the effect of growing polarisation, while the support of the welfare state in many countries is shrinking. If in the pre-welfare society individuals facing difficulties could rely on a fabric of solidarities and forms of reciprocity, the contemporary society cannot count on such a system anymore. According to Castel, the hypermodern individual builds its strategy in isolation, by choice or by necessity. Disaffiliation is the condition of individuals as emerged by the end of the last century.

At present, a variety of emerging practices should be read as a sign of a forthcoming phase: practices re-inventing the way of doing things, the approach to the use of resources, fuelling reciprocities –not necessarily solidarities- and –according to my interpretation- suggesting that the relationship between property and emancipation has perhaps reached the moment of a third turn (Fig. 2.1.1).

The project of emancipation

Making the commons is an *ad hoc* practice. Commons are site-specific. They need to be instituted, to ground in relation to the conditions of a given context and to the available resources, relying more on the capacities of the concerned communities than on external forms of assistance. While this does not exclude the possibility that local administration could contribute, the hypothesis is that the concerned communities could take care of the resource,

18

Before the enclosures, accessibility was the logic of the commons, as an alternative to ownership.

suggesting and making possible a specific approach to their management. This requires a strategy, a program, allowing to govern the resource in consideration of the different needs and possibilities, even more essential when the resource is land, a scarce resource, paramount to fulfil individual and collective basic needs. A commons *par excellence* then, according to the definition elaborated in Italy, as a result of the work of Commissione Rodotà¹⁹.

When it comes to land, that strategy is called project. In the case of the îlot *modèle*, it took the form of an exercise of architectural design. In fact, as I shall explain, already in the past the project –from architecture to the plan- and the theorisations about it played a fundamental role in the relationship between property and emancipation. Not in a remedial position –as suggested by Benevolo (Benevolo, 1963)-, but anticipating the needs of society, it was urbanists, architects and engineers who –in-between the end of the 19th century and the beginning of the 20th, especially after the destructions of the First World War- coherently with their project proposals, voiced the growing need for a state intervention in the creation of a supportive welfare and towards a different land tenure system so that land could be protected from speculation and infrastructures could be realised more rationally.

Purpose of this paragraph is to introduce the third element involved in the relationship between property and emancipation, when land is concerned: the project. Given the framework of this research and in particular, given the constantly moving horizon of emancipation, the aim will be more about reminding that that relationship was already and importantly theorised in the past, as a relevant precedent, than about questioning the actual impact of those theorisations. One thing is to remind that a few attempts were done to project the city in emancipatory terms while addressing property and land tenure; another thing is to question and to verify whether indeed those proposals contributed to emancipation. Through the research process, I have realised that the second hypothesis is in fact a delicate task –If not impossible- when addressing projects which belong to the past. How to question emancipation when looking at projects that have been proposed or realised on the background of necessarily different material conditions and systems of values? Again, whose emancipation? According to who? From what? When knowing that what was perceived as emancipatory in a given time could transform into an oppressive condition later.

As a consequence, in the framework of this dissertation, I had to limit my observations and inquiries to the theoretical debate and to the official history as it has been reconstructed and represented through primary and secondary sources. This will necessarily imply at least two important levels of simplification, which it is important to point out, in order to relativize any statement concerning the actual contribution of the project to the articulation of the relationship between property and emancipation. First of all, by referring to those sources, it will be especially the official debate and positions of the discipline –of urbanism in particular- which would be portrayed. The debate as filtered through urbanism journals and as built in the

19 https://www.giustizia.it/giustizia/it/mg_1_12_1wp?facetNode_1=0_10&facetNode_2=0_10_21&previousPage=mg_1_12&contentId=SPS47617

occasion of main events, recorded by reports; all those materials lead to a reconstruction of the dominant, official positions and theorisations. While they certainly influencing everyday practices, they also possibly overshadowed the variations and hybridisations operated by anonymous professionals in their daily practices, far from the needs and the spectacularisation of the big cities stages, having to come to terms with existing regulations, resources limitations and conflicting rationalities. A more precise account of that secondary urbanism –so to speak– may reveal a range of shades, specificities and attitudes finally blurring or relativizing the absolutisms of the archstars and intellectuals of the time. To focus on the concrete practices of those years would necessarily require an *ad hoc* research, as previously mentioned, an effort that could not be accomplished for this dissertation.

The second simplification concerns emancipation. The specific meaning the word emancipation could have had in those days will be derived from the primary and secondary sources. It will then be emancipation as meant by the intellectuals having a position relevant enough to have a voice in the national and international debates; and in particular, architects and urbanists, given the specific concerns of this research. Many of them –Le Corbusier, Giedion, Gropius among the most renewed– considered intellectuals –architects and urbanists being among them– as an elite with the mission to guide society towards a brighter future. Those intellectuals actively contributed to define the contents and the forms of an ideal life, an ideal home, an ideal work-leisure rhythm and the related spaces. Somehow suggesting to “the man in the street” –to use Lluís Sert words– what colour the horizon of emancipation should have had. Hence living in 2018, it is difficult to say how those projections were lived and interpreted by different social groups. If what the elite suggested was indeed close to the aspirations of people and lived as emancipatory. Or if it was simply an abstract construction. Despite these approximations, I have no other choice than to refer to what is defined as emancipatory in the literature.

Despite these limitations, the debates and theorisations of those years remain however interesting for the horizon they defined, indeed having an impact on the actual practices, on the shaping of the role of the project –urban or architectural– and the relationship with property, towards what was deemed emancipatory. Those debates, the concern about property as a key condition for an emancipatory project of the city weakened in the following years. Or lost the ambition to have a role in the decisional processes concerning the use of resources and land in particular. This research, on the contrary, will suggest that under the present circumstances that debate could and should have a second life and in particular, once again, urbanists and architects could have a relevant role in the articulation of the relationship between property and emancipation.

The relationship between the project of a living environment and property is established and makes sense at a fundamental level, one being essential for the operationalisation of the other. Both property and the project –or the need to transform an inhabited environment or the need to organise land uses– work by tracing delimitations. Delimitations to divide and make compatible different functions; delimitation to apply regulations; delimitations allowing to

recognise and to attribute rights and responsibilities, in other historical moments to organise privileges. It is hence intuitive to understand that planning recognises and implies the use of property as a tool to translate a spatial strategy in a bundle of regulations that allow performing that strategy, to govern the territory. Relying on expropriation or the eminent domain as a device to reorganise ownership in the name of what is deemed the general interest -or common good. A practice which should be expression of the balance between collective and individual interests, according to which if private property can be indeed recognised –as the right to a compensation would further prove- ideally that could be possible only within the field of limitations defined by the interests of the concerned communities²⁰. On the other hand, and especially from the perspective of the private property, it could be said that it is because of and thanks to a plan or in the framework of some sovereignly defined land use scheme and the related attribution of rights and duties that private, common and public property can be respected and legitimised. Their balanced configuration allowing to fulfil individual and collective needs at the same time²¹. Their balanced configuration corresponding and contributing to the balance of the powers at stake in a given moment, in theory. Looking at eminent domain or expropriation as a practice that has a justification in the common good, it could be said that the relationship between the project of the city or of a territorial domain and property is as old as that practice²², in other words confirming the fundamental relationship between the two as above mentioned. While, as just mentioned, the project of the city and property –in any form- somehow imply each other by definition -the former in order to be performed and the latter as a legitimising and protective framework-, the idea that an adequate project of the city could contribute to the emancipation of its inhabitants emerged more specifically in relation to the dramatic living conditions engendered by the industrial revolution. At the origin of that idea, hygienist concerns which, on the other hand, very often simply provided the reason to enact violent slum clearance interventions, without taking care of the relocation of the displaced households, thus far from being emancipatory.

Hygienists concerns were especially brought to the attention of administrations by architects and doctors. Under the pressure of their reports and of the actions and reclamations of an increasingly aware working class, the State, the local administrations were asked to intervene²³, to support the punctual and often paternalistic actions of industrialists. But already by the end of the 19th century, the overcrowded neighbourhoods and the housing question were

20 In her book on the origins of land expropriations, Susan Reynolds proves that that practice was well established and functioning in Europe and United States before the 17th century. In many cases it was simply taken for granted and even applied without compensation, assuming the superiority of the community interest or what a lord or king claimed to be so. It will be as soon as private property became the object of radical critiques after 1800, that expropriation for the common good will start to be questioned, in the attempt to resist the weakening of private property (Reynolds, 2010).

21 In Locke the State was legitimised as the authority allowing to protect private property from other private owners' violations, as it will be explained also in the next chapter.

22 See Reynolds, as mentioned in footnote 20.

23 See among others Le Home, August 1911.

only part of a larger problem: the wild growth of metropolis, under the impulsion of the industrialisation. Moving from a merely architectural point of view concerning the urban fabric and morphology, the newborn science of urbanism²⁴ invited to take into consideration the functional organisation of the city, -later as embedded in regional dynamics- at the expenses of any formalism, expression of a society able to regulate itself and to balance the natural and the technical.

Beyond the scale of a building or of an urban block, probably the first radical²⁵ approach towards healthier living conditions and ideally towards a more just society –based on a different land tenure system- was the garden city of Howard (Howard, 1898). The first one, Letchworth, was established in 1903 at 50 km from London. The Garden City can be considered as the first attempt to address emancipation as the result of a sort of holistic approach, going beyond fragmented urban interventions concerning single buildings or blocks. According to that model, the project of the city and the land tenure system were two strictly interconnected aspects allowing to reach healthier living conditions, at the same time impeding speculation and allowing to retain and redistribute the value produced by the community. The diagram proposed by Howard, while not being a plan for an actual city, was supposed to suggest the spatial criteria that would have allowed the creation of a town of 52.000 inhabitants, decentralised and relatively autonomous, the scale being determined in function of an optimal administration. While it may be observed that a diagram is not a project, neither a plan, it was meant to suggest useful principles to be adapted to the specific situations. The healthy living conditions derived from the spatial qualities of the garden city, from the right balance between the green environment and the built fabric. What seemed to be privileged was the quality of life that a house immersed in the green could have offered. By virtue of the particular land tenure system being established –a trust-families could reach homeownership. What is perhaps less evident is the relationship between the trust and the spatial qualities suggested by the diagram, how one could support or required the other. In terms of emancipation –and should hygienism be considered as the emancipatory horizon at that time- the relevant move was the very act of establishing the Garden City far from the metropolis. Far from pollution and overcrowded neighbourhoods, starting from an ideal condition of tabula rasa, the new town was supposed to be founded on a different land tenure system, allowing to realise a healthy and balanced environmental condition. To which the scale of the town itself, the dimension of the streets, the rhythm of avenues, the articulation of the green and open spaces, the scale of the buildings contributed. No wonder that this will be criticised as an anti-urban move.

The model of the garden city will influence in many ways the urban design theorisations of the

24 Urbanism –*urbanisme*- is defined in several occasions and comparing the practices of the different countries in the pages of *La Cité* of the issues published in 1919.

25 Though not all the scholars agree on the radicality of Howard's proposition. Not only Howard was rather considered a reformist –also considering the way in which he tried to popularise the model of garden cities- but also, *de facto*, many garden cities have provided housing units only to not destitute households.

following years. Largely described and advocated in the reviews of architecture and urbanism²⁶, it seemed to provide an answer to the unsolved housing question and the unhealthy living conditions of the working class, during the years in which architects and urbanist called for the implication of local administration so that new regulations could be defined allowing to preserve land from speculation, but also to improve the aesthetical qualities of streets and public space. The last stages of an approach to urbanism not completely centred on functionalism. Before the war, the principles at the core of the modernist project of the city were already formed, though they will be explicitly formulated only in the following years (Bekaert, 1985). The new science of urbanism was concerned with a functional organisation of the city, to the point of assuming the coincidence of the function with the form. In the new city everything converged towards a balanced and rational way of functioning. As in the garden city of Howard: the spatial aspects, the social and the economical were supposed to work together, as in a perfect machine, with no space for the irrational. Child of rationality, a similar project was meant to be emancipatory by definition, allowing society as a whole to enjoy better living conditions, the redistribution of the wealth produced by the industrialised society, while balancing nature and technique.

The years of the reconstruction will prove to be crucial both for the success and for the deformation of that model. Precisely Belgium has been the country where the destiny of the garden city bifurcated. Where the destiny of the garden city in fact realised the shift to the era of the modernist city. And to a different emancipatory project. Belgium has been the country where the reflections around land use reached a peak moment, on the background of the massive destructions caused by the war. Belgium was *le cas clinique* (Van Der Swaelmen, 1915), at the centre of an international debate which emerged during the war, with around 590.000 Belgian refugees distributed across France, England and Holland (Uyttenhove, 1985). In fact, it will be in in the framework of the theorisations around town planning and through the exchanges with the Belgian architects hosted in England that Verwilghen became familiar with the model of garden cities. Because of his direct knowledge of the model as realised in England, Verwilghen was one of the few to have a thorough understanding of the garden cities. It was very clear to him that a garden city was not only about setting housing in a green environment –as it was often reduced to–, but also and most importantly, it was about a different land tenure system, allowing to avoid speculation. A model with a radical potential of transformation of society, mediating in between the –somehow moralising– Catholic values of amelioration of society and equality on the one hand; and the trust in the technical possibilities of urbanism on the other hand (Zampa, 1999). Though not being a fan of private property, Verwilghen was convinced about the value of the family-based households and he was convinced garden

26 Such as La Cité or Le Home, in the case of Belgium, since 1919. La Cité was established after the end of the first world war with the purpose to inform about and make popular –*vulgariser*– the technical challenges related to the reconstruction. A magazine meant to explore the complex intersection of all different aspects related to not simply the reconstruction but to “l’art innombrable de présider à l’épanouissement d’une région et de tracer le plan d’une ville”, as stated in the first number of the magazine (La Cité, Juillet 1919).

cities provided the ideal compromise. However, despite its popularity²⁷ and the ideal living conditions it promised -though reinterpreted in relation to the Belgian conditions-, the model of garden cities started to be abandoned from 1921, both under the pressure of the massive needs for housing at the moment of the reconstruction; and as the result of the dismantlement of the laws in favour of cooperative organisations (Smets, 1977). Among the reasons of the success of the model of garden cities there was not only the answer to the hygienist concerns of the time, but also the possibility to implement the ideals of efficiency in land use, eventually resulting in the beauty of aligned buildings, interweaving with the green setting. The order thus achieved was ideally responding to some basic concerns of those years. Belgian reviews such as *Tekhné*, *La Cité*, *Mouvement Communal*, voiced very often the pleas of architects and urbanists for a more efficient approach to land use, and -to that purpose- for a stronger role of local administrations and the State in establishing regulations and redefining land uses and property attributions²⁸. The first law in urbanism was about the alignments of building along streets and the very *tracées* of the streets. Concerns dictated by a beautifying attitude, but also by a fair share of functional, rational approach to the organisation of roads and infrastructures of an increasingly industrialised country²⁹. It was in 1915 that Van der Swaelmen, wrote “Preliminaires d’art civique”³⁰ suggesting some basic principles for an urbanism mediating between beauty and function, alignment and efficiency, according to which in fact not only function results in form, but form in itself has a function. Sign of the times and of the shift to a new approach to the project of the city, the death of Van der Swaelmen will be commemorated with a special exhibition at Palais des Beaux Arts in Brussels, in the occasion of the 3rd CIAM, dedicated to the “*Lotissement Rationnel*”, in 1930.

While the reflection on land tenure started well before the war, the *tabula rasa* produced by the war not only made that reflection urgent: in fact, it allowed to re-imagine a radically different, functionalist project of the city, though well-rooted in the previously mentioned conditions and theorisations. In other words, the post war conditions traced a watershed line, notably in

27 Going through the pages of *La Cité* or *Le Home* (issues published around the beginning of the 20s), the garden city is frequently mentioned, though mostly interpreted in the reduced version of a neighbourhood in the greenery.

28 Even the division among different local administrations was questioned, as a potential obstacle against a rational organisation of the territory, in particular concerning “*les grandes agglomérations*” (*La Cité*, avril 1924)

29 However, Bodson, architect and urbanist, at that time *Commissaire de l’exposition de la reconstruction*, criticised the lack of preparation of Belgian architects in these terms: “*Le town planning pour eux c’est l’alignement*”. (*La Cité*, Octobre-Novembre 1919)

30 With Eggericx, Van der Swaelmen was the architects of the garden city of Logis et Floreal (1921-1927) and one of the main protagonists of the Belgian reconstruction, often working in collaboration with Verwilghen. They were both editors and contributors of the urbanism journal *Tekhné*. Though not internationally famous as Van de Velde or other architects and urbanists of that period, he apparently was an influential figure and enjoyed some recognition, to the point that in occasion of the 3rd CIAM held in Brussels a few panels were dedicated to commemorate his theorisations. According to Puissant the authors of the Athens Chart probably were familiar with the “*Preliminaires d’art civique*”. The concept of a continuity between architecture and urbanism, between the green and the built as different levels of a single project of the city, leading to a healthier living environment, was rooted in the theorisations of Van Der Swaelmen.

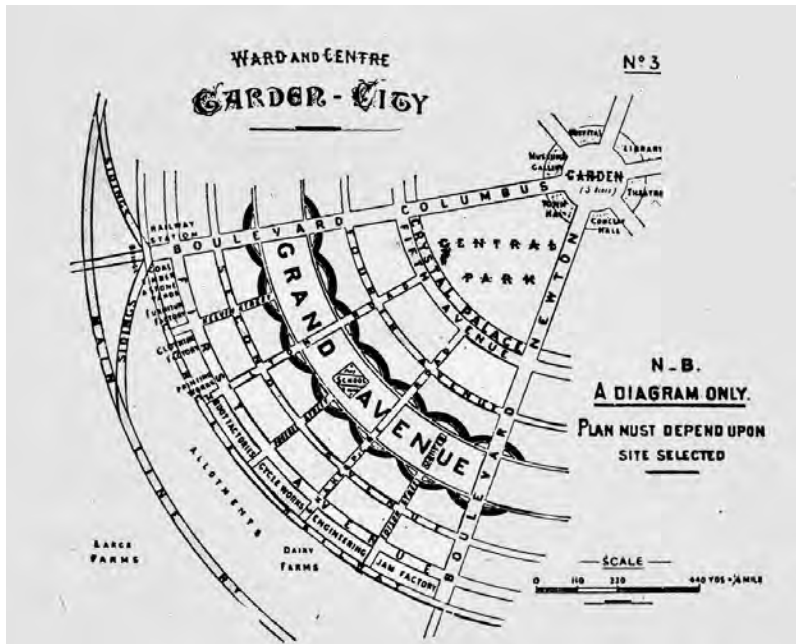
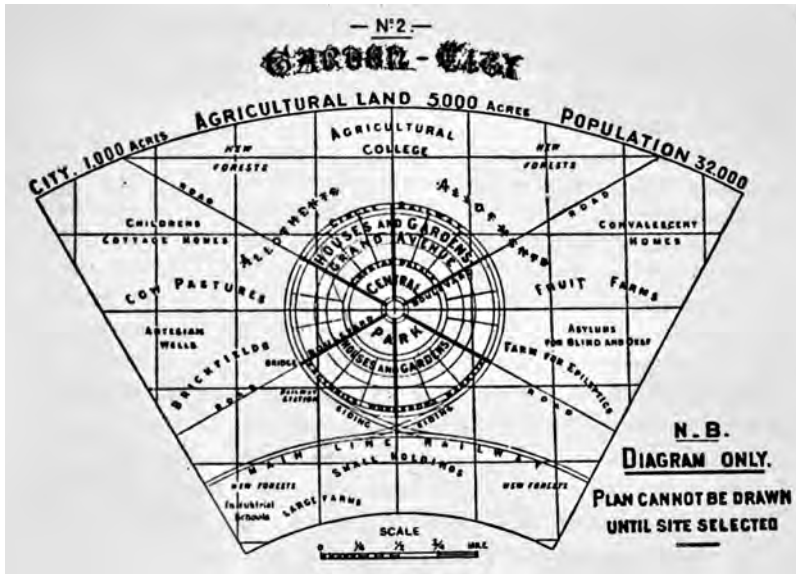


Fig. 2.1.2

Diagrams from Howard (1902), Garden Cities of To-morrow. London: Sonnenschein & Co Ltd.

terms of the entity of the problem to be addressed, the number of homeless people, the massive destruction of city centres and dwellings, making urgent a new approach to the making of the city. Coming to terms with a similar situation, the modernist city will amplify and upscale the themes of the garden city, to summarize with some degree of simplification. But the scale is not a neutral factor when it comes to space and the inhabiting capacities of human beings. Precisely the intent to address “the greatest possible number” –instead of a few privileged households– will result in a diametrically opposite project: from a marginal role of local administrations and ideally an autonomous governance of towns to the central role of the State and administrations; from an anti-urban attitude to the reclamation of the city as a whole, as a way of living, as an emancipatory environment; from cooperative or collective property to the public property as a tool to redistribute access to land and other built assets.

From the end of the 20s to the end of the 50s CIAMs represented a relevant stage of the debate in urbanism and architecture. To look at that debate has the advantages and disadvantages of dealing with the positions of some dominant figures while leaving on the background minor and different ideas, and the critiques to those dominant positions. On the other hand, to go through the daily practices of architects and administrators of those years, behind the scenes of the official debate, considering the variations of the different countries would have to be the object of a dissertation in itself. In the framework of this research despite the degree of simplification that this might imply, to look at the official debate is hence the only possible option. At the very least it will provide the possibility to have an overview of the main moments of an ongoing international debate, of the discourses and theorization -around property, emancipation and the role of the project- which anyhow are considered to have been largely influential, especially looking at the urbanisation processes after the second world war.

CIAMs were created with the purpose to guide architecture and urbanism practices towards what was deemed to be a more efficient, avant-garde, organisation of the city, by reconnecting architecture to the social and economic needs of that time, against any form of aestheticism.

If architecture was supposed to be “intimately linked with the evolution and the development of human life” then in 1928, on the background of the growing industrial development and the urgencies highlighted by the reconstruction, the challenge was to take advantage of the technological advancements of the time in order to satisfy the spiritual, the intellectual and the material demands of the life in those days. A professional obligation of architects, according to La Sarraz declaration (Berlage et al., 1971), as professional and intellectual figures aware of the “disturbances” of the social structure provoked by machines. So from the very beginning, the CIAMs were conceived and organised to promote the emancipatory approach of the modern architecture and urbanism. Emancipatory, though the specific content of that emancipation, the oppressive conditions and specific issues in relation to which they were supposed to intervene, will slightly evolve through the time, from the end of the 20s to the end of the 50s. And with it the conceptualisation of the kind of lived environment that could have supported

the emancipatory endeavour.

Rooted in the hygienist concerns of the end of the 19th century, the agenda of the CIAMs was further defined by the quantitative urgencies determined by the post-war reconstruction. From the very beginning, efficiency was a means, the spirit of the time and the guiding principle in the organisation of the lived environment. However, the purpose of efficiently organising the use of resources and the city was not that of maximising profits, but instead of minimising efforts and providing better living conditions, taking advantage of the technological advancements. Though ambiguously so, given the implication of Le Corbusier –as one of the most influential and most prominent members of CIAM, at least in the beginning, with the French elite, technocratic group of industrialists called *Redressement Français*³¹. Having to comply with the declarations of the CIAMs protagonists³², an efficient organisation of resources would have allowed better living conditions and the flourishing of human beings. In that sense, the *existenzminimum* was about redistributive purpose as much as it was about a new lifestyle. Efficiency would have allowed not only to address the housing question for the greatest number, making possible the realisation of cheap housing units, based on the respect of the biologic conditions. It would have also promoted a “socially superior mode of life”³³, more collective, not based anymore on the traditional family roles and rhythms, hybridizing them with those of the community, liberating time for women and their professional development, as Gropius in particular pointed out. The minimum dwelling was supposed to be the starting point, the elementary unit built around the basic biological needs of human beings and around which all the rest –from the building to the whole city- was supposed to be designed. Emancipation was about redistribution as a means to fulfil also the right of every human being to enjoy free time, the light, the contact with nature. The reflection about the height of the buildings, as an implication of a mass production, but also as a condition to obtain better light and ventilation, started during the 2nd CIAM on the minimum dwelling.

The 3rd CIAM concerned the “*Lotissement Rationel*” -rational site planning-. On the background of the preparatory meetings, the debate in those days was about the development of garden cities in Russia. The Green City, in particular, was supposed to be a special kind of garden city conceived to allow workers to relax and take care of their health every four days of work. It was on the occasion of the competition for the design of the Green City that Le Corbusier further developed the drawings and concepts that later will be at the core of Ville

31 While indeed the program of *Redressement Français* was to take advantage of the rationalised industrial production to address social injustice, it has been suggested that their actual purpose was in the first place to avoid that the workers could support the Communist propaganda (Mumford, 2000)

32 In fact it would be problematic, in the framework of this research to revise and to question the actual emancipatory impact of the positions of a group of intellectuals, an élite –according to their own words- which should have guided the process of emancipation of society. The popularity of the CIAMs architects and their relationship with “the man in the street” – as an opposite position to the intellectualism of Le Corbusier, famously, among others- has been debated largely debated, in particular during what the historian Mumford identifies as the third phase of CIAM (1937-50).

33 Moisej Ginzburg quoted by Anatole Kopp (Kopp, 1978)

Radiuse. In the book, published in 1933, the reflection on property is made explicit, in the terms of a critique to private property as an obstacle towards the realisation of the modern project (Le Corbusier, 1933). Looking at the plan of the Radiant City (Fig 2.1.3), it is interesting to observe that the abstraction of the representation makes it more similar to a diagram than to an actual project. Another diagram, after the one of Howard, showing the spatial aspects of the relationship between a given land tenure approach, a given redistributive scheme and the related idea of emancipation. The spatial aspects implied in the Radiant City, however, could not be contained by a bi-dimensional representation. The 3rd CIAM stated the direct and functionalist relationship between architecture and town planning, between the volumes and the plan. In fact, it will be in the framework of the third congress that Gropius will be able to continue the reflection -started during the previous CIAM- on the ideal height of the buildings, as an element strictly related to the bi-dimensional strategy of the plan, to the ideal distance between the buildings and the generosity of the open space (Gropius, 1929). With the purpose of efficient and emancipatory management of resources, the decisions about architecture and those concerning the ground, from plot division to the organisation of roads and distribution of functions, were necessarily strictly and coherently bounded. One was supposed to be the continuations of the other, one was supposed to reinforce and make possible the other, thus allowing to reach an ideal balance between quantitative and qualitative needs. To start with, the housing question: if housing was a mass need, then it was about the minimum dimensions of the dwellings as much as it was a town planning problem, as the artist and critic Karel Teige emphasised on the occasion of the 3rd Congress. Urbanism was a three-dimensional science, as Le Corbusier stated in the framework of the 4th CIAM, the element of height allowing to realize what was organised at the level of the ground.

In the direction of realising the functional city –as theorised during the 4th CIAM-, the possibility of land mobilisation was of paramount importance for Le Corbusier, who saw in private property an obstacle to a rational organisation of land uses and the realisation of such a city project. Nevertheless, at the end of the Congress, the official conclusions were not so straightforward, mostly in consideration of the multiplicity of voices who shaped the debate and which were involved in the elaboration of a preliminary conclusive document. At the moment of writing the Fundamental Postulates neither the expression “land mobilisation”, nor the word expropriation –used by Le Corbusier- were used. They were replaced by a more generic expression such as “private interests should be subject to collective interests” (Mumford, 2000).

If the city theorised by 4th CIAM marked a point of arrival for the functionalist approach, the 5th CIAM, under the influence of the values of the growing syndicalism, started to orient the reflection in a different direction. The culture of free time and of a healthy body was at the centre of the Congress dedicated to “Logis and Loisirs”. It stressed “the role of town planning in producing a well-rounded society [...] the close connection between environmental circumstances and life possibilities”(Mumford, 2000). The time after work was considered

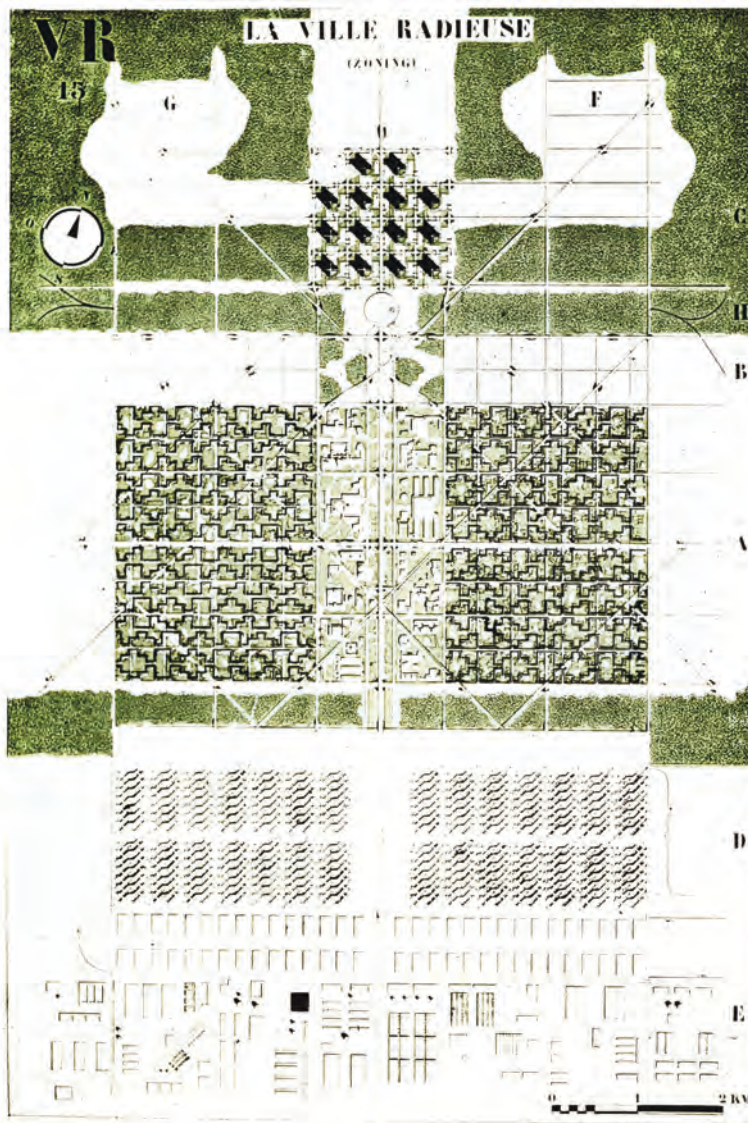


Fig. 2.1.3

The plan of *la Ville Radieuse*, Le Corbusier. A. Housing. B. Hotels and embassies. C. Business centre. D. Factories and warehouses. E. Heavy industry. F. and G. Satellite towns. H. Railroad station and air terminal. Image from *La Ville Radieuse*, Le Corbusier (1935).

as much important for productivity as the time dedicated to work, hence appropriate spaces needed to be designed in order to make the restoration of the body possible. The attention to the body was still in hygienist terms, within a productive-functionalist paradigm, oriented to efficiency and rationality as the normative, emancipatory horizon.

A further turn in the CIAM discourse questioned design in relation to the community needs, until that moment a rather neglected aspect, despite from the beginning Le Corbusier stressed the importance of collective activities and the need for appropriate spaces –besides the dwelling- having in mind the soviet examples. Hence, while indeed “the city should assure individual liberty and the benefits of the collective action”³⁴, only from the beginning of the 40s a new emancipatory, collectively oriented dimension started to emerge. At the core of it, the purpose was to sustain the emotional life of the community, wrote Gideon and Sert -in 1943, in the “Nine points on Monumentality” (Sert, Léger and Giedion, 1958) -, life itself in fact advocating for a new monumentality, a community centred monumentality. A position echoing what Mumford wrote a few years before in “The Culture of Cities” (Mumford, 1938). On these premises, community centres will be increasingly advocated, especially in their publicly financed form. This new direction will also allow CIAMs to maintain some sort of avant-garde profile in the years after the end of the war. The reflection around community centres will lay the ground of a whole new approach to the making of the city, centred on the sense of community, the human scale and an increasing concern about the specificities of the context. CIAM 8th was dedicated to “The Heart of the city” and it focused on how to reclaim some sense of place and meaning, the core of the city, in the rapidly sprawling suburbia of the 50s. The core will later become shopping malls, renewed downtowns and theme parks. The truly avant-garde position was however the relational understanding of the core, as suggested by Bakema: according to him, the design of a built environment had to be primarily meant to engender and support the fabric of relationships among people (Mumford, 2000; van den Heuvel, 2018).

Through the years and the evolutions of the debate, as well as of the historical circumstances, the original emancipatory purpose to provide houses to the greatest number was not forgotten. In Bergamo, on the occasion of the CIAM 7 “the great majority of the world’s population” was mentioned as the target of architecture and urbanism actions. And later on, even more explicitly, in preparation of CIAM 9, Emery pointed out that for three-quarters of the world’s population dwelling was still inaccessible (Mumford, 2000). Purpose of the forthcoming Congress should have been the proclamation of the right to dwelling. Dwelling was not simply about housing: it was rather about a bundle of conditions making life complete and comfortable, from the walking radius to the coexistence of different age groups. La “Charte de L’Habitat” would have had to be the output of that Congress, and the Nemesis of the Athens Charter in fact. Though this never happened and la *Charte* was never formulated, Team 10 succeeded in introducing

a totally different, non-zenithal approach to the project and to dwelling, grounded in the appreciation and understanding of the site-specific conditions. The purpose was to reconstruct the relationship between human beings and their homes, their neighbourhoods, their cities, as Alison and Pieter Smithson in particular showed with their work.

Looking -though very shortly and superficially - at the trajectory of the CIAMs, considering the ensemble of the Congresses as the place where the main issues and theorisations around the city, around urbanism and its challenges, were discussed and formulated, it is possible to recognise that while the emancipation of the greatest number continued to be the mission, what changed through the years was the approach to this issue and the conceptualisation of how the project of the city could have responded to that challenge. While initially, it was purely about efficiency and rational management of resources, allowing redistribution and a healthy design of the living environment, subsequently other elements emerged, on the background of the evolving circumstances. The city of the 20s was necessarily very different from those of the 40s. Political conditions were very different. The personal histories of the CIAMs members, with their successes and failures, contributed to transform the positions and to test them into different contexts. The migration of many CIAMs members in the United States allowed exposing those theorisations to the critiques and the urbanisation conditions of the other side of the world. The strictly functionalist approach to the project of the city was gradually softened –or made less brutal- by the attention to other elements, by a more complex and relational understanding of habitat, beyond housing. On the one side, the zenithal diagram of *la ville radieuse*, on the other, opposite side, the horizontal view of the ethnographic approach to the understanding of the city promoted by the Smithsons. While housing continued to be a necessarily main target, the idea of the city and of the living environment in which it was embedded transformed. Supporting the emergence of a sense of community, ideally providing more autonomy than any other assistentialist intervention could have done. Also, the idea that an elite of intellectuals could have shown the way, gradually left the place to the appreciation of local expertise and to the possibility of involving *the man of the street* –as Sert called it- in the design of their living environment.

Through these evolutions property did not disappear from the CIAM concerns. In Bergamo, in 1949, the need of land use legislation was again stressed among the conclusive points of the Congress, the theme being the implementation of the Athens Charter principles through the methodological tool of the grid, as introduced in the previous CIAM. Further research on the primary sources could allow understanding to what extent the topic lost its relevance. What seems evident, however, is that through the years and the debates, the theorisation of the city produced by the CIAMs progressively conveyed the attention on other aspects, beyond the redistributive purposes of the plan, recognising the value of other –perceptive, relational, even political- aspects of the urban environment.

Also, though being very influential, CIAMs theorisations represent only the intellectual side of

the debate of those years, while in fact what happened in the daily practices and in each specific country, region or municipality should be examined, in order to have a complete picture of the concern for property and the role property played in the specific processes of urbanisation. In order to deal with reconstruction needs, with the disruptions of their economic system and the emergence of new needs, each country produced specific regulations, concerning expropriation, private property and the reconstruction plans. The purpose being to address not only the housing needs but also the economic and social transformations occurring in most of the countries. In between conflicting political plans and specific welfare approaches. Each country – and within each country further differentiations should be made concerning specific regions and urban conditions- would deserve a specific exploration of the relationship between property, what was deemed to be emancipatory in a given historical moment and the role of the project. In Belgium, urban sprawl, the dream of a single-family house in a green setting, was encouraged starting from 1948, with the law De Taveye promoting private property. In Italy, during the 60s and 70s, the failures and successes of urbanism in controlling speculation were closely related to the developer's lobbies and their power to influence the regulations concerning expropriation, private property and the building permits (Oliva, 1997).

It was eventually the concreteness of those failures –for planning as much as for architecture- that will fuel the well-known critiques concerning the capacities of urbanism. It has been said the CIAMs organised after the war lost their critical grip. But what should be evaluated instead, is the capacity of the CIAM doctrines and of their members to influence the destinies of cities and increasingly urbanising environments, mostly in the hands of the economic powers and politics rather than in those of urbanists. Despite the aspirations of this category of professionals to operate with some sort of emancipatory or, at the very least, normative purpose³⁵. In similar conditions, expectations necessarily exceeded the actual possibilities to control wild processes of urbanisation for the common good.

As I have tried to show, very roughly, after Howard's Garden City, CIAMs theorisations represented the subsequent and consequent turn of the reflection concerning the relationship between property, emancipation and the role of the project, at the same time urban and architectural. Such a short review, despite the mentioned limitations, was necessary to show how in fact the relationship between property and emancipation has been a relevant one for disciplines concerned with the project of the city. Whose role is in fact essential in the articulation of that relationship, when the object of property is land as a scarce resource. It coincided with –it actually actively advocated for- the attribution of major responsibilities to the State and the public administration, in the name of rational land management and the possibility of an efficient and emancipatory distribution of resources, overcoming all the limitations of a fragmenting land tenure. A reflection which in fact anticipated and contributed

35 Ugo Ischia addressed the topic by pointing out the ethical dimension of urbanists' attitudes in between the 50s and the 70s (Ischia, 2012).

to the establishment of the welfare state as a system of assistance based on the redistribution of public resources –public in the sense of being administered by the State (directly or indirectly). However, another important reason to review that chapter of the history of urbanism is to go to the roots of an important schism (Fig. 2.2.1), that it is perhaps interesting to remind when questioning the current state of the reflection and debate around property, as I will do in the next chapter. As I have tried to point out, and as it was stressed by the very protagonists of the CIAMs, the project of the city was a three-dimensional endeavour. According to such a concept, architecture and the plan were one the continuation of the other, together making possible a certain use of resources. The overall design, efficient and rationally redistributing land, relied on a certain concept of land tenure, questioning existing forms of property. So even when property was not mentioned, its role was implied in the quality of the designed urban spaces and buildings, as a result of plot configuration validated by the architectural choices. From the distribution of functions to the *pilotis* and the minim dwelling design. The critiques to the modernistic approach, while coming to terms with the disordered urban sprawl and the incapacity of the plan to achieve the expected order and rationality, resulted in the belief that planning and architecture were two radically different practices, in the hands of experts and authors respectively (Secchi, 2000). Architecture gained a major role in the organisation of the city and the characterisation of the urban fabric. And planning became the object of a rhetoric discourse on participation, while renouncing to be the expert voice in the control of land uses. It is possible to make the hypothesis that such a schism and the scepticism concerning the capacity of the plan contributed to the domination of other logics, responding to the needs and strategies of neoliberalism, to the detriment of the general interest. Not that the first determined the second, but it certainly had some responsibility, as a tool to realise urban programs that progressively led to the erosion of the public assets, engendering segregation and unjust living environment. As a matter of fact, on the one hand, architecture centralised a presumed capacity to engender urbanity, becoming the primadonna of mercantile projects. On the other hand, the plan has renounced to the project: it has been transformed in bundles of standards and minimum requirements or in seductive narratives, used more as marketing strategies than to prevent land misuses. Very far from the originally normative³⁶, emancipatory vocation of urbanism, necessarily grounded in the political – political in the sense of Mouffe (Mouffe, 2005). The literature review concerning the current state of the debate, introduced in the forthcoming paragraphs (chapter 2.2), has to be framed on the background of such a disciplinary and professional schism.

36 I am using the term with its philosophical primary meaning, thus implying an evaluation or judgement, suggesting how things should or ought to be. From normativity, as an attitude, norms can derive as devices to orient society in the supposedly optimal direction. See <https://www.rep.routledge.com/articles/thematic/normativity/v-1>.

2.2 (The return of) the debate on property

Concerning the project of the city

According to jurists

Concerning the project of the city

One of the reasons why I deemed it important to go through the CIAM history –in the previous chapter- is to show how urbanists have contributed to the shaping of the relationship between property and emancipation when land is the resource. A distinctive feature of their approach was the consistency among different scales and levels of the project, the continuity between the plan and the volumes, urbanism being conceived as a three-dimensional discipline. The role of the project was that of articulating the different aspects and scales, finally converging to a rational organisation of resources: aware of the coexistence and of the intersection, around the same piece of land, of different territorial dynamics, operating at different scales. By the beginning of the 70s, the disappointment towards urbanism and what its tools were supposed to achieve, brought to a separation of the efforts and to the fragmentation of the disciplines I have mentioned. Such a schism is something to consider at the moment of looking at the state of the debate around property and emancipation on the side of the urban project related disciplines.

Going through the literature review -concerning planning, urbanism and architecture- this fragmentation is very clear: the approach to the theme of property -land property in particular-, varies substantially. Considering these disciplines as a whole, in the hypothesis the different projects and plans should anyhow integrate –as any territorial construction is inevitably the result of their interaction- it would be incorrect to say that the debate around property disappeared from their concerns. This is however partially true, as I shall explain.

For planners, the concern about property never disappeared. To a non-planner, the exploration of the literature may in fact appear as overwhelming, as by definition planning is about –though not only- the delimitations of plots, the attribution of functions and of responsibilities. In other words, it is about property, explicitly mentioned or implied in the concept of land tenure. To address land tenure and property issues is unavoidable for planners, that being the other half of the spatial strategies and decisions. Legal aspects represent also the social and cultural half, inasmuch as formal and informal rules and regulations can be considered as forms of cultural expression. To trace a line on the plan is not only about space, but is also about the powers and the relations that will begin to take shape through the time, making a territory. To trace a line means to intervene in pre-existing relationships, almost unavoidably mediated by property meant as a relational institution. An overview of the findings allows observing that

land tenure and property are related to different issues, according to the contexts¹. Roughly, in developing countries property and land tenure are debated in relation to formalisation, women emancipation, entrepreneurial capacities; in western, developed countries the debate is around access to homeownership, privatisation and the emergence of new approaches to the use of resources, mostly inspired to the concept of commons and differentiated according to the urban or rural settings.

Concerning design-oriented disciplines – such as architecture and urban design, though other forms of design are in fact since a few years emerging with a transdisciplinary approach and with the purpose of improving the living environment-, the state of the debate looks more multifaceted. It is indeed true that property, as the juridical institution allowing to organise the distribution of resources –of land- has disappeared from the discourses of architects and urbanists, at least since the 90s up to the present. This could be perhaps partially explained with the crisis of the modernist approaches, by the beginning of the 70s and the related disciplinary fragmentation, as previously mentioned. Property and land distribution became mostly the concern of planning. While architecture and urban design maintain a designerly approach to the project of the city, taking care of the three-dimensional part, of the built as well as of the space in-between the things, while reconnecting to the characters of the territory (Secchi, 1986). They will increasingly serve mercantile purposes. But besides and beyond the specific concern for property, as a result of that disciplinary fragmentation what seems to be lost is an integrated approach to the management of resources. The planner and the architect or urban designer are most of the times different professional figures operating in different moments and not necessarily according to the same philosophy or moved by the same values. What the plan could decide in terms of allocation of resources, attribution of rights and duties, could be -more or less voluntarily- realised or contradicted by the design choices. The shape of architectural artefacts and of the urban space can be seen as the material, physical interfaces through which regulations could be translated in or overwritten by practices, allowing humans to interact with the non-human. It is actually an open question, whether that supposedly ideal continuity between planning and the design of the physical space (chapter 2.1) has been lost for the good or for the bad. Because while the convergence of the plan and the built space towards a coherent living environment, may be empowering in the case of an emancipatory attitude, it would result in a reinforced oppressive condition in the case of an unjust or segregating plan, for example. In the name of that continuity, the dream of redistribution has often become the nightmare of massification.

Hence, a question which would be interesting to ask, in case of divergent or at the very least not coordinated approaches –planning on the one side, the design of the lived environment on the

1 The overview is based on the research results obtained using the key words “land ownership planning”, “property planning”, “property rights urban design”, “land ownership emancipation” on Limo and Primo research platforms.

other side, often deploying in different moments and being developed according to different principles, one derogating the good or bad intention of the other-would be: could design have an impact on existing property agreements? Could the practices installed in a site, thanks to the design of the lived environment overwrite or force existing property agreements –as recognised by and embedded in a given plan? While this question would require a dissertation in itself, it could be simply reminded here that, for example, design is what is supposed to make the difference between a privately owned public space and a private space *tout court*. Bad design has been proven to have engendered the exclusive character of those spaces (Smithsimon, 2008). What I am trying to argue in these lines, is that the relationship between what a plan can establish in terms of property regimes and use of resources and what the actual practices on the ground could engender, needs to be problematized. The latter may be reinforcing or –on the contrary- disrupting a given property configuration, *because* of design choices. Le Corbusier stressed the continuity of plan and architecture, and -among others representatives of the CIAM- he was concerned an inadequate property configuration could have impeded the realisation of the functional city. The belief in that continuity made sense –and could have led to an emancipatory project- under the paradigm of redistribution prevailing in those years. Efficiency being a way to reach the optimum result, during the years that led to the definition of public property –*la propriété sociale* (Castel and Haroche, 2001)- as the other half of private property. At a time when the tabula rasa was not an unrealistic starting condition for the realisation of a new piece of city. Today, that belief would be simplistic, if not limiting. The configuration of properties –the mesh of privates, publics and hybrids- is already established in most of the cases and defined the starting condition. The realisation of a new building or a public space is supposed to embed in that configuration. To change a given configuration is a political or economic choice. What design could do is to challenge it. The above formulated question is meant to suggest that design may in fact be a way to rewrite pre-existing property configurations, by establishing different use patterns, different habits, different perceptions of a given place. In the long run, this could possibly influence the decisional processes concerning a given resource and finally reshape the existing ownership structure. The design of a piece of city could indeed respond to a different logic of ownership –a different approach to the use of resources- than the one defined by the given plan within which it should embed. The emancipatory value would hence derive from the capacity to force an existing, supposedly oppressive, scheme (Fig 5.2.1).

There is a second reason why I argue the issue of property seemingly disappeared from the discourses of architecture and urban design. If property –or land ownership or land tenure- is not anymore a major topic in the architecture and urban design related literature of the last 20 years approximately, this is not only because of the mentioned disciplinary segmentation, which attributed planning the task to organise the access to resources, by means of well-calibrated grid, defining regulations and assigning land to public or private actors. The other important reason

would be an evolution or more in general, a reconceptualization of the approach to the use of resources, less than before centred on property issues. When CIAMs theorised about their project of the city and the role of property, the main approach regarding the administration of resources, was redistribution. As a means of allowing to achieve at the same time a juster and more efficient city. And the organisation of private and public properties- was considered as a crucial condition towards that purpose.

During the 60s, more than ever before, the limits of the Earth and of resources became a main issue, especially in front of an extraordinary demographic growth, which questioned the capacities of the planet to sustain it. The debate around the commons emerged in those years, the years of the oil crisis and of the foundation of the Club of Rome –as I shall explain in the next paragraph. While the plan, as a tool meant to control speculation and inappropriate land consumption, started to show its limitations, environmental issues started to overshadow the redistributive concerns and other discourses started to emerge². The sociologist Donzelot suggested that the environmental question emerged because the housing question could not find an answer (Donzelot, 2006).

I explored primary and secondary sources looking for traces of any debate concerning property and the implications for urban design and planning, covering approximately the last 20-25 years³. What emerged is that on the one hand, indeed property disappears from the designers' concerns, for most of that period, to reappear only very recently, approximately around 2014, though not immediately in explicit terms, as I shall explain. On the other hand, the use of resources remained as a constant concern for architects and designers, though not anymore in the framework of a redistributive logic. In 2012 *Architectural Design* dedicated a special number to scarcity. As Goodbun, Till and Iossifova write in the introduction of the issue: "Our argument is that scarcity, whether conceived of as an actual limit on resources, or as a socially constructed condition of uneven social or global distribution of resources, has been largely absent as a critical concept in recent mainstream Western architectural and design discourse. This is perhaps not surprising: the architectural profession is set up to serve the needs of the global rich. Yet, the emerging conditions of scarcity are rich in possibilities for the design professions and design research" (Goodbun, Till and Iossifova, 2012). As an alternative to the concept of a rational distribution, or to the Malthusian ideas remerged in between the 60s and the 70s, starting from the end of the 80s the new approach to scarcity has been centred on sustainability. A paradigm which anyhow has been the object of numerous critiques: among others, the implication of the discourse around sustainability would be the continuation of the

2 The discourse around property, speculation and the failure of the plan to control it, did not completely disappear however, also in relation to the destinies of the different cities and countries. For example, concerning Brussels, on the background of a very chaotic urban development, Jacques Aron published "Theorie et pratique de la speculation foncière" (Aron, 1973). In Italy in the same years Francesco Indovina published "Lo spreco edilizio" (Indovina, 1971)

3 While the research performed through the digital library catalogues gave very scarce results, concerning the design disciplines relevant primary sources have proven to be the dedicated magazines and reviews, in particular those having international reach.

current growth rhythms and modalities. Concerning design -this is what is being suggested in between the lines- the answer may actually lie in a post-sustainable, post-scarcity approach to design. The proposals collected in the issue would go in that direction, from the error-friendly design of Ezio Manzini (Manzini, 2012), to the abundance created by necessity as far as food production is concerned, in Cuba under embargo (Viljoen and Bohn, 2012); from Swyngedouw urging to recast city/nature as a political project (Swyngedouw and Kaika, 2012); to a revisitation of Bateson's theorisation about the adaptation capacities and flexibility of complex systems (Goodbun, 2012).

From sustainability to the more recent concept of recycling –which in fact can be considered as part of the answer to the former- indeed the concern of designer about the use of resources and scarcity never ceased. But while a different approach to the use of resources could indeed contribute solving part of the problem, it would not help to reshape an existing, unjust distribution or prevent dispossession, unless by reframing sustainability in terms of a (just) governance. By avoiding to explicitly question property configurations and regimes, what is not questioned is the decisional power about resources as an entitlement of property. This dissertation will try to show that a project could in fact contribute reshaping decisional geometries.

A relevant moment showing a substantial, explicit return of the attention around on the theme of property –as far as designers and architects are concerned- has been the 2016 Venice Biennale, directed by Alejandro Aravena. Within that framework, the London School of Economics organised the conference “Shaping Cities”, a two-day event exploring the relationships urban social and spatial aspects. Among other questions, “Who owns the city?” was actually asked one year before by Saskya Sassen –though originally it was rather a statement- in her famous article “Who owns our cities - And why this urban take over should concern us all” (Sassen, 2015), where she denounced in particular the growing privatisation of urban land.

The colloquium in Venice has to be considered as the moment of maximum visibility and mediatisation of a discourse actually started at least five years before, in 2011, with the Occupy movement, as the reaction to the events of 2008. Those events could actually be seen as the peak moment of an on-going process of financialisation of the city, which spare neither the public space nor housing, bartering their value of use with their speculative value. All over the world, in the squares reclaimed by the rhizomes of the Occupy movement⁴, an alternative society has been temporarily experimented and debated during the very days of the occupations, in order to make those actions persisting and effective. That alternative was inspired by the values and the logic of the commons. The right to the city was reframed in those days as “the city as a commons”, the word commons implying not only the city as a material resource, but also the process of commoning –the opera-, the process in fact allowing the preservation of the

4 as a whole the movement of Occupy was also known as the “movement of the squares” (Fernández-Savater and Flesher Fominaya, 2016)”

resource, which is what it is because embedded in an ecology of relations. While other scholars before Sassen pointed at the dispossession of resources and suggested the concept and the model of the commons as a possibility to reclaim them (Goldman, 1998; Klein, 2001; Harvey, 2003; Swyngedouw, 2005), in 2014 Sassen was able to assemble a detailed *collage*, supported by data, of the different aspects, depicting an unprecedented structural change. From the increasing polarisation of wealth and the shrinking of the middle class, after the crisis of 2008, to the precarisation of workers obliged to accept any labour condition, to the massive migratory movements of these years. The word “expulsions”-the title of her book- is meant to describe a process that is systemic and is intentional. Expulsed are the inhabitants of foreclosed homes, the precarious workers, the migrants of the more recent waves for the middle class incapable to re-establish their economic activities. To leave, to abandon, to exit society is not a choice, in all those cases. At the origin of such a radical turn, which pervades every aspect of life and concerns everybody, from the rich to the poor, the global corporations are the main responsible of the increasing financialisation of basically everything, since everything can become an object of speculation. The appropriations of urban land Sassen describes -and quantifies- cannot be understood simply as the arrival of new wealthier households. And their consequences go well beyond gentrification. Not only people are forced to move, but also entire portions of the city become property of foreign investors that simply use the land as an additional asset for speculation, with no concern for the conditions of the existing urban fabric or consideration for the needs of the local inhabitants. This is the consequence of buildings incapable of establishing a dialogue with the surrounding spaces. What is being lost is urbanity and the right to be in the city (Sassen, 2014). This short digression on Sassen research is meant to show that the debate concerning land ownership and the dispossession of resources was already well established in 2016⁵. Eight years after the collapse of the housing market, many answers were already under experimentation. In fact -together with the sociologist Richard Sennett, the ethnographer Abdou Maliq Simone and the economist Edward Glaeser- at the Venice Biennale, Sassen will discuss about inequalities, political restructuring and the need of infrastructures with the newly elected grassroots Mayor of Barcelona Ada Colau, the executive director of Kampala Jennifer Musisi and the recently re-elected Mayor of Bogota Enrique Peñalosa.

The Biennale of Aravena -who declared of having been inspired by De Soto theorisations around the formalisation of private property for the realisation of Quinta Monroy (Laurie, 2011) reports a world coming to terms with a number of emergencies and ongoing dramatic processes, with scarcity. The answers given by architects and urban designers celebrate the recycling, the make-shift, the capacity of sharing. Among those answers, the commons, are explicitly showcased only in a couple of pavilions, though the values at the core of many interventions and proposals *are* commons-oriented. It could be said that if architects and urban designers reconcile with the theme of the accessibility of resources –rather than with the theme of property-, that is through the lens of the commons. Up to the present, any other

5

In particular, I refer to the dispossession of resources in urban contexts.

explicit reference to property –as a challenge for designers and architects- is very rare, Aravena being one of the exceptions. Despite the previously mentioned, well-established knowledge about the dispossession of the city, architects and urban designers seem to claim no power over the dynamics of accessibility and management of resources. Going through the literature, it is mostly in relation to the urban commons –as distinct from the natural or given commons- that architects and designers bring their contributions or, inspired by the concept, develop their proposals⁶. And the first reflections concerning the role of design in reclaiming the commons or in making the commons, go back -as previously mentioned- to the days of the occupied squares and to the need to improvise the organisation of an alternative society. The commons provided the right signifier⁷ for seemingly diversified battles. A few recurrent traits can be identified among the projects and the approaches, which could be interesting to shortly point out in consideration of what they suggest concerning the use of resources, the relationship with physical and juridical inertias, thus allowing to grasp the actual proportions of the current concern for property, as far as architects and urbanists are concerned.

Supporting the possibility to share –to start with- is probably one of the most evident characteristics of the projects inspired by or making possible some sort of commoning⁸. The variety of reasons –and the variety of rights – at the origin of sharing is large and results in a variety of spatial possibilities and positioning in the urban fabric, and in two main attitudes, concerning the project of the city: the urban versus the anti-urban (Bianchetti, 2014). What is shared is not necessarily a given activity. In many cases, it is the space, which -in its turn- is protected and maintained because embedded in the coexistence and interweaving of multiple, different activities. This means that space will have to be appropriable and flexible enough to allow a variety of uses. While modernism opted for standardisation in order to fulfil the greatest number, the concern in this case, is the design of those minimal structures that would make possible the functioning of the building while allowing users to appropriate and transform space according to their needs. “Construire en Habitant”, Building by Inhabiting, has been written about the project of the collective Exytz at the 2006 Biennale in Venice (Bouchain, 2011)⁹. The idea is that form should emerge out of use, non-preconceived and adaptable through the time.

6 Sources have been explored through search engines such as LIMO (KU Leuven catalogue) and SBDA (IUAV catalogue). Additionally, I searched the websites of some main architecture and urbanism magazines, with international relevance, such as: Territorio, Planum, Domus, Lotus International, Architectural Design and Oase. When using the keyword property almost zero or non-relevant findings have been detected. A more conspicuous, though not really abundant number of articles can be found by using “commons” as a key word, mostly starting from 2012.

7 I am using the word signifier in the sense meant by Laclau. With the expression empty signifier Laclau identifies those concepts capable of coupling the universal dimension and the particular manifestations of that concept.

8 Though sharing and making the commons do not necessarily coincide. Not necessarily hence those projects will result in an actual process of commoning.

9 The project, hosted by the French pavilion, was called “Metacité”: half of the pavilion was occupied by a metal scaffolding allowing to host and be inhabited by around forty people.

Thus allowing users to have a role in the process of giving shape. Exyzt projects are thus centred on the modularity of the structures and very basic formal configurations conceived and realised with the concerned users. In the spirit of the Fun Palace of Cedric Price¹⁰. It is in this perspective that, at present, empty buildings, abandoned infrastructures for production, vacant sites, and infrastructural voids in general, seem to provide the ideal occasions for the establishment of some form of urban commons. The indeterminacy of space –and of its function- is what allows multiple though heterogeneous, forms of appropriation to coexist. And while taking care of a space, inhabitants and users can express themselves, can shape their world by shaping the space. Coexisting with others without having necessarily to follow the same rhythm, in fact not always without conflicts. The possibility to share seems to be more feasible when no program is imposed, making room to specific interpretations and to the reciprocal adjustments of the concerned users. The concept of sharing concerns not only the design of public spaces, where flexibility and encounter are in any case by definition –or at least very often- included in the agenda. But also housing projects. Increasingly, new forms of cohabitation – from Japan to California- are providing an answer not only to nomadic styles of life but also to the rise of rents and living costs (Bhatia and Steinmuller, 2018). More in general, the hybridisation of the private and the public is increasingly happening in the name of different shades of collective, with interesting implications concerning the design of spaces, their uses and governance of resources. But this is a topic that can only be mentioned here.

Looking at the potential of urban transformation related to the urban commons, the fact that most of the times they take advantage of the existing, fragmented voids –physical and infrastructural- entails at least two relevant aspects, challenging the role of design. On the one hand, these projects are often temporary, their existence depending –at the very least- on any decision the owner of a site or a building might take¹¹, in any given moment having the possibility to interrupt any existing activity. On the other hand, they necessarily operate with an acupunctural logic: micro-interventions having the possibility –and sometimes the ambition- to activate the potentials of a given site by momentarily reinventing its role, allowing its inhabitants to redefine themselves by redefining their environment. Given these conditions,

10 Cedric Price was not the only one to theorise about spatial structures allowing users to appropriate them and transform them according to their needs. John Habraken elaborated a similar approach in 1961, as a critique to housing standardisation and massification. His theorisations, originally published in Dutch, were translated in English in 1972, in the book “Supports: an alternative to mass housing” (Habraken, 1972). Behind the idea of transformable space, according to the need of the users, the concept is that the users should in fact have a primary role in the definition of their environments, thus somehow opposing the protagonism of architects and their supposedly capacity to know what would be the best for the masses. Le Corbusier, among others, was firmly convinced the average end user of one of his projects had no idea about the best answers to their needs.

11 Though in fact those might not be the only reasons. Another important reason is the fragility of the human component. Often initiated and existing on the base of voluntary efforts and personal engagement, an important reason for the interruption of these experiments is the exhaustion of the involved people, especially when the preservation of a given resource implies conflict and confrontation with other actors. At a more personal level, it can also be the lack of time or the loss of interest and motivation. This is what I had the chance to personally observe during sept years of engagement in commoning practices in Brussels.

the intention of temporary design interventions, in many cases, is to leave a trace that any further plan or project will have to take into consideration at the moment of intervening in the same site (Ferguson and Urban Drift Projects, 2014)¹². So in fact some sort of strategy is sometimes at work, operating between a short term presence and a long term purpose. If the city is the commons, then these practices seem to reclaim it not starting from a material control over resources, but in cultural terms, by fuelling other attitudes and values concerning the use of resources; by infiltration rather than by delimitation or by re-establishing some sort of sovereignty. Among those values, more than self-sufficiency, the belief in the resourcefulness of humans, in their resilience, relying on the expertise and specific knowledge of their living environment and of the means at their disposal. Which is the reason why the project of NLE has been awarded at the Biennale of 2016. A prototype of a floating school, a structure in wood built for the community of Makoko, in Lagos, celebrating an accessible and resilient logic of construction which enables the concerned users to realise it. If scarcity is the problem, -from water to food, from land to housing- the commons answer with abundance. An abundance which derives from their generativity -the possibilities that life itself generates¹³- , relying on what is available and on human ingenuity.

What about property? Are these approaches coming to terms with property rights? Not only property or property rights are not explicitly mentioned, but often the word commons seems to be used superficially. Eventually borrowing some of its core values, such as caring and sharing -notoriously- without a deeper, concrete understanding of the implications the concept of commons would have in terms of governance, of the required property formulations; without any interdisciplinary reflection about what jurists and architects could do together in order to preserve resources and their accessibility. Hence, yes, property issues seem to be left aside, far from the concerns of designers who are normally called to operate within well-established property frameworks, without questioning them, by choice or necessity. But, on the other hand, what is being promoted through the above-mentioned forms of design, is a different approach to the use of resources. As previously said, the approach is more that of creating a culture, an attitude, rather than that of reclaiming some form of (legally recognised) sovereignty. If commons are about property, about a different way of owning, the appropriate formulations need every time to be identified, as I shall explain in the next chapter. Though temporary and superficial, the practices and the projects spreading across very different contexts, in the name of the commons, to which design occasionally contributes, can probably be considered as exercises in that direction. It has been pointed out outlaw practices have the power to push further the limits of the existing regulation, eventually improving them (Penalver and Katyal, 2010). This might also be the case of the current experiments in commoning. Nevertheless, I

12 That is one of the purposes also in the case of Commons Josaphat, which through its temporary activities would aspire to create in the local and less local users a habit, an attitude, an imaginary about that place.

13 Concerning the concept of generativity, see Appendix B, Glossary.

Fig. 2.2.1
The project of the city and the debate on property

In the 30s, increasingly less later

plan + architecture: a continuous project

making each other possible

urbanism as a three-dimensional discipline

the ownership structure needs to serve the project of the city

since the end of 60s - beginning of 70s

schism

planning

architecture and urban design

property rights matter

use matters

land tenure entails:

making the commons means:

plot division
attribution of responsibilities and rights
bundles of regulations
socio cultural aspects
emancipatory possibilities

supporting sharing and cooperation
temporary projects
acupuncture interventions

**potentially questioning
ownership structure**

not necessarily questioning the
ownership structure,
ambiguity

but

**encouraging new approaches
to the use of resources, possibly
overwriting existing legal
limitations**

argue in this way urban and architectural interventions risk to remain weak and un-politicised. To design for easily accessible and transformable spaces, to design for cooperation does not necessarily equal to design for emancipation or for a more just city. An example of how ambiguous design choices can be is provided by what Schumacher recently wrote about a soft ordering of society and the role of design. The society he depicts –whether advocating for it or simply imagining a very plausible scenario- is ruled by a libertarian anarcho-capitalism, within which “There is no reason to expect that further privatisation – including that of all urban spaces – will lead to a situation where parts of society remain excluded or not catered for. What can emerge [...] is a versatile and continuously differentiated urban texture weaving synergies across multiple overlapping publics catered for by private providers.” Architecture is supposed to bring some sort of order, supporting self-organisation and cooperation. “Parametricism delivers the congenial architectural translation of the synergetic programmatic organisation discovered and optimised via profit-and-loss signals within the market process.” (Schumacher, 2018)

Schumacher depicts with words and images a profit-centered world where form, responding to profit, brings order and organisation. Though physical boundaries may have disappeared and the role of design is described as that of orienting rather than delimiting –it would be in fact a soft order-, it is clear that some other sort of boundaries would have to be still fully at work, in a society where private planning would have completely replaced state planning (Schumacher, 2016). A society where the profit would be the only function, another totalitarian order, this time supported by the flexible morphing of architecture, like the skin of a mutating creature, changing according to the profit performances. In similar conditions, it is unrealistic to imagine how freedom and emancipation could still have a meaning. Looking at the current trends, Schumacher seems to be right about one thing: the increasing privatisation of society. But then, how could architecture and design politicize (again) and maintain the possibility of creating emancipatory breaks, no matter what order will be established?

According to jurists

If, as previously pointed out, the commons can be considered as a sign of a return of the attention around property and emancipation, in this paragraph I will briefly outline some main elements allowing to frame the existing juridical debate around property. Not being a jurist, necessarily this will be a very rough overview, probably incomplete. Nevertheless, having to deal with property, questioning its emancipatory role in relation to the design of a building or of an urban block –ideally, in relation to a city project- it has been inevitable to look for a deeper understanding of the issues at stake in this moment, the discourses, the approaches according to jurists. Especially considering that for example, the commons is attracting the attention of jurists at least as much as that of planners, urbanists and architects. Though with different intensities. Suggesting that in fact –this is my hypothesis- this should be much more than a

parallel interest of different disciplines around the same topic: given their common concern for a different way of managing resources, they should rather proactively combine their efforts, redefining each other's approach reciprocally. More in general however, the research question at the core of this dissertation addresses the relationship between property, emancipation and the project, implying that such a relationship –as also shown by historical precedents- is almost inevitable –for the good and for the bad- given the fundamental relations binding the three terms, in particular when it comes to land as a scarce resource. Any attempt to answer a research question addressing their relationship should hence be necessarily grounded in a holistic, transversal understanding, in order to better appreciate how one could condition and influence the other; for example, the spatial consequences of what might be a relevant juridical concept or approach to regulations; or, vice versa, of how certain spatial practices could force an existing juridical framework or suggest a direction for transformation. What a space can do, concerning the enhancement of emancipation, is not detached from the rights and the possibilities legally inscribed in that space.

In general, going through the juridical literature it is not easy to come out with a single, synthetic statement. Positions vary also according to the different branches and angulations of the discipline, from economy to philosophy, to political science. While at a first look the question –since actually a few decades- could seem “Is property in crisis? do we still need property?”, after a few readings it becomes evident that the question is rather about the evolution of property and its reconceptualization; but also about the balances of power within which even well-known formulas are called to operate. Such an understanding emerges especially when looking at property as a relational institution: an institution regulating the relations between things and people, or assuming the concept of bundle of rights. When meant in these terms, thus implying a variety of forms of ownership, of rights and of owning subjects, from the individual, to the collective, to the plural, in that sense actually property would prove to be a resilient notion, rather than an institution going through a crisis. Considered as an almost empty concept –saying very little about the specific and concrete conditions within which it applies- the institution of property never ceased to transform, responding to the social and economic needs of society, to the changing values.

While this conceptualisation could allow seeing property almost as an umbrella concept, without any univocal or permanent definition, in reality property does take specific forms, more or less private, more or less public or collective. It is precisely in relation to those concrete forms that inadequacies could emerge, eventually triggering transformations –and thus putting to the test the resilience of the institution. Suggesting that indeed property could be considered as a primordial, relational kind of arrangement, making possible a variety of configurations as an answer to the specificity of circumstances.

Looking at the most recent articles and conference proceedings, my effort has been to seize above all any emerging or re-emerging issues, some relevant nodes around which the debate articulates, specifically those more or less directly concerning space and the governance of

related resources. Not surprisingly, what comes out is that, despite the different lines of thinking are indeed rooted far in the past and everything seems to have been already said –but also forgotten–, the current circumstances, mostly as the result of about thirty years of neoliberalism, are indeed provoking some unprecedented or relatively urgent, reflections.

In particular, the emergence of big corporations as actors having the capacity to strongly influence regulations, policies and decisional processes and to disrupt existing balances of power, is probably the most impacting element when it comes to the functioning of property as a social regulator. The consequences of their superpower, as it is well known, it is the uncontrolled expropriation and dispossession of resources traditionally belonging to local communities of users and inhabitants. On the juridical level, this implies in the first place the lack of strong enough regulations or adequate decisional processes which might impede what is indeed a tragedy of the commons. What Hardin correctly suggested as a reason for a tragedy (Hardin, 1968)¹⁴, is the lack of appropriate regulations, especially when the predatory actors are not individuals, but entities more powerful than the States and whose interest is certainly not the general and neither the community's one. The problem, thus, is not private property in itself, but it is the system of limitations within which it is supposed to be kept under control – so to speak–, in between the individual and the community interests. A bundle which –as it has been pointed out– could only be properly defined in relation to the characteristics of the thing in itself, with evident differences between a piece of land, the human body and any reproducible good. This would allow re-centring the definition of a property arrangement on the protection of the thing, instead than on that of the owner (Rodotà, 1981). So, to begin with the differentiation, what has been pointed out is that the property rights and the limitations for individuals and those for big corporations should be recognised and treated as two very different things (Berle, 1965; Mattei, 2012; Penalver, 2012). Small owners are not fighting the same battle as large corporations and the value and purpose of their properties are clearly very different in the two cases.

To schematise, the main nodes of the debate around property in these days, I suggest the emergence of these actors on the scenes of current processes of urbanisation and management of resources can be assumed as the game changer of the latest –at least– 25 years, though the phenomenon started well before. Corporations which heavily rely, directly or indirectly, on any form of value extraction and on the financialisation of the city to increase their capitals, bringing the logics of speculation at a very different level than what they were in the past, as it has been suggested (Sassen, 2014). To simplify, the impact is twofold. On the one hand the

14 What many scholars criticised as a false, misleading premise in Hardin's argument was in fact the understanding of the commons as freely accessible resources, while in fact they are always object of regulation. Somehow paradoxically, the current condition of increasing deregulation concerning the appropriation of resources – for example due to the weak regulatory power of the State– would prove Hardin was right, at least concerning the need for regulations, especially when substituting herdsmen with global corporations and when applied to public assets, not yet governed as commons.

increasing dispossession of community resources and the weakening of small property and, as a reaction to that, a variety of practices aiming at preserving it. On the other hand, the emergence of new practices and different approaches to the use of resources –such as the commons-, and the related questioning of the juridical frameworks and the democratic decisional patterns and protocols, in fact already jeopardised by those dispossessions. I will start with the former, thus focusing on the weakening of the arrangement of property (both private and public, in the sense of the welfare state). I will subsequently look at the juridical debate triggered by the practices of commoning and by the return of the concept of commons. I used the literature more with the purpose of defining a pertinent theoretical framework -meaningful concerning the topics and the purpose of this dissertation- than with the ambition of exhaustively covering the whole contemporary juridical debate around property.

A relevant consequence of the growing power of big private actors is the weakening of small property, incapable to defend themselves when having to confront more powerful actors. In particular, Peñalver points at the litigation costs that would impede to small property owners to go to court to defend their property rights when attacked by powerful private actors (Penalver, 2012) . That would be the case, for example, of unjustly evicted households against banks; or of small landowners against corporations. Intuitively this would bring in the long term to a progressive reinforcement of more powerful owners, increasing their patrimonies at the expenses of the weakest, with heavy impacts as far as the dispossession of resources is concerned and the jeopardising of democratic equilibria. Among others, Peñalver builds his argument around the role of the State, suggesting “some kind of affirmative government support is necessary to empower small owners to defend their rights against private, non-criminal aggressors” (Peñalver 2012).

If according to Locke the only reason for having a government was the possibility to create a framework within which property could be protected from any sort of violation and exploitation among privates, during the 20th century other lines of thinking developed, in particular on the background of the establishment of the welfare state and of its –in some occasions- intrusive, coercive manners. The idea that property could work as a bulwark to protect individual freedom against the State invasiveness was for example at the core of Charles Reich proposal, in 1964, to consider welfare largess as a new form of property (Reich, 1964). Only by providing the same entitlements and the same inviolability as private property, the percipients could be truly independent. Reich was motivated to propose the concept of New Property on the background of McCarthyism, during which any minimal, even unjustified suspicion concerning the proper conduct of individuals could determine the suspension of welfare support. While he only shortly mentioned the threat of private owners, two years later, somehow complementarily, Adolph Berle pointed exactly at the growing power of corporations, in fact competing with that of the State (Berle, 1965). The concerns of Berle did not receive a lot of attention and in the following years corporations gradually obtained from the Superior Court further protection from government regulations. On the contrary, Reich’s essay became one of the most quoted

in the juridical literature and by the American Law Courts, at the very least contributing to some kind of anti-governmental attitude on the side of the contemporary libertarians. Revised by Reich himself in 1990, the new essay confirms the previous diagnosis and ends with a non-exhaustive list of 50 violations of the new property or the welfare rights, based on wrongful procedures or on the judgement of personal conduct of the welfare recipients (Reich, 1990). As a matter of fact, according to Peñalver, among contemporary libertarians the current debate over property indeed continues to be concerned more about the State than about the power of private parties to undermine the security of private property and the freedom that ideally comes with it¹⁵. Under circumstances of increasing economic inequality and tightening middle-class budgets, a main concern in order to protect freedom should be about the incapacity of small owners to go to court and pay the expenses in order to defend their property rights (Penalver, 2012).

Behind the concrete difficulty of the litigation costs and the fragility of the small property, what is relevant to point out is the recognition of private property—less consumption property than productive property¹⁶— as a still crucial institution making possible the preservation of freedom and independence. Against the State and ideally against other privates' intrusiveness, though as pointed out by Peñalver, that might be an increasingly difficult endeavour, given the limited resources available to small owners. As a result, in a vicious circle, given the incapacity of small owners to defend their assets in front of more powerful actors, inequalities are necessarily going to grow. Author of a book on the progressive property, Peñalver is not the only one to recognise private property – for what it can represent, both as material support on the one side and as a synonym of untouchable rights, on the other side, as theorised by Reich— as a means for emancipation. Other scholars in fact came to the same conclusion, though motivations and the background of their reasoning vary. In the slums of Latino America private property is a means for agency, for what is believed to be emancipation, by allowing individuals to regularise their position and build some form of security¹⁷. This is, for example, the core of the argument of De Soto, which reports how mostly in the underdeveloped world the obtainment of property rights is what allows individuals to get out of invisibility and achieve a number of economic and social benefits (De Soto, 2000). In the framework of his reflections of progressive taxation as a way to

15 “Contemporary property rights discussions usually pass over the potential for private parties to undermine the security of property rights [...] inattention to private disputes does not appear to reflect a considered philosophical judgement by libertarians that private encroachments on property are unimportant. After all, libertarians, and indeed many others, take it for granted that the protection of private property rights against private actors who would violate them constitutes a core instance of the legitimate use of state power. In a world of scarce resources, however they choose to dedicate their efforts to what they perceive to be the most significant threat to private owners— the overreaching regulatory welfare state.” (Penalver, 2012). Against this position, many critics on the contrary have claimed that “property rights would have no meaning”, as reported by Peñalver referring to Holmes and Sunstein (Holmes and Sunstein, 1999).

16 Peñalver relies on the distinction between property for consumption and property for production introduced by Berle and treated in his article as a further layer of complexity to the argument of Charles Reich.

17 See also chapter 3.2, footnote 19.

impede the growing polarisation of richness, Piketty stressed that while it might be unrealistic to renounce to private property, this should be rather embedded in a system of regulations. Conceived as one among a wide range of forms of property and access to resources, it would be simply a piece of a multifaceted system of redistribution, trying to deal with otherwise growing inequalities (Piketty, 2013)¹⁸.

This in fact brings me to the second element that could be read between the lines of Peñalver's argument, which is the weakness of the government, incapable of resisting the power of big corporations as atypical actors, unreducible to the regulations that would normally apply to the small property. In a way, somehow ambiguously, this weakness seems to be confirmed by the fact that Peñalver explicitly recommends to reinforce the support to the small owners in fighting their battles against the big corporations. As if nothing could be done to contain or to prevent their extraordinary, unsustainable power.

In any case, a lack of action to reinforce or to protect small private property could end in a condition of propertylessness. "Propertylessness is a persistent characteristic in most economies in the world today. Many people enter economic interaction with no property of their own, nothing with which to produce their own goods to satisfy their own needs unless and until they serve someone who controls property. Propertylessness causes poverty and destitution. It forces people to accept forms of service that they would otherwise reject. Sometimes it forces people into both service and poverty. Laws that force individuals to enter economic interaction in a state of propertylessness threaten their status as a free person." (Widerquist, 2006) An alternative to property however, ideally untouchable as a basic human right, a birth right, -for these characteristics reminding the status that Reich would have imagined for the welfare assets-, would be the basic income. The basic income would allow achieving material security, bargaining power of workers against their employers and freedom: exactly what private property is still supposed to do. With the difference that being a financial kind of support, it could be universally distributed, according to its theorists, though the strategy to realise it still needs to be found.

I can only mention this topic in the framework of this dissertation, as it would bring me too far from the main argument. But what is relevant to point out is that the debate around property -as in the past so today, under the pressures of a deregulated market and the emergence of transnational global actors-, is necessarily at the same time a discourse that concerns the role of the government, public property, the welfare. Necessarily so, private property being a piece of the welfare puzzle. Ultimately, private property can function because embedded in a system that recognises it and protects it, as part of a strategy of redistribution of resources that tries to maintain the balance among different social parts, their basic needs and their interests.

The weakening of the small private property, as previously mentioned, is only half of the

story. The other half of the debate, according to my schematisation, would be triggered by new or re-emerging commons and practices of commoning. Re-emerging because in fact the contemporary debate around the Commons started a long time ago. Hardin wrote about the tragedy of the Commons in 1968, on the background of the demographic and environmental concerns of those years, further highlighted by the realisation of the earth finitude. Hardin was in fact among the first to build the argument around a different management of resources rather than about the control of the birth rate (Locher, 2013). As it is well known, many scholars proved that Hardin theorisations were mistaken. Many communities around the world not only managed to preserve the resources around which their life was organised, but the very existence and preservation of those resources would have not been possible outside of the system of practices within which they were embedded (Grossi, 1977; Linebaugh, 2008). Probably the most famous counterargument has been Ostrom's research on the capacities of the communities to govern their commons (Ostrom, 1990).

After Ostrom's theorisations, the attention on the commons has been progressively growing, as an answer to the progressive dispossession of resources from the concerned communities, as an approach possibly allowing to preserve them (Goldman, 1998; Klein, 2001; Harvey, 2003, 2011; Swyngedouw, 2005). More recently, the discourse has been reinvigorated as a reaction to the collapse of the subprime mortgage market and the speculative system built on the related derivatives. As mentioned in the previous chapter, the events of 2008 were the peak moment of an on-going process of financialisation of the city. Starting from 2011, across a number of squares and different urban contexts, the alternative way of making the city was inspired by the principles and the logic of the commons. The right to the city was reframed in those days as "the city as a common", implying both the reclamation of the city as a material resource, and the processes of commoning as the process allowing the preservation of the resource.

To come back to the exploration of the debate around property, at ten years from the facts of 2008, the discourse on the commons has influenced and inspired a variety of practices. While it is not possible here to explore them thoroughly –with the critical insight this would imply, distinguishing the deviations from the core values and the appropriations of the discourse, à la Boltansky and Chiapello– some basic clarifications are needed, concerning the different forms and the definition of the commons. I suggest three basic categories can be recognised, looking at the nature of the involved resources and the related rights of access. In the first place, the commons can be meant as those given natural and cultural resources, scarce and fragile –such as the air, rivers, but also a language or cultural heritage. Because these are supposed to be essential for the life and the flourishing of the human beings, their universal access needs to be protected, in the present and for the future generations. In the Italian juridical debate, this category is that of *beni comuni*¹⁹. Slightly different is the case of the commons generated

19 Such a definition was the result of the Commissione Rodotà, established within the Ministry of Justice with the purpose of reforming the Civil Code by introducing a new category of goods, characterized by the possibility to be protected in consideration of their relevance for the fulfilment of basic human rights. La Commissione Rodotà was established on the bases of emerging needs and urgencies, such as the protection of fundamental resources for the

Fig. 2.2.2
The current juridical debate on property

Growing power of global corporations
as a game changer

**weakening of
small private property**

as a reaction,
protecting ownership
by

- questioning the role of the State
- regulating the power of big corporations
- protecting the small property

**emergence of alternative practices.
other ways of owning**

ownership is not necessary

- protecting existing commons
- creating new commons
- sharing oriented practices

A new approach to the use and
the governance of resources

Which property could make it possible?

la propriété repensée par l'accès

- bundles of uses = bundles of rights
- the protection of the resource
- property as a relational arrangement

by a group of concerned subjects, as an answer to not necessarily homogenous needs: such as a building occupied for cultural activities, a community garden, or a digital platform co-managed by a community of users. This kind of commons would not exist without the practices of commoning that instituted them. They answer to the needs of specific communities and users who decide about their accessibility. I would finally point out a third category of services and resources: though claiming to be about sharing, the decisional system that characterises them does not allow recognising them as proper commons. It is nevertheless interesting to mention them here because they are challenging the existing property regulations and suggesting a different approach to the use of resources, beyond ownership. That would be the case of a car-sharing services or a platform such as Airbnb, where the owner of the good decides to make it accessible to other users, according to their own rules, though supposedly complying with some core principles.

Each of these categories satisfies specific needs and challenges the concept of property in different ways -as well as other juridical devices such as the contract. What they all have in common is the idea that ownership is not necessary for the use of a given thing (Cretois, 2014). Access would be indeed sufficient. Then the question jurists are asking to themselves, is how to reshape existing frameworks of property –through which the majority of the goods are unavoidably classified and governed, in most of the cases being private or public or some other hybrid formulation (Mattei, 2012). The purpose would be to make possible a different approach to the use of resources, for example, inspired by the philosophy of the commons.

This can be achieved in different ways, according to the different purposes and to the qualities of the concerned good. The first, by enlarging the possibilities of appropriation. The second, by restricting the possibilities of appropriation. The third, by “socialising” private property and rearticulating it within a bundle of interest larger than those of the owning subjects, towards a greater accessibility, without dismantling the structure of private property. Behind each of the three solutions a community of users would be implied, as it has been suggested: negative, positive or diffused²⁰ (Rochfeld, 2014). In this perspective, property could be reconceived as the right to manage access to resources, these being considered as the means to perform a task or achieving a purpose, rather than a possession. This would allow reconceiving economy on

life of the community –such as water- or because of their cultural value. For example, by avoiding the sale of publicly owned patrimonies, arbitrarily decided by the political majority in charge. Or more in general, by establishing more democratic decisional processes concerning the management of those resources.

20 According to Rochfeld, negative communities would be those related to the non-appropriable goods, such as water or land. Given the risk of a lack of governance and organization that this could imply, negative communities could be effective only in the case of unlimited resources. Positive communities would be about a collective appropriation. Referring to France, that has been the case of the goods that enjoyed some sort of feudal regime of uses and that have been mostly reabsorbed (and ineffectively managed in many cases) as public property, by the State, who replaced the direct governance of the concerned communities. Finally, diffused communities would raise in relation to those goods whose accessibility should have the priority on the exclusivity of property. In such cases, the owner, as a third subject, would be a sort of custodian or depositary of the good, having the privilege and responsibility of managing accessibility for the greatest good of the community (Rochfeld, 2014). The third option recalls the model of the CLT, as explained in section 4.

an immaterial and experiential basis, rather than based on the acquisition of goods, (Cretois 2014). Inspired by the commons as a different approach to the management of resources²¹.

Beyond the variations on the theme that can be seized going through the literature, the prevailing direction is that of *la propriété répensée par l'access* (Cretois, 2014; Quarta, 2016), thus making possible the bundle of uses within which a given good could be embedded, protected from misuses and depletion. A similar understanding of property goes in the direction of the concept of property as a bundle of rights. Precisely Ostrom and her colleague Schlager have been the first to suggest that the commons could have been realised in the sense of the bundle of rights theorisation of property (Orsi, 2014). To have an a-priori, blind faith in any given form of property, institutions or government intervention would not help to define the ideal and specific arrangements of rights and duties related to a specific resource and its ecology (Schlager and Ostrom, 1992).

Originally, the theory of the bundle of rights was named as of “the bundle of sticks”, the expression indicating the set of entitlements regulating the relationships among the users of a given resource. The theory of property as a bundle of rights was first introduced by the economist John Commons in 1893 and later on by the jurist Wesley Hohfeld in 1913, it engendered a radical shift especially in the juridical tradition of United States. The theory of property as a bundle of rights was meant to replace the absolutistic understanding of property with a complex and relational one, centred on the articulation of the relations of multiple actors around the use of a given resource; transforming through the time and according to the contexts and historical conditions. Though not without the risk of an oversimplification of what property really is and means to owners: as if a diamond could be described simply as a collection of carbon atoms (Smith, 2011).

Opposing the jusnaturalist understanding of property, the theory of the bundle of rights was subsequently developed by progressive and the realist theorists. The word realism refers to the Latin word *res*, thing. Related to the idea of the bundle of rights, the second innovation introduced by realism broke a tradition of juridical thinking according to which the subject was always at the centre of the institute of property²². The realists, moved the attention on the thing in itself: it is only in relation to the characteristics of a given thing that multiple uses and the related bundle of entitlements can be defined and specified. After around 30 years of the destructive practices which characterise the neoliberal economy, the possibility to redefine

21 Already in the past, the shift from arrangements of feudal origin to those of the State triggered a reflection about the preservation of what were deemed as common resources, to be protected as goods of a given community. In Italy that has been the case of the lands for the so-called *usi civici* –literally civic uses-, transformed as property of Municipalities, as the closest actors to the concerned communities, hence supposedly having the capacities to govern them. To recognize the status of property, by attributing them to a specific subject –different from both the private and the public as the State, the Municipality being considered as the owner- is what allowed to manage and to protect them according to the needs of the local concerned communities.

22 The very definition of a thing as a good implies a utility, the existence of a subject requiring that thing to fulfil their needs and rights.

property around things, around the protection of resources today is re-emerging. Triggered by a variety of practices –as the commons- that are built around given pool of resources and their characteristics, such a redefinition seems to be oriented towards the concept of the bundle of rights.

To summarise, based on the hypothesis that the exponentially growing power of global corporation could be considered as a main disruptive factor of democratic balances as well as of the underlying juridical institutions, this schematic overview of the juridical debate around property identified two main currents. The first focuses on the weakening of the small private property in front of the uncontrolled power of corporations, leading to question the role of the State, in between the protection of the small property, the regulation of the corporations' rights and the provision of a universal basic income. What seems to emerge is an individualistic and redistributive approach to property and to freedom, the purpose being to enable individuals –as a birthright- to build their life strategy counting on their own resources, whether these are their private property or a regularly provided financial support²³.

The second branch of the debate is triggered in fact by the large variety of practices inspired by the concept of the commons. An alternative approach to the use of resources emerged as a reaction to the dispossession of resources and the shrinking support of the welfare state, the commons are also the positive, non-reactive expression of an interest to do things differently. In order to be practiced or in order to preserve the existing ones, the commons suggest a redefinition of property making possible greater accessibility, the articulation of multiple uses, not necessarily homogeneous, in the direction of the concept of the bundles of rights. Such an approach implies a renewed attention to things, as the basic condition for the preservation of the commoning processes that have been built around them. Necessarily, this means that it is in relation to the characteristics of resources that bundles of uses and bundles of rights need to be defined. Towards a realistic –in the sense of the previously mentioned realism- and relational approach to property and freedom.

23 As mentioned by Van Parijs according to some theorists –“from Thomas Paine (1796) and Joseph Charlier (1848) to Raymond Crotty (1987), Marc Davidson (1995) or James Robertson (1999)”-. the logic behind the universal right to basic income is that of compensating with cash those that could not have access to land property, for the land value they collectively contribute to increase. The universal right to land ownership, as a contradiction in terms, was in fact the motivation at the origin of the establishment of the welfare state: replacing the impossible dream of a universally accessible land ownership, labor was supposed to guarantee the access to security and emancipation. The label of “new property” of Reich was meant to consecrate welfare largess and assets as a substitute of private property. Castel defined it as a *propriété sociale*. A redistributive approach can hence be recognized even at the core of the universal basic income, which, as suggested by Van Parijs among others, could in fact be gradually introduced starting from the existing welfare policies.

PartTwo | A history of emancipation

S. 3. | The ecology of an emancipatory process

Ch. 3.1 Molenbeek or what remains of an industrial past

Morphological inertia

Wealth polarisation and segregation in a global city

[a 01 La Cellule du Logement]

[v 01 Marie]

[w 01 Walking across a polarized city]

Ch. 3.2 The re-appropriation of a neighborhood

Bonnevie or the healing an urban cancer

A holistic approach

Espoir

[a 02 ALARM]

[a 03 Les GECS du CIRE]

Community embeddedness and recognition

[v 02 Aurelia Van Gucht]

Urban catalysts

[v 03 Thomas Dawance]

3.1. Molenbeek or what remains of an industrial past

Morphological inertia

Wealth polarisation and segregation in a global city

[a 01 La Cellule du Logement]

[v 01 Marie]

[w 01 Walking across a polarised city]

Morphological inertia

If there is a neighbourhood in Brussels where a history about emancipation could have its beginning, one among many others, far from being exhaustive, far from being the panacea, but simply suggesting a new possibility, breaking a pattern, showing a way out of oppressive mechanisms -which is what emancipation is about after all, a black woman on a bus, refusing to leave her seat to a white man- that neighbourhood would be Molenbeek. Countryside at the service of *la ville* already during the 12th century, it was appropriated through economic and commercial bonds, through the realisation and maintenance of infrastructures which, while installing the privilege of a favourable system of duties, also paved the way to the expansionist attitudes of those that in the countryside began to invest, to buy large portions of land (Charruadas 2003). Industrial neighbourhood in the last century, overcrowded and unhealthy, hosting -in between the canal and the railway line-, the heart of the industrial productivity of Brussels, and the workers housing too. Today Molenbeek lives between a not so far industrial past – the industrial production started to decline by the end of the 60s- and a present in which, while not being anymore the protagonist of economic productivity, it absorbs the externalities of the logics of financial capitalism, in terms of an accumulation of poverty and precarity. Stigmatised for its poverty, for racial and cultural issues, lately for its implication in the organisation of terroristic attacks. Compressed and oppressed under the weight of stereotyping narratives. But because oppressed, also pushed to transform, thus expressing potentials and capacities that would otherwise remain hidden, in some form of spatial and social comfort zone and inertia. In the next pages, referring to the literature, I will try to sketch the background in relation to which the history of emancipation introduced in this section can be situated.

Molenbeek, la petite Manchester, Molenkesh or Casabeek –to recall the relevant presence of a Moroccan community-, le Vieux Molenbeek. This multitude of names is revealing about an accumulation of lives and profiles, cultural and economic, certainly predisposed by a topographical condition, allowing a sort of plasticity. The plasticity of cheap lands, maintained cheap by their very productive vocation and by the quality of the built structures¹. Cheap and thus

1 As reported by Vandermotten in the 70s, it is in the central areas along the canal that a few residual cheap lands could still be used to realise new social housing, high density projects, while the external perimeter was getting

allowing the installation of the most fragile populations. Four phases could be identified, each of them characterised by a shift or change of the productive system and of the relation between labour and capital; by a specific pattern of migration and the related urban transformations. In the first phase, workers came from Belgium, especially from Flanders, at the very beginning of the industrial flourishing, during a period of slow growth registered from the half on the 19th century till 1886. The second phase of intensive growth and migration was characterised by the emergence of *la question ouvrière* and ends in the 30s, after the crisis. The golden age of the welfare state, *grosso modo* from 1945 to 1973, was characterised by the establishment of a necessary compromise between labour and the capital. Migration in those years involved individuals from other countries, with growing intensity from the Mediterranean basin (Turks, Moroccans, Italians in particular). While these three phases and the corresponding spatial patterns give the advantage of a temporal distance and the related overall understanding that this allows², the fourth phase here suggested is ongoing. It would correspond in fact to what has been defined as the golden age of neoliberalism, starting by the end of the 70s –after the crisis of 1973- well-established in the 80s³ and reaching a new crisis in 2008⁴.

The peculiarity in the case of Molenbeek is that this municipality not only has been the core of the industrial district of the Brussels agglomeration, morphologically transformed according

more and more consumed and the remaining plots were in any case too expensive to be used (Vandermotten & Jorissen 1986). Still today, the municipalities of Anderlecht, Molenbeek and Schaerbeek are those where the land is cheaper. But along the canal prices are getting higher as a result of the increasing attention of private investors and administrations (Ananian 2016; Dessouroux et al. 2016)

2 In fact, the three phases, the related spatial implications and the shift from one to the other have been introduced and theorised by Kesteloot in the early 80s (Kesteloot 1986). It is on the basis of those dynamics and their spatial implications that the current condition of socio-spatial segregation and wealth polarisation could be understood. It is on the background of those conditions that the emancipatory value of the process described in the next pages could be seized.

3 Already in 1986 it is possible to read « La crise économique actuelle se présente comme une tentative de création d'un nouveau mode de croissance, qui passe par la déstructuration du rapport salarial passé (voir Boyer, 1981). Le pouvoir d'achat diminue, mais plus significativement encore, l'insécurité d'emploi et l'augmentation du travail à temps partiel font que le travail n'est plus la source d'un revenu suffisant et régulier. Le mode de consommation et le rapport au logement changent forcément sous cette pression. Cela se manifeste à travers une réorganisation de l'espace résidentiel (l'arrêt de la suburbanisation, le retour à la ville, les tensions sur différents secteurs du marché du logement, la crise fiscale des communes urbaines n'en sont que quelques facettes- voir Kesteloot, 1986). » (Kesteloot 1986)

4 Given that ten years already passed from that crisis the possibility of a fifth phase should perhaps be suggested. Despite the breaking point of 2008, however, many dynamics are just continuing, such as privatisation of resources increasing inequalities, wealth polarisation and increasing precarity –as a pervasive existential state, related to a number of factors which undermine the stability of life conditions (Piketty & Saez 2013; Piketty 2013; Mattei & Quarta 2015). While researches could possibly be found concerning the identification of a new phase, it is not purpose of this research to further investigate this possibility. To point out some main phases of productivity and the related socio spatial patterns in this chapter has rather the purpose to briefly remind those dynamics which –established since the end of the 19th century- created the conditions at the origin of the present socio-spatial segregation in Brussels. As a matter of fact, the literature of both the 90s and the more recent publications (after 2008) seem in any case to confirm patterns of socio-spatial segregation, -independently from the identification of a fifth phase- which is what is relevant to point out, as a background allowing to situate the narrative of the following chapters.

to the needs of productivity, compressing housing and productive structures; not only it has been –and still is- an arrival neighbourhood. But it is also a neighbourhood of concentration and spatial segregation: of all those weak segments of the population, unable to access the higher, living costs of other municipalities, immigrants but also Belgian citizens. For these individuals, it is easy –easier than in other neighbourhoods- to arrive in Molenbeek. Much less to leave. Therefore, migration after migration, generation after generation a vicious cycle has been established that explains why today, Molenbeek concentrates poverty in the heart of Brussels Capital Region.

This phenomenon, whose knowledge is well established and recognised, -since the 80s, as previously mentioned- is the result of the interweaving of spatial morphologic factors – concerning housing typologies and the urban fabric- on the one hand; the housing market and policies on the other hand.

While it is not possible to resume here the history of housing concerning Brussels and Molenbeek, to remind a few elements will allow to better situate the narrative of the forthcoming chapters, while delineating the specificities of the Brussels situation and the consequences concerning Molenbeek. In particular, the main phases and characteristics of the spatial structuring that are at the origin of the current phenomenon of socio-spatial segregation will be pointed out. In this way, the geographical understanding of the rationale of migrations will be complemented by the morphological aspects characterising the different ecologies in Brussels and in fact conditioning those migrations⁵.

The morphological qualities and the urban fabric that still persist, emerged due to the installation of the industrial activities, obliging to a difficult, suffocating coexistence of sheds and houses. Especially at the beginning of industrialisation, workers had no other choice than to live as close as possible to their workplace, transportation means being still underdeveloped to support daily commuting. *Les impasses* were the expression of the speculative attitude of landowners, trying to gain as much as possible out of their properties and the consequent over densification of the residential fabric. (Puissant 1989). With the progressive arrival of an increasing number of workers, especially from Flanders, housing conditions dramatically worsened. If around 1850 only 3000 workers were working in the secondary sector, around 1896 the population reached 760.000 inhabitants and the secondary sector could count 100.000 workers (Mahoux 1998). In Molenbeek, the more industrialised municipality 33.000 on 50.000 inhabitants were workers. “250 usines et fabriques sont implantés sur le territoire de la commune, qu’elles aient pignon sur rue ou qu’elles se nichent à l’intérieur des îlots dans un enchevêtrement d’habitations souvent surpeuplées. Dans ces conditions il n’est pas étonnant que Molenbeek éprouve le besoin de faire éclater les barrières de son territoire bâti » (Huberty

5 Still around 1997, the relevance of the spatial aspects was underestimated “The socio-spatial processes producing the actual segregation patterns through the mechanisms of the housing and the labour market are somewhat understated. The historical structuring of the urban space which is essential to understand contrasts in the spatial distribution of foreigners in different cities is even less explored.” (Kesteloot & Van Der Haegen 1997)

& Hoflack 1999). It is on the background of these conditions –a growing number of workers, the unhealthy living conditions of a crowded neighbourhood- that in 1899 la *Société Anonyme des Habitations Ouvrières de Molenbeek Saint Jean* was created, after around 50 years⁶ of protests and denounces concerning the living conditions of the working class. *La Société* was the second society established in the Brussels agglomeration⁷ with the purpose of giving an answer to the housing question, joining the support of the Municipality, the Bureau de Bienfaisance de Molenbeek Saint Jean and the Commission des Hospices civils and several industrialists. Later, in 1919 la *Société Nationale des Habitations à Bon Marché*⁸, was established to address on a National level the enormous housing needs, dramatized by the destructions of the war. From the very beginning of the century, for a number of reasons -for the scarcity of land⁹, in order to contain costs and to maximise the number of housing units- *La Société Anonyme* gradually experimented the shift from single housing units to multifamily units, finally mostly dedicating its efforts to the latter. From the buildings with three apartments and separate entries as realised in Rue Demessemaeker (1913-1917) to a project of four ensembles, for a total of 175 housing units¹⁰. Apartments with two to three bedrooms represented a substantial improvement of living conditions to families used to live in units with two -or even one- rooms: a bedroom – for all the members of the family- and a kitchen. But such a privilege was not accessible to all the workers. Inhabitants were chosen in relation to income thresholds, privileging numerous families (Huberty & Hoflack 1999). Even more privileged were the families that could choose to live in a garden city¹¹, a socio-spatial experiment in cohabitation and shared property that anyhow had a short life, due to a conservative government afraid of the autonomous spirit of these settlements (Smets 1977; Kesteloot 1986; Bernard 2007). However, the intervention of both Sociétés, never concerned the low paid or irregularly employed or daily workers, not to mention the unemployed and vagabonds. Which hence were forced to live in what were considered as the two speculative forms of housing by definition, realised with the complicity of administrations (Smets 1977). The *maisons de rapport* were high density buildings, realised on narrow plots of land, following the principle to maximise the profit of the landowners, inhabited even by a hundred inhabitants, with families of five or six people per room. And the *impasses*, rows of small houses disposed around a sort of long and narrow corridor which worked as a common entrance. In the *impasses and maisons de rapport*, the majority of families

6 Concerning the emergence of the housing question in Belgium, see Appendix B.

7 After the Foyer Schaerbeekois, which was created in 1889.

8 To which la *Société Anonyme* will affiliate.

9 Among others, the State was interested to develop the area around the Ouest Station, thus conflicting with the housing oriented plans of the municipality, around 1905. For ten years all the projects were blocked, while waiting for the authorisation of a definitive plan.

10 Realised from 1922, in rue du Laekenveld, rue Gabrielle Petit, avenue Jean Dubrucq, rues de l'Escaut et de Rotterdam, by architects Diongre, De Saulnier, Van Meulecom and Puissant.

11 Though in the case of Belgium they should be better called *quartiers jardin*, given their scale, as pointed out by Raphael Verwilghen in La Cité, November 1921.

was living in one or –in the best of the cases- two rooms units.

So as a whole, during the phase of the most intensive industrial development, characterised by abundant availability of labour force but also by the first victories of the struggles for better life conditions, the workers with the lowest salaries –or those in a precarious position, the majority- was still living in unhealthy, overcrowded housing units. Among them, the worst segment was that of *taudis*¹² and their inhabitants, considered as a-social, problematic individuals. The deviant and *désaffiliés*, as Castel would define them. Often object of moralising preaches, educative interventions and political instrumentalization, to justify operations of urban renewal which in fact did not provide any solution to the evicted households (De Meulder 1989). As a result, they had to be absorbed by the surrounding *faubourgs*, for example those in Molenbeek, moving from one impasse to the other, from the renovated neighbourhoods to the neglected and poorest part of the agglomeration. A condition from which only a minority had the chance to escape: being in the position to pay a rent for a larger apartment or even to migrate to greener settings of the countryside. (Huberty & Hofflack 1999). Through the time and through these evolutions, private property, was increasingly encouraged –mostly as a way to maintain peace and prevent the revolts of the working class- in the form of financial support to the weakest households, reduction of taxes and support to the developers. Only the cooperatives established for private homeownership –as in the case of the garden cities- were excluded from the financial support of SNHLBM, for the previously mentioned ideological reasons. On the other hand, however, already at the beginning of the 20s, the sale of housing units became a necessary decision for the SNHLBM to recover part of its capitals, their rental apparently not being sufficiently profitable. So starting from 1923, la Société Anonyme – as an affiliate of the SNHLBM- had to sell its single-family units, in order to obtain further financial support for the realisation of new projects. Housing units were sold not only to the working class but also to the small bourgeoisie. In this way, the patrimony invested to create social housing was only partially recovered –through the monetisation- and many housing units were in fact reintroduced into the private market. Thus reducing the availability of housing units for the working class and the weakest segments of the population.

The crisis of the 30s just worsened the situation, diminishing the resources available to realise new housing. On the other hand, the high number of unemployed workers was encouraged to go back to the countryside, where at least the possibility to have a small orchard could have provided some material support and would have kept occupied an increasing number of individuals. The creation of Société Nationale de la Petite Propriété Terrienne (SNPPT), established in 1935, had the purpose to support such a strategy, at the same time resulting in the de-densification of the city centre. On the other hand, while before the 30s it was

12 In the beginning of the 20s *taudis* –slums- were calculated as 100.000 (Smets 1977): extremely unhealthy housing units, classified as such due to lack of light and air, over-crowdedness, humidity and safety issues.

easier to realise new projects on cheap, available land in the peripheral *faubourgs*, the crisis, by reducing funds and resources, obliged to finally consider the most neglected and crowded central neighbourhoods, where several demolitions and renovation interventions started to be realised. It was the years in which Logement Molenbeekois¹³ focused on the “*lutte contre le taudis*” –the slum upgrading¹⁴- by demolishing the worst structures and building new projects to relocate the inhabitants, experimenting on typologies and the use of materials to reduce costs as much as possible. It is on this background that in Molenbeek La Court Saint Lazare, will be realised, based on a project of the architect Diongre in 1927, to host 180 families coming from the demolitions in Parvis Saint Jean Baptiste. A five-storey building realised by replacing wood and bricks with concrete; and whose apartments offered limited surfaces and very small rooms to families mostly used to the living conditions of *taudis* ¹⁵(Huberty & Hoflack 1999).

Overall, however, it has to be concluded the interventions in the oldest neighbourhoods in Molenbeek were not sufficient if still in 1949, the president of la Société Anonyme announced the need of urgent interventions in favour of the weakest households. That was, in particular, the case of the neighbourhoods situated *du quai du Hainaut à la Place des Etangs Noir*, still heavily characterised by the presence of the industrial activities: an urban fabric juxtaposing sheds, ateliers and *taudis* (Huberty & Hoflack 1999). After the war, the productive orientation was already changing and the international vocation of Brussels was emerging. The law of 1953, by financially supporting expropriations, in fact opened the way to a new wave of demolitions and reconstructions: again, as in the 30s, in the name of a slum clearance that would have had to provide a healthier living environment. While in fact, the prevailing policy was to disperse evicted households – in the peripheries and in the countryside: only a minimum part of would have not been displaced. The problem of *taudis* and their asocial inhabitants –the 5% of the population at the beginning of the 50s- starting from those years will be progressively neglected, treated as an anomaly that specific social actors could have taken care of (De Meulder 1989). Instead of being considered as a symptom of a dysfunction at the level of productive and economic mechanisms engendering poverty and poor living conditions.

And while in some neighbourhoods high rise buildings, inspired to the Athens Charter, were realised, replacing impasses or in the few remaining empty plots, remodelling the image of the neighbourhood, at the eyes of the international public of potential investors¹⁶; in the

13 La *Société Anonyme* changed its name in Logement Molenbeekois in 1958.

14 Although it has been suggested the resources dedicated to the problem of *taudis* were in fact minimal, while the moralising discourse around poverty created the conditions and provided the justification for radical operations of demolition and reconstructions (De Meulder 1989)

15 In those years a few impasses and slums in Molenbeek will be replaced by new buildings: impasse du Souffre, Peeters, Rue Evariste Pierron and the slums in rue de Liverpool, impasse Casman, Rue Saint Martin. Only the building in Saint Lazare however will be finally occupied by evicted families, while the others were judged too beautiful to be occupied by the *taudisards*. (Huberty & Hoflack 1999)

16 In Molenbeek that was the case of the buildings realised to mask the railways of la Gare de l'Ouest, on boulevard Machtens (architect Van Damme) in 1956; or those in avenue De Roovere, in 1960; or, in front of Sippelberg

green suburbs single family units continued to be built, supported by the law of 1948¹⁷ and motivated by the moralising predicaments of the Church, going in favour of private property. As a result, a spectacular migration from the central neighbourhoods took place, in between the 60s and the 70s, developing around the main roads, encouraged by the available land, still cheap due to the absence of any planning effort or attempt to control or guide the private initiative (Kesteloot 1986; Burniat 1989); fuelled by the emergence of a consumption oriented culture. The house, with all its appliances and forms of comfort, was in fact at the core of a consumption-based phase of the economy, made accessible by the car and sustained by rising wages and employment. The individualistic style of life emerging in those years had a clear expression in the quite anarchic use of land, centred on private initiative, the chances of any form of control or guidance varying according to the municipalities' different orientations concerning land use and planning (Burniat 1989). Because of the intensive migration, the demographic pressure on the more central neighbourhoods diminished: during the 70s social housing projects were realised more to sustain the construction sector as an economic booster than to answer a concrete demand (Bernard 2007). Most of the financial effort was dedicated to support private property, thus discharging the State from supporting a thorough social housing policy (Kesteloot 1997).

During the same years, the housing units previously occupied by mostly Belgian households and left empty as a consequence of their improved social condition became available for the new migrants. Coming from Morocco, Turkey and Italy, they adapted to the available offer and bought cheap, low quality housing units, with the purpose of renovating them in a second moment or with a sort of makeshift approach. Or in some cases, with the purpose of renting them, in often overcrowded, inhuman living conditions.

Wealth polarisation and segregation in a global city

A map elaborated by Kesteloot and De Lannoy in 1985, represents the status quo reached in 1981 concerning the socio-spatial structure of the Brussels agglomeration (Kesteloot 1986). In particular, the map allows understanding how the configuration of housing assets resulting from the different phases of the urban development –from the beginning of industrialisation till the 70s- finally triggered a process of segregation of poor households that -through the following decades- simply consolidated. Schematically, a concentric structure developed, concentrating poor neighbourhoods in the city centre and richest households in the periphery. The central

parc, the complex Mahatma Gandhi (realised between 1961 and 1981), five buildings for a total of 292 housing units, representative of what were considered as the solution for a healthy and low cost housing. "La dernière tour est terminée alors que les premiers problèmes liés à ce type d'habitat (déracinement, anonymat, déresponsabilisation...) annoncent sa fin progressive » (Huberty & Hoflack 1999)

17 La Loi De Taeye, promoting access to property for middle-income households. The promotion of private property happened without any form of control or planning: the private initiative shaped the spatial and territorial future of the Brussels agglomeration.

neighbourhoods correspond to the areas originally occupied by workers, at the beginning of the industrialisation, characterised by the close cohabitation of industries, crowded residential buildings, and scarce public space. The second sector developed after the First World War mostly under private initiative. At the periphery of this sector, where the cost of the land was still accessible, social housing was developed: that was the case for example of garden cities. Only in a second moment, as part of urban renewal interventions, social housing projects will also be realised in areas that are more central. An accessible cost of the land was a major requirement for both subsidised housing and for those households having to rely on loans in order to realize their homes: the third sector corresponds to the car-based, urban expansion of the 60s and 70s. Within this sector the greener and more pleasant locations can be found, thus satisfying the demand of the emerging middle class. The distribution of the population across these sectors – as observed already in the 80s- stressed this differentiation. The central neighbourhoods are those of the so-called residual housing: cheap and often overcrowded housing units, still accessible to that large segment of the population excluded by both a limited social housing offer and by the private market¹⁸. While the percentage of rented units here is around 74%¹⁹, in the second sector it is in between 50% and 74%. Housing quality is better and property has mostly been achieved by receiving subsidies or by obtaining loans. Private property dominates the third sector, where housing is more expensive –variably, according to the location and of the typologies, valorised by the green setting- and has often been acquired without the need of any financial support.

The map depicts a relevant point of arrival, a crystallisation reached in a key moment, such as the transition from an economy eminently based on the secondary sector to an economy increasingly based on internationalisation: that socio-spatial structure will barely change in the following years. Subsequent transformations, but most importantly the housing policies, will not be able to disrupt that structure.

The vocation of Brussels as an international centre started to emerge in the 20s, on the wave of the attention attracted at the time of the reconstruction, which put Brussels at the centre of a number of interweaved debates, unavoidably connecting spatial planning and economic needs, from the urgencies of urbanism to the possibilities suggested in those years by regionalism. The internationalisation process started to consolidate immediately after the Second World War, with the concentration of tertiary activities -which will become predominant only from the 80s. The organisation of the world fair in 1958, celebrating peace and modernisation, in particular, was considered as an occasion to trigger an intensive urban –spatial and economic-

18 The secondary or residual rental sector occupies the bottom of the quality range of housing: one looks for housing in this sector when all other sectors appear to be inaccessible. The residual sector offers the cheapest housing since it concerns old buildings, having returned their investment and profits but still generating some additional profit when their lifetime is extended. (Kesteloot & Van Der Haegen 1997)

19 The percentages refer to the situation observed in 1981.

transformation, with the purpose of attracting foreign investments²⁰. In that direction went the designation of Brussels as a potential capital of Europe –also in 1958- and as a good candidate to host the main institutional venues of the new born European Union. In the following years, parallel to urban sprawl, *Bruxellisation* was the other process heavily and violently transforming the agglomeration: a process of urban disruption having the purpose to make possible the installation of office buildings, facilities and glamorous silhouettes required by a global city. The Plan Manhattan and the construction of the World Trade Centre (conceived starting from 1960, never completed), the Berlaimont (1963-70), the ITT tower (1973), dominating over the abbey La Cambre, the Blaton tower, realised by demolishing Victor Horta's Maison du Peuple (1968) are only a few among well know projects. Infamously related to a season of violent urban interventions, which caused the eviction of thousands of inhabitants and the destruction of the urban fabric. On the other hand, they also triggered the emergence of a movement of resistance, the mobilization of the inhabitants, trying to impede evictions and the destruction of Brussels historical patrimony. *La ville aux cents comités de quartier* was the expression used to describe the proliferation of civic initiatives emerged because of the Bruxellisation.

In the following years, the tertiary sector grew and the activities related to an administrative role as the capital of European Union multiplied exponentially, attracting an increasing number of immigrants. If in one century the percentage of foreigners on the total of the population shifted from 6% to 8%, from 1961 to 1995 it shifted to the 30% of the total (Kesteloot & Van Der Haegen 1997). From 1961 to 1999, the number of people employed in the secondary sector shifted from 170.000 to 40.000. While the tertiary sector doubled their numbers, recording an increase of 200.000 units (Kesteloot & Saey 2002). Today Brussels is a reflexive²¹ (Elmhorn 2001) global city, as such being characterised by neoliberal dynamics such as financialisation, the flexibility of labour conditions –finally leading to precarity-, intensive immigration of both highly skilled and unskilled workers, an increasing polarisation of wealth ²².

As previously mentioned, the map of Kesteloot and De Lannoy, portrays a point of stabilisation of the socio-spatial structure Brussels reached at the beginning of the 80s. From that moment on, that structure will barely change –mostly the overall quality of the lived environment will

20 «La ville de Bruxelles était la capitale d'un pays industriel, pacifique et colonial, insensiblement elle est devenue un centre d'affaires et d'administration, le quartier général nord Atlantique». « La désintégration de Bruxelles » was the title of an article by Emile Henvaux (published in La Maison in 1957), in which the author commented the violent transformations preparing the city to the international Exposition of 1958.

21 According to Elmhorn, Brussels is a global reflexive city in the sense of being characterised by the presence of actors who operate with a reflexive attitude, which means deliberately making decisions and promoting projects that might shape their environment, according to the specificities of the place, so that their performances could be enhanced. In the case of international actors and investors, this usually contributes to attract other actors looking for the same conditions.

22 Saskia Sassen famously introduced the concept of global city in 1991. Among others, such as the relation to the place, a distinctive characteristic is the attraction of a migration wave that combines highly skilled, high-profit making professionals on the one hand; low skilled, prone to precarious and informal activities individuals on the other hand. The result of the dynamics installed by this cohabitation are the increasing inequalities and the wealth polarisation within the same city (Sassen 1991). The case of Brussels is well representative of this category.

agency | La Cellule du Logement

Themes: marchands du sommeil, unhealthy living conditions, informal economies, maintenance, renovation, appropriations, stratégies de vie, culture and inhabiting practices, Contrats de Quartier, housing typologies, speculation.

La Cellule du Logement has been established by the municipality of Molenbeek in 2006 with the purpose of fighting against housing insalubrity, empty housing units, slums landlords. Michel Renard, former Professor of *Semiologie de l'architecture et de la Communication* at La Cambre University, worked at La Cellule from 2009 till 2014.

Quel était l'approche à la salubrité avant de l'institution de la Cellule du Logement ?

Est-ce qu'ils traitaient la salubrité ? Pas spécialement, souvent ils se rattachaient à l'urbanisme. Mais à Molenbeek ce n'est pas seulement ça [l'urbanisme], c'est un contexte spécifique. A la Cellule on est passé de 2 personnes à 5 personnes. Les objectifs étaient très clairs : salubrité, marchands de sommeil, logements vides. Moi j'ai travaillé aussi en architecture, la personne qui m'a succédé, une juriste, elle a amené un point de vue juridique. Une approche pas très efficace parce que si tu vises à obtenir des résultats...ce que j'ai appris en travaillant sur le terrain, c'est que ça n'a aucun sens si on ne parle pas avec les gens. On a envoyé des lettres au propriétaires, mais si tu fais quelque chose au niveau juridique ça peut prendre des années...c'est des logiques différentes...Il faut rencontrer les gens, avoir un contact direct avec eux.

La majorité des cas c'était les logements insalubres. On avait jusqu'à 300 nouveaux dossier chaque année.

La Région aussi a créé un service d'inspection et pour te donner un rapport on a eu dans la commune [de Molenbeek] autant des situations contrôlées que dans toute la Région.

Souvent c'était *mano a mano*, des gens pakistanais, marocains, surtout marocains. C'est eux les premiers exploités. Ils ont des filières de travail.

Le gens qui vendent les fleurs par exemple...ces gens n'ont pas de statut, sont dans des conditions pénibles. Et s'ils réclament, ils menacent leurs familles. A Molenbeek c'est eux [les Marocains, les Pakistanais] qui se sont appropriés des logements qui étaient à l'abandon ou vides du fait de la crise de années 60-70. La population est descendue, un exode encouragé par les voitures. Beaucoup de gens partaient et laissaient des maisons magnifiques. Donc ça c'était fait de manière anarchique. Souvent ils [les marocains] ont agi comme s'ils étaient au Maroc. Selon la loi du plus fort. Moi c'est qui me frappait c'est qui ils exploitaient beaucoup leurs coreligionnaires. Certains étaient vraiment comme les marchands de sommeil, d'autres c'était pas ça...le principe tu achètes une maison, par exemple pour 200.000 euro, tu dois rembourser 3000 euro par mois, donc la totale des loyers doit te donner cette chiffre. Ça c'est le principe.

Deuxièmement il y avait un phénomène de racisme : les propriétaires avaient moins tendance à louer les logements à des personnes d'origines étrangères. Mieux les marocains que les siciliens. Ceux qui sont venus dans la dernière phase d'immigration étaient turques, pour les mines et d'autres travaux. Donc ce gens-là –les marocains surtout- ont occupé des maisons, ils ont acheté des maisons. Ils avaient une économie formelle et informelle qui le permettait. Il y a très peu de temps un pan d'hashish c'était l'argent d'un an pour une famille complète. Ce qui m'a étonné c'est que ça ne se produisait pas au Maroc, mais à Molenbeek même. On a découvert parfois des exploitations de marijuana. Avec des systèmes automatiques d'arrosage. Et s'il y a des dysfonctionnements et ça prend feu, il y a des systèmes pour l'arrêter. Mais ce n'était pas 100, 200 plantes, c'était des milliers. À Molenbeek. Et moi en riant j'avais dit au commissaire, « Mais c'est bien, économie locale, circuit court... » [Renard commente ironiquement]. Une de ces exploitations c'était à 50 m de notre bureau dans un immeuble qui était à l'abandon, que normalement n'était pas même en location mais quelqu'un l'avait squatté... ça s'est terminé parce que là il y avait de l'eau qui coulait, les gens ont fait une plainte. Ils ont amené la police et ils ont découvert. Ça c'était le dernier. Un autre c'était du côté du Tour and Taxis. Ils ont vu de la fumée, les pompiers sont venus et il y a un gars qui est sorti « *Non, non il n'y aucun problème* » en riant. Donc

parfois cette économie informelle est plus importante que l'économie réelle. Tu dois aller le jeudi matin, tu prends le métro, à Comte de Flandre, il y a un marché : ça c'est l'économie formelle typique de ce type de quartier. Donc dans le travail qu'on faisait, le premier élément c'était appeler la norme, parce que tu as des gens qui viennent du bled, où ils n'avaient même pas du chauffage, et donc ils ne voient pas les dangers. On est dans une autre situation ici. Donc on faisait beaucoup d'information. Il y a souvent une manque d'éducation, par rapport à l'utilisation et au maintien des bâtiments. Et deuxièmement du contact direct, pour que les gens comprennent l'importance de respecter les normes, tout en prenant connaissance des différences culturelles, en travaillant à partir de ça. Nous on contactait les propriétaires, mais c'était les locataires qui se plaignaient, ils contactaient la commune souvent passant par d'autres associations par exemple, le service de néo-natalité. Et ça tombait sur un réseau de marchands de sommeil. Mais dans un cas c'était aussi un réseau de prostitution. Elles étaient dans ce système épouvantable. On lui montrait un bel appartement et puis on les logeait ailleurs. Et là où elles étaient, le chauffage ne fonctionnait pas, trop petit, etcetera. Dans ce cas-là, la propriétaire était payée par un CPAS. Donc c'était le pouvoir public qui payait pour l'exploitation finalement ! Ils ne connaissaient pas la situation, parce que ils ne faisaient pas d'enquête !

Comment tu regardais à l'habitat en tant que sémiologue ?

C'était l'application pratique. Je donnais de cours sur le développement durable et le logement. En tant que sémiologue j'avais travaillé aussi dans une petite association qui s'appelle Espace et Coopération. Je travaillais là-dedans sur le logement et plus largement l'habitat. La Cellule c'était le syncrétisme des toutes ces expériences. J'ai trouvé intéressant un article qui amène à voir les bidonvilles différemment. Qu'ils soient ici ou au Maroc. Ou les grands ensembles en France... l'auteur il propose, à partir de la réappropriation du territoire par les occupants, il propose un aménagement avec des logiques différentes. Moi c'est ça que je vois à Molenbeek. Ce que j'ai décrit jusqu'ici c'est le mauvais côté. Mas il y a des gens qui ont fait des bijoux. Des appartements très bien aménagés. Évidemment nous [la Cellule] on avait le

regard sur ce qui n'allait pas.

Est-ce qu'il y a une spécificité à Molenbeek, par rapport à d'autres municipalités, soit au niveau de problématiques, soit des réponses ?

La spécificité à Molenbeek c'est la population qui vient d'un climat différent. J'ai vu des logements où ils avaient le salon marocain, une grande pièce avec les banquettes tout autour. C'est très important au niveau anthropologique, les habitudes de construction se reproduisent, même avec l'habitat existant. Donc ils essayaient de reproduire les morphologies du Maroc dans les bâtiments existants. De ce qu'on m'a dit, au Maroc les parents ont une chambre et les enfants ils dorment sur les banquettes. Et donc je ne sais pas ici s'ils faisaient ça. Comme une chambre commune. Et puis une fois dans des immeubles récents - de 3-4 ans- je suis tombé sur quelqu'un qui se moquait des tous les marocains qui reproduisent le Maroc ici. *Ici on est Belgique...* il est marocain et il avait un aménagement tout à fait contemporain, des meubles de design. Et ce n'est pas seulement la première génération. Même les deuxièmes générations ils essaient de reproduire son habitat. Je fais un peu la sociologie mais comprendre leurs conditions de vie ça détermine aussi la manière que les gens acceptent d'être traités. Le gens qui viennent chercher un logement à la fois ils espèrent aussi de trouver un pays qui est économiquement développé ou de pouvoir développer son projet avec plus d'efficacité. Donc ils viennent ici pour tout ça.

Ils arrivent ici avec ce genre d'intentions et d'expectatives, mais après de ce que tu me dis, ils ont une façon assez personnelle disons, résistante parfois, de se rapporter aux lois, de réinterpréter, de se rapporter au contexte en fait...

Oui, c'est ça. Et donc envoyer une lettre ne change rien. Ils ne la lisent pas ou ils la jettent. Donc la situation ne bouge pas. Tandis que quand tu discutes avec eux, tu lui expliques... on peut clarifier les choses, on arrive à mieux se comprendre. A comprendre l'importance de respecter les règles.

Et surtout on peut s'approcher à chaque situation de forme spécifique, selon les circonstances et les besoins. Il me semble que le problème ce n'est pas seulement

au niveau des politiques pour traiter les différentes facettes de la question du logement. A Molenbeek c'est aussi une dimension culturelle qui empêche une bonne communication et la mise en place d'un cadre de vie plus adéquat et digne.

Absolument, dimension culturelle et linguistique, c'est une dimension fondamentale. Je connaissais quelqu'un qui mettait les affiches pour le parti socialiste. Et pour lui c'était normal qu'on lui donne un logement, il attendait un logement. Il y aussi une culture d'assistentialisme, on reste à l'attente de solutions sans être suffisamment actifs, sans s'activer pour changer sa situation. Donc même s'il y a des outils et des politiques il n'y a pas toujours assez de prédisposition des concernés. Ou d'information. Mais souvent il y a en fait aussi un intérêt à maintenir la situation telle qu'elle est. On a découvert beaucoup d'histoires de violence et d'abuse –sexuel, de travaille, familial- se cachent derrière des situations irrégulières ou précaires. Il s'agit des situations très complexes. Dans plusieurs cas c'est les enfants ceux à qui on s'adresse dans la famille, car ils peuvent parler le français du fait qu'ils vont à l'école, tandis que leurs mères parfois elles ne parlent même pas l'arabe.

En plus à Molenbeek il y a une situation de blanchiment d'argent, Molenbeek c'est une lessiveuse, pour nettoyer des profils inadéquats. Ce qui est révoltant face aux conditions de salubrité épouvantables. On a eu même des cas d'intoxication par monoxyde de carbone. Souvent par manque d'éducation des habitants, qui ne se rendent pas compte des dangers d'un mauvais entretien des bâtiments

Est-ce qu'il y a des politiques ou des outils spécifiques qui ont été mises en place à Molenbeek?

Parmi les outils tu as le logement de transit, pour loger les gens dans de situations d'urgence ou en attente des interventions dans leur logement. Il y a des aides à l'acquisition. Il y a des Contrats de Quartier. Mais les Contrats de Quartier ils amènent la gentrification, c'est partout. Quand j'étais à l'RBBDH j'ai étudié 20 ans les contrats de quartier pour le logement et sur ce 20 ans le nombre des logements qui aurait du être produit été divisé par deux. Mais c'est logique. Et je l'ai vu à Molenbeek [la gentrification] ...quand on dit qu'il y a un contrat de quartier dans cette zone le gens qui ont une maison à vendre ils la vendent. « *il y un contract de quartier, votre maison va etre dedans..* » le prix augmente d'office.

Et sur un an ça peut doubler. Et donc le vendeur de la maison, il va à la commune, il va prendre les valeurs de référence il revend pendant le dernier mois. Donc le prix évalué pendant le contrat de quartier c'est déjà spéculatif. Moi j'avais suggéré que les prix de vente soient ceux enregistrés *avant* du contrat de quartier. J'avais proposé ça il y a 30 ans à Saint Gilles aussi. Cet effet, la spéculation, c'est une résultante des Contrats de Quartier. A Molenbeek c'est surtout pour un manque de conscience des phénomènes. A saint Gilles c'est voulu. En tous cas la croissance de la population était telle que tu ne peux rien faire [pour empêcher la hausse des prix et la spéculation]. Aussi il y eu une évolution du fait de l'Europe, une pression immobilière qui a fait que le logement s'est renchéri. Il y a des politiques qui ont été mises en place mais qui sont très faibles. Quand j'y étais, il y avait 300 logements de la commune pour -à l'époque- 80.000 habitants, ici à Saint Gilles il y avait plus de 100 logements pour 45.000 habitants. Des logements publics, des maisons à des prix moyens, moins cher que le logement sur le marché mais plus cher que les logements sociaux. La différence c'est que là-bas les logements sont de 5 chambres ou plus. A Saint Gilles c'est l'inverse, tu trouves quelque deux chambres, si non c'est tous des petits logements. Cela veut dire qu'ici à Saint Gilles il n'y a pas des chances pour les familles nombreuses. Et la demande est en fait partout, mais finalement l'offre n'est pas bien distribuée.

Est-ce qu'il n'y a pas une politique au niveau régional pour empêcher ça ?

Il y avait des nombreuses sociétés de production de logements et elles étaient indépendantes. Les logements grands ils ont été créés pour répondre aux normes. Il y avait moins de logements publics à Molenbeek mais au même temps ils étaient plus adaptés à la population. Tandis que à Saint Gilles, avec des petits logements ça n'arrive pas à répondre aux besoins de la population et donc ils sortent de la commune et ils vont à Molenbeek. Mais souvent les familles ne bougent pas et acceptent des conditions de vie qui ne sont pas bonnes parce que trop des choses les relient au quartier : l'école des enfants, le boulot, etcetera. Et s'ils sortent de Molenbeek c'est pour sortir de Bruxelles, chercher une maison où ça coûte moins cher.

improve- and the social and demographic evolutions related to the installation of a different economy and to the migration pattern characteristic of a global city will happen on the background a substantial spatial continuity (Kesteloot & Van Der Haegen 1997). Through the years –till the present days-, it will be the internal migrations to adapt to the inadequate housing policies –inadequate to meet the needs of an increasing part of the population, the middle class-- and to the available assets. However not without consequences: the result will be the consolidation of pre-existing dynamics of segregation, in a sort of vicious circle²³. The neighbourhoods of the *croissant pauvre* will be those mostly affected, in particular under the pressure of demographic and economic evolutions. A few elements shortly introduced in the next paragraphs would allow to better understand a process which is in fact ongoing.

A relevant aspect that needs to be stressed –to start with- is that already by the beginning of the 80s, the conditions that immigrants would have found in Brussels started to be substantially different from those of their predecessors. Evolving as a global city, on the one hand Brussels lost most of its industrial activities, being dismissed or displaced in more peripheral positions, far from the central neighbourhoods they traditionally occupied. On the other hand, it continued to attract a high number of immigrants, both from poor countries and –increasingly- from rich Western countries and other European countries, as a condition typically characterising global cities. From 1961 to 1995, the number of immigrants shifted from 8% to 30%. However, while concerning the latter the job offer was congruent and adequate to their highly skilled profile, concerning the former the offer was and still is insufficient. It actually started to diminish due to the deindustrialisation process, since the beginning of the 70s, never complemented by the market of temporary jobs created as part of the economy of a global city²⁴. Hence, the perspectives of emancipation of the generations arrived in Brussels during the “golden” 60s, vanished in front of the post-Fordist turn of capitalism. From the 80s unemployment became structural (Wayens et al. 2010) and precarity grew. In between 1990 and 1995 the young individuals -less than 25 years old- receiving the unemployment benefit –*minimex*- jumped from 14% to 26% of the total, representing the 33% of the unemployed population (Mistiaen & Kesteloot 1998). While the Belgian citizens continued to leave the agglomeration, looking for greener settings, unemployed, young individuals, newly arrived immigrants and second generations concentrated in the central neighbourhoods of the *croissant pauvre*, still offering

23 The transformations engendered by the different renovation programs were not able to alter that spatial structure and distribution of the housing market and its entanglement with the migration movements. In particular, migrations operated as a reinforcing factor. What is suggested by scholars is that only an intervention at the level of policies regulating the housing market might have the capacity to intervene and alter a process in which spatial structure and social change viciously reinforce each other, worsening segregation and economic polarisation (Kesteloot & Van Der Haegen 1997; Dessouroux & Romainville 2011; Dessouroux et al. 2016).

24 According to Sassen, the model of global city is characterised by the coexistence of the very high skilled workers and low-level jobs, the latter being required for the maintenance of a strategic infrastructure. While it is true that Brussels attracts both categories, the job offer concerning the low skilled remains insufficient.

cheap housing and living conditions²⁵.

When the first PRD started to be conceived, around 1989, the new born Region had to prove it could become responsible for the autonomy it was recognised with, while dealing with the consequences of *Bruxellisation*, the decline of the population²⁶ and the challenges related to deindustrialisation (Maissin 1999; Sonck & Pauthier 2011; De Beule et al. 2017). At the centre of the PRD finally adopted in 1995, and still addressing the agglomeration as concentrically structured, there were the protection of the residential function from speculation and the reclamation of the city centre (Sonck & Pauthier 2011; Ananian 2016). Resources, as well as projects of housing production and renovation, focused in particular on the EDRL – and later the EDRLR- perimeters, established as areas of priority intervention²⁷. A number of programs were conceived for the purpose, such as the bonus for housing renovation, the requalification of public space, the creation of local facilities and the *Contracts de Quartier*. The latter were established in 1993, after years of neglect of the central neighbourhoods and their housing assets, while most of the financial resources were dedicated to the individuals' access to homeownership, thus contributing to fuel urban sprawl. Purpose of the *Contracts de Quartier* was to requalify the urban environment, in the attempt not only to improve the living conditions of those already inhabiting there, but also to attract the population back in the city centre. In particular, while during the 70s the renovation approach was mostly fragmented and addressing single buildings and urban blocks, during the 90s *Contracts de Quartier* introduced a more holistic approach, gradually evolving towards the interweaving of spatial and socio-economic dimensions (Berger 2009; Loriaux 2012). Another relevant characteristic of CdQ is the relevance attributed to the participation of the concerned inhabitants, although not always resulting in an actual capacity of impact of their preferences (Berger 2009). The atmosphere of the years that brought to the establishment of the Brussels Region was characterised by an

25 In 1991, referring to the whole urban region (around 1.696.000 inhabitants in 1991) –which means beyond the administrative limits of the Brussels Capital Region (with about 952.000 inhabitants in 1991)- a strong polarisation has been observed concerning the distribution of young individuals, between the central neighbourhoods and those of the periphery. The first, corresponding to the canal corridor, across the municipalities of Anderlecht, Molenbeek, Saint Josse, Schaerbeek and Brussels (the Pentagone area), are defined as disadvantaged neighbourhoods in relation to four suggested dimension of precarity (Kesteloot et al. 1998): social isolation, predominant form of employment, quality of housing and percentage of immigrant inhabitants. These neighbourhoods were characterised by a strong presence of immigrant workers, 40% of the young individuals are foreigners and one third of them was Moroccan. In the neighbourhoods of the periphery, the majority of the young population is originally from Belgium and foreign individuals are mostly employed in services and activities related to the international function of the city.

26 From 1995, population starts to increase again. If on the one hand suburbanisation continues, more and more immigrants are attracted by the economy of a global city such as Brussels.

27 The EDRLR- *Espace de Développement Renforcé du Logement et de la Rénovation* – is a perimeter covering most of the municipality of Brussels, the oldest neighbourhoods of Anderlecht, Molenbeek, Koekelberg, Jette, Schaerbeek, Saint-Josse, Ixelles, Etterbeek, Saint-Gilles et Forest. The perimeter includes all those neighbourhoods that should be the object of interventions of urban renewal according to the second Plan Régional de Développement (PRD) and was adopted in 2002. The EDRLR is the updated version of the first EDRL, introduced with the first PRD (adopted in 1995).

intense desire of civil society to define a social project. The emphasis on participation was the result of that spirit, but also of the years of the *bruxellisation* and of the civic mobilisation triggered by those violent transformations. The perimeters concerned by CdQ mostly coincided with those of the *croissant pauvre*: these programs were the answer of administrations to the declining conditions of the pentagon and of the *croissant pauvre*.

The interventions of *revitalisation urbaine* of the 80s and later of the 90s, while contributing to locally improve the quality of the environment, in fact created the premises of a gentrification process slowly beginning to create pressure on the local inhabitants²⁸. Additionally, the causes at the origin of spatial concentration of the more precarious and fragile households were not even addressed, not to mention, affected (Noel 2009). CdQ did not address housing policies as a whole, by looking beyond the public sector of production: the private housing market remained unregulated, while in fact representing the main part of the offer and of the housing production, especially during the 90s, when housing production as a whole was very limited. As a result, the neighbourhoods of the *croissant pauvre*, offering cheap living conditions and housing, continued to represent the reservoir of residual housing – as previously mentioned: the cheap, decaying housing, accessible to those social segments incapable of renting or accessing homeownership elsewhere in the Brussel's agglomeration. In a first phase rented by mostly Belgian owners to immigrant households, progressively -as soon as the Belgium owners re-covered their investment – they started to be sold to those households –mostly immigrants from Turkey and Morocco- trying to stabilise their lives, by consolidating their relational environment and by escaping the arbitrariness and inequities of the private housing market.

Despite the efforts and the programs of the municipalities, during the 90s private investors and developers were still reluctant to operate in the neighbourhoods of the *croissant pauvre*, where most of the housing public production concentrated, covering the 23%-24% of the whole annual production (combining private and public)²⁹. It will be only in 2003 that the trend started to reverse³⁰: the public effort started to diminish in those areas and to re-orient part of the resources in the south-east, where operations of larger scale have been realised (Ananian 2016). On the other hand, an increasing number of private investors began to focus on the

28 From the half of the 80s and during the 90s, the cost of land and real estate of the central neighbourhoods increased substantially, due to the number of speculative projects that were realised in occasion of the unification of Europe and the installation of the European Parliament. As a result, a number of households had in fact to migrate towards more peripheral parts of the city and the neighbourhoods still offering accessible housing, but increasingly degrading. (Kesteloot 1995)

29 These numbers refer in particular to projects of 10 or more housing units, this kind of operation representing the vast majority of interventions in the Brussels Region since 1989 and the 70% since 2003 (Ananian 2016). Of the public production however, only a small percentage was social.

30 It has been showed (Ananian 2016) that in between 1989 and 2002, the great part of the production concentrated in the pentagon and surrounding first crown neighbourhoods, as the result of the attention in those years dedicated to these central neighbourhoods.

voices | Marie, inhabitant of Le Nid

Themes: precarity of living conditions, collective empowerment, housing typologies, support of public actors, loan conditions, stewardship.

Je suis arrivée ici avec mes deux enfants en 1999, à cause de la guerre en Rwanda. C'était pour s'éloigner de la misère chez nous. Ce n'était pas facile, je ne savais pas comment j'allais... qu'est-ce que j'aurais fait ici. Mais grâce à Dieu, le bourgmestre nous a accueillis, à Bruxelles. Quand tu arrives comme réfugié ici on vous interroge, pour écouter ton histoire. Et la première interview c'était négative, je n'étais pas acceptée mais j'avais la chance de faire un recours. A ce moment-là on a eu une deuxième interview et c'était positif, j'ai pu sortir du centre [d'accueil]. Et là on a commencé à m'aider. On m'a donné un premier appartement, mais ce n'était pas facile, c'était à la campagne. Alors j'avais quelque personne de chez nous que je connaissais ici à Bruxelles, pour le contacter. Et on m'a dit « on va t'aider à chercher un autre appartement ». On a trouvé un appartement à Anderlecht. Après un mois que je m'étais installée dans cet appartement la misère commence. J'étais au premier étage, je pense c'était un vieux bâtiment, tout à coup il y a de l'eau qui commence à couler. Et ça venait des toilettes. J'appelle le propriétaire, il était gentil et on a contacté mon centre d'assistance pour dire qu'il y avait un problème grave. Et donc la commune a accepté que je cherche une autre maison. On avait vu un appartement mais c'était à une chambre. Et moi j'ai deux enfants ce n'était pas suffisant. Mais on n'avait pas de choix. On est resté là pour quelque temps, quelque chose comme six mois. Au même temps,

je m'inscris dans une association qui aide beaucoup les réfugiés et je faisais des activités en tant que bénévole. J'ai étudié bibliothécaire en Uganda, mais ce n'était pas facile trouver ici quelque chose pour travailler. Et j'ai cherché aussi par mon église, je suis Anglicane. A ce moment-là, j'expliqué mon problème, je dormais avec ma fille dans la chambre, on avait un canapé. On m'a dit, « ne t'en fais pas on trouvera une solution ». Je me suis inscrite aussi dans *Logement pour tous*, mais il y a une longue liste, il faut beaucoup de patience. J'ai attendu quelque temps...En attendant on a eu un problème avec notre propriétaire. On avait un propriétaire qui n'était pas très bon. Si vous ne connaissez pas les choses il y a des gens qui profitent de vous. Il avait un petit magasin de vin et un jour on a découvert qu'on était en train de payer l'électricité pour toute la propriété, pas seulement celle de notre appartement. Alors on a cherché un autre appartement. Le troisième. C'était deux chambres, c'était important pour les enfants. C'était en 2001 et on a déménagé à Forest. Ça se passait bien, les enfants pouvaient continuer l'école, moi j'apprenais le Néerlandais. Après, au milieu de 2002, on m'a proposé un autre appartement, c'était très petit, alors j'ai répondu au Fond de Logement que ça ne me donnait pas de sécurité. Alors le Fond du Logement me dit « c'est déjà la deuxième fois que vous n'acceptez ce qu'on vous propose, alors on va vous enlever de notre dossier. » Avec Logement pour tous c'est au milieu, entre locatif privé et locatif social. En 2003

ils m'ont proposé un appartement, c'était à Anderlecht. On était très contents. Tout le monde avait sa chambre. Après, je faisais ma formation, et quelqu'un m'a dit « vous pourriez vous acheter un petit appartement vous-même ». Et j'ai dit, comment c'est possible ? avec mon petit salaire...je pensais qu'on m'avait donné la mauvaise information. On m'avait indiqué que ma voisine avait pu acheter son appartement. Mais elle avait quand même deux salaires, avec son mari. Alor j'ai contacté mon assistant social pour demander si j'avais vraiment des possibilités, si c'était vrai qu'elle avait acheté. On me dit que non, qu'elle n'avait pas acheté. Mais j'étais intéressée, ça faisait longtemps que je devais démanger tout le temps, avec mes enfants. Si on pouvait trouver quelque chose que c'est la nôtre et ne plus bouger...Alors on me dit « Si ça t'intéresse il y a un projet en cours... ». C'était soutenu par le Fond du Logement. Donc j'ai accepté et je suis entrée dans un group [d'épargne] qui s'appelait *La clé*. Après le Fond de Logement m'appelle pour connaître mieux combien je touche et si c'était suffisant pour avoir le financement. Et on me dit « Madame, désolé avec ça vous ne pouvez pas avoir du crédit pour deux chambres » Alors j'ai presque perdu l'espoir. Mais je continuais à cotiser dans le group. Et il a eu des gens qui ont pu acheter. En plus dans mon cas, les choses se compliquaient parce que mon mari était disparu dans la guerre mais dans le dossier j'étais encore mariée. Alors on m'avait dit, « si vous achetez, c'est avec votre mari, en tant que personne mariée ». Et moi j'ai dit oui mais mon mari n'est pas là en fait. Et je suis seule. Donc ça devenait encore plus compliqué. Dans le groupe alors, à ce moment-là, il y avait déjà deux ou trois familles qui ne pouvaient pas acheter. Après ce premier group, nous nous

sommes dissolus. Alors on m'a remboursé ma petite épargne. Et Maria Elvira du Fond de Logement un jour me dit qu'il y avait encore la possibilité de s'inscrire dans un autre groupe qui s'appelait Le Nid. On était les trois familles qui n'avaient pas pu acheter avec le premier group. Et après on nous a introduit ce nouveau projet qui s'appelle CLT et on nous a expliqué toutes les conditions. Comme je cherchais une maison pas pour profiter, mais pour vivre mieux, c'était bien. Parce que en tous cas je vais récupérer l'argent que je vais y mettre dedans. Et ça c'était mieux que rien! Alors avec le groupe Le Nid on a commencé à épargné et finalement on était les 7 familles. Après un jour au Fond de Logement, ils ont fait le bilan avec les différentes familles. Moi je voulais trois chambres, car tout le monde était toujours à la maison. Mais avec mon salaire ce n'était pas possible et donc finalement on a accepté les deux chambres. Et après petit à petit on a commencé. Lorella, Thomas, Manu nous ont accompagné. Heureusement qu'ils étaient là, car il y avait beaucoup de choses à comprendre, c'était très complexe.

gentrifying neighbourhoods of the centre and along the canal, encouraged by the previous public interventions or as part of partnerships with the public, both conditions providing some sort of reassuring framework concerning the security of their investment (Ananian 2016; Dessouroux et al. 2016). On the background, it has to be mentioned, the second PRD, adopted in 2002, going beyond the logic of a concentric structure administratively divided into 19 municipalities, introduced a polycentric view of the city. From that moment, the development of the Region started to be organised around some strategic poles of development and the Canal was indeed one of them³¹.

To resume, from the beginning of the 90s till the present days -more intensively from the half of the 90s- the neighbourhoods of the city centre have been the object of growing attention. On the one hand this improved the living environment; on the other hand, it created the conditions for attracting or giving an answer to other segments of the population than the poor households historically living in this area: such as those for whom the neighbourhoods of the south-east became increasingly inaccessible, both for renting and for homeownership. The consequences of these processes, of the internal migrations and housing policies, mostly had and continue to have a negative impact on the *croissant pauvre*. This is shown in a recently published map (Dessouroux et al. 2016), describing the effects on the one hand of the -partial- dynamism of the real estate market in Brussels; on the other hand, of the continuation of migration waves, according to a pattern typical of a global city, as previously mentioned.

The map published in 2016, by depicting the socio-economic mutations as shaped in between 1991 and 2006, under the effect of internal migrations determined by different factors, ideally updates the previously mentioned map of Kesteloot and De Lannoy, representing the situation in 1981.

While a certain dynamism has been observed in terms of housing production, it mostly concerns the private sector and in particular addresses high-income households. Concentrated mostly in the southeast neighbourhoods, it determines the migration from those areas of the city of the households that cannot afford that kind of offer (first factor). These will hence move towards the central neighbourhoods, where the renovation programs, past and present, in fact, predispose the ideal conditions for their installation. This determines in turn the migration of the locals towards less expensive neighbourhoods, which are in fact those situated along the canal and belonging to the *croissant pauvre*. In addition to this north-north west directed movement, determined by the arrival of households and new inhabitants from the south-east, the canal area in itself has increasingly been the object of attention of investors, as previously mentioned, encouraged by public partnerships and by the progressive improvement of the quality of the living environment (second factor). A process of gentrification, partially determined by the financialisation of the city, which undermines the stability of the poorest

31 It has actually been pointed out that the canal has been object of a continuous attention, at least since the establishment of the PRD in 1995. (Ananian 2016)

households, historically living in these areas, in their turn being pushed towards the adjacent peripheral neighbourhoods³². The third factor of pressure is that of the immigration, triggered by the role of Brussels as a global city, both from wealthy and poor countries. The distribution of immigrants tends to reinforce the existing ethnic patterns: the richest neighbourhoods tend to be inhabited by the wealthiest immigrants – generally coming from the same group of countries, where obtaining a high level of education is possible thus allowing them to have access to the highly qualified work positions. On the other hand, the poorest neighbourhoods are those where immigrants from poor and troubled countries initially arrive and tend to stay, due to the cheap living conditions, but also to the formal and informal economies, the solidarity and the cultural ground they need to rely on in consideration of their precarious lives³³. Ecologies that emerged as part of a long-term permanence, by choice or by necessity³⁴. Hence, in addition to the pressures determined by the previously mentioned process of gentrification and richness polarisation along the north-west/south-east axe, the neighbourhoods of the *croissant pauvre* still work as arrival and long-term permanence neighbourhoods, thus absorbing the most problematic segment of the migrant populations.

The household leaving from these neighbourhoods are those having the possibility to look for better living conditions or those for which the pressure of the gentrification process is unbearable. Displacement does not always correspond to social mobility and *de facto*, as the map shows, the *croissant pauvre* is not only slowly moving with a north-west direction, but it is also expanding.

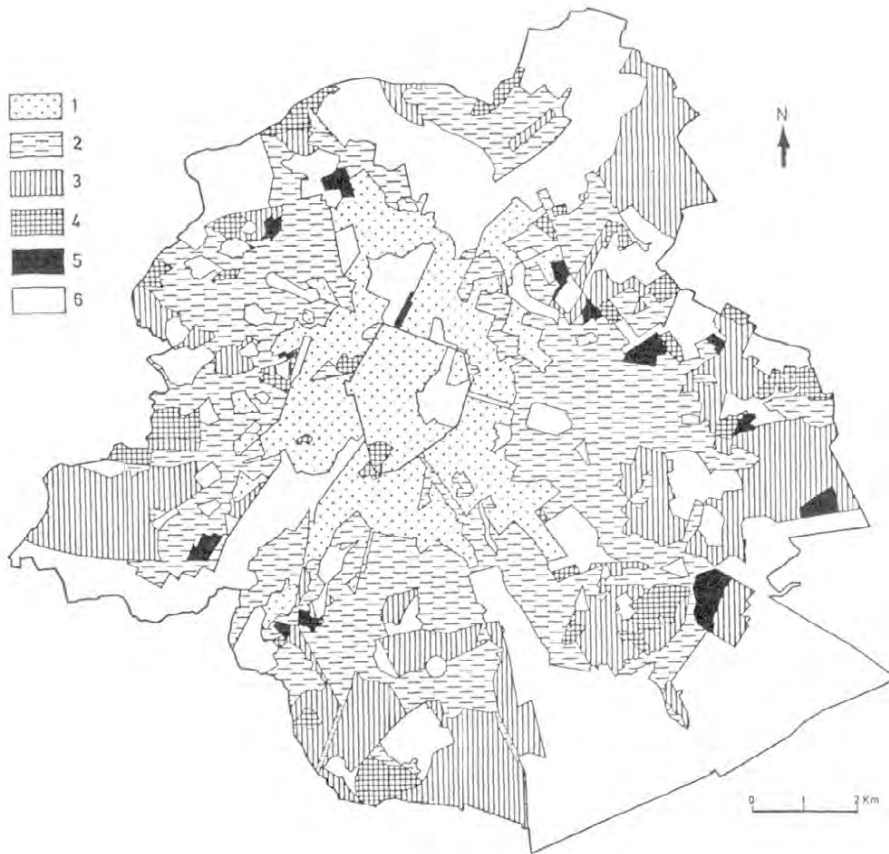
The Dessouroux map shows the final consequences of all these dynamics, established as part of the post-Fordist transition, from gentrification to relegation, with a negative impact especially on the neighbourhoods of the *croissant pauvre*. While the gradual shift to north-west and the expansion of the *croissant pauvre* is probably the most evident result readable on the map, a wide range of other effects concerns the quality of housing and the living conditions of the inhabitants. These effects actually contribute to the perpetuation of the segregation mechanisms

32 It is still early to observe the consequences in terms of urbanity and urbanisation and to verify to which extent these transformations are simply about buying property and not about urban development, as Saskia Sassen pointed out referring to the effects of the financialisation of the city. What we risk, according to Sassen, is the loss of urbanity, despite the increasing densities. I had the chance to have a conversation with Myriam Stoffen, Zinneke Parade creative director, about the availability of empty sheds for artistic purposes in Brussels. Since a few years, these sheds have been increasingly acquired by big foreign corporations. While before it was possible to temporarily occupy those sheds for the artistic production, finding some kind of agreement with the local owners, with the new generation of investors any negotiation even for some form of temporary use is impossible. Once bought, the sheds simply remain empty and unused, not interacting with the needs of the local community, while waiting for the realisation of the new project. (Myriam Stoffen interviewed August 2018)

33 Precarity related to work instability does not only concern low skilled, uneducated and poor individuals. It also concerns middle-income individuals with temporary contracts, students or recently graduated individuals, still going through their first works experiences. The latter however might often rely on other resources allowing them a larger choice concerning the house and neighbourhood where to live.

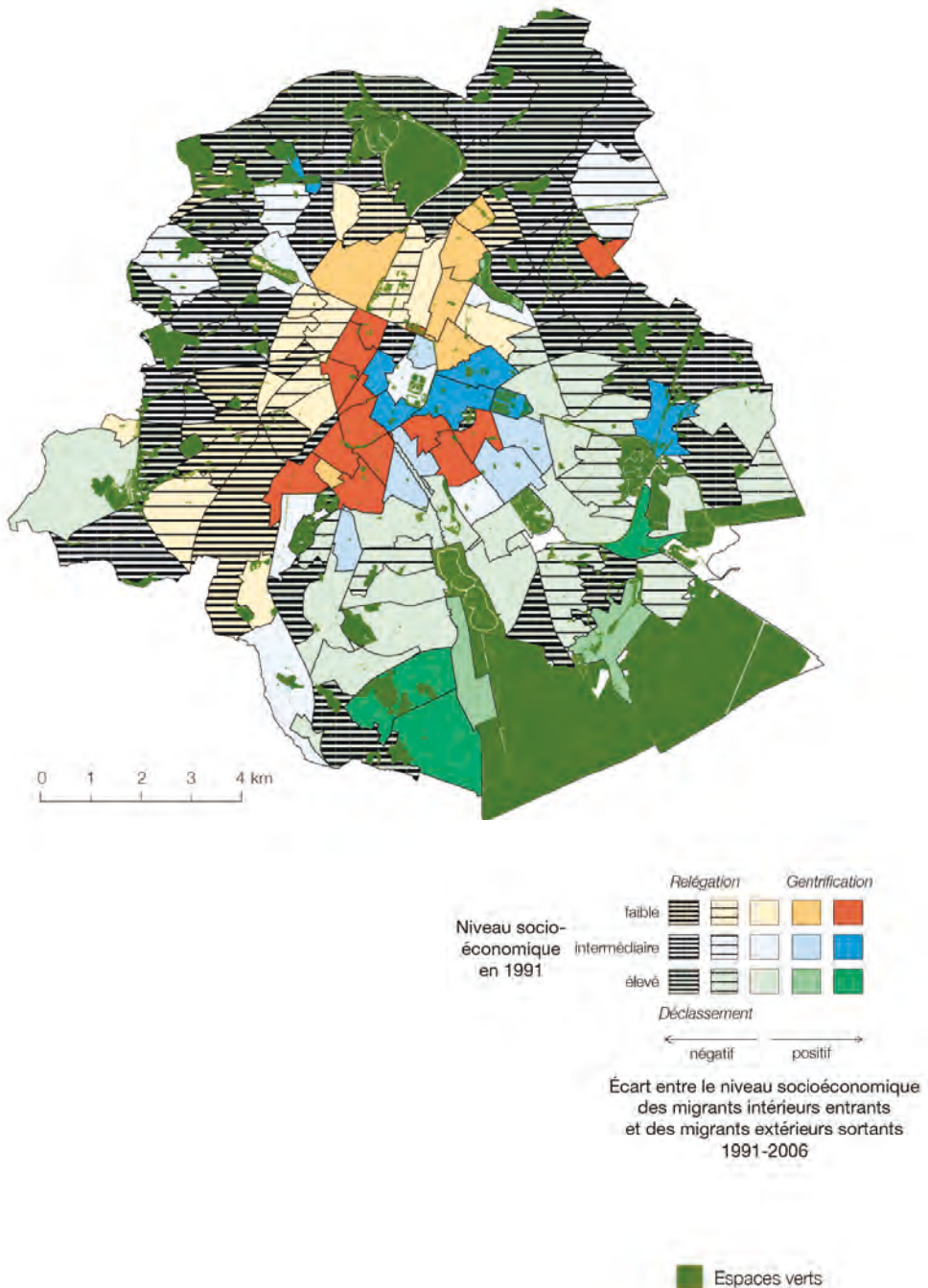
34 Turkish and Moroccans in particular have consolidated their presence in these neighbourhoods, starting from the 70s as the era that mostly allowed their settlement given the availability of housing units, left empty because of the process of urban sprawl.

Fig. 3.1.1 - The map of Kesteloot and De Lannoy (1985), showing the structure of the housing market in Brussels in 1981 (Kesteloot 1986). The morphological inertia of the built fabric will result in a very stable spatial configuration, to which the internal migrations will adapt.



- 1 : Dominance du secteur résiduel (plus de 74% de logements en location privée).
- 2: Dominance du secteur locatif privé (entre 50 et 74% de logements en location privée).
- 3: Dominance du secteur d'achat hypothécaire et direct (plus de 50% de propriétaires).
- 4: Dominance du secteur locatif social (Logement social avec moins de 25% de propriétaires).
- 5: Dominance du secteur d'achat subsidié (logement social avec plus de 24% de propriétaires).
- 6: Secteurs statistiques peu ou non habités (moins de 100 logements).

Fig. 3.1.2 - The map (Dessouroux et al. 2016) shows the polarised socio-spatial condition determined in between 1991 and 2006 by the characteristics of the housing market in Brussels. (Data source: DESTINY. Elaboration: DEMO (UCL))



The conversation is interrupted. A technician knocks at the door, he needs to have a look inside the apartment, to check if the fire system still works, after a recent fire. Bart explains me how it happened. It was an arson, in the middle of the night.

“Le Logement Molenbeekois ici c’est une catastrophe. Ils sont les propriétaires et ils ne veulent faire aucuns travaux dans le bâtiment. Les ascenseurs il y a deux semaines, celui qui été en panne, a été réparé, deux jours après c’est l’autre [en panne]”.

Est-ce que c’est vieux le batiment?

“Le bâtiment est du 93, pas trop vieux. Mais nous on n’a que les ascenseurs. Le jour où il y a eu l’incendie, au niveau des caves, c’était à 2h du matin. Heureusement je suis une personne qui ne dors pas toujours très bien. Il y avait de la fumée partout et on nous disait de rester dans les chambres avec les fenêtres ouvertes. Et ça a pris des semaines pour réparer tous les systèmes électriques et de communication. Et nous on a que les ascenseurs et ils étaient coupés. Et pas de sorties de sécurité extérieures. Je ne sais pas comment ils ont eu l’autorisation de faire une structure comme celle-ci...Mais moi je vais partir”.

Bart, future inhabitant of Le Nid, the day I interviewed him, at his place, in Molenbeek, not far from Rue Brunfaut. The housing units in the building are for disabled people.

rooted in the past and in the morphological conditions of the city.

The quest for an accessible housing offer is a common rationale for internal migrations. To which in Brussels a scarce availability responds. The demand for housing is growing, as an effect of a growing population, thus determining the rise of prices. But while the *haut de gamme* part of the offer is quite dynamic, meeting the expectations of expats and wealthy sectors of the population, increasingly interested to a long term permanence in Belgium or to investments in the real estate assets, an offer accessible to what in fact represents the great part of the population is not sufficiently provided. In addition, the available accessible assets are increasingly eroded given the multiple fronts of demand deriving from the previously described dynamics. As a result, a consistent part of the population has to rely on a minimum portion of the housing assets. In 2014 40% of the population could have access only to 1% of the available assets, in the hypothesis that 25% of the salary would be dedicated to the rent. In 1997 and 2004, according to the same criterion, the quota of accessible housing were respectively 28% and 10% (Dessouroux et al. 2016). And as a matter of fact, the most accessible offer –the residual sector- is concentrated in the neighbourhoods of the *croissant pauvre*, which as a consequence, are under multiple pressures. Of the inhabitants of the Region looking for cheaper housing conditions, more or less precarious, of new immigrants and refugees. So while the richest neighbourhoods of the southeast are becoming more and more exclusive, with very limited migrations, the poor neighbourhoods become increasingly crowded and poor. Migrations from the *croissant pauvre* are mostly directed to the adjacent neighbourhoods, escaping gentrification³⁵ and the precarity determined by an unregulated private market, looking for accessible housing. But very often this means having to adapt to very unhealthy living conditions³⁶ and overcrowdedness³⁷. Overall, a relevant role is played by housing policies that at the level of the region do not allow creating a larger offer, corresponding to the actual needs of an increasing segment of the population, unfulfilled by both the market conditions and the social housing offer. Most

35 Gentrification does not mean only the rising of the costs. The arrival of wealthier inhabitants might mean the emergence of new needs. *Mixité* –as reported by Loredana Marchi- is not always peaceful and pre-existing balances might be jeopardised, by the different –eventually conflicting- expectations and requests in terms of services, leisure spaces, quality of the environment, related to different economical but also cultural and social profiles of the inhabitants. The cultural encounter is thus at the centre of many projects, working on the side of culture with the purpose of improving daily cohabitation. (Loredana Marchi, Foyer asbl, interviewed January 2018)

36 A photographic reportage realised for RBDH (Rassemblement Bruxellois pour le Droit à l'Habitat) by Loic Delvaux shows different aspects and living conditions around the access to social housing. From the satisfaction of the households who have the chance to have access to it; to the still high number of situations in which homes are in fact unhealthy places, shelters many times worsening precarity, putting health at risk and diminishing chances of emancipation of the concerned inhabitants. <http://www.rbdh-bbrow.be/spip.php?article1601#&panel1-1>

37 Overcrowdedness is in fact the result of a variety of situations: it might concern more or less young individuals in a precarious labour conditions, hence incapable of leaving the house of the parents; it might be caused by the phenomenon of *marchants de sommeil*; it could be the living condition of numerous families having to adapt to small housing units; or of those individuals opting to rent part of the house. It is a condition mostly characterising poor neighbourhoods (Dessouroux et al. 2016).

importantly, they do not allow to efficiently regulating the private offer. That would allow a higher number of housing units to become available not only in the neighbourhoods of the *croissant pauvre*, but in also those where the development of a more expensive offer is currently taking place, thus possibly reducing the concentration of poverty and encouraging mixité without provoking the forced displacement of the poorest.

As a consequence, while the *croissant pauvre* is expanding and shifting to north-west, the displacements which concern it do not necessarily correspond to a social mobility (Dessouroux et al. 2016; Wayens et al. 2010): rather to a growing poverty, deriving from unemployment and precarious living conditions, further aggravated by dynamics of segregation and neglect.

It has been observed how the permanence in these neighbourhoods of specific ethnic groups created the need and conditions for the establishment of ethnic economies (Mistiaen et al. 1995; Kesteloot 1998). A survival strategy, supportive at an immediate level, for the individuals directly contributing to and relying on those economies; but also, more endemically engendering solidarity networks and a culturally familiar atmosphere. Having the chance to count on a solid, reassuring network of support, formally and informally provided, individuals have more chances to develop those weak links allowing them to establish and to define their position in society (Granovetter 1973).

On the other hand, however, for the inhabitants coming from those neighbourhoods there is a higher tendency to drop school, resulting in low level of scholarisation, to which a strong stigmatisation needs to be added. This combination of factors –at the very least- impedes to have equal access to job opportunities (Mistiaen & Kesteloot 1998; Wayens et al. 2010).

In a vicious circle, not only these neighbourhoods continue to attract and concentrate poverty³⁸, not only the living conditions may be very hard for a number of households, in the here and now: to live in these neighbourhoods could also jeopardize the future of its inhabitants, by making emancipation very difficult. Emancipation being meant as the possibility to build a life strategy and to realise it, whatever this might specifically mean for each individual. The lack of adequate housing supply for a 40% segment of the population at present relying on 1% of the patrimony is much more than a housing problem. And the emancipation at an individual level could not be conceivable outside of a larger collective project.

The individuals living in the *croissant pauvre* paradoxically live blocked between precarity, which would imply a continuous movement, looking for opportunities, obliged to a continuous change, of work, of house, of life; and lack of social mobility, one fuelling and aggravating the

38 The figures about unemployment and lowest incomes of the region through the years have steadily overlapped, coinciding with the neighbourhoods of the *croissant pauvre*, where – as previously mentioned- the strongest concentrations of immigrants from poor countries and young individuals can also be found. More recently, precarity has also been mapped, as the result of a combination of multiple parameters. The resulting figure –not surprisingly- coincides with the mentioned concentrations of disadvantaged individuals. What is shown by maps concerning internal migrations and wealth distribution is a condition of polarisation of incomes increasingly getting spatialized. Making Brussels one of the few cities in Europe, concentrating poverty in the inner city neighbourhoods.

other. Not to have access to housing, neither at the market conditions, nor to social housing, confines them within those neighbourhoods still offering accessible housing, though not always decent living conditions. Spatial segregation which becomes also social segregation when the public power or administrations do not intervene to compensate for the isolation and stigmatisation characterising those neighbourhoods (Mistiaen & Kesteloot 1998)³⁹.

To conclude, the previous paragraphs had the purpose to summarize the factors that since the end of the 19th century cumulated and interweaved finally resulting in a condition of socio-spatial segregation of the neighbourhoods of the so called *croissant pauvre*: the spatial organisation of housing assets and their morphological qualities, the alternation of abandonment and policies of urban renewal, the internal migrations triggered at the scale of the whole agglomeration by many different factors. What remained of a strong industrial productivity was a resistant, inertial spatial structure of housing assets which, through the time and under the socio-economic circumstances of a new economic orientation, crystallised and polarised the distribution of wealth and of the different segments of the population. Though introduced with the case of Molenbeek, the observed processes as mentioned concern a larger continuous ecology, along the Senne Canal and mostly including those neighbourhoods originally at the core of the industrial productivity of Brussels [w 01]. The picture thus emerging though, is incomplete: what is missing is a description of the fabric of community based organisations, civic initiatives and other forms of resistance which emerged in those neighbourhoods, through the years, as a reaction to the concentration of oppressive conditions. Precisely the concentration of multiple fronts of injustice, operated perhaps as the triggering factor, through the time leading to different answers. Thus confirming the theory that oppressive conditions are required for the process of emancipation to be initiated. Oppression triggers the capacity of individuals to react and organise: the point of no return is reached when the reasons of discontent accumulated to a critical level and the other hand, and simultaneously the conditions are mature for a game-changer, emancipatory shift to happen.

It is in Molenbeek that the first Boulangerie Coopérative of Brussels is established in 1882, by Louis Bertrand, as part of the workers' fights to increase their buying power. And in Molenbeek, during the 70s, at the time of the 100 *comités de quartier*, a number of associations will rise with the purpose of improving the inhabitants living conditions and defending their rights on the background of the violent transformations of the city. Among them, La Rue, founded by Guido Vanderhulst in 1976 and still operating with the purpose of empowering inhabitants through activities of permanent education addressing the different issues of the neighbourhood. Within the same urban block where La Rue is situated and thanks to an initiative of that

39 So for example when specific educational programs are not conceived to assist those segment of the populations more prone to drop out of school, disadvantaged because of their family situation or because living in one of the poorest neighbourhoods.

walk | Walking across a polarized city

Themes: wealth polarisation and spatial contrasts, gentrification, inclusivity and exclusivity.

Coming from Leuven, and having to reach Molenbeek, I normally walk to my destination, from Brussels Central station. It is a walk of around 20-25 minutes, depending on the final destination (Fig. 3.2.1). It is a good time to prepare for a meeting or a workday, but also to learn about the city and its narratives, more or less hidden. To walk along the east-southeast to the west-northwest direction, along an imaginary section line, no matter where this line is positioned is a very quick and effective way to understand some aspects of Brussels. These lines reveal heterogeneities by juxtaposition, by assembling contrasting scenes, by showing differences, conflicts. While along the south-southwest to north-northeast lines, more or less perpendicular to the previous, the landscape is about continuities and homogeneous corridors, with some degree of simplification. The reason for this distribution, of the geography of rich and poor in Brussels, is the topography. The latter direction follows the corridor of the canal, across the bottom of the valley, or at any other quota, describe the urban landscape through quite homogeneous strips. The transversal cuts –along the first direction- show the orographic variations of the valley. A profile that –through the centuries- determined the positioning of the productive structures and infrastructures, of the seats of power, the distribution of the rich and of the poor.

From the Central Station, the first minutes of the walk go through a quite touristic city centre, where the local merchandise and architectural language mix with franchised shops, overlapping the image of the centre of Brussels with that of many other European cities. You could find here some of the same shops you have in Venice or in any European airport. The recent transformation of Boulevard Anspach in a pedestrian area –largely debated- according to some could just increase the risk of a disneyfication of the centre. Among the forthcoming projects, La Bourse will be transformed in a museum dedicated to the beer and the Italian brand Eataly will find a new home in the building previously occupied by Actiris, sold by the Region to a private buyer. While prices are sensibly rising in the area, it is interesting to observe how in fact in this newly conquered public space, locals and tourists, expats and immigrants –considered and treated as two different groups- indeed coexist, not necessarily

mixing.

Walking past the McDonald's on the corner just in front of La Bourse, in rue Auguste Orts and then in rue Antoine Dansaert, it is a sort of continuous corridor, a ten minutes' walk which connects La Bourse, in the heart of Brussels, to the canal, the line –administrative and physical- dividing the municipalities of Molenbeek and Brussels. Along this corridor the characteristics of the street transform, together with the practices, the ways of using public space. The first meters are constellated by fancy cafés, populated by people that often drink their coffee in front of a laptop. Shops sell expensive clothes and accessories and their windows are well designed, minimalist, their emptiness allowing to glimpse attractive tough exclusive interiors. The façades of the buildings tend to be ordered, decorated, leaving some sort of bourgeois aftertaste. Getting closer to Molenbeek, these qualities disappear in a matter of maybe seven minutes walk. Expensive shops rarefy and leave the place to ethnic shops, the windows completely covered, crowded by food and packs of any colour and shape, most of the times speaking the language of other countries. The contrast becomes even more evident once passed the canal. Cheap clothes are exposed directly on the sidewalks, which are lived and used as a continuation of the interiors. A recurrent attitude in a neighbourhood characterised by a high concentration of inhabitants originally from the Mediterranean basin. The result is that shops, though less attractive, are certainly more inclusive: to enter is almost inevitable. On top of a tall building, along the Canal, just at the beginning of Chaussée de Gand, a big writing: welcome in Molenbeek.

association, a dismissed foundry in 1982 became the site of a museum and a documentation centre: La Fonderie, commemorates not only the productive side of the industrial past of the neighbourhood but also the struggles for workers' rights that came with that. Not far from la Rue and La Fonderie, the project *Espoir* will be finalised around 2010, stepping stone in the trajectory of another community based association born at the end of the 70s, Maison de Quarter Bonnevie. In the space of few blocks some main moments of Brussels history of emancipation are condensed: the workers' fight for better living conditions, the resistance to the processes of urban disruption and related evictions, the more recent re-emergence of a housing question, under the sign of growing precarity and wealth polarisation (Fig. 3.2.1). Perhaps not casually: perhaps being exactly an effect of the accumulation of different forms of injustice, which in Molenbeek amplified issues and triggered an urgent quest for answers, a proliferation of initiatives and experiments. An experimental disposition that in fact started to emerge with the Logement Molenbeekois, under the pressure of a growing amount of workers, their unhealthy living conditions, but also of the progressive differentiation of the working class, thus implying a diversified demand in housing, in proportion to the social mobility. And which later, continued to be expressed with the emergence of a thick fabric of organisations, trying to respond to the variety of needs and urgencies characterising a stigmatised and stigmatising neighbourhood: from the educational support to the youngest to the valorisation of cultural diversity, from mosques to the *permanences logement*. Overall providing concrete forms of support to the inhabitants but also building a system of solidarities at least partially compensating the insufficiencies or incapacities of the welfare state. To trace the landscape of those initiatives, even a map would simply be an approximate exercise, not being possible in the frame of this research to be precise about their origins, the typology, the purposes, the relationship with the administration, just to mention some meaningful criteria characterising their presence and relevance. As an alternative, I suggest to follow the evolution of one of them – as I will do in the next chapter- may allow glimpsing the sort of process that in one of the poorest neighbourhoods of Brussels, led a community based organisation, to the implementation of an alternative property formulation, the CLT. Purpose of a similar approach is to convey the thickness of an otherwise bi-dimensional representation of the city, flattening what is actually a dynamic human landscape, where individual and collective efforts –despite what might seem a trapping situation- count. A process of progressive building of the conditions –of the challenges, of the inventions, of the relational fabric- which finally made possible an emancipatory shift concerning not only housing and not only the inhabitants of Molenbeek, but more largely suggesting a different approach to property and to the management of a scarce resources such as land. While describing the emergence of a similar innovation, additionally, the one proposed in the next chapter I argue is the only possible approach to talk about emancipation. Such a point of view allows to seize and to reveal the interweaving of the individual and of the collective, the values, emotions, expectations that substantiate emancipation, hiding behind the concreteness of the achievements.

3.2 The re-appropriation of a neighborhood

Bonnevie or the healing an urban cancer
A holistic approach
Espoir
[a 02 ALARM]
[a 03 Les GECS du CIRE]
Community embeddedness and recognition
[v 02 Aurelia Van Gucht]
Urban catalyts
[v 03 Thomas Dawance]

Bonnevie or the healing an urban cancer

The events unfolding around the violent transformation of Brussels during the 60s and the 70s are very well known and famously documented¹. It was in those years, as a reaction to *Bruxellisation*, that across different municipalities a number of *comités de quartiers* emerged, in the attempt of defending entire neighbourhoods and the needs of their inhabitants from the invasive transformations of an aspiring global city. Brussels was called “*la ville aux 100 comités des quartier*”. Those initiatives will finally federate around the platforms of Inter Environnement Bruxelles (IEB) and the Flemish speaking homologue *Brusselse Raad Voor het Leefmilieu* (BRAL) -both created in 1974. An overall view of the events of those years, a sort of atlas mapping the different sites of resistance and disruption would be an interesting way to represent the transformation of the city in those years. But any history of that epoch, any episode of that hypothetical map is in fact so rich and complex that a top-down representation

1 To mention a few sources: Focusing on the Manhattan project, a direct chronicle and documentation of the events unfolding around the transformation of Quartier North can be found in the dossier *Le plan Manhattan où que crèvent les expulsés*, presented to the press in 1975. The dossier-complemented by additional materials in 2011- could be considered as an example of a horizontal, in-depth description of the events of those years, allowing to retrace connections and complexities developed with the unfolding of the project and the reactions of the citizens. Not a map but a sort of ecological description, revealing values, causalities, power dynamics and relational fabric that a top down representation would not allow to seize. In 1979 Jacques Aron identified a first turn, out of the Bruxellisation and an unplanned development of Brussels, with the elaboration of the Plan de Secteur, unfortunately arrived too late to have an impact on a disrupted city. It is only in 2007 that *Vouloir et dire la ville* is published by the sociologist René Schoonbrodt, founder of ARAU in 1969 (Atelier des Recherches et d'Actions Urbaines). The book is an overview of the participatory activities and the counter-projects developed by ARAU as a reaction to the bruxellisation. In 2015 in occasion of the 41th anniversary of the foundation IEB publishes a special dossier *Urbanisme et lutttes urbaines*, reflecting on the evolution and transformation of the organisation from the 70s to the present day. In the same year, Isabelle Doucet's *The practice turn in Architecture: Brussels after 1968 is* published, around the variations of the participatory approach.

or summary would only provide an overview. It would perhaps convey quantitative and strategic information, revealing some sort of hidden plan. But it would remain a vertical description, not allowing to seize the invisible dynamics and the processes that, on the contrary, could be revealed by a horizontal gaze and the selectivity of a situated, narrating voice. A horizontal description, revealing the triggering power of unique socio-spatial configurations, the convergence of possibilities and actors, the accumulation of capacities and their continuous metamorphosis that day after day make the city. It is in that way that one of the many souls of Brussels could perhaps be revealed: by following the sequence of events and the circumstances which led to the installation of the CLT in Brussels. A narrative which starts from Molenbeek, Rive Gauche, where an entire neighbourhood was destroyed in the 70s in order to realise a new segment of the subway, from the existing stations of Comte de Flandre to Etangs Noir. As a result, the houses of two streets were demolished and the owners received *des indemnités derisoires*².

Molenbeek at that time was inhabited by immigrants from Greece, Italy and Morocco, attracted by the cheap living and by -already decreasing- work possibilities. There were still some priests in the neighbourhood, organising creative workshops with the inhabitants and some *écoles des devoirs*. A journal de quartier was being written. To support the claims and protests of the evicted families, a small group of people began to meet at the 44 Rue de l'École. They helped to formulate petitions concerning the scarcity of information being provided to the population concerning the construction site, the constant noise and the lack of hygienic conditions. "La commune à l'époque était complètement négligente"³. It was these people who later founded the Maison de Quartier Bonnevie, which started to officially operate in 1976. While the other *maisons de quartier* had been installed by the municipalities, Bonnevie was founded as a no-profit organisation, established by the civil society. Among the first activities, an *atelier de tissage* was organised by one of the founders and current coordinator at Bonnevie, Marie Claire Merode. On the vacant site of rue Bonnevie, an empty, dusty and unpaved space, still disrupted by the devastations of the construction works, activities of animation for children of the neighbourhood were organised. Together with weekly meetings for the elder residents and neighbourhood lunches. In 1978 Bonnevie occupied the building where they currently operate. In 1979 the dossier "Pour un nouvel urbanisme a Molenbeek" was realised.

The 80s for Bonnevie – as well as for many other local actors- were the years of professionalization, of building expertise and growing the capacities of the organisation supported by increasing public funding⁴. But they were also the years of the intensification of the activities over *la plaine des jeux*, the above-mentioned section of Rue Bonnevie, transformed as a temporary playground for children, but in fact finally attracting also adults. Through the years, the intensity of the activities and the increasing engagement in the urban matters allowed Bonnevie to develop

2 Aurelia Van Gucht, interview October 2017.

3 Aurelia Van Gucht, *ibid.*

4 Loredana Marchi, interview January 2018.

some expertise. From 1984 to 1990 a number of projects were developed, characterised by increasing attention to participation. The results and reflections developed around the different initiatives and actions were constantly documented and published, thus attracting the attention of a larger number of inhabitants and institutions, increasing their credibility and agency. A research on the neighbourhood was developed with the involvement of the inhabitants: it resulted in an exhibition and in a document, “Tout peut encore changer”. In 1985, making the synthesis of la Maison’s different interventions –concerning le Parvis, rue Doyen Fierens, rue de l’Ecole-, the dossier “Une certaine façon de concevoir la participation” showed the continuity and the awareness of the path being built.

An important overarching objective through the years and different projects remained the development of a plan for the neighbourhood, which became the object of a number of studies and proposals elaborated with both architects and the inhabitants. In that direction a few steps were done: in 1986 the document and press conference “Un avenir pour la zone du metro” made a plea for an urban project for the area. And in 1988 Bonnevie won a competition for the reorganisation of rue Doyen Fierens. Having increased the participation of the inhabitants, grounding on a thick fabric of relations with the local organisations and actors, and having acquired some expertise concerning urban matters, in 1988 the Bonnevie won a second competition. This time at a European level, it gave them the possibility to finally redesign the space of la *plaine de jeux*, almost 20 years after the disruption of the 70s. Parc Bonnevie was officially inaugurated in 1996. The day of the opening, as soon as the metallic fences around the construction site were removed, the parc was invaded by children finally enjoying a space re-appropriated from abandonment. A *chancre urbain* finally on the way of healing, the arrival point of a long recovery process, developed with and by the inhabitants, through their daily routines, but also thanks to the activities organised by Bonnevie. The purpose of the association, to make the voice of people heard in the realisation of the plan for this troubled part of the city, was finally achieved. Partially compensating the heavy damage created at that time. A similar role would be played later by Bonnevie, in the framework of the Contracts de Quartier, a program of urban renovation started by the region in 1993.⁵

5 Several Contracts de quartier have been realised in Molenbeek, in the attempt to attract investments and the middle class, so that the Municipality could improve its financial position. Contracts de Quartier are programs of urban renewal developed by the region and executed in collaboration with the municipalities. Every year the Region defines the four most fragile neighbourhoods which should receive the funding of the CdQ. The funding is mainly provided by the Region and complemented by the municipalities. CdQ are articulated in 5 volets or fronts of action: volet 1 concerning social housing and renovation; volet 2 concerning the possibility of the municipality to acquire land and to make it available for the development of public/private projects; volet 3 concerns the possibility to reclaim vacant buildings in order to realise social or accessible housing; volet 4 concerns the reorganisation or creation of new public space; volet 5 is dedicated to the development of economic and social infrastructures of the neighbourhoods. Having a duration of four years they allow to develop actions and projects in collaboration with local actors and associations. The specific contents of the programs are decided by involving the concerned inhabitants and local actors through different forms of public assemblies: l’Assemblée générale de quartier and la Commission Locale de Développement Intégré. They are both organised from 4 to 8 times per year, before and during the realisation of the programs. Today CdQ are better known as Contracts de Quartier Durables and they are complemented by the Contracts de Renovation Urbaine which usually cover larger areas, beyond neighbourhood’s delimitations and concern

The parc has always been crowded with children and teenagers. In a municipality such as Molenbeek, the public space is not only a realm for the construction of the social fabric. Or an extension of commercial interiors where negotiation often begins. It is also a continuation of the domestic space, expression of a cultural attitude characterising the countries of origin of the inhabitants, mostly coming from the Mediterranean basin. But also compensating a very concrete need of space for numerous households, living in overcrowded housing units which necessarily find their complementary dimension in the streets and in the rare squares and parks oxygenating the dense urban fabric of Molenbeek. Hence, by necessity, besides public space, another major concern at the core of Bonnevie activities has always been housing. Housing was a major issue, as showed in the previous chapter, despite the resilience and the capacity of experimentation demonstrated by the municipality through the different challenging moments of its spatial, social and economic transformation.

For the inhabitants of Molenbeek, to buy a house in one of the cheapest municipalities, despite the bad quality and the heavy renovation works required, often was not a matter of choice, but a necessity. Household tried to become owners because they could not have access to social housing, due to the insufficient offer but also to the typological limitations. That was the case of numerous families. While the law established a minimum number of square meters per person, there were not enough apartments offering an adequate number of rooms. On the other hand, the market offer was too expensive and lacking regulation. A similar situation obliged the families to unhealthy living conditions and/or to a continuous quest for better living conditions, thus increasing the already precarious conditions of these households. Lorella Pazienza reports about the extreme situations she encountered during her collaboration at Bonnevie as an architect. Living in those houses was very hard, hygienic conditions were very bad and the basic rights of the inhabitants were simply not respected. Many families were evicted with no previous notification⁶.

Homeownership appeared as the only solution to stop the vicious circle of precarity. But of course the homebuyers –especially those having the profile of the inhabitants concentrating in a municipality such as Molenbeek- needed guidance on many fronts. In general, they were aware they would not have been able to go through the whole process by themselves: to look for a house, to make the right choice, to renovate, to bear the responsibilities of ownership while avoiding frauds. In a neighbourhood characterised at that time by a low degree of alphabetisation as well by the relevant presence of immigrants with language issues, unable to speak French not to say Flemish, a support was needed at the very least at an administrative level so that homeowners could make the best decisions, become aware of their rights and obligations and successfully undertake the renovation of their houses. In many cases, they would have attempted to adopt some kind of makeshift or do-it-by-yourself solution, by calling for the help of friends with some experience in the construction field. In most of the cases, as

large scale infrastructural improvements.

6 Lorella Pazienza, interviewed November 2017.

“Les personnes ont pu acheter des maisons parce que dans les années 60 beaucoup des maisons ont été laissées vides. Les marocains surtout, qui ont acheté, ils ont agi comme s'ils étaient au Maroc. Selon la loi du plus fort, moi ce qui me frappait c'est qu'ils exploitaient beaucoup leurs coreligionnaires. Certains étaient vraiment comme les marchands de sommeil, d'autres c'était pas ça...le principe c'était tu achètes une maison, 200.000 mil euro... tu dois rembourser 3000 euro par mois, avec un numéro d'occupants, tu divises le total et ça te donne le loyer.”

“Tu as le mэрule, un champignon ici à Bruxelles qui envoie des spores a 10 m- 15m et qui mange le bois tout en laissant la structure. C'est un carcinome et donc ça ne se voit pas...mais la structure devient de plus en plus fragile et un jour ça tombe. C'est très dangereux. Dans une rénovation je l'avais noté mais les architectes n'avaient pas fait les analyses et avaient commencé la rénovation. Un jour un des balcons est finalement précipité dans la rue..”

Pazienza reports, this simply worsened the situation. In other cases, the enterprises contacted by the households took advantage of the situation, of the inexperience and the naivety of their clients. Bonnevie was hence very often involved *in extremis* to provide assistance, if necessary by bringing the cases before the court.

On the other hand, in those cases in which they were involved from the beginning in the renovation, the only possible strategy –Pazienza remembers– was to start with minimal interventions so that they could be economically sustainable for these families. Heating and electricity first. Later the doors and windows and other structural works. Because of this sort of approach, in some cases, the relationship with a household was maintained up to ten years: the amount of time required to realize all the necessary interventions, in consideration of their economic possibilities. “We called them *les dossiers faciles, les dossiers moyens et les dossiers lourds et compliqués*... it was not an easy job. Sometimes very hard and very frustrating. But the families were capable of incredible sacrifices. And they had a strong desire of becoming autonomous”.⁷

Homeownership for many families represented the first step towards stability, grounded in a continuity of relationships they finally had the chance to build. But homeownership implied also responsibilities. Bonnevie provided support both on the side of the practical matters and on the side of responsabilization, accompanying individuals and families through a long learning process, otherwise very difficult for their target families, disadvantaged in terms of education, cultural habits and inexperience. Interestingly for Bonnevie and the development of its future projects, the painstaking knowledge of the ground, the steady accumulation of experiences and of expertise– allowed not only supporting many families: but also to develop credibility and to build a trust-based relationship with many local actors and organisations, such as the Fond du Logement (FdL) or CIRE⁸. The thickness of such a fabric of relations is what will allow to obtain further financial supports and to assemble crucial partnership thus making possible the realisation of important forthcoming projects.

A holistic approach

Working in a municipality such as Molenbeek is not easy. Still in the 80s and the 90s, many enterprises refused to work in Molenbeek for its reputation, for the technical difficulties they may have encountered in those neighbourhoods and being afraid of not being paid by the low-income families that would most probably have been their clients. “Many companies didn’t

7 Lorella Pazienza, interviewed November 2017.

8 With the support of the Brussels Capital Region and in the name of the right to housing as established by the art 23 of the Constitution, the Fond de Logement (FdL) is a public utility organisation supporting low or moderate income households through loans and financial support to renters, by realising new housing projects and by intervening on the existing patrimony. CIRE (Coordination et Initiatives pour Réfugiés et Étrangers) has the purpose to welcome and support migrant individuals struggling to situate themselves in a new socio-cultural and economic context. Regularisation and practices of integration are at the core of their actions. Migrants are considered as full-fledged citizens, which beyond integration might proactively contribute to the transformation of our society.

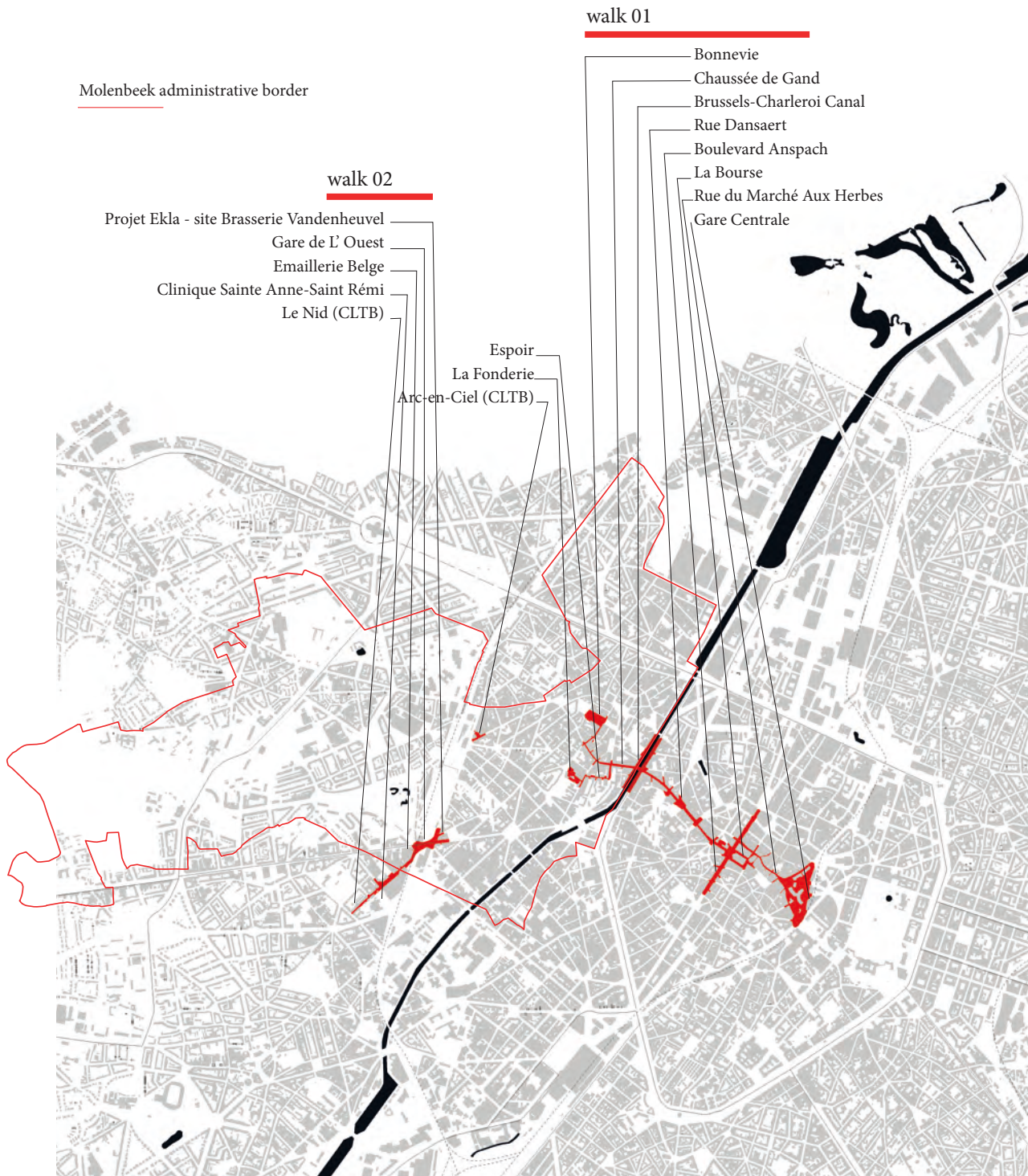
want to come to Molenbeek because they were afraid they would have stolen their vans or what was left inside”⁹. Despite the efforts of the administration and the policies established to attract enterprises, investments and inhabitants -such as the *Contracts de Quartier*- Molenbeek remained a stigmatised municipality. And the inhabitants were often confronted with episodes of fraud or simply neglected. It was on the background of these conditions that Bonnevie developed a range of tools and programs to support households in the realisation of the renovation works of their houses. A characteristic of Bonnevie that seems to be commonly recognised by its team members is the complementarity of competencies. I suggest this specificity – apparently absent in other *Maisons de Quartier*- was in fact triggered by the peculiar conditions in which Bonnevie had to operate: by the need to deal with issues that in fact were the result of a combination of social and spatial factors. The only way to address those issues in sustainable terms was by taking care of the multiplicity of aspects as a whole. At Bonnevie the expertise on the front of renovation and architectural issues had to and currently continues to be combined with the expertise in social matters. From information and guidance of the inhabitants as the very protagonists of the renovation processes, to the occasions to voice collective needs and desires concerning the transformation of the neighbourhoods. From the beginning, the inhabitants were seen as individuals that first of all needed to be aware of their rights and of their duties, in order to fully interpret their roles and contribute to the making of their living environment. Van Gucht, in particular, is convinced that the law and the legal frameworks and regulations offer not only obligations but also opportunities. The only way to preserve the rights and duties established and protected by the law is by practicing them. But in order to make that happen, people need first of all to be informed and to become aware of those rights and duties, as well as about their condition more largely. This is where the idea of informing the inhabitants and organising help desks was rooted.

The team included architects and social workers, which aware of the strong correlation existing between the two realms, combining different capacities and points of view, developed what could be defined a holistic approach and mind-set. And when nothing seemed to change, despite the efforts and the commitment, the frustration and indignation for dealing with an inertial situation played often as a powerful trigger, pushing the more visionary and reactive personalities at Bonnevie to proactively create new options to deal with the housing question in Molenbeek. Personalities and their combination also played a role: Van Gucht, De Pauw and Pazienza, when describing themselves and talking about the story of Bonnevie, not only explicitly declare their strong level of commitment, but they also use emotionally charged words that reveal the emotional and ideological nature of their implication. It was because of emotions such as “indignation”, “frustration”, “powerlessness”¹⁰ that day after day a reflection was developed around the unsolved housing issues, later converging in the realisation of the project *Espoir*. The roots of the process which step after step led to the realisation of the

9 Lorella Pazienza, *ibid.*

10 From the conversations with De Pauw, Pazienza and Van Gucht.

Fig. 3.2.1
The ecology of an emancipatory process



Community Land Trust in Brussels can be traced back to those circumstances, characterised by the convergence of urgencies and wills. But also by the convergence of competencies and the rich fabric of connections with other organisations, built project after project.

The combination of such difficult conditions on the one hand and the specific approach of Bonnevie on the other hand, generated a variety of innovative services, cutting-edge on multiple fronts. The services and activities concerning housing issues started to be organised in 1991. They included a help desk for tenants, at that time neglected by associations and by administration; but also for owners or future owners, information was provided for renovation as well as for home buying. And a service of domestic fixing – so called *dépannage*- was provided to the weakest households. In 1996 the Permanence Logement – a housing Help Desk- was finally recognised and funded by the Region. In 2001 Bonnevie was also recognised as AIPL –Association d' Insertion par le Logement-, an organisation operating for the integration of individuals through housing. Funded by the Region, these associations contribute putting into practice the 23rd article of the Belgian constitution, concerning the right to housing¹¹. This was the framework when in 2001 the helpdesk for tenants was established as a permanent service, coordinated by Aurelia Van Gucht. “La crise du logement ici on a commencé à la sentir déjà dans les années 90. J’ai fait 50 permanences toute seule. Mais en tous cas avec le soutien d’un collègue, d’autant plus que la crise s’endurcit. Et en 2001 il y avait très peu d’outils, pas de code du logement, pas d’inspection régional du logement, pas d’échevinat du logement à la commune, pas de cellule de logement» .

Always in 2001 the first “Memorandum pour le droit au Logement was published”. The purpose was to provide precise and useful information to administrations, seizing the moment of the election of the new representatives as an occasion to be heard and to influence their programs. Published every 6 years, each Memorandum¹² has been edited on the basis of an intensive implication of the inhabitants of the municipality. It was meant to provide at the same time an evaluation of the existing situation and an agenda suggesting urgencies and main objectives for the following 6 years.

Another important project developed in 2001, triggered by the need to make the voices of the inhabitants heard and to have an impact on the housing situation in Molenbeek was ALARM. With a group of 6 families, a reflection was developed concerning the most relevant and difficult obstacles to overcome in order to have access to a decent social housing unit. That was the beginning of ALARM, Action pour le Logement Accessible pour les Réfugiés à Molenbeek -Action for housing accessibility for refugees in Molenbeek- created by Van Gucht. The refugees were a relevant and sensitive part of the target public of Bonnevie. “On est tout prêt du Petit Château¹³. Les gens, même quand ils répondaient à un CPS extérieur à

11 As defined in <https://logement.brussels/qui-fait-quoi/acteurs-associatifs/les-associations-d2019insertion-par-le-logement-1>

12 The last Memorandum has been published in occasion of the 2018 elections.

13 Situated in the municipality of Brussels, but not very far from the neighbouring Molenbeek, the Petit Château was a building used for military purposes first and used as a prison in a second time. In 1986 it was converted

Bruxelles ils pouvaient rester à Bruxelles. Ils restaient au Petit Château et c'est à partir de là, dans leur environnement direct qu'ils cherchaient un logement. Ils nous consultaient parce que à l'époque on avait encore des listes de la bourse au logement organisé par la région bruxelloise, ce qui correspond aujourd'hui au guichet au logement ». Among the factors impeding housing accessibility, ALARM revealed an issue of racial discrimination. A test on housing equal accessibility –*égalité des chances*- showed that discordant information was provided by the municipal help-desk depending on whether those asking were Belgian citizen or not. During the press conference, which successfully attracted the press, radio and television, the discriminated citizens had the chance to voice their feelings. That action represented a meaningful step forward, for the emancipation of the inhabitants and for the recognition of the group ALARM. Though to the racial discrimination was not the only difficulty those families had to face.

Espoir

Despite the efforts, through the years, the situation did not improve on the contrary: not enough social housing units were available, long waiting lists, the inefficacy of *les agences immobilières sociales*, the increasingly inaccessible rents and for those interested in ownership, the increasing cost of housing. “L'acquisition d'un logement de qualité accessible aux ménages à bas revenus est devenue presque impossible dans la Région de Bruxelles »¹⁴

By the beginning of 2000 in Molenbeek this landscape was worsened by the economic conditions of the inhabitants and owners. The growing precarity of labour conditions and its consequences in this municipality became particularly visible given the concentration of fragile individuals, in its turn having an impact on the quality of housing. “Dans les années 60-70 les familles nombreuses pouvaient encore acheter un bien sur le marché, ce qui n'est plus le cas maintenant. Si elles achètent dans le contexte actuel, c'est avec très peu des moyens, donc elles louent des choses en mauvais état et elles n'ont pas les moyens de rénover parce que les prix ont augmenté aussi pour la rénovation. C'est lié aussi à la condition du travail. C'est une population immigrée avec très peu de qualification, il y a moins et moins d'emploi peu qualifié, déliquescence des conditions de travail, avec les intérim... ça a un impact sur les capacités de stabilisation »¹⁵. Paziienza remembers that around 2003 she began to observe that the number of families looking for the support and the services offered by Bonnevie diminished. It was evident to everybody in the team that that was happening because, increasingly, families had no resources to access the market of housing. And additionally, no accessible social housing units were available. Both Van Gucht and Paziienza report about the feeling of powerlessness: a very frustrating moment for Bonnevie –as well as for many other organisations-, which had no answers and no resources to offer to those asking for any accessible housing solution. A

into a reception centre for asylum seekers. This function will be soon dismissed.

14 In art 23, n. 37

15 Van Gucht, interview October 2017.

agency | ALARM: Le temonyage collectif

Themes: empowerment, voicing as a political gesture, community and individual emancipation

Aurelia Van Gucht explains what ALARM is about.

On n'été pas reconnus pour ce travail là. Moi je faisais ça du 2001 au 2005 quand j'avais le temps et l'énergie, quand les questions se posaient en dehors de la permanence. Puis, en 2007, on a été reconnus comme « Association où les pauvres pendent la parole », par une initiative flamande [Netwerk Tegen Armoede], ce qui nous donnait des subsides. A l'époque moi je faisais du théâtre action. Le 17 octobre -traditionnellement on participe au journée internationale pour l'élimination de la pauvreté. On s'est dit « est ce qu'on ne ferait pas un jeu de rôle à la place de la Monnaie, en plein publique ? » Ils se sont beaucoup amusés. Le thème du jeu c'était la garantie locative, un thème sur lequel on n'a rien obtenu jusqu'à maintenant, peut-être que maintenant il y aura une proposition de la ministre. Elle devrait se mettre en place en janvier. Progressivement, à travers cette reprise de parole en publique, on comprend les mécanismes, et qu'il y a beaucoup de choses qui dépendent du politique, des lois...c'est là qu'il faut travailler pour avoir des changements structurels. On parle de ça à la Maison de Quartier depuis 2000. En 2012 on a donné le Mémorandum du Logement au monde du groupe ALARM et on a lui dit de proposer leur thématique prioritaire. On a organisé une rencontre avec les candidats aux élections. « Qu'est-ce que vous prenez du mémorandum dans votre programme ? » On a préparé une petite action, « Moi si j'étais bourgmestre... ». Ils se sont beaucoup amusés. Je connaissais un réalisateur et j'ai lui propose de mettre en scène un clip avec cette intervention. Mais de qualité professionnelle. Pour un autre 17 octobre on avait fait un spectacle théâtral, « Le logement que j'occupe, le logement de mes rêves » C'est un processus. En 2014 RBDH organise une action pour que le logement reste une priorité du Gouvernement et on réfléchit, qu'est-ce qu'on pourrait faire ? Quelqu'un propose de créer notre propre parti,

“Le parti du rêve du logement”. Le programme a été présenté au BOZAR. On voulait répéter, chercher un autre moyen. Et finalement on a fait le film Le rêve du logement.. Ça c'est le bouquet. Il a été réalisé avec des moyens financiers importants avec le soutien du Centre Vidéo de Bruxelles, le CVB qui a porté son expertise, du matériel. On va le présenter à Chypre pour la vingt-neuvième fois. Il a été sélectionné pour 2 festivals. Encore une fois par le biais du réseau, des connaissances que j'ai mises ensemble à travers des activités.

Le fil rouge de départ [for the whole narrative concerning Bonnevie] c'est le témoignage, mais le témoignage collectif. ALARM c'est le témoignage collectif. C'est pouvoir dire « Moi je souffre pour ça ou je suis victime de ça, mais de que je prends la parole en publique je peux partir de moi, pour dire que ça concerne tous... » C'est comme ça qu'on a commencé et à partir du moment où on est dans l'espace public cette parole elle devienne politique. Même s'ils en n'ont pas directement conscience, spécialement au début. Mais c'est aussi avoir du plaisir dans les actions. Il y a toujours une part de plaisir...et donc ils se rendent compte qu'ils ont des ressources et des énergies. La constitution du groupe c'est à travers des permanences, des gens qui parfois étaient dans la pire des situations. Je leur disais « demain on va faire une manifestation, demain on rencontre la ministre du logement...je ne vous oblige pas mais vous pouvez venir, c'est une première expérience ». Il y avait des gens qui venaient en imaginant que en faisant partie du groupe les chose pouvaient aller plus vite. Après ils se rendaient compte que ce n'est pas ça l'objectif, mais qui était quand même intéressant. Et puis aussi, ils amènent un ami. Il y a un noyau dur des 10 personnes, qui a évolué, parce que il y a ceux qui ont déménagé. Mais parfois ils reviennent à des moment clé, si je lui demande de venir raconter l'histoire. Quelqu'un d'eux est devenu propriétaire à la Rue Fin [Espoir] et maintenant ils sont ambassadeurs du passif et donc ils font du bénévolat pour nous. Ou des gens qui sont devenu bénévoles ici à l'accueil et puis qui sont finalement engagé comme travailleurs. Mais donc il y a tout ce travail sur l'estime de soi. Même si on n'obtient pas des résultats structurels, il y a aussi tout ce que ça représente au niveau personnel, d'émancipation.

feeling which day after day, worked as a trigger, towards new solutions, a new approach to social housing.

It was in those years that another episode –proving the power of joining resources- triggered the imagination of the team of Bonnevie. As a post-industrial municipality, Molenbeek offered the opportunity of many vacant buildings, residential or industrial. “At that time it was not unusual that a few individuals from the middle class, well-educated and having the necessary economic resources decided to collectively buy a building and to inhabit it”¹⁶. This is in fact what three households did in *rue Picard* not far from the Tour and Taxis site. Being low-income households, they had a saving group [a 03]. If the *achat groupé* in itself was not new, what was innovative was on the one hand that low-income families were involved; on the other hand, the approach to the renovation project. In fact, the families operated as if it was a single project, instead of four different projects, one per apartment. In other words, those households developed a sort of cohousing project, by bringing together their resources through a saving program and by renovating the building as if it was collectively owned and lived. Knowing about the services provided by Bonnevie, they asked for their support and the project was led by Pazienza. With this additional experience, all the elements were there to move towards an innovative approach to housing accessibility and social housing.

That project prompted the team of Bonnevie to ponder if it could have been repeated for those low-income families, often numerous and immigrant which represented the main public of Bonnevie and an important segment of the unsolved housing question in Molenbeek. What if they could also buy and renovate a whole building? Bonnevie team started to imagine not only how to make homeownership finally accessible to those households, but also that the *Maison de Quartier* could have been the developer of the projects. A new approach to social housing and potentially a new profile for all the organisations dealing with the housing question. The biggest problem, however, was to ask those families to sustain the purchase of the land or the building and the cost of the construction works while having to pay their rents. In fact, while waiting for their new houses to be ready, the future inhabitants would have had to pay both. On the other hand, in those years favourable conditions could have been accessible thanks to the *Contracts de Quartier*. In particular, the second article of the CdQ – *le deuxième volet*- allowed the municipalities to sell land and buildings of the target areas to the highest bidder, at a price starting from the 25% of the estimated value. In other words, in case of no concurrence, the available land and buildings could have been acquired at only the 25% of their market value. Subsidies for the renovation works could have represented additional funding. These and other aspects were discussed with notaries, architects and most importantly with the families.

The occasion of combining all these elements, the resources and the lessons learned through many years of experiences and projects was given by an empty plot belonging to the *Logement Molenbeeckois*, on sale and situated in *rue Fin*, not very far from Bonnevie. The plot was

part of the Contract de Quartier Fonderie –Perron and was supposed to be developed for homeownership in a neighbourhood mostly inhabited by tenants. Just adjacent to the plot in fact a long slab, a seven-storey building of the 70s, dedicated to social housing. At the end of rue Brunfaut, la Tour Brunfaut, realised in 1964, a sixteen-storey tower, hosts 97 social housing units. “*Ça ira mieux demain...*” is the title of the documentary the inhabitants of the tower realised to make their voice heard, about their unhealthy and unsafe living conditions¹⁷. The FdL decided to support the initiative of Bonnevie as a developer –or *maitre d’ouvrage*-, thus buying the land and developing the project at its expenses, with the agreement of subsequently selling the apartment units to the group of families willing to become homeowners¹⁸. Being included in a Contract de Quartier, the plot could be acquired under advantageous conditions. Being the only tenderer, the FdL in 2007 could buy the land at the cost of 60.000€ (instead of 240.000). Besides the FdL, another relevant collaboration was established with CIRE. Bonnevie in fact did not have a strong experience in terms of participatory practices, while that was the case of the CIRE. Thirty families were contacted by both CIRE and Bonnevie, thanks to the relationship established through their activities. Fourteen families were finally chosen, on the base of their motivation, their origin and the fulfilment of the requirements established by the FdL to get access to one of their loans. In particular, seven of those families came from the group ALARM. In June 2006, the fourteen families created the association called *Espoir*, fourth partner involved in the development of the project. The original concept of a *co-propriété*, of joining efforts and resources -as in the housing *achats groupés* - was maintained, at the core of the spirit of *Espoir* and was enacted through the very process of development of the project, necessarily conceived as a whole, both in terms of architectural decisions and of governance, as it will be better explained. The members of *Espoir* applied the model of the saving group developed by CIRE to collect the money that would have been required for the installation of the families in their new house, such as moving, painting and the management of the common spaces. Additionally, they regularly met to make decisions around every aspect of the project, financial, architectural, juridical. Through the process, while joining their resources, they reinforced their motivation and built forms of solidarity, thus creating the ground for a successful project. “L’association n’est donc pas uniquement imprégnée d’une dimension immobilière mais aussi d’une dimension éducative, solidaire et citoyenne qui, avec l’épargne, fondent, selon Maria Elvira Ayalde du Ciré, « la première garantie d’une future copropriété réussie. » En cela, l’initiative semble surmonter le problème, si vif dans le logement social, du manque de participation des habitants, du délitement du lien social et de l’affaiblissement des réseaux informels d’entraide. » (Dawance 2008)

17 The documentary has been realised in 2015. A renovation project has been proposed in 2017.

18 According to Pazienza the initial idea was to do an *achat groupé*, thus via a saving groups program, but finally the idea to have the FdL as a developer prevailed, especially to avoid financial risks and complications with the families given their fragile condition.

A part from the collective ownership of the savings and the common decisional process, *de facto* every single family would have become exclusive owners of their housing units. The Contracts de Quartier had been conceived to fill the voids and develop mixité in disadvantaged neighbourhoods, by favouring the installation of medium income households. Quite differently, the idea at the origin of Espoir, as a result of the specific position of Bonnevie, after years of intensive work and close contact with the unstable living conditions in Molenbeek, was to give an answer to the urgent needs of the low income families in Molenbeek, mostly of immigrants and in particular refugees. For those families, especially for the numerous ones, to find a house was almost impossible, for a combination of factors such as discrimination, the rising costs- which in fact started to become inaccessible for an increasingly large section of the middle-income households (Clissold 2014) – and, last but not least, a typological inadequacy of the apartments. What the team of Bonnevie observed is that « En effet, l'accès à la propriété signifie pour eux la sécurité et la stabilité résidentielle, c'est aussi un capital qui peut être légué aux enfants ainsi qu'une forme de statut social. En résumé, il s'agit d'un instrument fondamental d'émancipation pour les familles. De plus, on sait que les propriétaires se sentent plus concernés par ce qui se passe dans leur quartier et qu'ils jouent dès lors un rôle positif dans la vie locale. »¹⁹ What was being introduced was a new approach to the housing question for low-income families. While normally the access to private property was conceived for middle-income households (Dawance 2008), with Espoir the idea was to experiment with homeownership accessibility for the most disadvantaged families. For these families, ownership is the only alternative to escape a life repeatedly interrupted by continuous relocations, made uncertain by the rising of the costs and by the uncontrolled market of rents. Beyond the material discomfort, moving is a matter of constantly interrupting patterns and relationships [v 06, v 01], which especially for individuals in a fragile condition represent the most important achievement, the first step towards stabilisation and the beginning of their new lives. “They ask us to work, but how can we do that if we don't even know where our children could sleep?”²⁰

From the very beginning, before the acquisition of the plot by the FdL was confirmed, the families were involved in an intensive process of participation, mostly concerning the design of their future houses but not only. According to the Contract de Quartier, the subject asking to acquire land or a building has also to propose a project. While the FdL –as a developer and the official client of the operation- could have simply selected a proposal on the base of a call

19 In *art 23*, n.37. According to Nicolas Bernard, five elements would make property emancipatory. “Le premier, c'est être son propre maître, le pouvoir de décider. Le deuxième la possibilité d'anticipation de l'avenir, la possibilité de planifier. Le troisième c'est l'accès à la ressource. La quatrième c'est la possibilité de transmettre le bien. Le cinquième c'est la possibilité d'avoir un impact, de s'insérer dans la société » (Nicolas Bernard, conversation, July 2019)

20 One of the most characteristic complaint according to Paziienza. To have a stable and safe living situation is one of the main conditions for those families to build a life strategy, to use the words of Robert Castel.

agency | Les GECS du CIRE

Themes: responsabilisation, collective and individual emancipation

Founded in 1954 as Centre d'initiation pour les réfugiés politiques, the CIRE has the purpose of supporting the integration of immigrants and refugees within the economic and cultural life of their new country. Through the years and evolutions, today the organisation is finally focusing on the organisation and coordination of services to welcome and deal with the urgencies of the increasing number of refugees and asylum seekers, since the beginning of the 90s.

Among other initiatives CIRE in 2003, on the background of the conditions of inaccessibility to housing and growing poverty above described, conditions especially difficult for numerous families, introduced the GECS, *groups d'épargne collective et solidaire* or collective saving groups. An answer to the increasing difficulty or households to get access to public funding. For example, the funding provided by the fond of Logement. The Fond du Logement was originally established in Belgium in 1929, by the Ligue des Familles nombreuses, created in 1921 to support the numerous families and operating at a national level. With the process of regionalisation of Belgium, in between 1984 and 1989, the FdL was re-organised as three regional entities. During the years immediately following the war, Because the great majority of people was left with no means and forms of capital, the Fond du Logement intervened with primes and loans to financially support them, without requiring any additional or starting contribution on their side. Through the time conditions changed and today the FdL requires their beneficiaries to contribute with an initial deposit, normally the 10% of the cost of the house. But the precarious work conditions most of the households in Molenbeek have to cope with, make extremely difficult for an increasing number of families to reach any form of economic stability and to save the required money. As a consequence, because of these requirement,

homeownership remains inaccessible for low income households. Although in many cases the sum of the rents these household pay during their life would be more than enough to buy a house. The GECS allowed many households to create an initial fund, thus giving them the possibility to access to the financial support offered by the FdL and finally become homeowners. The system is inspired to the African, Asian and South America tradition of the “tontine”. The cultural affinity in fact promoted the understanding and the practice of the saving system for the majority of the concerned households, often originary from African countries. The individuals or households who decide to be part of a savings group commit to monthly contribute to a collective fund with a pre-defined amount of money. This money can be used by each member of the group alternately, for important and necessary expenses such as a funeral, a marriage, health issues and so on. The GECS can also benefit of the external contribution of private donors and institutions such as the FdL. The latter still plays an important role in making possible the continuous availability of the savings. In fact, once a household used the money, for example to get the funding for homeownership, the amount of the group d'épargne should be as soon as possible reconstituted. The FdL, once the purchase contract has been signed usually intervenes refunding the group with the sum the individual household used for its own benefit. The sum is then added to the existing loan and will finally be refunded by the new homeowner. In other words, the savings of the families are used to constitute what is called a working capital – *fond de roulement*. The additional support provided by a private donor, the Foundation Roi Badouin and the Region of Brussels, by increasing the funds, allowed to start multiple projects at the same time.

On the other hand, on the side of the families, engaging in the process of a collective saving, as mentioned, helps to prepare for a bigger endeavour, such

as taking part into the building of a co-habitation project.

The experience of CIRE proved to be positive in multiple ways. To be part of a similar saving project goes beyond the collection of money. The involved individuals and families develop sense of responsibility and commitment for a long-term project: in many cases, a new experience. Although these households might have never been owners, they can prove an incredible capacity of commitment, for their own interest but also as part of a collective endeavour. They experience the sense of community and they are empowered by forms of solidarity that go from sharing information on common issues to helping each other in their daily life. As a result, their agency is reinforced, facilitating their participation in the life of the community. GECS concretely show how individual and collective emancipation go hand in hand. The approach and the values at the core of these initiatives, in fact, established an ideal ground onto which a project such as Espoir could be grafted.

for projects²¹, for the Maison de Quartier was of the utmost importance to involve the families in the design process. As learned through many years of experience, it was not only a matter of architectural choices: in itself the process would have contributed to engage the inhabitants, to give them a voice, to consolidate the group and to make aware and responsible the single households. All the chosen families would have been responsible of the maintenance of their building and apartments. A challenge made even more complex by the choice to realise a passive building, the first in the Region of Brussels, as it will be better explained in the following paragraphs. In that sense, the relevance of a participatory process was also acknowledged by the FdL. It was in relation to the organisation of the involvement of the inhabitants that the CIRE brought an important contribution. The experience they previously developed with their projects and in particular with the *groupes d'épargne* represented a relevant resource to build the community of the future inhabitants of the project Espoir. "On les connaissait [le CIRE] à travers de nos activités à Bonnevie. On a mis en place un groupe d'épargne pour des frais de l'aménagement et parce que on trouvait que c'était une bonne façon d'organiser le gens, on épargne ensemble, on fait des formations etc. Mais il n'y avait pas d'enjeux financiers »²².

The involvement of CIRE allowed combining their participatory approach with a design exercise conceived to empower the inhabitants while making them responsible of their future homes. ²³ "Malgré de nombreuses études de toutes sortes et des notes politiques citant l'importance de la participation, nous n'avons trouvé que très peu, voire pas du tout d'exemple de projets de construction dans le secteur du logement social en Belgique, dans lequel les futurs habitants étaient impliqués dans l'ébauche de leurs logements" (De Pauw 2011). The design process that was experimented for the project Espoir was hence in itself another relevant innovation, at least in the Belgium context. Although the households could not have a direct contact with the architects that would have realised their project²⁴, through the design process they produced a *cahier des charges* –a compendium of their requests- to influence as much as possible the design proposals and to suggest the main criteria for the choice of the best proposal. According to the aspirations and the needs of the families, six main themes emerged as relevant to the inhabitants: the organisation of cohabitation, the typology of the apartments, the luminosity, the outdoor private spaces, the costs and the perception of the project by the public. Through monthly meetings and workshops, they developed and they dealt with all these aspects²⁵. It was on the base of the decisions made during that process that the recommendations could be formulated for the *cahier de charges* created for the public call for projects.

21 Being a publicly funded project – by the FdL- the project needs to be assigned via a public call for projects.

22 Geert De Pauw, interviewed on January 2018.

23 "Neither me, nor Geert we were experts concerning participatory processes. CIRE had an experience, they had a methodology, but they never organised an *achat groupé* for housing purposes. Therefore, we decided to combine the competencies of both of this project: the CIRE bringing their expertise in the participatory processes and Bonnevie, bringing our will and savoir-faire in the matter of housing. "Lorella Paziienza, interview November 2017.

24 Because of the procedure of public call for projects.

25 With the support of the students of Architecture of La Cambre University.

It was especially women who came to Bonnevie, they were those bound to the house. Those to whom the house was important. It was them who decided, saw the houses and signed. So I decided to establish a group, *Femmes qui rénovent* –Women who renovate-, because we often repeated the same things over and over again.

And the neighbourhood was the same, with the same problems and the same opportunities, more or less for all our public. So at least by meeting they could exchange information, find solutions to common issues. And we invited people from the administration, to explain things. From an individual work it became a collective work.

In 2005 a large group of families started to be involved in the activities concerning the design of a hypothetical project, while only in June 2006 the FdL could acquire the land. For one year and a half they committed and believed in a project with no warranty it would have been realised. And knowing that not all of them would have been chosen. They took a risk in terms of time and energy invested. But they also took a risk in terms of experimentation, when the moment came to introduce passive architecture²⁶. In Brussels at the time there was no building responding to those ecologic requirements. In order to better understand what this technology implied, especially in terms of maintenance and correct use of the different devices, the families visited an existing project in Zenst, Wallonia. Persuaded that such a technology could have in fact contributed to diminishing their expenses²⁷, they finally convinced the FdL to integrate this requirement in the *cahier des charges*. “These families have been supported by Bonnevie through a process of evaluation of the actual costs and the advantages of the passive buildings.” Paziienza highlights that in fact, beyond the direct advantages for the families, the project Espoir provided the perfect occasion to test this technology exactly when the Region of Brussels needed to introduce it, as a standard for the realisation of new buildings, thus responding to the national and international calls on climate change²⁸. The families of Espoir *de facto* were the first in the Region of Brussels to learn about this technology. Some inhabitants received specific training with the purpose of sharing their knowledge with the other inhabitants and future users besides those of Espoir. Out of this learning process guided by Bonnevie²⁹, a *cahier* was published³⁰ and a program of *ambassadeurs du passif* was established. Some of the inhabitants are still currently engaged in the organisation of the activities conceived to inform about this technology: this is for them an occasion to contribute to the life of the community. Today the municipality of Molenbeek continues to refer to the expertise of Bonnevie in order to deal with the issues deriving from the increasing number of passive buildings. The efforts of realising a socially inclusive and technologically advanced project, contributing to the economic stability of the households, while responding to the ecologic challenges, could be invalidated by the incapacity of the inhabitants to be autonomous concerning the correct management of their houses, their apartments as well as the building as a whole. “We took a responsibility that

26 To realise a passive building would have allowed to get an additional funding of 100 € per square meter.

27 Except for one household, which decided to quit the project, being afraid of not being able to manage the passive technology.

28 It was during the mandate of Evelyne Huytebroeck, (Ecolo political party) among others Ministre de l’Environnement et de l’Énergie for the Region of Brussels – from 2004 to 2014- that the policies addressing the issue of climate change were greatly reinforced. Among the objectives, the compulsory realisation of passive buildings starting from 2015.

29 “For two years we monitored the consumption of the families, to understand what they would have costed with the application of a passive technology. All the inhabitants learned the functioning of the *ventilation mécanique contrôlée*, which is the most complicated part of the system [...] for these families. Homeownership is also the possibility to leave their house to the future generations. But in order to do that, you have to know how to preserve the house in good conditions” Lorella Paziienza, Interview December 2017

30 “Vivre le passif” is the title of the *cahier*, published by Bonnevie.

politicians did not foresee. Everybody talks about participation, but in fact, we risk making life of people more difficult by imposing these technologies, when in fact those abusing of heating or air-conditioned typically are not the inhabitants of these neighbourhoods. If they cannot learn to manage these technologies, they will have to pay for the negative consequences of an imposed choice.”

To that purpose activities of support and guidance are fundamental. “While in the seventies people were expected to adapt to the box [the housing units] –and that approach in fact persists in many social housing agencies - at Bonnevie we wanted something different. Through the realisation of their houses, we wanted these inhabitants to have a voice and to become responsible and autonomous inhabitants, by making sure they would have learned how to take care of their houses.”³¹ The choice of the passive technology was a challenge, but –beyond the immediate advantages of additional financing and a reduction on the monthly expenses-, in return it also provided the opportunity to Espoir and its inhabitants to acquire a special role, perceived as an occasion to contribute to the life of the larger community.

An experiment of homeownership for low-income families, the project Espoir was finally inaugurated in 2010. It was realised after a number of difficulties, mostly deriving from the scarce financial means. But the obstacles finally triggered several innovations, with the result of increasing the overall funding. From the participatory design process for low-income housing units to the technology of architecture passive, from the cohabitation approach to the idea of collecting resources. The realisation of the project Espoir, groundbreaking on so many fronts, was, in the end, possible as the result of a unique and fortunate combination of stratagems, occasions and exceptional means or circumstances. While showing that a different approach to housing accessibility for low income was indeed possible, it could certainly not be considered as the prototype of a reproducible procedure. A different system had to be found, to contain the costs, to have access to the required funding, to transform an inspiring project in new technology.

Community embeddedness and recognition

Participation is a word often used by the Pazienza, De Pauw and Van Gucht during the interviews, as well in the articles describing the project Espoir. While different forms of participation are possible –from consensus building to citizens control³², implying not only different forms of engagement but also different degrees of empowerment for the involved individuals, in this case, the inhabitants have been the protagonists of the design process. Their homes were designed on the base of their needs and thanks to their capacity to articulate those needs. And it was on the bases of their requests and their judgment that the definitive project

31 Lorella Pazienza, *ibid.*

32 As famously described in Sherry R. Arnstein’s “A Ladder of Citizen Participation,” *Journal of the American Planning Association*, Vol. 35, No. 4, July 1969.

voices | Aurelia Van Gucht

Themes: capacity building, indignation, powerlessness, voicing, empowerment

L'intérêt pour l'art, le théâtre c'est aussi lié à mon histoire. Mon père est artiste peintre, j'ai toujours dit que je ne suis pas une artiste mais je pense que je fais beaucoup le lien. J'ai commencé à travailler en 1993. Tous les classeurs, c'est des gens que je rencontré sur 10 ans. Aurelia shows me a long shelf, full of of binders. Une pratique d'entretien importante. Avant j'ai fait sept ans en restaurant social. Ça développe une très bonne capacité d'écouter, d'accompagner. Si j'ai un art c'est d'essayer de faire passer le gens du statut de victimes dans lequel il sont renfermés au statut d'acteurs. Même si je n'aime pas ce mot, parce que ce n'est pas dans l'idée d'un état social actif, mais c'est pour dire aux gens: vous avez un pouvoir d'agir, en tous cas, de vous exprimer. Votre parole elle a de la valeur. Et mon art est aussi de mettre les gens en lien, soit pour développer mes propres projets, soit pour eux même. Mon père est peintre, né à Molenbeek, mais moi je n'ai jamais vécu à Molenbeek. J'ai connu Molenbeek quand j'avais 21 ans. Je suis née en Flandres, j'ai vécu en Flandre jusqu'à mes dix ans, puis on est parti au sud de la France et c'est là que mon père est décédé. On est venus s'installer à Bruxelles avec ma mère, mais on ne connaissait pas. J'ai fait mes études en science sociales à l'ULB, je suis en train de terminer mon mémoire et j'en ai plus que marre. Et puis, un jour, sur un journal de mutualité chrétienne, je lis qu'il y a une place à Molenbeek. Je téléphone et je me retrouve responsable du restaurant social, et c'est là

que je développe ma capacité de travailler en groupe. Un restaurant social c'est une communauté, avec des habitués. Du coup il y a une dynamique de groupe qui s'installe... et c'est la vie qui me l'a apporté. Et puis c'est progressivement l'indignation : j'ai aussi commencé à faire du théâtre amateur quand j'ai commencé à travailler ici. Les membres d'ALARM c'est des gens que j'ai aidé quand je faisais la permanence. Maintenant je ne fais plus de permanences, j'ai l'ai fait pour dix ans, jusqu'au 2011-12. Après, comme j'étais en crédit de temps, je suis partie pendant un an pour voir si je pouvais développer un projet artistique en France, où j'habitais. Je suis resté trois mois, j'ai fait du bénévolat aussi. Mais là je me suis rendue compte que je n'avais plus de réseaux, inconnue, une femme seule qui a des projets là-bas dans une mentalité campagnarde. Je voulais faire un projet social et artistique. Mais finalement j'ai décidé de revenir. Et comme j'étais en crédit de temps, j'ai récupéré mon poste, mais j'ai dit je ne veux plus faire de la permanence. C'est fatigant et on est fort confrontés à son impuissance. Et heureusement qu'ici on développe encore des projets. Par exemple à ce moment-là on avait obtenu des subsides pour créer de l'habitat solidaire. Et après il y a eu le CLT. Si le CLT n'aurait pas fonctionné, on aurait fait du soutien à l'achat individuel, peut être collectif, mais pas sous forme de CLT. Dans l'équipe Geert, Lorella et moi on était très complémentaires, soit comme compétences, soit comme manière de faire les choses. Geert

par exemple est quelqu'un qui est visionnaire, qui voit les choses en général, moi je vois les choses dans les détails. Les deux approches sont importants. En 2012 Geert est demandé comme coordinateur du projet CLT, donc finalement j'étais la plus ancienne de l'équipe et je suis devenue Coordinatrice Logement, ça veut dire principalement je représente la Maison de quartier Bonnevie dans certaines instances, l'RBDH, la Fibule, aux AGs du CLTB.

was finally chosen among those presented for the call for projects. It was on the base of their capacity to experiment and their open-mindedness that the passive energy technology was included in the *cahier de charges* and became a main characteristic of the project. They were clients and they had a major decisional power till the end of the process, legitimised by the fact that they would have had to assume the responsibility to govern their homes and to maintain their building fully, thus implying recognition of their capacities.

At the core of the process, there was the need to design the building and the apartments so that the different expectations could match. So that by making their choices and through the unfolding of the process, the inhabitants could gain a better knowledge of their future houses and become aware of their responsibilities. And could put themselves in the conditions of autonomously performing them. Hence, the design process went much beyond the spatial prefiguration of their living environment. From 2005 till the day they moved in their apartments in 2010, the inhabitants engaged in the imagination of what their cohabitation would have been about: concerning the project, as an architectural artefact and in terms of governance, of maintenance, of daily rhythms and routines. Also in terms of relationships, among themselves and with the local community. Meeting after meeting, the inhabitants had the possibility to know each other and to find a way to make possible the realisation and the coexistence of their different expectations. Indeed, the cohabitation and the construction of their life project started already during that phase and prepared the conditions for being successively transferred in the built environment. The design exercise allowed to collectively prefiguring not only space, but also the larger ecology of conditions within which *Espoir* would have lived, including the mechanisms of its governance. Thus providing a solid base for the inhabitants to perform their roles and their lives, their duties and their rights. It was a process of responsabilization meant to increase the autonomy of the inhabitants and their agency. Also to contribute to the quality of the project as a whole and its chances to be sustainably maintained. In return, this was an additional source of empowerment for the inhabitants: the possibility to rely on a stable and supportive living environment could reinforce those strong links at the origin of their agency and an aware positioning in the world, building their life strategies.

Besides, if on the one hand the design process made possible the spatial choices allowing its very functioning and existence; on the other hand as a by-product, it allowed the project to ground, by fuelling the relations and the conditions that allowed its realisation in the first place, a good functioning afterward. The design process was hence a grounding process, creating the conditions for the very success of the project.

Three years after the realisation of the project, a community garden has been created by the inhabitants of the *Espoir* in a strip of land separating their property from the adjacent slab of social housing. One of the inhabitants reports that while in the beginning the neighbourhoods were hostile and threw garbage in the garden; today they appreciate it and contribute to the

gardening activities³³.

The transversal, grounding effect of the design process could be considered as the expression of Bonnevie *modus operandi*. Espoir has been recognised as an innovative project on many levels, by the literature as well as by numerous awards and acknowledgments received: from the role of the inhabitants to the experimentation of new technologies; from the possibility for low-income families to access homeownership to the innovations introduced concerning the adjudication procedure. However, I suggest most meaningfully Espoir was innovative for its approach, in circumstances, characterised by decreasing resources and new challenges or the consolidation of the old ones: the unsolved housing question, the worsening of precarity, the incapacity of traditional administrative approaches to respond to the highly specific complexities of households and their different neighbourhoods. A deep knowledge of the ground, the capacity of listening to the actual, specific needs of the inhabitants; of creating synergy among different forms of expertise of local actors; of building legitimacy, thus fuelling trust in the supporting actors; of adopting agile and adaptive approaches. All of these became fundamental to have an impact, to provide a service, to support the community, responding to the emancipatory needs of these days. Such a holistic approach was in Bonnevie's DNA: to work on multiple fronts, to fulfil simultaneously social and spatial needs the two aspects being in fact inextricable. Espoir was a culmination and the expression of such a *modus operandi*, at an even more radical level than in the previous projects. The need to respond to the challenges posed by the construction of a brand new housing project, conceived for the homeownership of disadvantaged families pushed further the limits of experimentation. It led to explore a larger realm of resources, deepening the collaboration with CIRE and FdL. Espoir catalysed the expertise and the *savoir-faire* of different actors, thus involving the community of Molenbeek at large—represented by CIRE, FdL, and many others— in the realisation of the project. In its turn, through this project, the community had the chance to recognise and appropriate its own capacities, developed through years of intensive, painstaking work on the ground. A work perhaps led by Bonnevie and other organisations but through which the inhabitants could also express themselves, making clear their demands, their feelings, showing their capacity of commitment and transformation [a 02]. Being recognised for their individual needs and capacities. Fundamentally contributing to the emancipation of a whole community. As it happened with the group ALARM. Or with the writing of the Memorandum.

In one of the articles describing the project, De Pauw stressed the strong support received on many different fronts, along the whole process, spontaneously offered by local organisations or by individuals, motivated to contribute simply because believing in the importance of the project. Espoir was developed and was conceived by embedding and by being embedded in the dynamics of the neighbourhood. Through the inhabitants, through the different actors and other individuals involved, through the design process. Espoir worked ecologically, in the sense

33 Visit to Espoir in November 2014 and casual conversation with one of the inhabitants taking care of the community garden.

that it developed thanks to an exchange of resources with the ecology and the community that generated it, whose value and capacity to contribute was in return implicitly recognised.

As a result, Espoir has been more than an inclusive project, the concept of inclusivity always implying that somebody, somewhere or somehow will decide who should be included or excluded. This is not about denying the fact that indeed inclusion and exclusion do happen. It is more about being precise on the origin of the project and, in this case, of the process. Which in this case could not be defined as internal or external to some group: it was not produced *for* the families or for the community, but *by* the families *as part of* the community, together with other actors. Espoir has been a community process of emancipation, operating at different levels, at the same time symbolically and concretely: it was emancipatory for the fourteen families; for the associations and the actors directly involved which had the chance to see their efforts recognised and the past frustration finally compensated by an innovative project, a milestone towards other projects. For the community of the present and of the future, potential inhabitants that because of Espoir could count on new promising housing options (such as the CLT, as it will be shown). For the community of Molenbeek, which – despite stigmatisation- showed the transformative capacity of local actors and inhabitants, which armed with goodwill, commitment and determination, generation after generation, transformed a neighbourhood afflicted by an urban cancer in an open, transdisciplinary laboratory, experimenting on inhabiting processes, not simply on housing. For the *croissant pauvre* and any other neighbourhood in the region of Brussels and elsewhere where the right to accessible, decent housing and to a stable life are precluded: to those households at least Espoir suggested a possibility to change.

Espoir has been a milestone in the history of social housing. But beyond the singular aspects previously mentioned, what I suggest was really radically new was its holistic approach and modus operandi. The process of realisation of the project was an experiment as a whole, to which different actors took part. Its construction unfolded involving local resources and expertise thanks to a capacity of adaptation, allowing to transform difficulties in opportunities; to capitalise on pre-existing experiences. As a result, Espoir evolved by being embedded at multiple levels and in many different ways in the life of the community. Thus increasing its chances to be sustainable because involved in a sort of osmotic exchange of urbanity with the surrounding community. At a fundamental level, the realisation of the project Espoir has been an exercise in recognition, of individuals and of their community, of their capacities of experimenting and of managing their own resources. Capacities that were in fact revealed and reinforced through a design-based process of responsabilisation and confrontation with the spatial availabilities. In return, resources were generated as an answer to the needs of that community. In a virtuous circle, that makes resources necessary to the community and vice versa. In a time in which precarity seems to condemn to disaffiliation and to the loss of *la*

Commissaire : Donc il n'y a pas de responsable ici ?

Habitant : non il n'y a pas de responsable. On fonctionne par Assemblée Générale, donc il n'y a pas de responsable, c'est tous les habitants qui sont responsables

[...]

C : c'est quoi ? c'est une communauté ici ?

H: Imaginez-le comme un hôtel social. Il y a plein d'immigrants qui sont ici. On essaie de les aider, on essaie de s'organiser tous les jours. Ce soir il y a eu un peu de musique. C'est tout.

C: Vous recevez des subsides ?

H: on reçoit rien. On reçoit juste des visites de la police, charmantes. On est des squatteurs. Il y a beaucoup des luttes, beaucoup d'avancées sociales. On obtient des résultats. Mais chaque fois qu'il s'agit de parler gentiment...

C: et c'est ça que vous ne comprenez pas, vous vous excluez vous-même de la société, et c'est vous qui suscitez ces interventions parce que vous vous appropriez...

H: C'est la société qui exclut les gens ici, parce que ils sont illégaux. La collectivité ici s'approprie d'un endroit. Cet endroit devient une source de perturbations pour le quartier.

propriété de soi, Espoir and the whole story which brought to it seem to show that the way to build our life strategies – again with Castel- passes *through* the collective, but at the condition of reciprocal recognition. Espoir shows it is along the path of emancipation that individual and collective continuously build each other.

Urban catalysts

Despite the enthusiasm for the project and its numerous achievements, despite the groundbreaking innovations and the immediate advantages for the inhabitants involved, the possibility to replicate the experience have often been considered as remote. Challenge after challenge, Espoir was made possible by the assemblage of quite extraordinary solutions and exceptions. Which if on the one hand might have suggested in which directions new policies and new regulations could have facilitated the path; or new approach to the housing question *tout court*, on the other hand, they were also revealing of the quite unique combination of exceptions, of coincidences, of factors that finally allowed realising the project. Basically, the main difficulty was to contain as much as possible the cost for the families: the combination of funding opportunities and favourable conditions was so unique that it would have been really difficult to reproduce it or to find analogue conditions. Espoir built expertise and suggested an alternative path concerning the homeownership for low-income families. But a spark was needed in order to bring that experience to the next level, overcoming some of the issues and limitations which emerged through the realisation of the project, in particular concerning the financial aspects. The encounter between the urgencies of the squats in Brussels and the fabric of associations was providential in terms of pushing further the experimentation, bringing together the groundbreaking attitude of the former and the experience and organisational capacities of the latter.

This happened in 2007, when a squat occupying the hotel Tagawa in rue Louise 321 was at the end of its agreement. In parallel, the *Syndicat des Locataires*, also needed to quit the building of offices they occupied, owned by Scientology, and shared with homeless people. The judge suggested that if they occupied a public building they probably would have not been expelled³⁴. Hence, looking for another place on the base of that information, they finally were suggested to occupy the church of *Gesu*, were they moved together with the occupants of Tagawa. That joint occupation lasted only a few months, as the occupants finally moved at the 123 in rue Royale, a formerly eight-storey office building owned by the Walloon Region. Their settlement was later legalised thorough an agreement of temporary occupation that became well known in the Region and elsewhere because suggesting a viable alternative to address at the same time the problem of vacant buildings –especially office buildings- and the growing housing emergency in Brussels³⁵. Back to the events of 2007, it was while looking respectively for a new seat and for a new place to inhabit, that the associations and the squatting movement started to support

34 Aurelia Van Gucht interviewed October 2017.

35 After 10 years of stay, at present the convention has expired, the building having been sold to a new owner.

each other. A sort of turning point, because it was in those circumstances that the dialogue started between those two worlds. Thomas Dawance at that time *président* of RBDH and leader at 123, was and still is convinced about the importance of bringing together their fights and the efforts, despite the different views « Dans le milieu des squats il y a une fracture avec le monde associatif subventionné, qu'il soit laïc ou qu'il soit catholique... entre un monde qui se revendique libertaire anarchiste autonome, autogestionnaire, même ouvrier chrétien, ultra radical ; et le secteur associatif, qui dit « on voudrait plus de moyens pour aider le publique ». Tandis que les squatteurs le font. Entre les deux pas d'alliance. Moi en tant que squatteur, je me suis dit qu'il faut casser ce verrou-là. J'étais président de RBDH et à partir de là je voulais essayer de faire un rapprochement entre un secteur associatif où il y a quand même une aile très radicale qui cherche à innover et pas seulement à revendiquer. »³⁶

At that time Dawance had already met the *équipe* of Bonnevie, to write an article about Espoir. A group of reflection emerged out of the encounter of squatters and representatives of several associations concerned with the housing question. Inspired by similar happenings in France, in reaction to the growing number of injustices concerning housing and to an inefficient administration of resources –such as empty buildings-, they created the *Ministère de la Crise du Logement*, ironically juxtaposed to the Ministère du Logement, willing to stress the hands-on approach of the former. In those days the people involved in the activities and reflections of the *Ministère* were those of the team of Bonnevie –De Pauw, Van Gucht and Pazienza-, Thomas Dawance (RBDH and 123), Loic Géronnez (asbl Periferia), the abbey Pierre, and the representatives of many other non-profit organisations. “Symboliquement ça veut dire qu'il y avait un mouvement des squatteurs, c'était déjà plusieurs mouvements qui se réunissaient ensemble. Et en plus toute une série de asbl qui ont dit « on est parties prenantes ». The establishment of the *Ministère* was in fact revealing of the capacities of the associative fabric of Brussels to coagulate, to organise around common struggles, thus defining a solid front of action –despite differences- in the long term possibly able to rearticulate policies, to transform the power relationship, to bring a slow but radical change³⁷.

The main issue being the housing question, on the one hand associations developed a reflection from a more structural point of view, in consideration of the role, the needs and the possibilities of the organisations of civil society; on the other hand, the squatters focused on more immediate approaches and their legal possibilities, such as the occupation of empty buildings, the right to housing, the limits and advantages of conventions and other regularisation procedures. In between the public and the private, gradually a larger reflection on the third road of social housing started to emerge, exploring the possibilities of civil society organisations, cooperatives and the commons. A conference was organised in those days in Lion, to address

36 Thomas Dawance interviewed December 2017

37 A capacity which in fact could also be seized when looking back to the 70s –despite the different orientations and the groups they originated- and that at present seems to emerge again: around the concern and the desire for a new approach to the governance of resources, for example in the name of the commons.

alternative approaches to housing: from cooperatives to auto-construction. Organisations such Periferia and Bonnevie, having been actively involved in the development of alternatives to the traditional forms of social housing, joined the conference. Yves Cabannes, at that time president of Periferia, introduced the model of the Community Land Trust for the first time to the public of that event. The model immediately resonated with the ambitions and efforts of many among those present. Back in Brussels, a few people, deeply motivated and convinced about the validity of the model, started to reflect on the possibilities of its realisations. The occasion to know more concretely how a CLT worked came with the possibility to finance a one-week study trip in the United States, to visit the Champlain Housing Trust, a CLT in Burlington, Vermont. A delegation of 4 people represented the debates and reflections going on in Brussels in those days, among around 20 international experts: Geert De Pauw, Thomas Dawance, Loïc Géronnez and Michel Renard. At their return, the challenge would have been to establish a Community Land Trust in Brussels.

voices | Thomas Dawance

Themes: housing question in Brussels, empowerment vs assistentialism, responsabilisation, occupations, political support.

Je suis architecte de formation mais j'étais chercheur en sociologie pendant 5 ans. Je travaillais sur plusieurs recherches mais en tous cas une sur l'encadrement des loyers, la régulation des conflits entre propriétaires et locataires, et donc la loi sur le bail...tout ce qui peut exister en matière de bail locatif. Et à côté de ça j'étais squatteur. Mon emprunte militante, portée dans le CLT, c'était d'avoir une réponse presque d'urbaniste de la part de citoyens qui trouvent des réponses à leurs problèmes, à leurs besoins en ville à travers des logiques de réappropriation et qui leur permet de re-ouvrir complètement le cadre créateur de l'investissement à un lieu. Dans ce cas ici, en dehors des règles imposées par les propriétaires dans le cadre d'une location ou par l'urbanisme dans le cadre des rénovations. Et notamment de pouvoir aussi libérer l'économie.

Donc ça c'était mon entrée, ma motivation. Et en fait le CLT retrouve toute une série d'enjeux qui sont les mêmes. C'est aussi permettre à des gens... pour eux qui normalement sont toujours étranglés par les logiques d'aide publique -qui s'adressent à un publique dans sa qualité de pauvre et pas dans sa qualité de citoyen, et qui s'enrichit d'ailleurs par les aides comme ça il redeviennent pauvres- et un marché qui est très violent. Et un marché bancaire qui n'accepte pas que les pauvres puissent un jour être des investisseurs qui prennent des risques, qui ont un retour sur leur risques etc. Et donc il y avait l'idée d'offrir cet espace économique, de sécurité mais

aussi avec la possibilité de gérer un bénéfice, une économie qui se retrouve dans un autre cotexte, qui est celui de l'accès à la propriété.

Sur le fonds il y a assez d'éléments moteurs, porteurs de militance et alors je me suis intéressé pour la première fois à cette logique d'accès à la propriété dans un cadre collectif, avec une vision sociétale.

J'étais président du RBDH quand Geert m'a sollicité plutôt comme chercheur-journaliste pour faire un article sur Espoir. Et donc je connaissais Geert et Bonnevie, mais je m'y étais jamais vraiment intéressé profondément. J'ai étudié un peu toute leur histoire. Il y avait Bonnevie, le fond du logement, les ménages... du coup là j'ai vu l'intérêt, ça m'avait touché de voir que toutes les familles avaient une convivialité entre elles. Ça m'avait touché.

Et puis je revu Geert... on avait créé le Ministère de la Crise du Logement... l'idée c'était de dire, comme RBDH on soutient le squat quoi, on soutient l'illégal parce que c'est légitime. Ça a mis 3-4 ans pour que finalement le magasin art. 23 fasse un article sur les occupations, une prise de position claire. Et donc à un moment donné il y avait une sympathie des acteurs du monde associatif subventionné vers le Squats. Et dans ce cadre de rencontre, il y avait un noyau de réflexion. Geert était dans une réflexion beaucoup plus structurée sur l'évaluation du modèle rue Fin etc. Moi, je te le raconte d'un point de vue un peu différent, on réfléchissait au taux occupation des bâtiments vides, droit d'occupation, quelles limites, quelles contraintes, qu'est qu'on peut

légaliser...

A un moment donné, il y a eu cette conférence à Lyon ou il y avait un débat plus général, c'était quelle la troisième voie pour le logement social...les communs, le renouveau coopératif etc . Il y avait tous le gens du noyau de l'Espoir, donc Geert, Bonnevie, mais aussi Periferia parce que ils avaient essayé de diffuser des modèles aussi. Les autres étaient asbl subventionnées à y aller, moi je suis allé en stop,

C'est Yves Cabannes qui présente le modèle du CLT à Lyon. Et cela a fait tilt direct chez tout le monde. A ce moment là, moi j'étais un peu sur le côté, comme souvent dans ma trajectoire, et eux ils ont commencé à se dire oui, il faut le faire. Et on commençait à constituer des premiers dossiers...Et c'était Yves Cabannes -qui été responsable logement à l'ONU- c'est lui qui a fait on sorte qu'une délégation qui puisse aller et découvrir le Champlain Housing Trust, dans un programme financé par l'Union Européenne. Il y avait 20 experts mondiaux et 4 de Bruxelles. Sauf que au départ il y en avait 3 et je n'avais pas de place. Après c'était très présomptueux de ma part parce que à ce moment-là je travaillais à l'Agence Alter et j'ai dit « écoutez, franchement, ça vaut la peine que je viens, je ferai un rapport journalistique ; ça aidera pour laisser des traces » Etcetera. Et alors j'ai tellement insisté que finalement on est parti à 4 là-bas Mais entre-temps j'ai claqué la porte de l'Agence Alter. J'avais un peu des conflits avec la chef, peu importe. Mais donc j'avais déjà l'accord de pouvoir aller aux Etats Unis. Mais j'étais même plus journaliste pour diffuser le truc etc.. et donc je suis allé comme chômeur. Et juste avant ça, je suis contacté par le cabinet du ministre du logement qui me dit "Est-ce que tu veux travailler dans l'équipe comme conseiller ?" A l'époque c'était Doulkeridis. J'hésite, je n'avais

pas pris une décision. Et puis je me retrouve à aller aux Etats Unis. On découvre le modèle, ça allait génial. Vraiment très intense comme formation. Le dernier jour de la vi-site on propose de faire un tour de table et d'écouter qu'est-ce qu'on en pense, qu'est-ce qu'on a découvert. Sur le temps de midi je téléphone au cabinet du ministre et je dis « j'accepte ». Je raccroche et donc dans l'après-midi quand c'était mon tour à prendre la parole je dis "En tant que représentant du ministre du logement..." C'était hallucinant !

Et donc là on est revenus des Etats Unis. De leur côté Geert et Loic réfléchissent ensemble, comment créer un lobbying citoyen pour créer un CLT, qui mobilise l'RBDH . Il y une première conférence et j'ai fait le discours de Christos [Doulkeridis] pour dire qu'il fallait le soutenir...et donc là vraiment Christos il m'a - et pas seulement à moi, aussi aux membres du secteur associatif porteurs du projet - il m'a fait confiance, c'est assez exceptionnel. Il nous a appuyé. "Si je le fais c'est dans l'intérêt des communs..." Il n'y a pas d'autre mots!

[...]

Aujourd'hui en équipe, c'est mon tempérament peut être, je me retrouve à bousculer un peu à l'interne, constructivement, pour essayer de développer des financements privés, pour essayer de sortir de la dépendance au pouvoir publique. Moi je m'occupe de développer le premier projet [Le Nid] ...donc si tu veux je suis comme le démineur, en avant-garde, en essayant de mettre en œuvre.

S. 4 | Land in trust for the common good

Ch. 4.1 A genealogical exercise around stewardship

Lost in compensation

Community produced land value

Education and guidance

Ch. 4.2 The classic CLT

Trusteeship and ownership

Building communities

Balancing acts

Learning from the CLT

4.1 A genealogical exercise around stewardship

Lost in compensation
 Community produced land value
 Education and guidance

Lost in compensation

In some societies, the idea that land can be privately owned is completely absent among the traditional forms of land tenure. This is the case of the American Indians whose tradition holds that land belongs to God, individual ownership and personal possession of land being unknown. Or in Africa, where “common tradition often held land not to be the property of no single person or tribe. It was to be shared by all. There were territorial boundaries fixed by custom or agreement; however, within these boundaries land was communally used [...] In ancient China, during 24 centuries {from 2697 B.C. to 249 B.C.}, “land was held not as private but rather as common property. ...Lands were held by the government emperor as a trustee for the general public.” (Swann et al. 1972) ¹

In many cases, land mostly owned by the communities at a certain point has been violently appropriated by colonisers, who imposed enclosures and expropriations to exploit the natural resources of a site. In the first pages of his *Magna Carta Manifesto*, Linebaugh mentions the cases of the Mexican *ejidos* –the village commons-, of the forests of Nigeria or Vietnam where women were used to harvest wood, medical plants and vegetables. And Ireland, India and the Amazon (Linebaugh 2008).

In the Jewish and in the Cristian world, private ownership of land is possible but is tempered and reframed by the religious concept of stewardship². According to the Bible in fact land –like other natural resources- belongs to God³ and it is given to mankind as a gift. Individuals are

1 The guide written in 1972 with the purpose “of producing an introduction to the concept and some descriptive materials on how it had been used to date in a wide variety of partial or variant applications” begins with a narrative emphasising how in fact the model of new Communities –or Community Land Trust- was an attempt to restore a pre-existing model of land tenure. In the foreword the background for this endeavour is made clear: “As of this writing, Limits to Growth has been on the market just a few months, and is already in its third printing. Prepared under the sponsorship of the Club of Rome, an informal, worldwide organization of leaders in industry, technology, and science, it contends that our rather heedless technological and population growth has crashed headlong into the finite nature of the earth, its limited amount of space and resources. It is essential that we immediately begin to reorder our institutions and plan to establish a stabilized economy. One key to such an “equilibrium state” is the holding of resources in trust for the good of mankind as a whole and future generations”.

2 Salsich points out: “stewardship was a guiding principle of the Church during the first few Centuries of Christianity [...] The conversion to Christianity of Roman Emperor Constantine and the subsequent rise in influence of the Church in affairs of State pushed the stewardship principle into the background for centuries.”

3 As in Deuteronomy (10:14) and Genesis (17:18) as reported by Salsich in his essay (Salsich 2000).

called to appropriate land and to valorise its potential. Not being the absolute owners, they have it in stewardship. “In Isaiah, the notions that God is the “Creator...of all things “and that humans hold their souls, bodies and goods, “in stewardship for God and for his ends” are emphasized (Bartlett 1915: 87: quoting Isahia 40 ff).” (Salsich 2000). As stewards, they have to take care of and to preserve land and other resources for future generations. They have the responsibility to realise the improvements for the benefit of the existing community and of the future generations. “The Thomistic division of property unto acquisition for purposes of distribution and use consistent with the needs of the Community reflects the stewardship ideal. Anyone who has more property than he needs is a steward required to care for the surplus property which belongs to the humankind.” (Salsich 2000).

Through the centuries the impact of this concept at economic and social levels varied according to the changing implication of the Church in the mundane affairs and its capacity to influence the conducts of kings, of wealthy dynasties, as well as of the majority of modest to needy individuals. Through the different ages and power configuration, the rise and the fall of empires, of economic systems and social organisations, from the roman empire to feudalism, the concept of stewardship hence was reframed, contained, left on the background or reconsidered, with the purpose of balancing inequities determined by wealth accumulation in the hands of few individuals (Salsich 2000). The Church, as a religious authority, was called at least to moderate the tensions created by an unjust distribution of resources. And the teachings of the Bible, in fact, offered some room for manoeuvre. Precisely, stewardship was not in contradiction with another biblical precept, inviting individuals to valorise their own talents and to build prosperity. So if on the one hand land was given as a gift and implied some obligations, on the other hand, it was supposed to be appropriated by mankind so that wealth and progress might be produced. As a result, from St. Augustine to John Paul II, private property on land was not condemned, also because of the order it could have brought in an inherently unequal world. “Basil argues: if each one would take that which is sufficient for one’s needs, leaving what is in excess to those in distress, no one would be rich, no one would be poor. [...] Augustine warns “the one who uses his wealth badly possess it wrongfully, and wrongful possession means that it is another’s property” (Salsich 2000) Human nature is imperfect, and greed and sloth produce unbalances: not all the individuals might have the same will, initiative and possibilities to appropriate and to transform the world⁴. Hence those who had the chance and the capacities to accumulate wealth were supposed to enjoy their privilege and merit, but also to recognise their responsibility towards the weakest members of society –which anyhow contributed to its advancement- and they were called to redistribute their richness. What was condemned was the excess: acquisitions and speculation beyond individual needs for self-sufficiency. What was encouraged, was redistribution, especially for the benefit of the needy individuals, as part of the responsibility of holding land – and other gifts of God- in trust. In order to save their soul,

4 According to Locke, private property is the acknowledgement of an individual capacity to transform the world; it is legitimised by the labour that has been done.

but also for pragmatic reasons –for example, for an effective maintenance of their domains-, landlords made agreements with peasants allowing them to access and use their properties; or made large donations to church institutions and officials who, not without ambiguity, in some cases took personal advantage of these gifts (Castel 1995). It was hence in the name of stewardship that, in between moral obligation and need to control the extremes of society –the excessively rich and the vagabond or the deviant (Castel, 1995)-, the Church organised some form of solidarity, while not questioning the scandalous patrimonies of the aristocracy. The whole feudal system was basically founded on these compromises, allowing what will be called the Third State to survive and aristocracy and the clergy to maintain their power.

With the expansion of the capitalist and mercantile economy, the valorisation of one's talents and stewardship, private accumulation and the obligation towards the community continued to coexist, though in increasingly conflicting terms. With the French Revolution, on the one hand, the exclusivity of private property was accentuated as a reaction to the royal interferences on private domains; on the other hand, the redistribution of land started a dynamic of land fragmentation and re-accumulation which went in favour of the rising bourgeoisie (Soboul 1980; Hobsbawm 1990; Béaur 2008) to the detriment of those rights of use previously associated with the big domains and recognised by the system of protections and privileges of feudal origin (Linebaugh 2008)⁵. By the end of the 19th century, the industrial development was already well established –though with different speeds in the different countries- and the Church had to position itself, in relation to the growing poverty and to the miserable living conditions of workers. Precisely, in 1891, the first papal encyclical “*Rerum Novarum*” was dedicated to the workers' conditions and to the relationship between labour and capital⁶. According to Pope Leo XIII, the solution was not socialism, but neither was an uncontrolled accumulation of capital. Private property was recognised as natural law. Individuals were called to make their best for their becoming and the results of their work belong to them, as well as the land. Private property was thus considered as a means and a recognition of their efforts. Nevertheless, the encyclical reminded what should be done with those possessions, by referring to St. Thomas Aquinas: Man should not consider his material possessions as his own, but as common to all, so as to share them without hesitation when others are in need. “⁷Although the principle of stewardship did not completely vanish, concretely it was more about redistribution than about a purposeful and proactive administration of resources for the common good. In the following encyclicals, stewardship was contained and reframed as social responsibility: from proactive protection and a careful administration of resources to a principle of compensation of the externalities, of the social –or ecological- impact of an excessive accumulation and

5 In England the processes of land enclosure which brought the suppression of the Commons and created the conditions for the beginning of the industrial revolution started before, at the time of the Tudors and increased in the 17th century, leading to the Inclosure Acts from 1772.

6 “On capital and labor” was the subtitle of the Encyclical (Pope Leo XIII 1891)

7 Sanctissimi D.N. Leonis Papae XIII, *Rerum Novarum. De conditione opificum*, Litterae Encyclicae, 1891.

exploitation of the common resources. Stewardship implies a “given”, a gift, a resource to hold in common and the related obligations – from the Latin *cum-munus* alluding to the condition of indebtedness (*munus* meaning duty, obligation) this generates in the receiving subject⁸. The concept of social responsibility, on the other hand, *de facto* implies a “taken”, the toleration of somebody’s impact in the world, deriving from the personal strategy of individuation or becoming.⁹

On the background of the growing distance between rich and poor at the core of capitalism, to call for the responsibility of the wealthiest individuals thus compensating the appropriation –and most importantly the accumulation- of resources given by God to mankind, has been the more recent position on the side of the Church. Who defined itself as guardian of the religious message and as a mediator, with the mission of enlightening the minds, reducing the conflicts and improving the lives of the workers, as declared in *Rerum Novarum*. Through the decades, as the present condition allows to observe, the concept of social responsibility progressively reinforced at the expenses of stewardship, to the point that the possibility of a compensation almost completely obfuscated the original concept, of land as a gift of God, as a common resource which cannot be appropriated¹⁰. To the point that to contest the abuses of big corporations today is considered an attack to small property, to the individual right to ownership *tout court* (Mattei 2012).

Community produced land value.

A few years before “*Rerum Novarum*” Henry George, in 1879, an influential American thinker and a public figure, published “*Progress and Poverty*”, a book which sold over three million copies, an impressive achievement at that time. It is in the name of the equal and inalienable right to the use and benefit of natural opportunities; in the name of equality of all human beings, as asserted in the Declaration of Independence, that George addressed the issues of land, on the background of growing poverty, especially concentrating in the increasingly dense, industrializing cities of the United States. Differently from Marx, George identified at the origin of inequalities not the appropriation of labour and the means of production, but the appropriation of the land plus value produced by society. Without disapproving private property and small-scale landholding, George strongly discouraged excessive accumulation by proposing a single tax system based on the appropriation of land value. At the same time, the

8 A re-evaluation of the word *common* (comune in Italian language) as proposed by the philosopher Esposito in *Communitas. Origine e destino della comunità* (Esposito 1998)

9 In the economic language and narrative of contemporary enterprises the idea of social responsibility is more related to the concept of externality than to that of administration of a resource for the common good, as implied by the concept of stewardship.

10 Thinking to the history of planning, to the evolution of urban regulations, the increasing number of exceptions and derogations are obtained in exchange of forms of compensation that are not always effectively beneficial or accessible to the community. In return, the profits of developers and speculators are increased by the socially developed improvements.

user would have not been taxed on the improvements he might have developed: “Thus would the sacred right of property be acknowledged by securing to each the reward of its exertion” (George 1883). On the one hand, this would have promoted the realisation of structural improvements for the benefit of the whole community; on the other hand, it would “utterly destroy land monopoly by making the holding of land unprofitable to any but the user. There would be no temptation to anyone to hold land in expectation of a future increase in its value when that increase was certain to be demanded in taxes.” The “law of rent” was based on the acknowledgment of a value produced by the community as a whole and deposited on land. Adding to the value of land in itself, as a scarce resource (as Polanyi would have made clear in 1944): a value growing with the growth of society, a value to be made accessible as a fund to support “the weak, the helpless, the aged”. On the contrary, to accept the private appropriation of land, “gift of the Creator” would have established a first inequality, which in its turn would have generated many other.

The father of George was a publisher of religious texts and George attended an episcopal academy. The concept of stewardship most probably influenced his theorisations. References to God or the Creator are very frequent in his narrative. Nevertheless, at the core of the single tax system he proposed, the main concept and purpose were that of compensating society and redistributing a growing fund, belonging to society and deriving from the taxation on the improvements collectively produced: more a compensatory mechanism than a radically different way of managing resources. However, in George’s narrative, the idea of tax overlaps with the idea of rent, and in practice, the so-called single-tax colonies inspired by his theorisations were actually based on community ownership of the land and individual ownership of the improvements, concretely being established on land leasing. Beyond these observations, undoubtedly the specific merit of George –which needs to be pointed out- has been to recognise and highlight the relevance of a socially produced land value and to denounce the appropriation of this value by a few wealthy individuals speculating on their properties.

George had the possibility to travel and to bring his theorisations in England, where they attracted the attention of Ebenezer Howard. Which in fact made a step forward -or backward, chronologically- towards a land tenure model more explicitly related to the principle stewardship. As George, Howard was interested in capturing the plus value produced by society. Instead of a tax system –intervening *a posteriori* to reclaim the value of land appropriated by individuals- the model he proposed was based on a land leasing system established by the municipality of his Garden City, *prior* to the arrival of the inhabitants. Not a compensating tax, but a land tenure system preventing unjust appropriations and allowing optimal utilisation of resources¹¹ based on accurate planning and organisation. The relevance of planning in fact –not

11 Quite curiously, the incipit of Howard book refers to Jerusalem as an ideal State of Justice, and would lead to think about a religious influence underlying the whole architecture of Garden City. Nevertheless, in the narrative of Howard the religious tone of George is lost and more relevance is given to the qualitative and spatial characters of Garden City. The spatial planning is particularly detailed: an acknowledgement of the plan as a tool for a more efficient

only spatial- could be considered as the second specificity introduced by Howard to achieve an ideal living setting and the environmental qualities that a progressive society deserved.

Both in the United States and in England the models proposed by George and Howard were successfully realised, as reported by Davis (Davis 2010). In the USA a number of single tax clubs emerged to diffuse George's idea and single tax colonies were realised. In England, 32 garden cities were established in the early years of the 20th century and a garden cities movement emerged. After the First World War, the model was exported in continental Europe and garden cities were realised in many countries -among which Belgium (Smets 1977; Uyttenhove 1985)- the model being flexible enough to be redefined according to the specificities of the different contexts (Osborn 1965). In the USA a number of intentional communities were developed in-between the two models. Because of the margin of autonomy made possible by that land tenure model, many communities willing to practice new educational systems, alternative forms of economy and ways of life, inspired or not by religious doctrine, could be established. Among others, those founded by Ralph Borsodi need to be mentioned, as milestones towards the establishment of the first community land trust.

Still on the base of the theorisations of George and Howard, in Palestine, the Jewish National Fund began acquiring land and to make leases of 99 years to agricultural communities of *kibbutz* and *moshavs* (Davis 2010). In India, after the death of Gandhi, in 1951 Vinoba Bhave started a land donation movement. The land collected from wealthy individuals initially was leased to impoverished individuals, in a second moment to entire villages, which according to Gandhi's constructive program were supposed to be organised as autonomous, self-reliant entities, at the core of a decentralised society (Shepard 1987).

This constellation of experiments fuelled the discourse and multiplied the occasions of experimentation around the idea that land could also be not individually owned, at the same time allowing to build the expertise required for continuously improving the models of management. The conditions were thus quite mature when at the end of the 60s, a few activists of the civil rights movements decided to intervene in favour of some black farmers of the American rural South, forced to quit their land due to the mechanisation of agriculture and their involvement in the civil rights movement (Davis 2010).

Robert Swann was a pacifist who spent five years in the penitentiary in Kentucky for having refused to enroll in the Army. While in prison, Swann had the chance to read the works of Lewis Mumford, Jane Jacobs, Ralph Borsodi. But most importantly he was influenced by the ideas on community development by Arthur Morgan, author of "The Small Community. Foundation of Democratic life", published in 1942. As Davis reports, once out of prison Swann worked as a carpenter and house designer, but he also continued with the organisation of pacifist

and equitable management of resources, made possible by the combination with a coherent land tenure system. This concept –the relation between property and the plan- will be in fact reclaimed by architects and urbanists to tackle the great emergencies of the aftermath of the first world war, as mentioned in section 2.

forms of protest. Involved in the southern civil rights movement, around 1964 he met Slater King, real estate investor, engaged in the pacifist antiracist movements in Albany and cousin of Martin Luther King. Inspired by Ralph Borsodi and the Vinoba¹² movement in India, both activists, deeply engaged in the civil rights movement, both willing to go beyond protest, to find alternative solutions allowing black communities to organise and to have at least an economic self-sufficiency, they in fact conceived and realised the land tenure model later defined as Community Land Trust.

In 1968, Swann and King, as part of a small delegation, traveled in Palestine to learn from the land leased tenure models of *kibbutz* and *moshavs* agricultural communities. Back in the US, the purpose was to establish a network of agricultural cooperatives, developed on land leased from a community-based non-profit organisation, aiming at the self-sufficiency of its members. Involving almost every civil rights organisation, they founded New Communities, “a non-profit organisation to hold land in perpetual trust for the permanent use of rural communities”. In 1970 New Communities came into possession of 3000 acres of farmland and 2000 acres of woodland, having borrowed most of the money required to purchase the land. In the following years, all the gains deriving from the agricultural activities were used to repay the debt (Davis 2010). After a number of financial difficulties and the opposition of white establishment¹³, New Communities was forced to sell all the land. Nevertheless, the experience lasted enough for Swann and three colleagues - Shimon Gottschalk, Erick Hansch and Ted Webster- to write the first book on the community land trust, based on the lessons learned from this experiment and other previously existing forms of land trust. It is in this book that for the first time the full expression *community* land trust is proposed in order to stress the relevance of the community, ultimate beneficiary and at the same time crucial ingredient at the core of the functioning of the land trust as conceived and established by Swann and King.

Education and guidance

Besides land preservation, the other fundamental aspect of stewardship, overshadowed by an attitude of pure compensation of externalities, concerns the guidance. In the Bible, God is the Lord and man is the steward. Although the etymology of the word steward –as it is translated in English- simply refers to guardianship, in the Bible the words *shebna* (in Jewish) and *epitropos*, *oikonomos* (in Greek) are used to describe much more than that: stewards can be in charge of both property and the family of the master. They can be the children legal representative and tutor in case of death of the father; they are called to organise everything required for the good maintenance of the house; they can be the treasurer, having the responsibility to manage the

12 After Gandhi's assassination on January , 30th 1948, many of Ghandi's followers looked to Vinoba for direction. Vinoba advised that, now that India had reached its goal of Swaraj –independence, or self-rule- the Gandhians' new goal should be a society dedicated to Sarvodaya, the welfare of all” (Shepard 1987)

13 As reported by Charles Sherrod in “The community land trust handbook”.

city's funds; at the king's palace, they are supposed to prepare young men until ready to serve. It implied the management not only of goods, but also of people¹⁴. The "man over the house" –with a literal translation- was supposed to take care of it, of the land, to make it fruitful, to be generous towards the others members of the community. It is in this sense that the Church built its message concerning the ownership of land. In the 13th century, when the word steward firstly appeared, it identified the person in charge of the manor during the absence of the Lord: much more than passive protection of the land, this implied the organisation of all the activities required for its maintenance, for the valorisation of its potential.

Hence, stewardship is about not only the guardianship or management of a resource. It implies responsibility and awareness; a capacity of maintenance and valorisation for the future generations. It implies the assumption of an educational or guidance role, which has proven to be fundamental when the contribution of other individuals is required for the management of the resource held in trust. This aspect is in fact at the core of the functioning and the sustainability of the CLT.

Through the years, the variety of experiments based on the first theorisations of George, Howard and Borsodi showed that sharing land for agricultural activities or housing was not the ultimate purpose. To use the words of the 1972 handbook, holding the land *in common* was not enough to describe it. The ultimate purpose was owning land *for the common good*. For the common good, land trusts needed to work *for* and *with* the community. As a result –and as a means- the land would have been preserved for future generations. The concept of stewardship –beyond trusteeship- had been in fact practiced by many intentional and religious communities, who realised the importance –if not the priority- of guiding the beneficiaries, providing education and information concerning the responsibilities related to ownership, individually and collectively. In particular when the owners were low-income households, often not accustomed or not ready to long-term economic and social commitments. As pointed out by Sister Marie Cirillo (Cirillo 2000), the sustainability of those communities depended on the capacity of commitment of the members, as much as on the sense of belonging and capacity of mutual support.

The Community Land Trust handbook written in 1982 much more than the previous stressed the relationship between individual and community, established in the name of the security, the equity and the legacy that both aimed to obtain through a mutual engagement. Comparing the two versions, respectively described in the handbooks of 1972 and in 1982, a few differences emerge. They played a relevant role in the further expansion of the model.

The handbook of 1972 was mostly based on the experience of Robert Swann with New Communities, the first land trust combining the main ingredients of what we recognise today as a CLT. New Communities was the result of a long trajectory that started back in the 30s with the intentional communities of Borsodi, as shortly mentioned in the previous paragraph.

Among the different definitions available in the literature, the definition provided in the manual of 1972 probably remains the closest one to the initial spirit and purposes, as it allows seizing the core values at the origin of this property formulation.

But it will be with the handbook of 1982 that the purpose will be better specified and low-income households will be defined as the main –or at least as the most urgent- target of the CLT. Consequently, the CLT became a property formulation mostly concerned with affordability. By impeding speculative dynamics, by subtracting land to the logic of the market, the system of the land trust allowed to maintain the affordability of the assets built on it. While that was, in fact, the main reason at the origin of the experiment of New Communities, in the handbook of 1972, the low-income families were not yet explicitly identified as main beneficiaries of the system.

From being a system conceived to share land for the benefit of needy or excluded individuals, mostly focusing on internal needs and tending to self-sufficiency, potentially leading to gated socio-spatial configurations, in 1982 a new model of CLT emerged, more concretely recognising the role of the community, meant both as a resource and as main stakeholder. The exercise of reflexivity at the origin of the second handbook, led by Chuck Mattei, mirrored a generational change concerning the people working for the CLTs. Many of them had relations with religious organisations and had previous experiences as community organisers or as involved in the development of housing programs for low-income households. As a result, a different understanding of the community and of its role emerged. Necessarily this had an impact in the definition of the CLT's mission, in the scope of and in the organisation of its actions, in the capacity of impact in a given urban context. As a consequence of the different *modus operandi* that derived from that, from a more complex understanding of the Community, the agency of the CLT was expressed at different scales and levels: from the support provided to low income individuals to the preservation of affordable housing provisions, from the organisation of neighbourhood activities to the revitalisation of decaying neighbourhoods. From the individual to the neighbourhood to the city.

The appreciation of this renewed and multi-layered agency led a growing number of administrations not only to finally recognise the work of the CLTs, but in fact to consider them as crucial allies to deal simultaneously with a number of critical issues, such as exclusion, housing accessibility, urban degradation and displacements. The factor of success – and the reason for the growing support- was precisely the capacity to operate on multiple fronts at the same time. A holistic, transcalar approach, whereas previous programs operated through fragmenting approaches. Hence in the 80s, during Reagan's administration, given the shrinking of resources dedicated to social housing programs, the CLT started to be considered as an alternative option and became the ideal candidates of a growing amount of funding opportunities. Consequently, the number of CLTs multiplied, to reach their peak in the 90s. The first urban CLT was created

in Cincinnati in 1981 and others were subsequently established in Syracuse, Burlington¹⁵, Boston. And in the rural areas of Massachusetts, Maine, Vermont and Washington. In 1992, the definition of the CLT was finally incorporated into Federal law.

The solidity of the model and its capacity of supporting, in particular, the weakest households have been confirmed both in times of skyrocketing prices making housing inaccessible for a growing number of individuals; and subsequently, during the latest mortgage crisis. The systems put into place by the CLT – at an individual as well as at a community level- defined margins of security and stability which while maintaining accessibility in the long term, prevented families to undertake risky investments and provided information or material and social support when required (Davis & Stokes 2009). As a result, amongst the members of the CLTs, a negligible number of households had to face foreclosures, as the consequence of the neoliberal financialisation of housing.

The previous paragraphs explored the evolution of practices and community based experiments around the concept of stewardship, finally leading to the implementation of the CLT. From the Bible, passing through the theorisations of George and Howard the concept of stewardship resisted. Through the time and the different experiments, however it evolved. Its implications and concrete realisations were adapted to changing cultural and economic conditions. Finally, at the core of the CLT, as its latest interpretation, the concept of stewardship brings together the purpose of preserving resources and assets, with the need of guiding and building responsibility of the concerned actors. Beyond the original teaching of land as a gift of God, which cannot be appropriated, what was more recently recognised and pointed out was the value of improvements developed by the community, as a whole, through the different uses. And the risk that this value could be appropriated by a few individuals with a greater capacity of accumulation. The logic of the trust is what allowed conceiving the separation of trusteeship of land, with its collectively produced value, and the ownership of individually realised improvements. It allowed preventing speculative dynamics while recognising the right to private property. The shift from the concept of stewardship and the related religious precepts to the identification of the trust as the logic at the core of a new land tenure system will be explained in the next chapter.

4.2 The classic CLT

Trusteeship and ownership
 Building communities
 Balancing acts
 Learning from the CLT

Trusteeship and ownership

The theorisations of George contained all the elements later and through multiple transformations embedded in the system of the CLT: the concept of land as a universally accessible resource; the anti-speculative purpose; the concern for the weak members of society, for an equal right to access land as a resource, the possibility for the community to retain the improvements. And at the same time, it recognized the value of individual efforts in the realisation of the improvement as part of the full enjoyment of the right to private property. George conceptually prepared the ground to recognise at the same time the assets and the improvements belonging to the community and on the other hand those belonging to the individual.

Ebenezer Howard, considered as a reformist by many scholars, suggested a different land tenure model *tout court*, as the starting condition for the realisation of a healthier environment especially conceived for “all true workers of whatever grade”. His garden cities were supposed to be developed on the base of a land owned by the municipality, hold in trust by “four gentleman of responsible position and of undoubted probity and honour” and leased to the community of Garden City in exchange of the realisation of public works.

Although the concept of rent, proportional to land value was clearly inspired by George, Howard’s model was not centralising resources and municipalities were imagined to function as quite autonomous entities. The purpose for Howard was the realization of small ideal communities, town-country magnets, conceived as examples to show a peaceful path to a real reform, as stated in the title of *To-morrow*, and induce change at a larger scale. Rather than intervening to transform the existing model, he was convinced that the strength of the example would have lead the entire society to change. An alternative land tenure system combined with a careful spatial planning were the keys of the social reform he proposed, in the name of the right to a healthier, communal development. The model was embraced by Mumford as “the foundation of a new cycle in urban civilisation: one in which the means for life will be subservient to the purposes of living , and in which the pattern needed for biological survival and economic efficiency will likewise lead to social and personal fulfilment”¹.

Howard did not consider himself as a utopist – despite the opinion of his contemporaries- and

1 Lewis Mumford in the preface to the 1946 edition of Howard’s *To-morrow*.

he was concerned of gaining the attention and support of different parts of society for the realisation of his project, that he considered as an ideal scenario for any kind of productive activity and for a varied population. Influenced by the public health movement, a civic force of those days (Fishman, 1977), for Howard the purpose was less about speculation than about health and freedom of individuals. Although referring to George's premises, although having in mind a larger political change – reached through a peaceful reform- Howard was looking, above all, to realize an alternative, rather than modifying the existing situation. Meaningfully and pragmatically, garden cities are in fact realised from scratch on a “purely agricultural land”. Autonomous and decentralised, garden cities relied on the strength of the community. In opposition to both socialists and individualist, “Howard described the approach as one of Social Individualism, where the association of individuals for the common good would be seen as a natural rather than as an imposed and artificial way of doing things” (Hardy, 2000).

While a number of so called intentional communities and garden cities were created, mixing motivations and models, in the United States Ralph Borsodi was the first to name the alternative formulation as land trust. While not excluding the possibility to own structural improvements, Borsodi argued land should never be individually owned and stressed the difference between trusterty and property².

Through the theorisations and proposals of these early pioneers of land leased communities what was at stake and what was finally elaborated, leading to the land trust core concept, was a dilemma concerning the appropriation of land. The dilemma between ownership and the right to use land, as a universal right responding to basic individual and social needs. On the one hand, the right of property was untouchable, legitimised as a recognition of one's capacity of being in and transforming the world, but also as a means allowing individuals to emancipate and society to be ordered. On the other hand, as the processes of land exploitation and enclosure became more and more extreme, it was unacceptable that only a few individuals could exclusively own not only land but also the plus value in fact generated by the whole society. And that as a consequence land became increasingly expensive. While the right of ownership was out of discussion, the troubling aspect was not only the diminishing capacity of weaker individuals to access land as a resource, but also the impoverishment of the community, whose wealth was dispossessed because and through a few individuals right of property on land and capacity of accumulation. A false dilemma, though, given the well-known existence of the concept of stewardship³. A dilemma in fact based on the paradoxical presumption of

2 The word trusterty is used by Borsodi to differentiate from property. “Possessions can and always have been held in one of two ways: by title or ownership or by tenure or trusteeship. For years I have been calling this second basic category “trusterty”. However, the public has always treated both categories as legally ownable property. [...] Clearly there are many kinds of possessions which cannot and should not be treated as property. If every trace of ownership is eliminated from them, they should be treated as a trust, as a responsibility, or as a sacred obligation.” (Borsodi, 1968)

3 The feudal system of land tenure and wealth redistribution and taxation, organised as a chain of feoffments and rights of use, was founded on the concept of stewardship. The king was the only and original owner – and the

applying the same regime of property to both land, a limited resource, and men's artworks and achievements and movable goods. Owning one's own body, owning a house and owning land, on the contrary, imply different delimitations of sovereignty, in very simple terms defined in between the interests of the community on the one side, the respect of basic human rights and the individual needs on the other side. Delimitations deriving from the fact that "in every essential aspect land differs from those things which, being the product of human labour, are rightfully property. It is the creation of God, they are produced by man. It is fixed in quantity they may be increased illimitably. It exists though generations come and go; they in a little while decay and pass again to the elements" (George, 1883).

An example of a different approach to land tenure, allowing to recognise the different rights and the different forms of use, managers or stewards and owners could be found in the system of feoffment established during the middle ages and based on stewardship. According to that system, it was possible to distinguish and recognise different relationships articulated around the same resource: the individual property of a lord, somebody responsible for taking care of it and the community, having the right to a variety of uses, relying on that land for their survival. Kings and queens –agents of the divine power, detaining an allodial title on land - were the original owners of all the land and resources of the kingdom, which they governed by assigning tenure to lords in exchange of services and taxes. In their turn, the lords established other feoffment and allowed a variety of uses, more or less gratuitous –as the commons- on their domains. It was at the time of crusades that the figure of the trustee emerged. He had the role and the responsibility to manage the land of a Lord while this was absent for taking part in the crusades or other commercial ventures. That system for a long time was only based on a pact of loyalty and on the moral obligation deriving from the religious precepts. Very often the lords -with their ambitions and their greedy temperament did not recognise their obligations towards the beneficiary –the original owner or *cestui que use-* and no protection was granted to the community of peasants relying on those manors for their survival. Scholars date the first recognition of the rights of beneficiaries and of the people using those resources around 1446, thus defining the base for the legal definition of the trust⁴. Though very late, still not

first steward operating in the name of God- assigning his land to lords to make them productive in exchange of a fee. Land was not sold, but assigned and the handover happened with a sacred ritual stressing the bond of trust between the king and the feoffers. At their turn, lords could do the same with other vassals of an inferior level. At the lowest level of this hierarchy, farmers and peasants were those directly cultivating the land and concretely taking care of its productivity. The moral obligations deriving from these social bonds and the increasing invasiveness of the king -both limiting the arbitrariness of lords' rights-, were among the reasons that led to reinforce the exclusivity of private property with the events of the French revolution. Referring to the model of the classical roman law it reinforced the idea that land could be individually, exclusively owned in exchange of money, as any other good.

4 "The first decree for a *cestui que use* –beneficiary-, in 1446 was the birth of the equitable use in land. Before that first decree there was and could not be no doctrine of uses. But the transformation of the honorary feoffee into a legal obligation was a purely English development." And in the footnote: "The beneficiary had no action to compel the performance of the duty of the continental *Salman* [...] but it is certain that nothing corresponding to the English use was developed on the Continent "(James Barr Ames, 1908). Before the establishment of the trust

always recognised at the beginning of the 18th century, the trust was instituted to avoid private appropriations of goods that were supposed to be administered for the benefit of a third subject, the original proprietors leaving for years for ventures. “The modern passive trust seems to have arisen for substantially the same reasons which gave rise to the ancient use. The spectacle of one retaining for himself a legal title, which he had received on the faith that he would hold it for the benefit of another, was so shocking to the sense of natural justice that the chancellor at length compelled the faithless legal owner to perform his agreement.” (Barr Ames, 1908)

However, the uses of lands made by peasant were recognised by the Magna Carta since 1207 (Linebaugh 2008)⁵. Till the enclosure act in 1604, which accelerated privatisation and led to the suppression of the commons and the related rights of use. In other words, on the one hand, the system of commoning and many traditional rights of use⁶ were disrupted, marginally surviving in the less urbanised and industrialised regions⁷; on the other hand the absolutism of private property was reinforced in such a way that the possibility of a common use of land and resources has been almost forgotten⁸, overwhelmed by the dichotomy between public and private property. The hypertrophy of private property gradually suffocated a quite solid socio-economical system based on trust, on the coexistence of multiple forms of accessibility to the land –a bundle of uses-, on the rights of use.

So when Howard imagined the land tenure system for his garden city, in a common law country, the trust, as the legal recognition of a different way of governing land and patrimonies, allowing

as a legal entity, there was no obligation for the trustees –to whom the land had been assigned - to recognize the original owners. It was only a moral obligation and in many cases that was not a sufficient guarantee to protect the beneficiaries. To avoid the “unconscionable spectacle” of land appropriation, the trust was finally introduced.

5 The Magna Carta –which was established to regulate feudal relationships, limiting the power of the king over the domains of the barons recognized the commons. Nevertheless, it has to be pointed out that the lands on which the commons were established were under the control of the king or of the manor. Rights of pasture, pannage and estovers were exercised on these lands and organized by adjacent properties and tenants. The access to those lands was under the control of that community. The land left freely available to poor landless peasants to cultivate was waste land: residual or inaccessible strips of land with no substantial productive value for the lords. According to Clark and Clark waste land amounted only to the 4%. Also according to them, they calculated at the beginning of the 17th century, when the first enclosure acts occurred, the amount of land held in common was scarcely the 22%. Privatization hence would have started quite before the enclosure acts of 1604. (Clark and Clark, 2001)

6 Additionally, around the main industrial centers, many communal uses of land associated with a community of peasants and farmers each one of them relying on their individual plot, disappeared because of the productive changes associated to the process of land enclosure. Many tenants, in consideration of the monetary compensation they could receive in exchange of their crop, decided to sell it, attracted by the emancipatory opportunities of an urban environment and a waged work.

7 The jurist Paolo Grossi recalls this situation concerning the Italian case, where in fact the so called *usi civici* resisted especially in small communities, where they played a crucial role being embedded in the local economies and forms of reciprocity. (Grossi, 1977)

8 Till a few years ago and still at present, for the non-technical, non-specialized public the notion of the commons is very often unknown. More recently the discourse on the Commons is rising in the form of a variety of activations of communities looking for alternative ways to manage existing resources and generate new ones, in both urban and rural contexts. Nevertheless, despite the concerned individuals do take part to processes of commoning, in many cases the definition of the commons remains unknown.

to distinguish among the different rights, forms of use and the benefits deriving from it, was not an unknown option. And in the United States the model had been imported with the arrival of the Mayflower. Though at the time of Howard it was used for private matters: in order to manage assets from one generation to another, to safeguard a patrimony from misuse or to avoid taxes. The models based on George and Howard theorisations reclaimed the concept of trust as alternative form of land tenure, with an emancipatory purpose: as a means to preserve land from speculative dynamics –mostly in the case of George- and as a means to build a healthier living environment –more evident in the case of Howard. The trust was reinterpreted as a way to build some margin of autonomy out of the dominant land tenure model; and implied the Community as the beneficiary and Individuals as temporary users, with the right to own their improvements but not to appropriate the value produced by the Community. This was possible by distinguishing the ownership of the land from the ownership of individual improvements and built parts, deriving from the use of that land. The land would be held in trust, while the improvements would be owned by the users. Another relevant –though not new- aspect in the model of Howard was the definition of a juridical subject holding land in trust, and making decisions: a board of trustees, a plural subject instead of an individual. As I will explain, the plural definition of the trustee in fact will allow installing a radically redefined model of property.

Today, although the system applied is that of a trust⁹, legally CLTs are not trusts, but no profit corporations, as this allows a larger operational margin and the possibility to have access to fiscal advantages and forms of funding. Additionally, although the same logic applies to the CLT the purpose is different. “Community land trusts are non-profit organizations formed for the purpose of owning and managing land for the benefit of the community at large, with a particular emphasis on serving the needs of low-income and disadvantaged community members” (Krinsky and Hovde, 1996)¹⁰ . A legal land trust or real estate trust is a private entity with private purposes. It is a means of holding property for the good of certain specified “beneficiaries” and it is controlled by specified trustees. In terms of purpose, the CLTs are also different from conservative trusts: while the latter tend to prevent the development of land in order to preserve it, the former acquire land *in order to develop* equitable and accessible housing, agriculture and other economic activities and infrastructures for basic human needs. Under this perspective, they might be in fact very similar to limited equity cooperatives. The fundamental difference with these is that in a housing cooperative while “co-op members each own an equity share of the co-op’s assets”, building and land , the asset of a non-profit corporation cannot be held by or distributed to its members [...] in a CLT, members and leaseholders never have

9 In legal terms a trust is defined as “A relationship created at the direction of an individual, in which one or more persons hold the individual’s property subject to certain duties to use and protect it for the benefit of others.” <https://legal-dictionary.thefreedictionary.com/trust>

10 I will come back again on this distinction between the subject of the trust and the logic of the trust in the next section, chapter 5.2, dealing more specifically with the juridical operationalization of the CLT in Belgium.

personal ownership of the corporation's land ¹¹. While Mutual Housing Associations own or assist housing, CLTs own the land which is leased to the homeowners.

CLTs could buy or receive as a donation the land and other estate assets. The lower the initial cost, the better for the affordability of the final housing units. Once acquired, the land is held in trust by the no-profit organisation and cannot be sold. The built parts and in general, any improvement developed by the owners are their own property and can be sold. But sales restrictions are applied so that a housing unit -for example- could continue to be affordable. A housing unit could be sold both directly by the owner to a new household. Or could be acquired by the community by virtue of a right of pre-emption. Because the land is not sold the increment of the price normally related to land valorisation through the time does not apply and the price of the built unit remains accessible, allowing another low-income household to enter the community land trust. The sale price would cover the initial cost covered by the first owner increased by a percentage calculated on the difference between the sales price under the market condition and the initial cost of the built unit. In the United States – as in Belgium – this percentage is 25%. Such an increment is supposed to compensate for the normal increase of the living costs through the time. A remaining 6% is absorbed by the CLT in order to cover its functioning costs. The remaining 69% is retained by the CLT, as the increase of the value of the land. Because of this, the first owner gets back his/her initial equity, only slightly increased to compensate for the growing living costs. On the other hand, the new household can still have access to the housing unit to it at a reasonable cost, the increased value of the land not being charged. One of the most evident and appreciated advantages of this formula is indeed the capacity to maintain affordability in the long term (Jacobus and Cohen, 2005; Abromowitz and White, 2006; Fireside, 2008; Stein, 2010). At the same time, the community does not lose its asset: the resources invested at the advantage of the community remain accessible and available to the targeted community, by being maintained out of the market conditions and continuing to be managed by the CLT. For this reason, the CLT system has been appreciated as an optimal system of equity retention and attracted the attention of a growing number of administrations in the USA (Davis 2010). Especially with the decrease of the funding dedicated to social housing programs, they realised how valuable is to be able to preserve their patrimony instead of selling housing units on the private market. Once on the market those houses will not be affordable anymore and new affordable units would have to be realised often at a higher cost, thus requiring further investments (Krinsky and Hovde, 1996). Differently from other forms of land tenure or housing development organisation, the CLT mode of functioning not only allows maintaining the accessibility to homeownership in the long term, but it also implies the retention of improvements. As a reminiscence of the George's theorisations on land value. Additionally, because improvements are individually owned, equity could be transferred to the heirs, allowing parents to provide the generation of their children with a small capital, an

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More differences and similarities are presented in the Community Land Trust Handbook of 1982.

advantage for families otherwise having no alternative –often because of precarious labour condition or unemployment- than to lose a great part of their revenues in expensive rents.

The members of the CLTs could be organised as cooperatives, associations or individuals. In the case of housing projects, almost by definition –low-income individuals should be the target. The whole system is conceived in fact to make homeownership affordable. For these reasons restrictions and thresholds of accessibility are defined and the candidates are selected on the base of ranking lists. In the USA, they could become both owners and renters. However, given these criteria, the risk is that CLTs may be inhabited by too homogeneous communities. Additionally, the possibility to increase the variety of projects and their public, thus having access to more funding opportunities, encouraged to imagine that CLTs could be accessible to middle-income households as well. As it has been pointed out (Krinsky and Hovde, 1996), the CLT is an inherently expansive initiative: this means that its capacities would be increased proportionally to the number of projects developed and to the enlargement of the concerned territory. For example by realising economies of scale, but also because of the empowerment deriving from a larger park of opportunities and experiences, leading to increased resources, expertise and reinforcing credibility. In this perspective, to conceive the realisation of CLTs also for middle-income households -anyhow today increasingly incapable of having access to homeownership- would be a means to nourish the expansivity of CLTs, collaterally increasing the offer for the low-income families.

Through the years a variety of community land trusts have been established (Krinsky and Hovde, 1996; Davis, 2010). Projects have been realised in many different conditions and with different purposes. From rural to urban settings, from suburban areas to inner-city neighbourhoods. Concerning the function, CLTs have been realised for commercial activities, social services, for farming, preservation and –mostly- for housing. And within the housing realm, a variety of typologies has been experimented, from single-family units to condominiums. In many cases, they implied the realisation of new buildings and urban blocks. In other cases, they have been installed as part of renovation interventions. CLTs have combined their *modus operandi* and organisation with cooperatives, associations and other forms of trusts, as for example conservation trust. Through the different experiments, CLT projects have undergone a process of hybridization (Davis, 2010): learning from mistakes and from successful variations, the original approach improved and enriched, thus strengthening the resilience of the model.

Building Communities

The establishment of a CLT requires a variety of activities on multiple fronts. As part of a chapter dedicated to the classic model of CLT and its functioning, this paragraph will introduce the variety of activities through which a CLT builds its relationship with the community, with the purpose of governing and developing the land. The importance of the relationship with the

community is something specific of CLTs: for example, as previously mentioned other forms of trust operate for private interests. As it will be shown, in the CLTs the community is not only the larger beneficiary but also the main support for the preservation of the resource. Its involvement at different scales is crucial for the functioning of the CLT, as mentioned already in the definition of the CLT, in the handbook of 1972. This explains why the topic is frequently dealt with in the literature, from a variety of perspectives, as it will be shown.

Purpose of this paragraph is to give an overview of those activities, thus showing the complex articulation of competences and actions that allow the functioning of a CLT project, through all its life. And where possible to point out the weaknesses and strengths deriving from the organization of those activities. At the same time, this will provide a background in relation to which to situate the activities of the Community Land Trust in Brussels, still concerning mostly the initial phase of realization of the projects. The literature mostly refers to the cases of the United States, also in consideration of a quantitative predominance, especially concerning the urban CLTs¹². This is especially the case of academic articles or extensive researches and reports where critical accounts and comparative evaluations are most likely to be found. In particular, the study of Krinsky and Hovde is complete and systematic in comparing the functioning of Mutual Housing Associations and Community Land Trusts. Krinsky and Hovde look at their approaches as a whole, rather than at some specific aspects, highlighting, in particular, the relevance of the context and starting conditions in determining the characteristics of the CLTs. The majority of the sources tend instead to address the functioning of CLTs by looking at single aspects¹³.

If land trusts are not new and many similar forms of land tenure in fact are based on trusteeship, what is new concerning the CLTs, is the role and the relevance of community in the making of projects whose impact is meant to go much beyond land tenure. From the very beginning actually, the intentional and religious communities developed in the 30s and 40s, incarnating the religious precepts related to the concept of stewardship, were characterized by a spirit of assistance, education and guidance, as explained in the previous chapter. These were often the actual purposes at the origin of many of the first land leased communities. However, project after project, it became soon very clear, no matter what the purpose was –housing, commercial activities, farming and so on- that the community was not only a beneficiary but also a major contributor. And that the engagement and the collaboration of every single member were in fact fundamental to preserve the resources and the spirit, on which the flourishing of both the community and of the individuals depended. The acknowledgment of New Communities as a *community land trust* in the terms of the guide published in 1972, was not enough explicit on

12 According to Engelsman, Rowe and Southern (2016) the cases in the UK among other countries are mostly small scale and developed in rural areas rather than urban (Engelsman, Rowe and Southern, 2016).

13 On the other hand, websites are primary sources where to seize the range of activities developed by the different CLTs.

this point. Based on that model in fact, the initiatives developed in the 70s would have risked being similar to closed communities. “Enclaves” as Swann called them, pragmatically defined around the need of owning land in common. While in fact, the communities concretely involved were not only the selected groups of direct users, as the very emergence of New Communities showed, but also the thicker, larger fabric of other individuals and social actors. It was in 1982, under the guidance of Chuck Mattei, that the involvement of a community larger than the group of its inhabitants was intentionally stressed, in a handbook conceived to describe the variety of activities and the kind of engagement required for the establishment and the functioning of a CLT. In their report Krinsky and Hovde made the concept even clearer: “What distinguishes MHAs and CLTs from other affordable housing models is that they are conceived as partnerships between residents and other community members. This idea of partnership is manifested in their governance structures, with both MHAs and CLTs including residents and non-residents on their boards of directors” (Krinsky and Hovde, 1996). Formulated in this terms any vague definition of community is clarified, making explicit that both residents and non-residents are supposed to have a role. The relationship with the community as a larger entity is not a secondary aspect but on the contrary a constitutive element of CLTs.

To start with the CLT is an open, membership-based organisation, preserving land accessibility and housing affordability for the weakest members of society. These purposes, however, are not only the result of a legal agreement around a given pool of resources or a piece of land. The uses which are supposed to be developed around those resources actively contribute to both the preservation of the good and to its accessibility¹⁴. Their organisation, as well as that of other activities, implies debate and decisional moments that concern everybody, from the residents to local actors, from the financial supporters or the administration representatives. For this reason, the CLTs board of directors is composed by one-third of leaseholder’s representatives (the residents in the case of housing projects); one-third of representatives of the local community, having access to the resources and actively contributing to the maintenance of a given CLT project. The remaining third are representatives of the public interest and other institutions: financial institutions, housing organisations, government agencies differently concerned by the CLT operations, as stakeholders or as direct contributors. In this way, the CLT board of directors is defined as a neutral subject, whose decisions coincide nor with the will of an individual, neither with that of one of its other parts; nor with the public, neither with the private interests. As a result, land is protected from any form of exclusivity and arbitrariness.

The tripartite structure of the board mirrors the different scales at which the CLT operates, by involving the community through a variety of activities. Those dedicated to the inhabitants and those more specifically concerning the functioning of the CLT or the management and the development of the built resources, such as finding land or buildings and taking care of the

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In fact, they contribute to that production of value that George pointed out, at the origin of its theorizations.

physical development of the projects – from the site planning to the realization of the buildings. In terms of proximity and intensity, the community is first of all that of the residents. The capacity of CLTs to strive, to endure and to expand through the time is based –among other factors- on their capacity to maintain their credibility as a democratic organization (Krinsky and Hovde, 1996; Eizenberg, 2012). This is based on the active and aware implication of the residents through the different phases of implementation of a project¹⁵, beyond their decisional power as part of the board. To begin with, the future inhabitants need to be informed about what a CLT is and how it works. This is a fundamental step, in particular in those projects conceived for ownership, addressing families or individuals with a limited economic autonomy or depending on precarious job: to become aware of what ownership implies, in terms of financial commitment, but also in terms of commitment and responsibility towards the community. Especially considering the specificity of the property formula being proposed: for many individuals struggling for homeownership- as a recognition, the starting condition for a new life, for their emancipation and that of their children- the partial ownership option proposed by the CLT could represent a not fully convincing compromise (Krinsky and Hovde 1996, Davis 2010). Besides, being owners in a CLT implies challenges and forms of engagement that especially fragile households might not be ready to undertake or might underestimate. But at the same time, that challenging level could become a path to emancipation, enhancing responsabilization beyond the assistentialist discourse very often implied in more traditional forms of public support. On the other side, being owners within a CLT brings a few advantages: for example, the assistance that such an organization could provide in case of need, by supporting and informing households and individuals concerning their financial obligations. Or their insertion in the life of the neighbourhood, facilitated by the collaboration with the CLT and the occasions of encounter with the larger community this implies. Given this wide range of aspects, information is of the utmost importance, so that future owners could evaluate all the different aspects and make an aware decision. This means that the CLT would have to organize a variety of activities or events in order to inform as much as possible, the potential public at large, as well as, more specifically the selected groups of inhabitants. Once the candidates have been selected, they would be involved in the decisions concerning the realization of their project. The degree of participation will depend on the level of development of the land or of the building that they are supposed to inhabit: in the case of newly built projects, the possibility to decide about their living environment would be greater than in the case of pre-existing buildings. As I will later point out, in the literature this phase is almost undetectable. It is not clear if this is related to an actually reduced involvement of the inhabitants in the case of the observed projects. Or it is rather due to the disciplinary background of the scholars researching around the topic of the CLT, mostly from the field of social sciences, both as academics or as community organizers; and in the few cases addressing spatial issues, the

15 With variations depending on the starting conditions: different activities would be required in case of a brand new building than in the case of renovation intervention.

concern is mostly about policies than about the spatial and designerly implications of the process of implantation of a CLT project.

After the project has been realized, the issues of governance, maintenance and community organization are fundamental for the sustainability of the project. Residents will be engaged in a variety of activities, determined by the needs of maintenance of the built structures and the shared spaces, by the forms of communal life decided by the inhabitants, by the degree of activation towards the rest of the community¹⁶. These activities could be organized by the CLT, by other external actors or by the very inhabitants, thus involving them with different margins of autonomy, depending on many factors, among which the availability of resources allowing to maintain a community organizer; or the capacity and the availability of the inhabitants to take over the government of their living environment. This does not mean that the support of the CLT will disappear after the realization of the project: in most of the cases, resources will continue to be dedicated to activities of community organization and even on an informal level, the inhabitants could continue to refer to it. However, a more substantial support to the inhabitants may be too demanding in terms of both financial resources and organizational capacities of the CLT. What has been pointed out however is that the presence of the community organizer can make a difference in terms of engagement of the inhabitants (Krinsky and Hovde, 1996; Gray and Galande, 2011). Which would imply on the one hand to empower the individuals, on the other hand, to reinforce the democratic nature of the CLT. Overall, according to the literature for the inhabitants to be involved on a pragmatic level in the life of their neighbourhood or their condominium means to assume the control of their own environment; it means to have a legitimate voice in the life of the CLT – based on the direct knowledge of issues and potentials- and to bring a meaningful contribution to its development as directly concerned, caring inhabitants. The learning occasions and the awareness gained thanks to the process of engagement required by a CLTs could give the people “a role in the policymaking that affects their lives”. (Cirillo, 2000). What has been observed also is that the more the residents are involved the more they feel the psychological ownership in its turn this triggering a higher level of commitment and concern for their resources (Eizenberg, 2012). The implication of the inhabitants is hence a challenge, between empowerment and responsabilization. Actually, one could not happen without the other¹⁷.

16 The governance of a living environment being strictly related to spatial matters, such as the proximity of the residents, the availability of spaces for meetings and common activities, the morphology of a courtyard, the accessibility of a garden, corridors and shared facilities as occasions for the casual encounter or for the planned activities- the absence in the literature of specific reflections on the role played by space, again, is noticeable, but not surprising given the fact the CLTs are still not very much explored and very few scholars are concerned with designerly issues.

17 Despite the literature allows to seize the different activities developed by CLTs in order to involve inhabitants, according to Moore and McKee at an international level “there remains a lack of evidence as to the governance of CLTs: the practices undertaken, the participation of residents and the wider community, and how decisions are taken.” (Moore and McKee, 2012) This observation is complementary to what I argue concerning design issues and the decisional processes underlying the spatial definition of the different projects. As the case of the CLT will show – but in fact as the case of Espoir showed- design represents a crucial phase concerning the interweaving of

The second level or second imaginary scale of implication of the community concerns local organizations and actors. In their comparative study on MHAs and CLTs Krinsky and Hovde show the variety of conditions within which the projects might be established and the resulting variations, as far as organizational choices are concerned. Both in the case that the initiative is taken by citizens or by advocates, whether supported at an institutional level or developed out of a claiming attitude, the operational capacity of CLTs is supported and amplified by the contribution of pre-existing community based organizations. Their role is crucial especially in the initial phases when resources are limited, methodologies and protocols are still under experimentation and the emerging CLT needs to propel its action through the support of well-established partners. They could contribute not only concretely bringing their expertise within the organization and the activities of the newborn CLT. But also in terms of lobbying and building legitimacy.

As the inhabitants, local organizations are also involved through the whole development and the life of a given CLT, intervening with specific roles related to the realization of a given project. Or being involved in more transversal activities of the CLT: from the organization of informing sessions to the activities conceived to increase the visibility; from the support to the inhabitants to lobbying actions. Consolidating the ground where actions are based, bringing their long term knowledge of the context, local actors contribute to the long term success of the initiatives of CLTs, in terms of both efficacy and liveliness. A CLT project works because embedded in a fabric of relations that support its actions and gradually build its legitimacy¹⁸. To rely on the contribution of local associations is not only a matter of reinforcing agency or having better tools to motivate the individuals: it is also about building a project on a solid, site-specific knowledge as a fundamental requirement for its functioning and maintenance. On the other hand, as in the case of the inhabitants, an intensive involvement of local actors is important to legitimize their decisional power at the level of the board of directors. Pertinent and meaningful decisions could derive only from a concrete knowledge of the functioning of a given CLT, with its specific challenges and its potentials. Additionally, also in this case, the more intense the involvement, the stronger the sense of ownership, care and responsibility towards something that is perceived as belonging to the community at large: the land, but also the built assets.

Concerning the establishment of a relationship with local actors, a challenging aspect is

the governance and the spatial needs.

18 The contribution of local organizations is precious, but on the other hand the CLT could have the effect of further valorizing their role. It redefines the existing fabric of local organizations and resources by directly involving them in new projects and by triggering the emergence of new synergies. The articulation of actors and resources enacted by the CLTs on so many different fronts engenders strategic nodes of action, which give new life and meaning to the resilient potential and the agency of each single preexisting initiative. These observations are based mostly on my direct experience with the CLT in Brussels, only intuitively confirmed by what can be read in the literature concerning partnerships with local actors. The topic about what a CLT may bring by intervening with its action in a pre-existing fabric of relations and social actors has not been treated yet.

the availability of financial resources. The lack of funding may make difficult a long-term collaboration, implying a gratuitous, voluntary based collaboration. While this could be possible in the short term, in the long term more sustainable premises would be required¹⁹. On the other hand, the interweaving of the programs of a CLT with the programs of other organizations – for example, when targeting common issues- could also increase the opportunities for funding. Additionally, Krinsky and Hovde pointed out an issue of clarity of roles, as essential for the good functioning of the partnership. In general, however, an important element at the origin of the implication of local organizations –as previously mentioned- is the desired degree of autonomy of a given CLT project. A degree that is defined in between the actual capacities of the inhabitants or users on the one hand; and the possibilities or will of the CLT to support them in the long term, on the other hand.

Finally, the third kind of community – at a larger scale- taking part to the functioning of the CLT is that of public institutions and the government, of financial actors and political parties. Their contribution could be of different kinds: they could financially support on a regular base the activities of the CLT; they could be occasional donors; they could provide financial support to the inhabitants; or they could create the conditions –at a political level- for a structural support to the expansion of the CLT; they could institutionalize the CLTs²⁰. To prove the impact capacity of of these actors, suffice it to remind that in the US the CLT started to multiply from the 80s, during Reagan administration and on the background of the dramatic shrinking of support and programs for social housing (Jacobus and Brown, 2007; Farrell Curtin and Bocarsly, 2008). And subsequently, they considerably expanded during the 90s, supported by many administrations that started to appreciate the peculiar characteristics and the potential of the CLTs. Not only the capacity of asset protection and subsidy retention (Cohen, 1994; Farrell Curtin and Bocarsly, 2008) –as previously mentioned- but also the organizational skills, their autonomous attitude and the capacity to have an impact simultaneously on multiple levels, thus resulting in a more sustainable development. Whereas in fact, other models of social housing or programs conceived to improve problematic neighbourhood often managed to have only a partial impact, despite the intentions. In times of increasing costs of land and real estate, what made them attractive was the capacity to maintain the affordability of housing. In the period of the bursting of foreclosures, CLT not only provided an affordable alternative: foreclosures were simply avoided because of the activities of education and information concerning what contracting a loan mean, the risks and responsibilities related to homeownership they avoided further foreclosure (Jacobus and Brown, 2007; Farrell Curtin and Bocarsly, 2008). Nevertheless, CLTs could not always count on the support of administrations, despite the evident advantages. Krinsky and Hovde report the involvement of these actors is crucial, in particular in relation

19 As observed also by the team of the CLT in Brussels.

20 As it happened with the recognition of the Community Land Trust into the Housing and Community Development Act of 1992, under Bernie Sanders Administration.

to the availability of resources which is in fact fundamental for the sustainability and the continuity of the activities of the land trust, as well for their expansivity. However, changes in the political climate might undermine the stability and continuity of the CLT activities (Krinsky and Hovde, 1996), as it will be explained in chapter 5.2. At the same time in those cases in which the initiative is determined and guided more by these actors than by the civil society, the risk is that of reduced engagement of the local community and residents. Consequences are delegitimation and repetition of recipes (Moore and Mullins, 2013), thus losing the site-specific characterisation which is at the core of the CLT *modus operandi*.

Balancing acts

The capacity of impact and the potential of development of the CLT projects are strictly related to the multiple fronts on which the mentioned activities unfold (Dellenbaugh *et al.*, 2015), in a process of reciprocal empowerment which necessarily implies also challenging aspects. If in one direction activities are nourished and supported by the engagement of the community, at different levels and in different forms, in its turn the community is empowered at an individual and at a collective level, through the engagement and the responsabilization, and as the result of the gathering and re-articulation of expertise, resources and different projects and synergies. In one word, I suggest embeddedness is what mostly characterises the CLT *modus operandi* and is at the core of its performativity: working in a condition of continuous exchange with the concerned communities; pushing these communities to coordinate, to make compatible their different needs and potentials around a given resource and the need to govern it. Ultimately, embeddedness is about defining the specificity of any single CLT project, necessarily built as an answer to the needs of a given context and community. The multiple fronts of operation that enact embeddedness make the CLT a complex, resilient machine. Orchestrating through a holistic approach scales and actors, different needs and capacities.

But this also implies a number of challenges. First of all, the availability of resources – both financial and organizational-. Not in all the cases it will be possible to develop the complete range of activities required for the optimal functioning of a project and of the structure of the CLT more at large. A given CLT will have to make choices, according to its financial availabilities, trying to balance the development of land and of the built patrimony with community organization. As literature shows in fact (Krinsky and Hovde, 1996; Eizenberg, 2012), CLTs may suffer for the lack of both expansivity and activities supporting the residents or nourishing the relationship with the neighbourhood. While in the first case the very continuity of the CLT is under threat, progressively losing power and agency, in the second case the inhabitants may have to embrace too many activities for the maintenance of their living environment, not necessarily being ready or available for that. At the same time, independently from the CLT resources, the empowerment and responsabilization of the community are among the main purposes of the CLT. On the other hand, the lack of involvement of residents and users –

whether as a result of a withdraw or as a consequence of an organizational decision- in the long term affects the perception of the CLT, considered more as a landlord than as an empowering partnership. The discontent eventually generated in its turn could delegitimize the work and the role of the CLT to the eyes of the larger community, undermining not only the interest of future inhabitants but also the possibilities of support. In similar cases, according to some inhabitants, the obvious and somehow acceptable end would be the very dissolution of the CLT (Eizenberg 2012).

The scarcity of financial resources determines not only the more or less extrovert “personality”- so to speak- of the CLT, but it also undermines the continuity of the activities of a CLT, concerning both the development of equity and the organization and maintenance of the corporation. Voluntary work and forms of collaboration from other local organizations may contribute to the realization of the different activities, especially in the first phase. But expertise needs to be built and a solid, core group of collaborators needs to be established in the long term, project after project allowing to rely upon previous cases and experiences. In its turn a continuity of operations reinforces the reputation and legitimates the role and the credibility of the CLT, thus attracting additional forms of support.

To find the balance among all the different factors, between control and autonomy, between development and organization, at the same time maintaining the original spirit and operating in the name of the original values is not easy, and it is basically one of the main challenges for a CLT, as the cases described by the literature seem to prove (Krinsky, Hovde, 1996, Eizenberg, 2012). It is on those balances that the sustainability of CLTs is built. And those balances, in fact, allow differentiating CLTs, as highly site-specific devices. Resilient because operating not as rigid, externally defined structures, imposed within a given context; but on the contrary, operating as a continuation of or as a catalysing device for the resources of that context. Being fuelled, determined and organised by the communities gravitating on it. Though specific research should be developed on this aspect, embeddedness intuitively is what allows the continuous hybridisation of CLTs and hence its resilience: based on the fact that in any moment its sustainability mostly depends on what a given community needs and can give.

Learning from the CLT

The Community Land Trust being still a relatively unknown approach for the European public in particular²¹, section 4 is meant to interrupt the narrative flow concerning the installation of

21 Although in the last 5 years the interest undoubtedly grew. Concerning continental Europe, this is certainly related to the introduction of the CLT in Belgium: on the one hand because of a spontaneous interest towards the model, on the other hand because of a proactive attitude of the initiators of the program in Brussels, who among other activities focused as well on increasing their network of contacts, thus reinforcing their lobbying capacity and gaining access to a variety of resources and forms of support, both formal and informal. Again, this is part of an understanding of the community as a heterogeneous and multiscalar entity, simultaneously contributing to the life and the protection of the resource in multiple ways as next chapter will show.

the CLT in Brussels –started in the previous section and continuing in the following- in order to introduce the classic model. Which is the model the initiators of the Belgian CLT had the chance to explore during their one week visit to the Burlington Champlain Housing Trust. In a way, this chapter is homologous of the mentioned trip, reconstructing through the literature the knowledge that could be built around the CLT during that one-week trip. While being an interruption, this chapter provides some fundamental contents, building a relevant background onto which the following chapter and the installation of the CLT in Brussels could be grafted. The genealogic exercise around stewardship allowed understanding not only where the model of the CLT comes from, from a historical point of view, but also the underlying values, the motivations and the evolution of the different models that interpreted it²². Stewardship means not only a different approach to the management of land. It means also guidance and responsabilization of the community. Practiced, theorised and more or less radically reframed in a variety of ways, through the centuries, the religious narratives and the laic appropriations, the discourse around stewardship evolved: from the redistributive, moralising intentions of the Middle Ages, to the present-day reinterpretations in terms of social responsibility. Passing through the reclamation of the socially built value of land and the recognition of the role of the community. The model of the community land trust is the most recent- and I suggest the most effective- incarnation of that concept, achieving the common good thanks to a balance of juridical architectures, organisational choices, spatial configurations and the multifaceted role of the community. The genealogical exercise here shortly outlined showed the relevance of any single phase for the emergence and the shaping of every single aspect, in order to get what we know today as CLT. Through an emancipatory process triggered by the continuous evolution of oppressive conditions. Through the peregrination of the model from one side to the other of the Ocean, at the beginning of the 20th century as at the beginning of the 21st, from the intentional communities and garden cities to the more recent development of the CLT in Belgium. On the background of different conditions but apparently responding to a common need: that of an emancipatory form of land tenure. The exercise also showed how in fact alternative options to land private or public ownership always existed and have been intensively practiced also in Europe.

To introduce the model in its classic formulation means also to explain the way it works and the basic characteristics. This has been done going beyond the basic guide and handbook of 1972 and 1982; and exploring the existing literature, as a third purpose of the chapter. In particular, the literature concerning urban CLTs has been considered. Concisely, in most of the cases, CLTs are examined in relation to affordability and homeownership, eventually comparing them

22 This genealogical exercise –allowing to report at the same time the historical happenings- has been developed on the base of literary sources. Many of the authors are also the main initiators and protagonist of a still very recent story, so in fact many of the texts to which I refer and that I used for my reconstruction are actually primary sources, produced with a reflective, narrative or programmatic purpose. These texts are mostly collected in the anthology curated by Davis, as a main reference concerning the origin and characteristics of CLTs.

to other existing comparable formulas (Krinsky and Hovde, 1996; Jacobus and Cohen, 2005; Angotti, 2007; Paterson and Dunn, 2009; Stein, 2010; Engelsman, Rowe and Southern, 2016); very frequently, the role of the community is addressed and in parallel, empowerment issues are sometimes considered (Moore and McKee, 2012; Moore and Mullins, 2013). In a few cases, the impact of installing a CLT has been considered, in terms of improving the quality of the living environment (Gray and Galande, 2011; Eizenberg, 2012). Others focus on the history and the conditions of creation of some specific CLTs (Krinsky and Hovde, 1996; Angotti, 2007). The overview provided in the previous pages -though not exhaustive- should at least allow having a more concrete understanding of the potentials and the limitations, once the model situates and confronts with a specific context. If it is true that the CLT projects are characterized by a great specificity, this is a result of their resilient nature, of a balance among the different activities and strategies of development each CLT project chooses as better responding to a given ecology. A balance that not in all the cases reveals to be effectively conceived, undermining the sustainability of the projects. Krinsky and Hovde indeed pointed out the critical role of what they call the balancing acts.

As a whole what emerges and what I have tried to render out of these literature-based explorations is a description of the classic model of the CLT. The model that inspired the small delegation of Brussels to bring it back in Belgium, thus virtually continuing the story of Garden Cities interrupted in the 20s. Such a description was necessary not only to describe the basic principles and functioning mechanisms of the CLT: but also to have a glimpse of what CLTs could become when fully developed, of their full potential, their capacities of impact and the challenges related to their development. The projects developed by the CLT in Brussels would not allow drafting such an overarching description: only one of them has been completely realized and it is actually a project which did not involve any new construction or renovation operation, having dealt only with the installation of a different governance. Although my argument –which will be developed in the next section- has little to do with the life of a fully developed project, being based more on my immersive experience during the phase of the initial installation of the CLTB than on a fully functioning project. However, to have an overall view of the model allows to better frame not only the growing interest towards it but also the operative horizon in relation to which the initiative in Brussel is supposed to work.

The purpose of the CLT goes beyond housing and goes beyond the trust as a legal arrangement. To preserve land for the common good requires a holistic approach. Within this approach, the community is a hybrid, multiscalar, plural entity. Within a well-balanced CLT, far from being only the beneficiary, an object – passive, assisted – of intervention, the community transforms and builds itself through the very life of the CLT. By playing its role both for the functioning of the organization –at the scale of the city or of the region- and for the realisation of the different projects, to which the small circle of a group of inhabitants, of a neighbourhood corresponds. From the residents to other local actors, they are not simply empowered: they take the lead

of their lives. However, as in a virtuous circle, it is thanks to this deep engagement and the embeddedness of their actions and projects in the community that the CLTs can build impact capacity, expand their sphere of action and agency and be able to protect the accessibility to a greater amount of land.

My direct engagement in the design process of one of the first projects of the CLT in Brussels, -also corresponding to the phase of installation of the CLT in Brussels- probably pushed me to consider as relevant two aspects which in fact are completely absent from the literature.

The first is the role of the individual, or better said how the role of the individual is built within that of the community. Despite the model is grounded on the double emancipation and the double recognition, of the individual and of the collective rights to preserve their assets -through private property the former, through the logic of the trust the latter; despite the performance of the project is strictly related to the contribution of single individuals *as part of* a larger community, not as isolated subjects, whose implication and responsabilization is a main concern for the CLTs; despite the importance of both these elements, there is no trace in the literature of how this continuity -between the individual and the community- is actually concretely built. No trace of the moments that shape the governance, interweaving the individual and the community responsibilities. The sphere of individual motivations, possibilities, rights and forms of engagement or even conflicts is completely invisible, together with the strategies of mediation. While in fact, everything starts with people. Consequently, in the literature narratives are often abstract, not able to convey the entanglements of individuals, their communities and their practices, which are in fact at the core of the previously mentioned balancing acts.

The other relevant missing aspect concerns space. While certainly my engagement in the design process of one of the first projects of CLT in Brussels has probably allowed me to seize the relevance of spatial dynamics, on the other hand very few articles approach planning issues, while morphological considerations concerning the site of installation of CLT's projects or the spatial issues concerning their realization are totally neglected. While in fact spatial qualities -intuitively- could play a relevant role, by empowering or limiting the capacities of governance for individuals and communities; by impeding or potentiating the relations between different sectors of the community; by challenging in terms of scale and accessibility the balance between representative dynamics and direct engagement in the governance of the resource. And so on. Indeed, space is the medium through which the previously mentioned continuity between individuals and community is concretely built, through daily practices of cohabitation and management of the resource which is in this case -additionally- is a spatial one, land. Which means that the previously mentioned continuity between the individual and the collective is necessarily a spatial performance. Looking at this entanglement between space, individuals and the community as a crucial node at the core of the functioning of the CLT, I argue it is specifically the project -urban and architectural, as a process and as a prefiguration- which has

a fundamental role as a grounding process, as a process through which conditions are created for the articulation of resources, needs and the possibilities of governance. A process which starts with the individual and ends with the community. This is what will be shown looking at the specific case of the CLT in Brussels.

To conclude, what can be learned from the CLT goes beyond the CLT. What I suggest the CLT shows is that to preserve land for the community is not just a matter of ownership specifications or sales restrictions: it is a community project. Which implies to organize the conditions, to assemble and involve individuals and the community, or better, many communities. In that direction, the CLT operates as a grounding apparatus. It creates the site-specific conditions through which the community builds itself, around the land, orchestrating around a co-defined project the potentials and capacities, the needs and the rights embedded in a given context. Triggering synergies, nourishing solidarities, articulating conflicting interests. And meanwhile land can be preserved –and the CLT can continue to build its capacities- *because of and through* that process. As a whole, not very differently from what De Angelis and Stavrides describe as a process of commoning²³.

23 The definition of the Commons according to De Angelis and Stavrides perfectly mirrors the situation of CLTs: a pool of resources, a community and a process of commoning (AnArchitektur, 2010). The challenging concept is that of community, because of the idea of closeness usually it is associated with. They hence specify “Communities are sets of commoners who share these resources and who define for themselves the rules according to which they are accessed and used. Communities, however, do not necessarily have to be bound to a locality, they could also operate through trans-local spaces. They also need not be understood as “homogeneous” in their cultural and material features.”In the case of the CLT the multiple scales at which the community is involved and the option of involving not only low income inhabitants, together with the possibility to receive both public and private form of funding and the variety of purposes at the origin of the CLT, all these factors contribute to the heterogeneity and the open, mutable definition of community.

S. 5 | A project for recognition

Ch. 5.1 Ancrages

Interruptions and continuities

[v 04 Lorella Paziienza]

The support of the local community and the Region

[v 05 Geert De Pauw]

Ch. 5.2 Another way of owning

Acquisitif mixte

A Belgian version of the trust

The public interest is not the community interest

Ownership as the decisional power

From the right to exclude to the right to govern.

La propriété repensée par la gouvernance.

Ch. 5.3 Project matters

Porous possibilities

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Redefining, orchestrating, embedding

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5.1 Ancrages

Interruptions and continuities

[v 04 Lorella Paziienza]

The support of the local community and the Region

[v 05 Geert De Pauw]

Interruptions and continuities

As shown in section two, the model of garden cities represented a meaningful part of the debates and the theorizations at the origins of the history of urbanism. Nevertheless, imported in Belgium, the model was developed in quite different terms than those imagined by Howard. In fact, one of the reasons of the successful diffusion of that model was also in its capacity of adaptation, imitation after imitation becoming *cit  jardin*, *gardenstadt*, *cuidad-jardin*, *tuinstad* (Osborn, 1965). Every time adapting to the specific needs and conditions. Letchworth – founded in 1903 and developed on the project of Raymond Unwin and Barry Parker- was a satellite town, situated at 30 miles to the north of London, with a population of 30000 inhabitants and the related infrastructures, relatively autonomous and developed in the surroundings of the metropolis. The garden cities contouring Brussels were much smaller. Van Der Swaelmen describes them simply as a variation of the urban morphology, the possibility of a different fabric within the dense continuum of the city, more than a town in itself or something relatively detached from the main agglomeration. The project of Cit  Jardin proposed for Schaerbeek in the framework of a competition and published on the pages of La Cit  in 1921 is made of a few blocks, characterised by a greener and porous residential environment, not far from the pre-existing residential neighbourhood. The garden city of Le Logis with 611 houses and 431 apartments, in 1993 had around 2800 inhabitants. La Cit  Moderne, with 164 single family homes and 524 apartments, in 1993 had 1720 inhabitants (Mahoux, 1998). Given their dimensions, they necessarily relied on many services and infrastructures situated in or provided by the neighbouring more urbanized areas, for example the public transport¹. And while in the case of Letchworth the land was leased by the company, the First Garden City Ltd and all the citizens were shareholders, in Belgium they were organized as cooperatives (Smets, 1977). Raphael Verwilghen, one of the enthusiasts about the model and not a strong advocate of private property, considered that the model of cooperatives could have in fact provided a good solution. It allowed both greater control of the land and to maintain the culture of the single-

1 Initially most of them were realised in the absence of even basic infrastructures such as roads, sidewalks, sewage and water supply. Only after their installation those services were gradually provided by the municipalities. See "Les Foyers Collectifs" in Cahiers de La Fonderie 1993 (Huberty, 1993b).

family housing units, according to him fundamental for a family based society (Uyttenhove, 1985).

While on the juridical level the model of the trust –theorised at the core of the garden cities- was not part of the Belgian juridical tradition², on a socio-cultural and juridical level Belgium had a well-established tradition of cooperatives. Starting from the end on the 19th century cooperatives emerged in principle as the answer to the needs of the working class and they soon became the main organizing structure of welfare, providing a variety of services, social infrastructures and cultural activities across the whole country. Luis Bertrand, born in Molenbeek, politician and member of the socialist party meticulously mapped and described the rich and complex structuring of society which emerged out of the effort of organizing solidarity and redistributing resources in Belgium by the end of the 19th century (Bertrand, 1902).

Given these precedents, no wonder that when the first garden cities started to be realized a possible model to collect the required funding was that of the cooperatives. They provided indeed a great support to the reconstruction endeavour³. The spirit of solidarity and the social commitment at the core of the original mission of cooperatives found in the garden cities a coherent social and spatial form of expression. Inhabitants proactively contributed to the wellbeing of these communities by engaging themselves in the maintenance of the commons spaces and their housing units, both as owners and as renters. Even if not as owners, the simple fact of being part of the cooperative fuelled their concern for the maintenance of their living environment. What characterized these garden cities –making them very different from the first paternalistic housing experiments for workers- was also a certain spirit of autonomy. That was often made possible by the financing system and expressed in terms of relative isolation of these neighbourhoods, realized in the middle of green belts, at a certain distance from the unhealthiest and crowded areas of the city. Therefore, the minimum services required in daily life as well as the leisure activities were in fact organized by the inhabitants, thus further contributing to the feeling of self-sufficiency. La Cité de Morterbeek (Anderlecht) in addition to the 350 single housing units, was supposed to offer also shops and commercial facilities and some spaces for meetings and shared activities, similarly to what Victor Bourgeois conceived for la Cité Moderne. To those who had the economic requirements to be part of the cooperatives⁴,

2 As specified in the previous chapter, the trust was in fact an English invention, as such applied in the countries under the regime of Common Law.

3 “Les plus anciennes [coopératives des locataires] ont vu le jour après la guerre 14-18 à l’initiative essentielle du mouvement syndical, mutualiste et coopératif, dans le but d’assurer un droit à l’habitat qui ne soit pas un droit de propriété individuel. Cette origine a marqué l’histoire de leur développement : leur autonomie « politique » était limitée par leur dépendance vis à vis du système de financement, qui est celui du logement social en général ». (Muyllé, 1993)

4 Garden cities were not conceived for the lowest income segments of the population. They certainly represented an achievement and emancipation for those families who had the chance to move from the crowded municipalities. However, while contributing to de-densify those areas, they did not address the housing question for those having no choice than living there, the most disadvantaged segments of the population.

but especially to those which later had the possibility to buy their house, garden cities clearly provided some privileged living conditions and through the time this became increasingly evident (Huberty, 1993b). When they started to be reached and surrounded by the increasingly dense urban fabric, while losing some of their isolation, they could still enclose and protect a green living environment, offering the possibility to enjoy the qualities of the low density.

The sudden disappearance of garden cities from the debate⁵ and from the range of the projects being realized at the end of the 20s, disconnected the model of cooperatives from the *cadre de vie* where their values could be ideally expressed⁶. While the principles of the garden cities were being somehow verticalised, cooperatives increasingly became just another form of commercial society, not necessarily pursuing a social purpose, despite the legislative efforts to re-affirm it⁷. *Le plus grand nombre* became the emancipatory horizon, reachable through standardization and higher densities (as explained in chapter 2.1).

After the war, the second generation of Garden cities was realized. That was the case of Germinal (1949), Cobralo (1950), Messidor (1950). The background conditions were different than in the 20s. *Les coopérateurs* were still dealing with the needs of the reconstruction, and of a housing crisis, though less relevant than those characterizing the post first world war scenario. The purpose was in particular to lower the cost of housing. The community ideology at the base of the concept of *cité jardins* and the social program were less strong but nevertheless still present (Huberty, 1993a). At the same time, an increasing number of cooperatives simply operated

5 Going through the pages of the numbers of *La Cité* published at the beginning of the 20s, it is possible to observe the progressive replacement of the topic of garden cities with the new theories on densification and elevation. Kapelleveld is the last to be realized of the first generation. "Elle fut constitué le 6 aout 1922 , peu temps avant que les orientations politiques en matière de Logement ne décourageaient tout à fait ce type d'initiatives jugées trop indépendantes et trop onéreuses » (Cahiers de La Fonderie, 1993)

6 « Pour un architecte, l'idée qui se situe derrière le système des coopératives des locataires est celle d'une certaine utopie de la ville et des rapports humains. Mais elle ne répond pas seulement à un problème de logement des personnes, elle recouvre aussi tout un système de moyens alternatifs : travailler de manière plus collective, plus interdisciplinaire, et grâce à des moyens de production moins capitalistes. Les coopératives étaient largement basées sur une utopie, essayant de se situer entre le système de production libéral et l'Etat ». Architect Jean De Salle, maître d'œuvre at *Cité de l'Amitié* (Woluwe St. Pierre) and at Halles de Schaerbeek, interviewed by Huberty and Vanderhulst in *L'architecte et le Coopérateur*, Les Cahiers de la Fonderie, 1993.

7 By the end of the 19th century, cooperatives were framed in more commercial terms by the law (18 may 1873). In a historical moment characterised by the rising of socialism and the increasing organisation of workers, the State tried to contain their growing power by defining cooperatives as commercial entities, so that they stopped to be a form of organisation exclusively used by the working class. This was made by softening the criteria allowing the establishment of this form of organisations. As a result, cooperatives multiplied, because offering an accessible alternative, while avoiding many of the disadvantages usually related to the establishment of other forms of society. Nevertheless, most of them failed because of the insufficient capitals invested in the enterprise. In order to gain back the control over the chaotic situation generated by the "bubble" of cooperatives, further interventions (in 1955, 1991 and 1995), tried to promote favourable conditions for those cooperatives explicitly oriented to a social purpose. Despite these efforts, « une société sur mille, seulement, est une coopérative ou une société à finalité sociale en Belgique. En cause notamment, le régime juridique associé à la coopérative par le droit belge ne traduit que très imparfaitement les idéaux au fondement de cette formule. À preuve ou à témoin, les « vraies » coopératives n'ont jamais connu une croissance débridée chez nous, à la différence de ce que l'on peut observer chez nos voisins » (Bernard, De Pauw and Géronnez, 2010)

voices | Lorella Pazienza

Themes: empowerment, inhabitants' capacities and responsabilisation, CLTB expansivity, participatory approach, maintenance, role of architects, voicing.

Making architecture for low income inhabitants.

I am perfectly aligned with what I do. I like renovation because I believe houses have a soul. They need to be preserved, understood and appreciated by the people, the inhabitants. But the social aspect always attracted me. I work with people that remind me my parents. My father was a miner, he arrived in Belgium in the 60s. The movie, Marina, is our story...with the difference that we didn't live in the shacks, with the German prisoners. We were living in a garden city and the green was everywhere...we lived in a cottage, but the cottage was shared with other families...and then the mining company sold the houses, they gave the possibility to the miners to buy these houses. My father bought the half of the house and he started to renovate here and there. To appropriate it. But he didn't have the means and this is when I decided to become an architect. We renovated it as best as we could. With five children, the henhouse, the garden, the kitchen garden, and then they had some ambitions, like a big living room and a bedroom for each of us... so I understand the needs of the families in Molenbeek, because I lived that situation. People always interested me and architecture allows you to cover many aspects.

At a certain point I was pregnant and I decided to have a more stable job. And I started at Bonnevie. I never set foot in Molenbeek before, not even on the other side of the Canal. I lived between Ixelles,

because I was studying at Flagey and Saint Gilles, where I had an apartment with my brothers. In Molenbeek I was surrounded by Moroccans and Italians but I knew them! My work was giving me the opportunity to do what I always wanted to do and additionally to help numerous families to get a house worthy of the name. The Region just established a policy of urban renovation with Piquet and then the incentives. Very good initiatives, but for the people that really needed [those policies] it was useful to have people on the ground, to make them understand, to inform, in order to properly use those incentives and most importantly, to reflect on the housing issues. it was not an easy job but I got a lot of satisfactions. People put an incredible trust in you.

We had a different approach. I remember when we met with other associations, to share experiences, to improve our work, to develop a common discourse and bring together our energies. I felt a very strong energy. I was the architect and I draw, we created the contacts with local enterprises and actors. Credal for example, which later contributed to the realisation of Espoir. We have grown on these grounds.

Emancipation

Through the years the market changed and this questioned us, about our public. More and more people came to Bonnevie, looking for a solution, for accessible apartments..."Je n'ai pas la baguette magique." I was telling

them. But this created an incredible frustration. And there was the volet deux, in the Contracts de quartier which was meant to attract developers, but nobody wanted to come in Molenbeek. So we started to think how about us buying the land ...why not? And this is how we started the adventure with Espoir. [...] I was astonished. After those 5 or 6 years you could have mentioned the ecological aspect, about the architecture... but what looked really clear to me was the incredible emancipation of these people. Unbelievable. They assumed their risks... at the end of this marvellous project, these people talked with majors, they realised that they could also express themselves, they could have a voice. This is essential. They get in their hands a whole range of tools. And while the group dynamic can be difficult, it creates relationships among people. The fact that everybody is in a difficult situation, because of the house, keeps them together and gives them the impulse to do thing together. The process leading to the project is where inhabitants prepare to live together, to learn about each other and to assemble their different capacities, in a complementary way. It is about living together, building solidarities. And about valorising each other skills and expertise.

The role of the architect

I became part of the CLT as an architect and what I brought was the approach and experience of Espoir. Now, what is becoming

more and more clear is that Espoir, our first projects at the CLT, they are small projects. While at present, I realise we are somehow beginning to have a more professional but also more technical approach. And while this is necessary, because we have more projects and bigger projects, on the other hand it makes me wonder, it makes me question about the approach we need to follow. If we want to continue with this intensive participatory approach, we will not have enough time or resources. Because it takes time to make it properly, to manage the whole process, to keep the inhabitants involved, to explain concepts which sometimes are complicated. It is a very demanding approach. But I believe it is essential. We are reflecting on these aspects, on the intensity of the participation, on the best moment to start with that process. Should it be right at the beginning or when the project is already decided? should we skip the whole design part and involve the families only concerning the maintenance of the building and their cohabitation? But I believe we should preserve our approach. We need both: to increase the number and the scale of the projects. And to maintain our specific approach. We probably need the right partners which could develop a proper participatory approach

Another important thing to understand is about our status: are we a public actor or not? Because if the answer is no, we could finally rely on a single architectural office to realise our projects. This would allow on

the one hand, to develop and consolidate a procedure, to specialise on the CLT projects and what they need; on the other hand, to have a direct contact between architects and inhabitants. Which, at the end of the day is the purpose for which we introduced the participatory process, ending in a Cahier de Recommandations. To give the possibility to the inhabitants to express their needs to the architects.

At the University architects should learn that behind the house there are people and that they should be able to take care of their houses. Concerning the use, the materials... additionally these are houses for people having a common life project. Spaces should improve and make possible the encounter. The quality of space is relevant. The whole process of design hence, provides to the inhabitants the occasion to express themselves, to decide about their living spaces. And this creates for the architect a different role. We need to learn to listen. While in the 70s architecture engendered tensions, today the project could become an occasion to establish incredible cultural laboratories. But it requires time and the right education. I believe architecture is to build for the people.

as developers, then allowing the SNLBM to distribute the effort of responding to the housing needs. Cooperatives were still established for the realization of the projects, but the spirit was very different from the one which originated them.

In 1993, in the occasion of the 20th anniversary of Fesocolab, (Federation des Sociétés cooperatives de Logement à Bruxelles), La Fonderie⁸ dedicated one of its Cahiers to the role of cooperatives concerning the housing question. “Decider son Logement: l’habitat cooperatif à Bruxelles”. The anniversary was the occasion to evaluate the role of cooperatives in providing an answer to the housing needs and their actual potential to address the challenges of cities *au sein d’une Europe en mutation*. On the background of the reflections collected for this publication, the conditions were those illustrated in chapter 3.1, through the lens of the actions and the analysis developed by Bonnevie⁹.

In 2009, on the background increasing precarisation and polarization processes, the principles of the garden city were rediscovered, although in the form of its latest variation, in the form of the CLT model. As in the 20s so at the beginning of the new millennium, dramatic housing conditions pushed towards new living models. In the first case this happened mostly on the background of hygienist concerns, under the pressure of the first reports on the matter and of an emerging discipline of urbanism¹⁰, of the first engaged –so to speak- urbanists and other intellectuals. At present, the most challenging aspect is the growing precarity of households, in between the insufficiency of the public offer and the inaccessibility of the private market, as the previous chapters tried to point out. Again, as in the 20s, the cooperatives seemed to provide a good system to collect resources, allowing to bring together the savings of the inhabitants and the subsidies of the State, in the perspective of punctual interventions, unable to address *le plus grand nombre*. Additionally, they could have supported the establishment of *ad hoc* solidarity mechanism, working at the scale of a daily living environment.

At least these were the hypothesis firstly explored at their return, back from their visit to Burlington, by De Pauw, Geronnez and Dawance. Convinced about the validity of the model, they organized a colloquium dedicated to alternative approaches to the housing question¹¹,

8 La Fonderie, a non-profitable organisation, since 1986 studies the economic and social history of the Brussels Region.

9 « Une frange toujours plus large de la population trouve difficilement un lieu d’habitat, de vie, à portée de ses moyens et correspondant à ses besoins. Face au marché privé. Soumis à toutes les spéculations, la principale alternative reste. Jusqu’à présent, le logement social subsidié par les pouvoirs publics, soumis à des règles d’accessibilité qui se veulent plus strictes actuellement, dans une tentative pour en re-cibler les bénéficiaires » (Muylle et al., 1993)

10 This was the case of Belgium, where the debates provoked by the reconstruction needs contributed to the emergence of what Verwilghen and Van der Swaelmen recognised as a new discipline. In other countries, such as Germany, Austria or the Netherlands the reflections triggered by the increasing industrialisation and the growth of cities started by the end of the 19th century.

11 The associations involved in the organisation of the colloquium were : Rassemblement Bruxellois pour le Droit à l’Habitat, Periferia, Livingstones, le CIRE, la Maison de quartier Bonnevie et Samenlevingsopbouw Brussel. All these associations were –and currently are- part of the same network, built through the collaboration to common projects and initiatives, as for example Espoir.

Le Logement coopératif: une nouvelle vie (23 October 2009). Probably the main object of the reflection was the model of cooperative housing. Among the cases being presented as concrete options, differently related and comparable to the cooperative system of values and *modus operandi*, the project Espoir (at that time not yet completed), the project ENSOR, in Evere and the model of Community Land Trust. Several ateliers tackled the challenges and the technical issues possibly underlying a reinterpretation of the cooperative model -or the installation of any other alternative- at the light of the existing conditions in the Region of Brussels, but also of the lessons learned from previous experiences. And not least, inspired by the recent contact with the model of CLT. The atelier on juridical issues, introduced by Nicolas Bernard¹², allowed to explore some juridical possibilities available in Belgium, which, combined with the cooperative model, would have allowed accomplishing their social mission by approximating the land tenure system of common law countries¹³. An atelier on the financial options was guided by Geert Van Snick, president of the association Livingstones. Created by three Agences Immobilières sociales (AIS)¹⁴ Livingstones is a cooperative having the purpose of acquiring housing units and making them available for moderate-income households. The difficulties, as well as the potentials existing in the Brussels Region, were introduced. While as previously mentioned the *deuxième volet* of CdQ was pointed out as a possibility, a fine grain exploration was required concerning the most appropriate associative configurations not only to accumulate capital but also to get public funding. It is interesting to point out that while cooperatives are suggested as good models to collect capitals of different nature, they are not the best option to attract public funding. A third atelier concerned the initiatives of collective savings promoted by CIRE, which beyond the financial empowerment allowing for example to access homeownership, revealed to be also occasions of “ [de l’] éducation permanente et [de l’] émancipation sociale”(Dinguizli, 2009). Finally, a fourth atelier was dedicated to the

12 Nicolas Bernard, jurist, was at that time professor at the University of Saint Louis in Brussels and working as a consultant for Christos Doulkeridis (of the political party Ecolo), at that time Secrétaire d’État au Logement de la Région de Bruxelles-Capitale. Doulkeridis was in charge from 2009 to 2014. He has been a main supporter of the CLT model and contributed to its installation in Brussels [v 03]. Bernard, on the other hand, has been involved in the elaboration of the juridical model of the CLTB.

13 These options will be better explained in the following paragraph.

14 The Agences Immobilières Sociales are non-profit associations subsidized by the Region of Brussels. Operating in between private owners of housing units and middle income households (*revenue modestes* in Bernard) “elles tentent de convaincre les premiers de leur confier la gestion de leur(s) bien(s), en vue de le(s) mettre en location au profit des seconds, à un tarif régulé. En contrepartie, celles qu’on surnomme les « A.I.S. » garantissent aux propriétaires la régularité absolue du paiement du loyer (l’agence suppléant les éventuelles défaillances du preneur tout en comblant les vides locatifs). » (Bernard, 2016). Among their purposes, the effort is to rehabilitate the patrimony of privately owned housing units, too often abandoned and left empty in the Region of Brussels (<http://aisb.be/>). As a whole, today they manage around 4000 housing units in the Region of Brussels. Among others, interestingly concerning the ecology on which this research focuses, the AIS Quartiers was created in 1999, federating the Unions des Locataires (UL), which emerged by the end of the 70s with the purpose of helping inhabitants “à trouver un logement, comprendre et défendre leurs droits.” The Unions were located in the « lowest » Schaerbeek, in « vieux » Molenbeek, Quartier Nord (Bruxelles), in Marolles (Bruxelles), Saint-Gilles, Cureghem-Anderlecht and Forest. In 1990 they established Fédération Bruxelloise des Unions des Locataires (FÉBUL). In 1998 the Unions they founded the AIS Quartier as a tool to manage their housing patrimony.

topic of auto-construction, framing this option within a larger spectrum of implications, such as the consequences in terms of social rights, the relationship with the social economy; and the consequences on the constructive process. Strangely, no space was dedicated to the role of design or other participatory practices, despite the experience of Espoir showed its relevance –on many fronts- in building a cohabitation project.

The discovery of the CLT in another country became the occasion to reflect upon and valorise the ensemble of experiences and approaches developed in Belgium and in the Brussels agglomeration, through the whole 20th century, from the first garden cities to Espoir. The colloquium¹⁵ showed the accumulation of expertise; the awareness, the capacities and the will of the different actors to combine their approaches and bring together their knowledge. Through the years, especially from the 70s, experiments continued, more or less silently, but relentlessly contributing to provide alternatives to the public offer of welfare. While the morphology associated with the garden cities disappeared, the model of cooperatives persisted, for commercial purposes but also for the pragmatic reason of collecting resources and increasing the agency of the associative world. It re-emerged in times characterised by the weakness of the state and of its redistributive capacities, in relation to the worsening –or the (re)emergence- of the housing question. An alternative to the public, centred on the value of the community and on self-organisation. Addressing more often the condition of moderate to low incomes, nevertheless without completely excluding destitute individuals. And anyhow no less required than more traditional forms of social housing, to address the needs of an increasingly poor middle class, incapable of having access to both the public support and the private market (Huberty, 1993a).

Adapting to circumstances, it was redefined to face challenges and exploit existing opportunities and forms of funding, as in the case of Livingstone or Espoir and their use of the *deuxième volet* of CdQ.

Alternative forms of property were also addressed. Such as for example the project Ensor, realised by FESOCOLAB between 1996 and 2005. The project relied on the establishment of a cooperative of buyers acquiring land through an emphyteutic lease of 99 years, thus operating on the same principle at the core of the CLT, separating land and homeownership.

Given such a framework, the establishment of the CLT could be read in fact as a continuation of long-lasting experimentation: around alternative ways of producing housing, around alternative forms of property and alternative approaches to the collection of resources, beyond the financial aspects. This is partially true and would in fact allow recognising that conditions were mature in the Region of Brussels for the establishment of the CLT. A ground was established and a number of elements later at the core of the Belgian version of the CLT were already available and had already been tested, as it will be confirmed by the report the Region of Brussels commissioned to evaluate the feasibility of the project. But at the same time, such

continuity does not exhaust the elements of innovation and the related challenges introduced by the model of the CLT and its Belgian version in particular, as the last chapters will show.

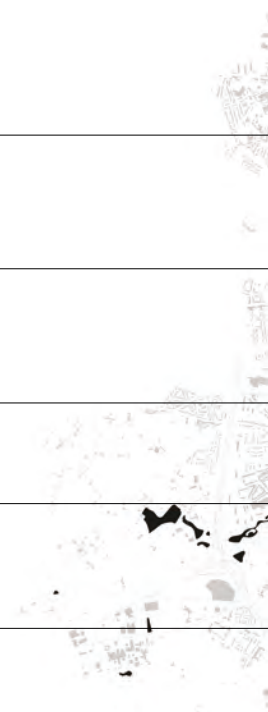
The support of the local community and the Region

In the previous paragraphs, the interruptions and continuities have been shown concerning the model of garden cities and the culture of cooperatives. These represented only part of the conditions that predisposed the anchoring of the CLT in Belgium. Conditions revealing some latent needs and attitudes, periodically re-emerging. The other relevant element was given – from the very beginning- by the mentioned fabric of relations with both local actors and other institutions operating at a regional scale.

In the first chapter of this section the history of Bonnevie, from the 70s to the present day and in particular till the moment of the discovery of the model of the CLT, beyond the specific biography of a *Maison de Quartier*, was meant to seize a piece of the life of Molenbeek. Not a crosscutting section, not a frozen moment in time. Life: following the line of time and the interweaving of stories. To facilitate the attempt, I have been following a major thread, the one leading to the establishment of the CLT. By following that thread, the purpose is to reveal the progressive thickening of a fabric of relations among different associations and citizens, the accumulation of experiences, the building of trust and agency (Fig. 5.1.2).

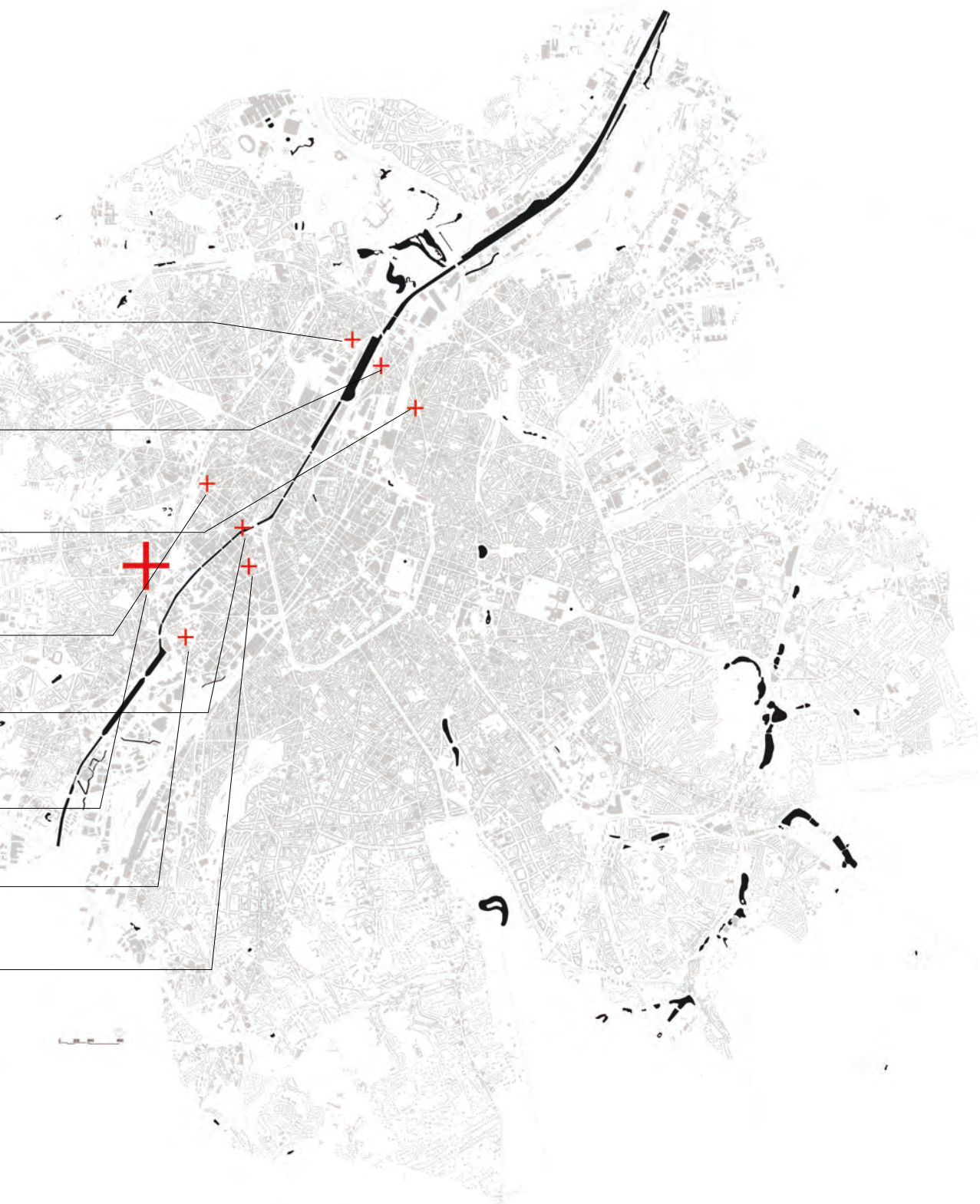
Somehow the discovery of the model of the CLT represented the arrival point of approximately 40 years of work and of the initiatives built around the re-appropriation of a neighbourhood by its community, by citizens, associations and by the institutions. It is on the base of that fabric that the CLT could be established in Brussels. The first step towards the creation of the CLT was indeed the creation of a Platform. “Au debut c’était fait par les associations quoi. Il y en avait qui s’investissait plus que d’autres. Mais c’était une plateforme d’associations qui disaient voilà, nous on pense que ça serait bien à Bruxelles. D’abord c’était quelque personne, après on a impliqués les associations dans une plateforme pour créer une base de légitimité, mais aussi des compétences, des réseaux. Légitimité car si c’était moi qui disait il faut faire un CLT, aurait été différent que si c’était 30 associations à le dire. Donc au début quand le CLT n’existait pas c’était juste un réseau d’associations ».¹⁶

The Platform allowed to consolidate the interest of local actors around the model and to exercise lobbying at an institutional level. As a result of growing momentum and thanks to the variety of profiles converging around its actions -which allowed to bring together socio-spatial, organisational, financial and juridical evaluations- the Platform could finally receive one-year funding by the Region with the purpose to investigate the conditions for the realisation of a CLT in the BCR. The result was an “Etude de faisabilité des Community Land Trusts dans la Région de Bruxelles Capitale” – delivered to the Region in July 201- which provided the reasons and the available options for the establishment of a CLT in the BCR.



Tivoli 22 housing units.
Anvers – Lumière du Nord Housing, 15 apartments, collective garden and common spaces; polyvalent space
Liedts 4 housing units for elderly and 2 studios; community centre for elderly; local association offices
Vandenpeerenboom – Arc-en-Ciel Housing, 32 apartments; collective garden, polyvalent space and neighbourhood facilities
Mariemont – L'écluse Housing, 9 apartments (1,2,3 chambres)
Verheyden – Le Nid Housing, 7 apartments; semi-public garden, common spaces and polyvalent building
Transvaal Housing, 16 apartments; local association offices
Abbé Cuyllits 9 housing units; common space; collective garden

Fig. 5.1.1
The CLTB projects (updated March 2018)



As largely explained in chapter 4.2, public and local actors can play a wide range of roles in the functioning of CLTs. The case of Brussels makes no exception. A deeper understanding of the different levels and forms of collaborations cannot be developed in these pages, as not meaningfully contributing to the argument of this dissertation. However, intuitively, interesting elements may emerge. For example to understand the challenging or favourable aspects specifically related to the Brussels and Belgian context. Or to question the capacity of transformation of the mission and modalities of the public and of the local actors, their resilience, as a reflection of the transformative, emancipatory action of CLTs.

However, to conclude, it is important to point out that beyond the initial phase of installation, both local actors and public administration continued to have a relevant role in the organisation of the activities and for the very sustainability of the CLT in Brussels. Today the CLT of Brussels is funded by the Region, works in strict collaboration with the FdL (see also chapter 5.3) and with a variety of other local actors and associations, according to constellations each time defined by the specific context and conditions of the projects. Eight residential projects are being developed, mostly situated along the corridor of the Senne Canal, each one of them with unique characteristics in terms of morphology, number of apartments, composition of the group of inhabitants.

voices | Geert De Pauw

Themes: housing policies, maintenance, support of the Region, innovation, holistic approach, participation as emancipation, (legal) recognition, institutionalisation.

At Bonnevie

Je suis de formation travailleur social, assistant social, travail communautaire. A l'époque il fallait choisir une direction maintenant ça n'existe plus. J'ai fait mon stage à Bonnevie au tour de la question de la rénovation...ça fait longtemps ! A l'époque la Région bruxelloise elle était récente comme institution, donc début des années 90. Ils avaient commencé une politique de rénovation urbaine mais ça ne marchait pas du tout. Ils avaient acheté des maisons dans le but de les démolir : ça vaut la peine de regarder des photos de l'époque, c'était horrible. Pour aménager le métro ils avaient détruit une centaine des logements. Tout était abandonné. Et puis ils ont commencé comme politique de rénovation à acheter encore des logements, mais ils les laissaient vides...donc c'était vraiment très très mal. Pour mon stage il s'agissait de rénover un îlot en rue de l'école, tout prêt de Bonnevie. Un îlot où il y avait une série des maisons appartenant à la Région et tout le reste était des propriétaires occupants qui avaient acheté quelque chose en très mauvais état, avec peu d'argent et ils essayent de rénover. Et notre question était : comment est-ce qu'on pourrait aider ces propriétaires à rénover ? Moi ce que je faisais c'était d'aller discuter avec les propriétaires sans connaître grand-chose du bâtiment. C'était déjà fort comme premier stage. Après, j'ai travaillé à différents endroits, des travaux de quartier, en essayant d'organiser les habitants contre des

grands projets immobiliers, etcetera. Et puis je suis retourné à Bonnevie, pour commencer là un service logement. Une permanence pour les propriétaires et les locataires et puis petit à petit il y a eu un service de dépannage. Un service qui s'adressait aux propriétaires, Lorella commençait à y travailler. Puis un centre de prêt d'outils. Et il y avait aussi un groupe des locataires qui se réunissaient, plein de choses. Moi ce que j'ai faisais principalement au début c'était la permanence logement pour locataires et propriétaires. Après j'ai coordonné tout ce pôle de logement et je travaillais aussi dans l'accompagnement social des propriétaires. Avec Lorella. Lorella faisait la part d'architecture et moi tous les éléments sociaux. C'était un quartier dans lequel beaucoup de gens étaient propriétaires de leur maison. Ils avaient un logement, il y avait peu d'alternatives, mais souvent les conditions n'étaient pas adéquates. Ils rénovaient sans beaucoup de qualité, car ils n'avaient pas beaucoup d'argent. Mais souvent ils devaient recommencer. Et donc notre travail c'était de voir avec eux quel était leur budget et avec ce budget, quels étaient les meilleures interventions, qui étaient les meilleurs entrepreneurs, s'il y avait de primes... c'était à la fois un travail d'architecture et un travail social. C'était un travail sur le long terme mais on investissait là-dedans. On a toujours eu la volonté d'avoir de quelque chose de cohérent. Pas des différents petits services mais ... le service de dépannage travaillait en forte collaboration avec le service des logements

locataires et aussi pour nous. [...] Au début c'était surtout des moyens de la région flamande pour le travail communautaire et après Lorella on l'a engagé avec les moyens du Stedenfonds via la VGC. Après, tous les nouveaux services qu'on a créés c'était plus avec des fonds de la Région de Bruxelles. On a été reconnu comme association pour l'insertion à travers le logement, on a obtenu une reconnaissance dans le réseau habitat, insertion socio-professionnelle aussi. Tout ça c'était soutenu par la Région.

The establishment of the CLT

Yves Cabanne a introduit le modèle du CLT à une conférence à Grenoble. La première chose qu'on fait, on a organisé un colloque sur l'habitat coopératif. Et après on a reçu des fonds pour une étude de faisabilité. La conclusion c'était que c'était possible de faire un CLT à Bruxelles. Au début c'était fait par les associations. Il y en avait qui s'investissait plus que d'autres. Masi c'était une plateforme d'associations qui disaient « voilà, nous on pense que ça serait bien à Bruxelles ». D'abord c'était quelque personne, après on a impliqué les associations dans une plateforme pour créer une base de légitimité, mais aussi des compétences, des réseaux. Légitimité car c'était différent si c'était seulement moi qui disait "il faut le faire" que si c'était 30 associations à le dire. Donc au début c'était vraiment porté par les associations, quand le CLT n'existait pas c'était juste un réseau d'associations. Et puis il y a 5 ans, on a

eu les subsides et on a changé le statut de la plateforme pour en faire le CLT. Et on a engagé du personnel on a formé le CA [conseil d'administration]. On a changé le statut pour donner une place aux habitants dans le conseil d'administration et à la Région de Bruxelles. Au niveau formel les associations sont encore membres, impliqués dans le CA. Les associations fondatrices ont un statut un peu spécial, ils ont automatiquement droit de vote alors que les autres doivent d'abord demander. Après, une fois mise en place une équipe, la place des associations est devenue moins centrale dans le CA, mais elles sont toujours là. Par contre dans la réalisation des projets ils ont un rôle central. Donc ils sont toujours très présents, à la fois dans la structure du CLT et à la fois comme partenaires dans le travail et dans les formations qu'on organise. C'était un point d'attention de ne pas perdre ce lien. Leur rémunération est souvent possible dans le cadre d'autres projets. Mais nous pensons qu'à terme il faudra un peu structurer tout ça. Il y en a sans doutes qui ne pourront plus nous aider, il faudra des moyens supplémentaires.

Supporting conditions, impact, difficulties

En général je trouve ...si on me l'avait il y a 5 ans qu'on serait arrivés ici je n'aurais pas imaginé, je suis très content. Ça c'est clair, aussi quand je compare à d'autres initiatives en Europe. On a eu aussi un bon soutien de la Région, malgré toutes les difficultés, le soutien qu'on a eu ce n'est pas rien. A l'époque et même aujourd'hui. Le facteur de succès c'était le

soutien de la région bruxelloise. Et j'espère que dans le futur on trouvera le moyen de faciliter les choses. Et c'est aussi un succès le fait qu'on a su travailler avec le Fond du Logement, là aussi avec toutes les difficultés, ce n'était pas évident du tout. Mais malgré ça, avoir accès à du crédit pour ce genre de produits ce n'est pas évident du tout. Dans les Etats Unis l'un des grands problèmes c'est d'avoir accès à des crédits hypothécaires, un droit qui n'est pas toujours compris par les banques. Aussi comme dans le montage des projets. Avec très peu d'expérience dans le montage des projets, le fait que le Fond a pris en charge la maîtrise d'ouvrage c'était quand même très bien aussi. Ce n'est pas toujours évident, car c'est une plus grande structure qui a une autre dynamique que nous, ce n'est pas évident de faire matcher les deux.

En plus on voit que tout ce qu'on a fait a produit des résultats au-delà des projets. A Bruxelles le Fond de Logement est en train d'expérimenter des nouvelles formes de propriété et réfléchit à impliquer les habitants dans la préparation des projets. City Dev aussi. Tout ça c'est très jeune, mais on en parle, alors qu'avant il y avait même pas du tout un sujet de débat. On voit qu'est-ce que la formule CLT est devenue, alors que quand nous on a commencé personne connaissait ça. Maintenant tout le monde dans le secteur le connaît. Il y a de plus en plus un intérêt académique pour ce qu'on fait, de plus en plus d'autres associations qui démarrent. L'alimentation du débat c'est important

et ça aussi c'était inattendu. On voit qu'on est vraiment venus dans un bon moment, pas parce que on a fait tellement bien notre travail, mais parce que on a une formule qui était vraiment adaptée, qui venait au moment de la crise de logement. Mais aussi l'espace disponible qui se réduit de plus en plus, la crise économique, des enjeux de société, la cohésion sociale. La formule propose une solution à tout ça...alors que au début on sentait des perplexités aussi du côté académique. Tandis que maintenant petit à petit, c'est le contraire, il faut faire attention à n'en faire pas trop.

Et puis je trouve qu'on a pu mettre en place la construction juridique, ça nous a pris quand même 2 ou 3 ans. Mais maintenant ça roule. Toutes les questions, maintenant c'est réglé. Même s'il y a quand même moyen de faire mieux, mais alors il faudra adapter la loi. Ça c'est quelque chose qu'on voudrait. Mais on n'est pas encore là.

A different way of making housing

On a quand même appris aussi combien c'est compliqué de faire des logements en région bruxelloise...alors que comme nous on le fait ça c'est encore plus compliqué, il y a plein des contraintes, toujours un combat et ça prend beaucoup plus de temps qu'on voudrait. Et on se questionne par rapport à notre façon de fonctionner. Par exemple, par rapport à la participation des habitants, quand la faire, est-il justifié qu'on expose les gens à ce type de risques, à ce type d'atteinte, etcetera. Même si de l'autre côté on a vu que c'est un processus.

Moi c'est que je trouve vraiment très bien réussi c'est l'enjeu de la gouvernance, l'implication à la fois des habitants et des pouvoirs publics dans la gestion. Ça je trouve que ça marche, ce n'est pas facile et il faut continuer à travailler à ça. Tu as des habitants qui n'ont pas de formation, pas d'habitude à être impliqués dans ce genre de choses, autour de la table avec des gens qui ne font que ça. Mais si on veut donner du sens à ça, ça ne suffit pas de les avoir autour d'une même table, il faut avoir des discussions, il faut y travailler, il faut les renseigner... mais pour le moment ça marche, c'est génial. A priori c'est faire du logement et je ne regretterais pas si c'était le cas que des gens viennent chez nous d'abord parce que ils veulent un logement. C'est la mission principale... mais nous on le fait autrement.

Et beaucoup de gens viennent surtout parce que ils veulent du logement et ils s'inscrivent chez nous comme ils s'inscrivent ailleurs. Mais au même temps tu vois que toute cette autre façon de faire parle à beaucoup de gens. Je n'ai pas encore vu quelqu'un qui a considéré que c'était une contrainte. Au contraire. Même si souvent ils sont fatigués aussi et ça ce n'est pas l'idéal. Donc c'est déjà une réussite de voir que ça parle au gens, au-delà de leur permettre d'avoir un logement. C'est l'approche qui leur parle.

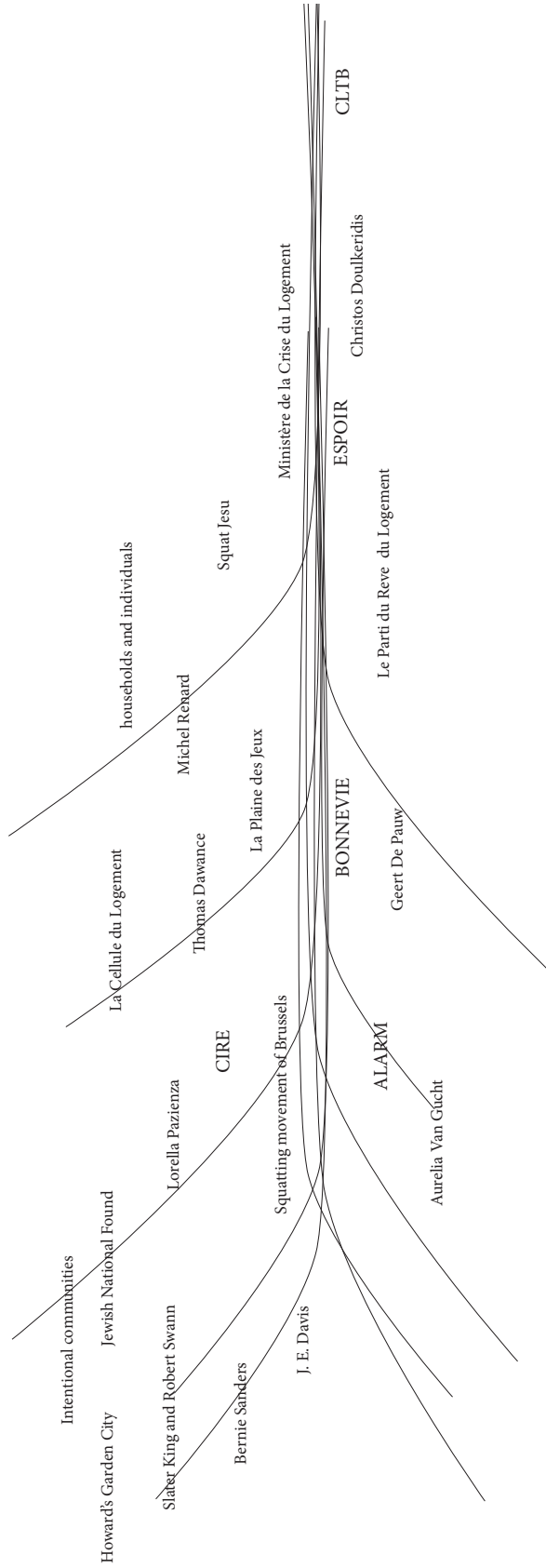
Future improvements

Puis, plus de logement, plus de diversification, des types des logements. Pas seulement de l'acquisitif, mais aussi du locatif. Et aussi pour des personnes avec des revenus plus élevés. Mais alors avec moins ou sans intervention publique. Puis renforcer notre communauté. Ça c'est le travail que je suis en train de faire maintenant, tisser des liens entre les gens qui sont des possibles candidats acheteurs

mais qui ne sont pas encore impliqués dans le projet. Et dans mes rêves, il y aurait que ça puisse se développer et que ça devienne un petit système même économique. Il faudra aussi réfléchir à comment organiser l'entretien du CLT, de ses logements mais aussi des activités économiques, des échanges, des services entre les gens, par exemple... il y a plein de choses à imaginer, ce n'est pas facile. Mais maintenant ce que nous on est en train de faire, on va rencontrer tous nos membres, en attente d'un logement, un par un, pour parler avec eux, voir quel sont leurs atouts, quels besoins, leurs volontés et à partir de là, créer des dynamiques de mise en commun.

Pour que ça devienne une vraie communauté. Mais ça c'est un gros boulot. Je ne sais pas encore ou est-ce que ça va nous amener. On a déjà un projet dans cette direction, avec une autre association qui s'appelle Solidarity. En fait c'est une plateforme internet, ici à Bruxelles, qui vise à créer des solidarités, des échanges entre les gens et on va voir si on peut utiliser leur plateforme pour favoriser les échanges. Et pour conclure ce qui serait bien et on espère qu'on obtiendra ça encore cette législature c'est qu'il y ait un cadre juridique pour le CLT, un arrêté de loi, une reconnaissance plus solide du travail qu'on fait. Parce que aujourd'hui ils peuvent dire d'un jour à l'autre on arrête le soutien. Et aussi les subsides qu'on reçoit maintenant c'est toujours un peu compliqué, c'est quelque chose qu'on a bricolé il y a 5 ans quand on ne savait pas très bien comment ça allait évoluer. Et on a appris que ce n'est pas toujours évident d'utiliser ce système. Pouvoir mieux régler tout ça serait mieux.

Fig. 5.1.2 - A process of emancipation



5.2 Another way of owning

Acquisitif mixte

A Belgian version of the trust

The public interest is not the community interest

Ownership as the decisional power

From the right to exclude to the right to govern.

La propriété repensée par la gouvernance.

Acquisitif mixte

The principles on which the Belgian CLT is based are the same as in the American model: the preservation of land out of speculative dynamics¹; the separation of land ownership from the ownership of the built parts, thus making possible the accessibility to homeownership in perpetuity; a community based governance, expressed in a tripartite board of directors -*conseil d'administration*; the spirit of stewardship; the mixité of the inhabitants, though for the moment a priority is given to those households responding to the requirements for the access to social housing²; a multifunctional approach, envisioning the development not only of housing but also of space for shared activities, neighbourhood facilities, commercial activities; the strong embeddedness within a given territory³.

However, being embedded in a different context and juridical system, it is interesting to point out the specific juridical adaptations which allow the CLT to accomplish its mission in Belgium. To analyse the translation process –so to speak-, from one system to the other, obliges to dissect the mechanisms implied in its functioning and the different elements at the core of its specificity, differentiating it from other existing possibilities concerning property. But most importantly It is behind the precision of the juridical choices and the technical challenges, that it is possible to seize the values and the core principles, the nature of the CLT. And to understand how the implied paradigm shift concerning the management of resources and the

1 In Brussels this would be even more crucial because of the administrative delimitation of the Region, impeding urbanisation to expand beyond those borders: "Bruxelles est un îlot francophone en Flandre. On est une petite région. Et les frontières sont bétonnées, inamovibles. Et donc le foncier est encore plus rare. Donc on est obligé à se développer dans cette prison à ciel ouvert entre guillemets ». (Nicolas Bernard, interview March 2017)

2 In the CLT established in Brussels. While anybody could be a candidat propriétaire, by enrolling in the list of potential owners of the CLTB, at present the final homeownership is reserved to households satisfying the income thresholds defined by the Region for the attribution of Allocation Sociale <https://cltb.be/fr/devenir-proprietaire-avec-le-cltb/>.

3 « Compte tenu de l'importance accordée à la collectivité, chaque CLT travaille au sein d'un territoire délimité : un quartier, une ville ou un village, ou une région plus grande. Plus la zone est petite, plus le sens communautaire sera grand. Plus elle est étendue, plus les opportunités de développement de nouveaux logements seront importantes. "(De Pauw, 2009)

making of the city, could be transferred in a revised form of property, in the regulation of the relationship between individuals and society and their interest, not rarely conflicting.

In order to accomplish its main purpose⁴, the first objective of the CLT is to acquire land or vacant buildings. In Belgium, this is possible in different ways. It can be through private donations or with the support of a public actor such as le Fond du Logement. Intuitively, the cheaper the land, the easiest would be for the CLTB to acquire and increase its patrimony, given their limited resources, at least in an initial phase of development. So this is why, for example, as mentioned, the *deuxième volet* des CdQ represents a great opportunity for the implementation of CLT projects.

Once the real estate goods have been acquired, the purpose of the CLT is to protect them from speculative dynamics and to maintain the accessibility in the long term. This is achieved through the combination of two elements: first, the juridical form of property, on whose basis the relationship between individual inhabitants (current and future) of the CLT and the CLT is regulated; second, the definition of the juridical structure of the CLTB, on whose basis the relationship with the Community is established.

Concerning the form of property, notoriously by now, the CLT is based on the separation of the property of land and the property of the built unit. In the United States this is made possible by a 99 lease-contract⁵. In Belgium, the separation is realised by referring to the existing juridical options, without bringing any special innovation. As reported in the *Étude de faisabilité* (De Pauw and Regis, 2012), the available models in Belgium have been analysed and compared on the basis of criteria coherently defined with the purpose of fulfilling both the needs of the individuals and of the collectivity⁶. The *droit de superficie* – building lease contract or right to build – and *emphyteusis*⁷ were considered as those better fulfilling the requirements. As a

4 In the “Introduction to the Legal Formats” the purpose is specified as: “furthering the social, economic and environmental interests of a local community by acquiring and managing land and other assets in order to provide benefit to the local community; to ensure that the assets are not sold or developed except in a manner which the trust’s members think benefits the local community”.

5 In common law system, these agreements are the equivalent of what in civil law are defined as *emphyteusis*. In the Roman and civil law *emphyteusis* is defined as “a contract by which a landed estate was leased to a tenant, either in perpetuity or for a long term of years, upon the reservation of an annual rent or canon, and upon the condition that the lessee should improve the property, by building, cultivating, or otherwise, and with a right in the lessee to alien the estate at pleasure or pass it to his heirs by descent, and free from any revocation, re-entry, or claim of forfeiture on the part of the grantor, except for non-payment of the rent”. (<https://thelawdictionary.org/emphyteusis/>).

6 In particular, these requirements had to be met: 1. The recognition of ownership rights to the families, so to make possible the access to the relevant forms of financial support. 2. The optimisation of taxation in the long term. 3. The assurance that the Trust would be the permanent owner of land. (Bernard, De Pauw and Géronnez, 2010)

7 Technically, “La superficie est un droit réel temporaire par lequel le propriétaire du sol (le tréfoncier) permet au superficiaire d’être propriétaire, de manière temporaire, des immeubles, ouvrages et plantations établis ou à établir sur son fonds, moyennant souvent le paiement d’un prix unique ou d’une redevance périodique. Le droit de superficie vaut pour une durée maximale de 50 ans ». On the other hand « L’emphyteose est un droit réel temporaire qui confère à son titulaire, pour un terme minimum de 27 ans et maximum de 99 ans, la pleine jouissance d’un immeuble appartenant à autrui, moyennant le paiement au propriétaire d’une redevance annuelle en argent ou en nature, appelée « canon » en reconnaissance de son droit de propriété ». As Bernard pointed out, the CLT

result, the *acquisitif mixte* corresponds to the following formulation: the CLTB is the owner of the land and allows the realization and ownership of building through the *droit de superficie*, lease-contracts renewable at the end of their duration, every 50 years⁸. The inhabitants are owners of their house and lessees –*superficiaires*– of the land.

This distinction between the ownership of the land and the ownership of the built units is at the core of the functioning of the CLT, it is what allows the management of the built assets and the protection of their accessibility. It is in fact translated in a number of conditions which allow realizing the mission of the CLTB and which inhabitants accept by signing their contract as future owners. A contract which is in fact the continuation of the engagement established at the moment of becoming candidate owner and member of the CLTB. Besides being attracted by the possibility of becoming households, the members of the CLTB share the same values and believe in the purpose of the association, being aware of the advantages that model of ownership would bring to the whole community⁹. The contract hence is about defining conditions and regulations as much as it is about recognizing a reciprocal commitment: of the inhabitant towards the community and vice versa¹⁰. Concretely, the first consequence of the *acquisitif mixte* is that land cannot be sold and cannot be acquired by households. Because of this, on the one hand, the land is preserved, on the other hand, the price of the housing unit is more accessible. A very small, symbolic quota is monthly paid to the CLTB for the leasing of the land. Should the household decide to sell the apartment, the CLT has a pre-emption right¹¹ and would buy the housing unit at a price equal to the sum initially paid by the first owner, increased by the 25% of the plus value generated by the good through the time. This increment is calculated in order to compensate the original owner of the normal increase in the costs

simply rediscovered these existing juridical models, thus bringing no innovation in that sense « En Italie on a le code civil, entre le modèle Napoleonien et allemande. Nous avec Napoléon, on avait une conception de la propriété très rigide, absolue, monolithique. Et les Hollandais, après la domination française, ont sorti des lois qu'on appelle la superficie ou l'empyhteose. En droit belge ils sont des véritables droits réels, comme en Italie : des droits de propriété limités dans les temps, mais des vrais droits de propriété. Opposable erga omnes. » [opposable erga omnes are those rights enforceable against anybody infringing that right –erga omnes in Latin meaning towards all-] (Nicolas Bernard interview March 2017). A well-known example of emphyteusis in Belgium is Louvain-la-Neuve. Realised in the 70s to host the Université Catholique de Louvain. The University –who acquired the land with the support of the State- is the owner of the land. To avoid speculation and to avoid the reinsertion of the land into the market, all the buildings are leased through emphyteotic agreements of 99 years.

8 In the Etude however the final suggestion was a combination of emphyteusis on the land and sale of the building unit: "Le CLT demeure le nu propriétaire du terrain, grevé avec un droit d'empyhteose entre 27 a 99 ans. Le ménage est plein propriétaire du bâti (combiné avec une renonciation par le propriétaire du terrain du droit d'accession). »

9 Many of them in fact will not even become owners or they will not become owners in an immediate future. Others will be just supporters, independently from their economic condition The CLTB regulations allow membership even to those individual not responding to the established income thresholds.

10 The importance of the commitment of the inhabitants towards the purposes of the CLT is clearly stated in the model of contract proposed by the CLT Network and reported in the *Etude* as a reference, to be compared with the contracts usually formulated by the Fond du Logement to regulate the relations with their buyers.

11 The first owner could also directly sell to a new household, assuming that they fulfil the requirements established by the CLTB.

of living, after a given number of years. To the price thus obtained, the new owner, buying the house from the CLTB, will add the 6% of the plus value in order to contribute to costs of functioning of the CLTB. In other words, the price that the new owner will pay, while still being lower than what it would be at normal market conditions, would allow to compensate the first owner of the increased living costs and to support the activities of the CLTB.

A Belgian version of the trust

The *acquisitif mixte*, the separation of land ownership from homeownership, in itself would not be enough to protect land and preserve its accessibility. Any scheme of property -relying on private or public subjects- would imply the possibility of arbitrary decisional processes, not necessarily corresponding to the needs of the beneficiary, of the concerned community. Or better said of the communities, built around specific needs and life projects, by will or by necessity. Needs that in some cases were perceived as universal or emancipatory, although in their embryonal phase, they had to be contained within small experimental situations. Emphyteusis and building leases have a temporal delimitation, at the end of which they might be confirmed or revoked according to more or less arbitrary reasons, especially when the concerned communities have no agency in the decisional process. While on the contrary, the purpose of the CLT is to preserve land in perpetuity, protecting it precisely from arbitrariness and unjust decisions or poor management. While arbitrariness is predictably an aspect of private property –to some extent, and give the well-known limitations-, the public owner did not always prove to offer the best warranty of wise and equitable administration of resources neither. In this sense it is not secondary to remind that the first experiments later leading to the CLT, emerged out of discontent and frustration for the bad –or missing- public administration of land, allowing speculation to dispossess communities of a commonly built value and patrimony¹². Certainly –as the genealogy reconstructed in section four showed- pushing towards another way of owning, there was also a desire of emancipation and of recognition of the efforts and the capacities of small groups of individuals who managed to collect the required resources, in quest of a better living environment that crowded and polluted cities could not offer. However, looking at the first garden cities in Belgium, the State was a minor contributor (Huberty, 1993). So, in fact, there was also a material reason why emancipatory enterprises developed more or less independently from public support. In the United States at the origin of New Communities Inc. the land was bought by borrowing money and refunding it thanks to the economic activities developed on the same land, with little support of the public (Davis, 2010). This effort made possible the survival and the recognition of a community of black farmers in the racist South of the Country. The experiences which led to the establishment of

12 It has to be mentioned that from the very beginning of the reflection of garden cities, if privates were guilty of speculative appropriations, the public was deemed in fact responsible of the bad administration of the land and the city.

CLT, gradually implementing the different mechanisms implied in the final formula, although developing on the background of many different circumstances and for different emancipatory reasons, they had in common a few elements. First of all, the need to subtract land from any speculation, abuse and confiscations enacted in the name of often arbitrary, non-representative choices. Secondly, they all manifested a desire for a margin of autonomy, as a condition to have a better life, based on different distribution and management of resources and solidarity mechanism¹³. Thirdly, they all built a patrimony as the result of a collective emancipatory effort, which needed to be recognized as such –through a form property which could be neither public (or not completely, in those cases in which the public was involved), nor private. An alternative form of ownership, recognizing and making possible all these emerging worlds was required. An alternative way of governing resources, empowering the groups of individuals directly involved in the realization of those collective projects. Empowering the individuals within the group, but also the group in front of the public authority¹⁴. The establishment of a formula such as the CLT, centred on the recognition of the concerned communities, was an answer, as a result of an evolution which refined and adjusted the model in several ways, eventually accumulating the residues of obsolete or geographically distant battles and challenges. While in Europe cooperatives were created, in the common law countries the trust was considered as the ideal model –since Howard- to define an adequate juridical framework for a different form of ownership.

As mentioned in chapter 4.2, the trust was and is by definition the institute established to manage and to protect a patrimony. This is made possible by identifying a third subject, a trustee, owning and administering the patrimony in the name of the original owner –or settler- for the benefit of the beneficiaries. The CLT operates in fact as a trustee, holding the land in trust for the benefit of the Community *and in the name* of the Community. So in fact the community would be at the same time the settler and the beneficiary, who decides to designate a third entity to which land is entrusted. While still being based on property -the land is *owned or held in trust* by the CLT-, the logic of the trust shifts the attention from the owner to the resource or patrimony and the need to protect it (Fig. 5.2.1). For the purpose of protection and because the beneficiary is the community at large, the members of the board equally represent not only the group of direct beneficiaries – the residents or other kinds of users-, but also the public administration and the local community in which the CLT is embedded. The interests of the three groups may be in fact very different from those of the direct users. In other words, the third entity to which the patrimony is assigned, the trust, while holding the land, is not defined on the base of ownership only, but also on the base of the different rights of use of the resource, which span from those of the inhabitants to those of public power. It could be said that in the case of CLTs, the overlapping of settler and beneficiary and their identification with the community –as explained in chapter two- completely transforms the concept of trust. While

13 Though a different economy was often part and parcel of the different cadre de vie of these communities.

14 Private property was reinforced exactly to avoid invasiveness of the sovereign.

the trust brings the attention on the preservation of the resource, the identification of settler and beneficiary with the Community enlarges the sphere of the concerned subjects. I will come back on this concept at the end of this paragraph, as I argue it powerfully reshapes the concept of property and the related possibilities of emancipation.

This overview was meant to remind and stress the conceptual, but also the genealogical reasons why the logic of the trust is fundamental in relation to the purposes of the community land trust: the preservation of the land and the recognition of the community of uses within which land is embedded. More precisely, the preservation of the land is possible *through and because of* the recognition of the community of uses within which land is embedded. Through the different evolutions, the concept of trust resisted solidly, the idea of entrusting perhaps also expressing a range of primordial attitudes and values, fundamental to bridge individual and collective needs: trust, autonomy, commitment, responsibility, justice. All of the above mentioned original reasons and frustrations for having a Trust –for establishing a non-public, non-private entity- today are still on the agenda, as suggested in the introduction and by the housing question of the *croissant pauvre*. As a matter of fact, since the 70s, the trust It is in any case still recognized as providing a fundamental principle and operational logic for the implementation of any new CLT¹⁵.

It is on the background of those reasons that it is possible to understand why in Belgium, a country of Civil Law, efforts were made to translate the logic of the trust in an equally effective juridical configuration and decisional system. To begin with, in the United States the majority of CLTs are non-profit organizations¹⁶ and they are a singular juridical subject. In Belgium

15 As also pointed out in the Introduction to the Legal Formats.

16 Despite the name, despite the strong conceptual influence, despite both the Jewish National Fund (1901) and New communities Inc. (1972) –the two founding models, it could be said- held the land in trust, in the United States the majority of CLTs are not trusts, but are not-for profit organisations, comparable to the Belgian ASBL. As reported in the Introduction to the Legal formats of the National CLT Network « Community Land Trusts (CLTs) are a legally defined concept but they are not a legal format in themselves. Any prospective community land trust should choose a legal format which would enable them to meet the legal definition as legislated in the Housing & Regeneration Act 2008, Part 2, Chapter 1, Clause 79. [...] This means that only certain legal formats would be suitable for a CLT to adopt.” And “All legal formats must be designed to benefit a designated community/the public/section of the public- rather than members, or any private individuals such as shareholders.”». Those legal formats are: “Community Benefit Society (also known as an Industrial and Provident Society for the Benefit of the Community); a Community Interest Company Ltd. by Guarantee (also known as a CIC); a Company Ltd. by Guarantee which is also a registered Charity; and a Company Ltd. by Guarantee (but only if it has custodian member of the constitution to ensure that the Asset Lock cannot be voted out).” These formats are suggested according to some basic requirements, specified in the same report, as for example, “being appropriate for the financial arrangements required (possibly attracting grants, taking loans and raising share capital); being democratic and enabling local and interested people to be involved and ethically coherent with the values of the Community Land Trust”. However, we also read “A Community Land Trust is a corporate body which is established under arrangements which are expressly designed to ensure that [...] the members of a trust control it”. As explained, it is on the concept of stewardship, interpreted by Gandhi as trusteeship, translated in juridical terms by the JNF as a trust, that the original format of the CLT has been based. While relations among the different parts and the functioning of CLTs are regulated as in a trust, in the US the form of the juridical subject CLT must be chosen among those above mentioned. There is probably a variety of reasons why the structure of non- profit organisations has prevailed over others, for example over cooperatives. In their comparative study,

several alternatives were evaluated, on the basis of the requirements considered fundamental for a CLT¹⁷ but also in consideration of the different advantaging conditions related to one or the other model. The non-profit profile represented a main requirement for the Belgian context as well. In that direction, the available juridical options were the *Société cooperative à responsabilité limitée* (SCRL), the *Associations sans but lucratif* (ASBL) and Foundations (private, FP or *d'utilité publique*, FUP). The model of Cooperatives, originally associated to similar battles and values, although promising in a variety of ways, especially concerning the collection of private capitals, was finally considered less advantageous especially because of the fiscal conditions it would have implied and its strict regulations. The ASBL revealed to be the ideal form, among other things allowing the participation of a great number of people and the access to a variety of funding opportunities. On the other hand, the model of the Foundation, in itself the proper juridical structure for the management of patrimonies, would have allowed the absolute protection of the patrimony while taking advantage –in the case of FUP- of the absence of taxation. In conclusion, a bicephalic structure was defined, combining two juridical subjects. An ASBL takes care of the development of the land and of the organization of all the activities related to the functioning of the CLT; a FUP is the owner and manager of the patrimony, the receiver of the land subsidies and investments. Its role is to acquire and sell land and buildings, to make them accessible through emphyteusis or building leases while respecting the conditions and criteria defined by the Association CLTB. This articulation allows working with very low fiscal obligations while not impeding –as a possibility to be evaluated in the future- a collaboration with cooperative societies, among other reasons in order to attract private capitals. The Foundation is established by the ASBL and the two are deeply bound to each other via their statutes. The members of the Foundation are chosen among the candidates proposed by the ASBL. Both their boards of directors – *conseils d'administration*- are tripartite, equally representing the public, the local community (the neighbourhood) and the inhabitants –as in the US model. The representatives of the public are normally selected by the other members. As previously pointed out, the tripartite structure not only makes possible the involved citizens to take part in the administration and in the activities of the CLT; but it also allows the representatives of the public to monitor the correct and just management of resources.

Given the considerable support of the Region of Brussels in terms of funding and building of

Krinsky and Hovde explain that cooperatives tend to be less concerned for the benefit of the Community than CLTs (Krinsky and Hovde, 1996), but it is not possible to say if this attitude is related to the underlying juridical model. Concerning the Belgian case, L'Etude de faisabilité provided precise motivations for the choice of the juridical form. In any case, independently from the juridical form, what is maintained of the concept of trust and what is a fundamental characteristic of the CLTs, to be translated in the Belgian model, is the entitlement of a third subject, distinct from the beneficiaries and from the original owner (the State, a private donor, God, or simply the whole Community, according to the different situations and interpretations) operating to protect the patrimony for the benefit of the beneficiaries (the Community).

the patrimony, it is reasonable that the public actor may ask for additional guarantees and tools for effective control on the resources made available and enabling a capacity of intervention in the activities of the CLT. This aspect is in fact considered in the *Étude de faisabilité* and the answer –in prospective terms- identifies several options. While some are very technical and could not be meaningfully treated in the framework of this research, others can be pointed out here. For example, concerning the good administration of the housing patrimony and its respectful utilization by the inhabitants, the CLT would rely on and reinforce the well-established regulations defined by the FdL. As a subject operating for the *utilité publique* actor, the FdL was supposed to be involved –and it will be, from the beginning- as a major partner in the projects developed by the CLT, intervening both by providing the loans to the families and as a contractor –*maître d'ouvrage*- of the projects (except the case of Verheyden, as it will be shown). The long term experience of the FdL would be a guaranty concerning an effective regulation of the relationship with the inhabitants and the maintenance of the patrimony. Additionally, in case of extraordinary decisions, for example concerning the sale of part of the patrimony or the change of the accessibility requirements of the future inhabitants, the representatives of the Government would dispose of a veto option. In case of “failure”¹⁸ or dissolution of the CLT, situations will be evaluated case by case concerning the possibility to reimburse the lost investments and subsidies, in relation to the nature of the subsidies. Pre-emption conditions might also be established so that the land and buildings might not be lost by being reintroduced in the market. In case of need, emphyteotic agreements and building leases might be transferred from the Foundation to the public, while the inhabitants might continue to enjoy their rights.

The public interest is not the community interest

Despite all these precautions and careful evaluations, an episode proved the fragility still characterizing the position of the CLT in the Region of Brussels. It is relevant to report that episode here because it will allow to further understand the model of the CLT and its implications concerning property and emancipation, as the core topic of this research. In 2016 the Regional Government announced that –following an evaluation of the CLTB activities and on the basis of its results¹⁹-, the patrimony of the CLTB Foundation would have been transferred to the FdL; and that for future projects the FdL would have assumed the role of

18 A non-profit organisation in Belgium cannot legally fail, because there is no owner. The term would rather refer to the failure of the project as such and the consequent dissolution of the organisations which established it.

19 The evaluation was commissioned to the consultancy company Idea Consult. The results were published in the report “Evaluation du mécanisme de Community Land Trust en Région de Bruxelles Capitale, Rapport final.” (Brussel, 12 January 2016). Overall the evaluation was very positive and showed that the CLT was able to perform –in terms of costs and timing- as effectively as other organisations providing housing in the BCR. The evaluation was part of the *accords de government*, established with the installation of the new government in 2014 (RBDH, 2017). Hence the evaluation was expected. According to De Pauw, it showed that the role of the Region concerning the CLT was still an object of debate for the Government.

the CLTB *Fondation*. In other words, by expropriating the Foundation, the Region of Brussels –represented by the FdL- would have acquired a major role within the CLTB: besides being *maître d'ouvrage* and providing the loans to the future households, it would also have acquired the ownership of the patrimony. The third entity with the purpose of “holding the land in trust” would have disappeared and the FdL –as a public subject- would have become owner and contractor at the same time. As a consequence, the risk of arbitrariness, normally associated to an undivided, single owning and deciding subject -that the institution of the trust, by installing a third, composite entity, allowed to eliminate- would have reappeared as a potential factor of injustice. In addition, the replacement of the Foundation with the FdL -or in other words, the reclamation of land by the public power- would have disrupted the very *raison d'être* of the Trust: the acquisition of land and buildings and their protection from arbitrary uses and decisions. A role recognized in both the Code du Logement Bruxellois and the Statute of the Foundation²⁰, at the core of the CLT, not only because making possible homeownership, but also because motivating inhabitants and civil society to be involved, to be responsible, to bring their contribution in the making of the city. As a consequence, the CLTB would have maintained only a residual mission, not so different from many other existing organisations: to support the FdL with the development of the activities oriented to the social assistance of the households and their contribution to the life of the neighbourhood. Disconnected from the sense of belonging, the responsabilization and the decisional power related to land ownership, installed at the core of the functioning of the CLTB, those activities would simply risk being unsuccessful, when not sounding simply assistentialist.

Concerning the reasons that could have determined this decision, several hypotheses can be made. First of all, it could be argued that the land and patrimony owned by the Foundation would escape the control of the Region. While it is true that the Region does not have absolute control – assuming that kind of control could still make sense today, after the number of failures to protect the general interest-, the Region still detains some crucial tools to determine the activity of the CLTB and to intervene in the management of the patrimony. Secondly, should the preservation of the public assets be a main concern, the American cases proved that CLTs allow protecting the patrimony more effectively than public administrations. It has been for that reason that in the US a growing number of administrations decided to invest in the development of the CLTs. Such a result is achieved not only because of the property transfer mechanisms but also because the good maintenance of the patrimony is one of the core missions of the CLT, in the name of the concept of stewardship, as a pillar of their *modus operandi*. Within CLTs, the preservation of land and built units is the result of their embeddedness in the life of the community, while supporting emancipation at many different levels, from the sense of belonging to the sense

20 In the Code du Logement “ «Alliance foncière régionale (Community Land Trust) : organisation sans but lucratif, agréée par le Gouvernement qui en détermine les conditions, qui a pour mission d'acquérir et gérer des terrains dans la Région de Bruxelles-Capitale en vue de créer sur ces terrains aussi bien des habitations accessibles pour les ménages en état de précarité sociale que des équipements d'intérêt collectif, entre autres ».

of contribution. Hence, if the concern was for the public interest, the protection of land and the built patrimony, the Region would have sufficient elements to be reassured. Thirdly, the different political climate and the different positions of the new Government may have played a role. While the CLTB emerged and was created with the support of the Écolo political party, the new government established in 2014 with a socialist majority may have had a different perspective concerning the role and implication of the Region in relation to CLTB activities²¹. De Pauw recalls that in fact from the very beginning, a debate arose concerning the choice to entrust substantial public resources²² to an association. Despite the fact that the CLTB had been relying on the material support of the Region since the moment of its very foundation, the debate apparently never extinguished or, till that October in 2016, never allowed to reach a consensus among the different positions.

The intervention of the Government by means of a decree was meant to overcome any limitation of power deriving from the tripartite decisional structure of the CLT. It was not the result of a shared decisional process or of majority approval. It was instead situated on a regulatory, incontestable level, unless by appealing to the Court. “La Région a décidé souverainement et arbitrairement” underlines Nicolas Bernard quoting the text of the decree. The episode clearly showed the fragility of the CLT: in front of the Government and the political will, in front of sovereignty defined on a territorial base. It is true that the rights of property –in this case the property of the CLTB Foundation- can be questioned at any moment in the name of the general interest²³. But how to prove the lack of public interest –*utilité publique*- of an organization such as the CLT, heavily supported by the Region and involving the Region in its functioning and decisional system? How to prove the lack of public interest of an organisation that by statute operates with the purpose of “improving the social and economic conditions and the living environment of the local community”²⁴?

During 2017 the CLTB gained two important recognitions: *Le Grand Prix des Generations Futures* and the *Prix de l'Economie Sociale*. The two achievements allowed to give more visibility

21 The sudden interruption in the realisation of garden cities at the beginning of the twenties was also determined by the decision of the new government to reduce subsidies. These episodes seem to show how these initiatives –while emerging from the entrepreneurial capacities and the desire for a better living of communities- in fact risk to suffer and to be suffocated because of different political wills.

22 To give an idea, in 2017 the CLTB received from the Region about 2 millions of Euros for the realization of its projects.

23 In that case, an indemnity should be provided to the expropriated subjects. However, no sort of indemnity was proposed by the Government. To refund the CLTB Foundation would have been anyhow very expensive. Both the difficulty to justify the expropriation in the name of the general interest and the potential cost of the compensation, according to Bernard (interview July 2017) would have made that decision not very feasible. On the other hand, the board of directors of the Foundation would have never approved a proposition determining the end of the CLTB. It remained thus unclear how the Region would have finally implemented the expropriation.

24 From the Statute of the CLTB Foundation : “améliorer les intérêts sociaux et économiques et le cadre de vie de la communauté locale ».

to the mission of the CLTB and to stress the fundamental role of the Region in supporting their project. By the end of the year, the Government reconsidered its decisions. The expropriation of the land concerning the existing projects was suspended, while further discussions were announced in relation to the forthcoming projects. Difficult to prove to what extent such a change was determined by the official acknowledgements and the acclamation of the activity of the CLTB –and implicitly of the Region. In any case, the CLTB at present is still in a vulnerable condition. If the CLTB can be considered as an entity operating for the benefit of the community at large, this is exactly because being not public, neither private: a subject with the capacity to protect a patrimony –built thanks to the public investments– from arbitrariness and abuse, by creating the conditions of a different decisional process. Despite that, *de facto*, any new debate, any different political vision might jeopardize the very existence of the CLTB. As suggested by De Pauw, only a more solid institutional and legal recognition would allow preventing similar risks in the future, for example by royal decree (*arreté royal*). This is in fact one of the forthcoming objectives for the CLTB.

Behind the episode of October 2016, I argue not the public interest of the projects and/or of the Association, but a more substantial issue was at stake. Something that in fact was among the factors –if not the factor *par excellence*– at the origin of the CLT: the recognition of the imperfect correspondence of the public and of the community interests. The former being meant as the Region of Brussels as a whole, representing needs and issues at a larger scale; the latter being defined by the bundle of processes that concern the life of a given, specific resource, as implied by the definition of *Community Land Trust*. What the concept of community implied in the CLT suggests is that in fact the system of values as well as the interests represented by the public, more than being inadequate or non-representative, are simply not enough to cover the complexity and the multiplicity of processes going on in the making of a city or of a territory. While some of these might be a public matter, others simply escape that mesh. A too large mesh, which paradoxically does not allow to address the smaller scale of other processes, such as: the responsabilization of individuals towards their living environment; the accumulation of ground-based expertise, the translation of that expertise in the development of innovative initiatives; the generation of resources; the tailoring of solutions; the emergence of forms of reciprocity and practices of care. The attribution of a decisional power to the local community and the inhabitants is about recognizing those processes, as playing a role in the making of the city, in the formation of its connective fabric, in the production of value (as George would have said). This does not mean a larger mesh is not needed: but that mesh –defined as the public, whatever this may mean in administrative terms– could be only one level of a decisional process that needs to include other actors, other interests. Which in fact is the reason why the board of directors of CLTs is a hybrid entity, recognising different scales and levels of community.

Ownership as the decisional power

The episode of October 2016 could be interpreted as a sign of the difficulty of the Region to recognise the difference between the public and the community interest in substantial terms, in terms of an ownership based decisional power, beyond other well-known participatory practices or agreements centred on the use of resources only. Perhaps because of the margin of autonomy implied in allowing ownership²⁵. The CLT in fact, by definition, not only recognises that diversity but considers it as something valuable, a condition allowing to protect a given resource. It is for that purpose that the CLT established –since the 70s- a decisional system that includes the representatives of the community at large, as composed by different levels and agendas: the public, the local actors and of the inhabitants. The public interest is hence represented, but just as one among other interests. Despite its importance²⁶, public power is not meant to have a predominant role or voice. Such a decisional system could be (mis) interpreted as leading to the creation of autonomous entities. On the contrary, what should be pointed out is that CLTs simply assume and recognise the equal legitimacy of both the public and of the more directly concerned communities to decide about the resources to which in fact their rights and possibilities of emancipation, their *stratégies de vie* –with Castel-- are attached. They recognise the right of the local community to decide about the resources whose value those communities contribute to create. Not a matter of hierarchies of power, but almost pragmatically, a matter of different uses and different rights converging around the same resource. Whose accessibility and availability, as a consequence, needs to be preserved²⁷. By recognizing in terms of decisional power the equal legitimacy of the public as well as those of the local community and of the inhabitants, the logic of the CLT is to define a zone free from absolutisms, more than an autonomous zone *tout court*.

The document elaborated by the CLTB to defend the *role acquisitif* of the CLTB Foundation²⁸ explains in which way the elimination of the ownership of the land would undermine the very functioning of the CLTB, jeopardising a number of activities in terms of capacity of involvement of the inhabitants, thus finally resulting in a diminished efficacy. What is less stressed is that ownership is also at the origin of that efficacy. The ownership of land and the ownership of the

25 Something in fact reported also by a larger study on community ownership and management of assets. An increasing number of administrations is increasingly convinced about the advantages of communities having the ownership of assets –in the US as well as in Europe, though in Europe this is a relatively new trend, depending on the countries. Among the different positions, however *ownership* of assets is undoubtedly a more conflictual and radical approach than simply use. (Aiken, Cairns and Thake, 2008).

26 Both in Belgium and in the US the role of the public has been and is very important for the development of the CLT projects.

27 It is interesting to notice that in Italy the work of Rodotà and *Commissione Rodotà* around the definition of the Commons reached a similar concept: *beni comuni* are those goods which are needed for the fulfilment of basic human rights. Such as land, water, air. This would determine the definition of specific juridical frameworks and strategies with the purpose to protect them.

28 «L'importance de la propriété du foncier pour le développement du Community Land Trust Bruxelles». When I received it from Geert De Pauw, the document was unpublished.

built assets contributes to engender a sense of responsibility and engagement, fuelling on the one hand the activities and the CLTB *modus operandi*, the vocation of stewardship. On the other hand, the attitude of the inhabitants, who feel the relevance of their contribution, for themselves and for the community. A collectively built patrimony motivates the engagement and engenders in those that contributed a sense of belonging and reinforces the feeling of ownership²⁹. A feeling of ownership, however, which is more about decisional power than about an exclusive possession. A decisional power concerning their living environment as a whole. A decisional power that is based on the recognition of the community's needs and capacities. From these, the empowerment, the valorisation of individual and collective efforts, the sense of contribution descend³⁰. By losing the ownership of the assets, what is lost is the decisional power and possibly, as a consequence, the motivation to engage, to take care could be strongly diminished³¹.

It is on the base of these elements that the CLTB could achieve effective management of the land and of the built patrimony. If the land and the built patrimony can be protected it is because they are embedded in and they are necessary to the life of different communities. On the one hand, their valorisation is the result of the efforts of the Community; on the other hand, they imply and they promote emancipation, both at an individual and at a collective level. Within this virtuous circle, the resources are protected, because to them are often attached basic needs, rights and forms of recognition.

Hence it would be difficult to say if the same values and the same attitude of the inhabitants could be engendered – and the same results could be achieved- in the case in which the CLTB would not be the owner of the land: which is equal to say, the community would not be the owner. Hence in between the lines of that document the hidden or complementary question would be about the consequences of the replacement of the *Fondation* CLTB with public ownership and the related loss of decisional power for the Community. Could the good maintenance of the patrimony be achieved given the ownership of the Region³²?

Suppose that after a first experimental phase in which the Foundation CLTB operated as

29 Eizenberg talks about psychological ownership (Eizenberg, 2012) deriving from the intensity of the activities and the involvement around a common resource.

30 As showed also by the project Espoir, where finally the inhabitants had the chance to contribute to the life of their community because of the path they did while developing their own homes and their sense of responsibility.

31 Though researches have shown that in many cases, inhabitants do take care of their living environment despite not being owners. On the other hand, the condition of the built patrimony in Molenbeek is often the result of neglect and lack of maintenance of both inhabitants and administration.

32 What should also be questioned is which results a public subject would like to achieve by means of an approach such as that of the CLT: would they still be the same of the CLTB? Would they still concern about the empowerment of the inhabitants? Which form of empowerment? Would they simply take care of providing affordable homeownership? Would they still care about the urbanity in which these projects are embedded and which they contribute to generate? Clearly these questions could not be treated here What I want to suggest is that a shift from an owning subject to another might in fact lead to a completely different creature than the CLTB as we know it today.

trustee, the Region becomes the owner, for example the FdL. Among other reasons, in order to have better control on the resources made available; or in order to simplify procedures of land acquisition and scaling up the number and complexity of the projects –the land and financial resources used to develop the projects being already in the hands of the Region. From the juridical point of view, emphyteusis and building leases could still be applied, allowing to separate the ownership of the land from the ownership of the buildings and to maintain affordability. It could also be imagined that the CLT as an ASBL could continue to assist the new owner –the FdL hypothetically- by supporting the engagement of the inhabitants, through the number of activities previously illustrated, from the involvement in the daily maintenance tasks to the participation to assemblies and other moments concerning the life of the CLT. In the name of the sense of stewardship which originated the CLT. Thus possibly developing a sense of responsibility and belonging; the concern for the preservation of the built patrimony; the solidarity patterns among inhabitants. These results may be achieved, or maybe not. It is not possible to say how far the engagement would go –of both the CLT as an ASBL and the inhabitants- knowing that someday the lease might not be renovated and that land may be privatised, without any chance to dissent. This is actually the reason why the CLT emerged: to avoid this margin of arbitrariness and uncertainty by entrusting the land once and for all to a third composite entity, not corresponding with any specific actor, but operating for the good of the community. There is a whole system of values continuously fuelled by the activities of CLTs that in return trigger the increasing implication of the inhabitants. But is difficult to say if those activities alone would be enough, without being based on ownership. Difficult to say if the CLTB would still have a reason to exist having been transformed into something very different from a trust, far from its original *raison d'être*: the acquisition and the protection of land. Difficult to say how much those values –independently from any activity the CLTB might organise- are in fact primarily and simply rooted in the sense of ownership, not only of the housing units, but also of the land. A sense of ownership which -far from coinciding with material possession and exclusivity- is more meaningfully engendered by the decisional power on the land and resources recognised to individuals and to Community by virtue of the decisional system established by the CLT (ultimately by the Community itself). And, as a consequence of that decisional power, a sense of ownership meant as the faculty to protect a resource, together with its added value³³.

Hence, I argue what could be said, is that by simply replacing the CLTB Foundation with a

33 Normally it would be property, as a juridical institution, to entitle and attribute the decisional power over a resource to the owner. In the case of the CLT, it could be read as the reverse: it is the decisional power, made possible by the organisation of the Trust, to engender a sense of ownership, independently from a material, exclusive attribution of the resource, which in fact – as in the case of land- is not directly owned by the inhabitants. The community and individuals feel a sense of ownership and behave as owners because of the decisional power the Trust establishes. This sort of overturning in fact corresponds to the definition of a different form of ownership that, all things considered, the CLT establishes, as I shall explain in the next paragraph.

public subject, not only a different owner but a different form of ownership would be installed, as I will explain. Going back to a condition of public property, the risk would be the loss of the decisional power of the inhabitants and of the local community. Unless of a change in the organisation and juridical structure of the new owning subject, -for example, the FdL-, making space to the governance and the decisional power of the community. This option is in fact suggested by the document of the CLT: it would imply an institutional transformation of the concerned new owner, probably with the purpose of approximating the CLT *modus operandi* and structure. A scenario that this research would not explore, being not relevant in relation to the argument around another way of owning. On the other hand, it is worthwhile to further reflect on the fundamental implications of the decisional system installed by the CLT. While it may be misunderstood as the attempt to reach a greater autonomy, I argue such a system has radical implications concerning the concept of property, suggesting a new emancipatory horizon for this legal arrangement. I will try to show this aspect in the next paragraphs. This will also allow reconnecting the reflections related to the case of the CLT in Brussels to the larger research question at the origin of this dissertation.

From the right to exclude to the right to govern

In order to understand how the CLT's system reshapes the concept of property and what this would be about, I shall go back to a previously mentioned concept, concerning the implementation of the trust in the CLT. As mentioned, the CLT operates as a trustee, *for the benefit of the community and in the name of the community*. In other words, because of this virtual circularity, it would be -and it is- as if the community itself would entitle the trust as a third subject to hold its land -to own it - and to protect it. The protection is possible because at the core of the CLT, as said, the board of directors is a composite, hybrid subject, representing the different parts of the community at large in equal terms, thus creating the conditions for a balanced decisional process. As a result, what is represented by the Trust is the variety of practices, processes and interests, present and future, that interweave around the governance of a piece of land. The Trust recognizes and represents a bundle of uses and the communities that are at the origin of those uses, with their needs and rights. Without corresponding to none of its parts. And these uses and interests may be so different and going in so many directions that in fact the "owner" or owning subject is defined more like a plural, inclusive entity rather than an exclusive one. Necessarily, in order to make possible the range of all the different uses, as previously mentioned, the resource needs to be protected. Or in other words, the more the concerned subjects are involved, the greater the chances to protect a resource, in consideration of the number of needs and desires gravitating around it. Literally, a paradigm shift, when thinking about the principle of exclusion often established to defend a patrimony: in fact, to be precise, a principle established to defend the owner, not the resource, as it has been pointed out (Rodotà, 1981). A paradigm shift triggered by the installation of the

community as a beneficiary and as a trustee. What the model of the CLT suggests is that in fact the protection of the resource is more about the recognition of the processes that concern it, than about an exclusionary logic. It is the result of including all the concerned actors, in order to make possible an equitable decisional process than about the right to exclude characterising the concept of property, especially as reinforced in the civil law tradition. The protection of the land is not achieved through a univocal, territorial attribution of sovereignty, a *tracé* projected on land, a delimitation assigned to a subject with the power to exclude. It is achieved still by using a *tracé*, but in order to recognize and make possible the multiplicity of processes and of actors relying on that piece of land –while taking care of it and valorizing it- for their activities, for their well-being, for their emancipation. This shift from a principle of exclusion to a principle of recognition, would be not only about the right not to be excluded (Marella, 2013a; Blomley, 2015), not only about the empowerment of individuals but also the responsibility to protect the resource. It is through the balance of uses and rights around a given resource that the resource could be protected (Fig 5.2.1).

Given this logic that replaces univocal sovereignty with a balanced decisional system, exclusion with recognition of the bundle of uses and of the associated rights, what would be left of property? Would it still make sense to talk about property?³⁴ Which kind of property? It is true that given the circular logic beneficiary-trustee coinciding with the community, the concept of property would be somehow deprived of its exclusive mechanism, so to speak, and the Trust would appear to be transfigured in a device for land management, designated by the community for its own good. And somehow that is actually the purpose of the CLT: to manage land in such a way that it could be protected from abuses, no more than that. Ownership meant as possession is certainly not the purpose of the CLT. On the other hand, looking at the expression “to hold land for the benefit of the Common good” –from the Handbook of 1972- or even looking at the definition of the CLTB, as a subject “acquiring land” the sense of ownership is still alive and well, though the owning subject is plural and its logic is inclusionary. And the sense of ownership, as mentioned, is indeed what motivates responsabilisation and empowers the inhabitants. Hence (sense of) ownership as a means to govern. While this is not a new prerogative for an arrangement such as property, as well- known by now, the governance installed by CLTs is very different from those normally associated with private or public property. Would it then be more meaningful to call it collective property? Yes, and in some documents, in fact, this possibility is implicitly suggested. But not enough. While this expression might be useful to distinguish this model of property from the private or the public, it would not exhaust its specificity, which goes beyond the installation of an owner different than the public and

34 It is relevant to remind here that the Trust is considered a form of equitable ownership and “The legal owner of the property (trustee) has the right to possession, the privilege of use, and the power to convey those rights and privileges. The trustee thus appears by all counts to be the owner of the property—or so it appears to all but one person, the beneficial owner (beneficiary, *cestui que trust*).” <https://www.britannica.com/topic/property-law/Objects-subjects-and-types-of-possessory-interests-in-property#ref927937>

the private. The word collective simply alludes to a group of subjects, in this case constituted around the purpose of taking care of the land, preserving its accessibility. However, nothing is said about their nature -are they heterogeneous? In which terms? are they all private? are they public? -, neither about their decisional power. While in fact the almost quintessential feature of the CLTB is not only the composite nature of the board of directors, but the fact that each of the components represents a specific use of the resource, distinct from the others in terms of scale, frequency, access, just to mention a few; and most importantly, each of them has an equal decisional power. And the fact that the different parts have an equal decisional power: It is because of the *equal* decisional power of the parts that the resource could be protected from arbitrariness and abuses. Should we consider this as an example of *propriété repensée par l'accès*, as suggested by some scholars (Picavet, 2011; Crétois, 2014; Quarta, 2016), towards the implementation of the Commons? Again: yes, but it would not be enough to describe it. While that concept could be useful to describe the inclusionary attitude of the model established by the Trust; while it may recall the concept of bundle of rights, more relevant in the common law concept of property³⁵, nothing would be said about the right to decide which the CLT recognizes to the different parts. A shared right to decide which creates the conditions to make perpetual accessibility real, by dissolving any form of monolithic, absolute ownership. Building on the just mentioned debate, I would then rather say *propriété repensée par la gouvernance*, the purpose being to point out the specificities of the concept of property implied in the CLT model. Not only accessibility, not only the right not to be excluded (Marella, 2013b): it seems the form of property established by the CLTB is centered on the recognition of the equal right to govern of the concerned subjects: as individuals, as local actors, as the public. A right to govern including responsibility beyond the right to decide.

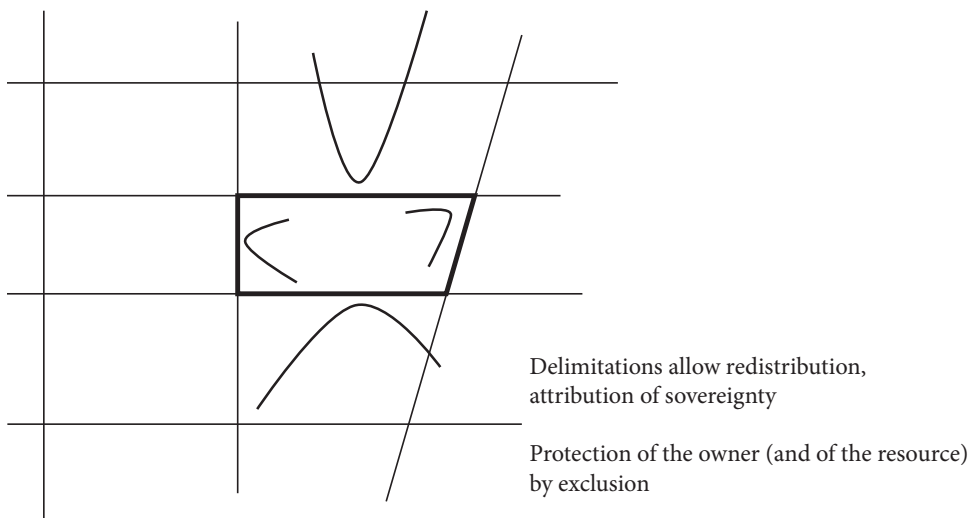
La propriété repensée par la gouvernance.

This subchapter has dissected the functioning of the CLT at the juridical level. Beyond the relevance this may have especially in a research concerning property, as the juridical institution regulating the relationships between things and individuals, there is an even more essential reason for that level of observation. Law is by definition the realm of recognition of rights. Certainly not the realm of their emergence: but the realm of recognition of cultural evolutions and social change, which finally crystallise in the form of new arrangements, norms and regulations. The two –law and society- might have different speeds, different inertias and different capacities to impact one another, to transform one another. But achieving recognition

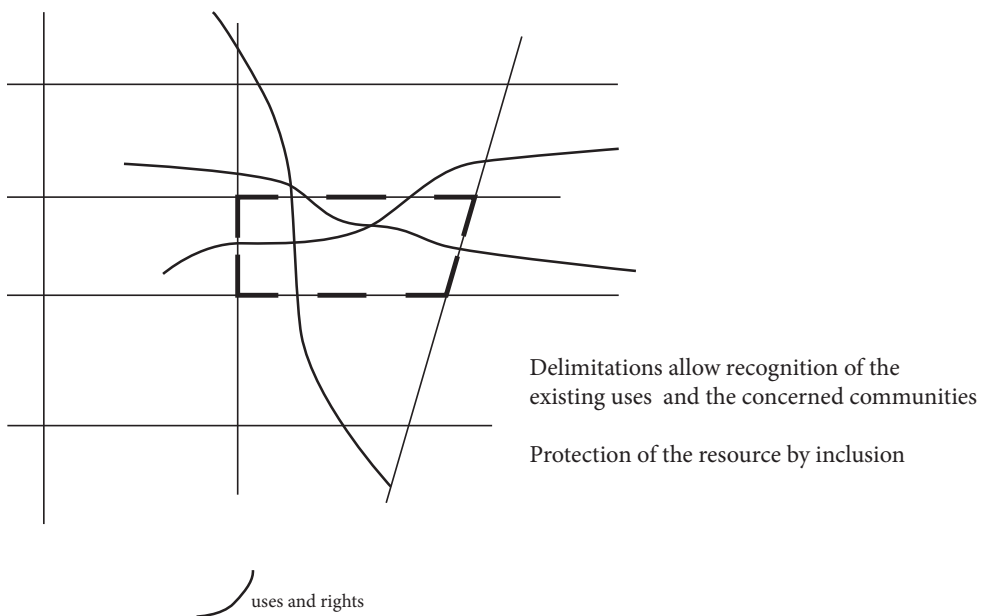
35 The relevance of the concept of bundle of rights in Common Law definition or understanding of property is in fact related to the continuity countries of Common Law maintained with the feudal system of regulation of ownership and uses. As previously explained, a quite layered system, a bundle of sticks logic, allowing in fact the convergence of multiple rights around the same property: from those of the original owner, to the entrusted lords; from the peasants to the landless individuals. While in countries of Civil Law, property is regulated with reference to the Roman law tradition.

Fig. 5.2.1
La propriété repensée par la gouvernance

DELIMITATION = RIGHT TO EXCLUDE



DELIMITATION = RIGHT TO GOVERN



in legal terms conveys solidity and accelerates -where needed- new social conquests: dealing with the relationship between property and emancipation, to observe what happens or what may happen- at a juridical level is then paramount. The resilience of the legal devices or the emergence of new ones, on the one hand, is revealing of the thickness of any socio-cultural change in course; on the other hand, is a crucial factor to make it possible. By looking at the experimental adaptation of existing juridical institutes to the purposes and the needs of the CLT it has been possible in fact to recognize on the one hand the rigidity, but also the capacity of adaptation of existing juridical devices; on the other hand, the liquidity of a still-evolving social experiment and its capacity to alter existing meanings, existing devices. The redundancies or loops revealed by the translation from one system to the other –such as the community being at the same time the settlor and the beneficiary- more the showing the inadequacy of the translation, seems to indicate first of all the emergence of a new content that still needs to adapt to an old vocabulary. Out of metaphor, it indicates the emergence of a new way of owning, a new way of managing resources, for the moment conveyed by a juridical construction such as that of the CLTB. The lack of an *ad hoc* juridical form is what better confirms and expresses the entity of the change, the emergence of a new model, of a different approach to the management of resources. And perhaps the need to identify a new, more appropriate form. But this is something that has to be left to jurists.

The case of the CLT proves that a different approach to property is needed. Based on the previous observations, I will try to synthesize the main elements and values at the core of what I suggested could be defined as *propriété repensée par la gouvernance*. While suggesting them, their emancipatory value should be clarified. However, this paragraph is not yet meant to develop a proper reflection on the emancipatory dimension related to the different form of owning, as suggested by the model of the CLT. This will be the object of a final reflection concluding the section. My intention in this paragraph is to point out some fundamental elements at the core of a new way of owning because of the cultural shift they reveal and because of the conceptual implications for the urban project. A new way of owning, a new form of property is a new way of managing resources. Concerning land, the management of resources is the object of property as much as it is the object of planning and of the urban project, as it is well known. Hence any cultural move or new horizon of values manifested on the one side –even more so when validated by the juridical reflection- cannot but have implications on the other side. One affects the other, (land and real estate) property and the urban project being strictly bound to each other in the effort of governing a territory, of projecting rules and regulations on it, of making them possible, of protecting resources. Hence I will, first of all, try to highlight the concepts and values which-as shown by the case of the CLT- are provoking a redefinition of property, thus delineating the cultural horizon in relation to which the role of the urban project will have to be reconsidered.

Essentially, the CLT defines and proposes a new form of managing resources, land and the built patrimony in particular. The purpose is to preserve those resources so that the rights and needs depending on them could be realised. At the core of the system, the conceptual starting principle –from George on- is the recognition of the role of the community. Not only in producing a value that other forms of managing resources tend to dispossess from the community, through speculation and misuses. But also, and most importantly, the recognition of the role of the community in protecting and managing those resources. It could be said the whole system is based on this recognition. From this principle descend two main consequences which while having an operational value, have also important emancipatory implications. The first is responsabilization. All the activities developed by the CLT are fundamentally oriented to develop a sense of responsibility, in the individuals and in the community. The second is the establishment of a different decisional system. If the community is entitled to ownership –through the trust- and if the community has the capacity to manage the resource, a decisional power needs to be recognised. The community, however, is not defined as a close circle of concerned subjects but rather on the bases of the bundle of practices and of rights that concern a given resource. Given the equal decisional power recognised to each component, every decision would be made in consideration of all the implied uses and rights. None of the components, singularly taken, would have the majority. As a result, the resource would be protected from arbitrariness and abuses.

Responsabilization and decisional power –responsibility and freedom, a well-known debate from Augustine to Merlau-Ponty - seem hence to be the two faces of the same medal. The faculty to decide is directly related to the capacity of being responsible. The more individuals and communities become responsible and capable, the more they should have a say –and they would be capable and legitimised to have a say- concerning the resources they contribute to managing, for the present and for the future generations. In a virtuous circle: the more they feel empowered, the more they might contribute to valorise and protect what is the result of their efforts (Fig 5.3.4). And the more they could decide, the less they would be subject to regulations and forms decided by an external power. In fact, the community *as a whole* detains that decisional power, the public being embedded in it, not being an external agent. This entails a number of issues related to the spatialization of the CLT: which are the spatial limits for the installation of a decisional scheme that requires the engagement of the concerned communities? At which scale does that system cease to work? These questions will emerge again dealing with the design process, in the next subchapter.

The installation of the by now well-known decisional system of the CLT, as observed shakes the exclusive foundations of property. By replacing the sovereignty of a private or a public actor with a composite, hybrid subject –characterised by an equal decisional power of the different involved parts- the purpose is to involve in the decisional processes all the concerned actors. The right to exclude is thus replaced with the right to govern. And while a governance oriented form

of property dismantles exclusivity, it still needs delimitations in order to be enacted. To exclude and to delimit –as the case of the CLT seems to show- are two different things. While the first is a matter of a prevailing, often arbitrary, decisional power, the second is about the recognition of the multiple subjects involved, of their decisional power and the possibility –in this historical moment- to distinguish among different regimes of management of resources. In the past, the delimitation was about redistribution, the welfare, the distinction between private and public domains and the compatibility of the functions. The result was a grid, organised by the project, with the assumption that public ownership would have allowed protecting from speculation and accessing *propriété sociale*. At present, as the case of the CLT seems to suggest, to delimit a piece of land can allow to install a non-exclusive way of managing resources, a different form of governance, based on the assumption that not an absolute sovereign will protect it but, on the contrary, the bundle of uses and the bundle of rights that rely on that resource. The delimitation of property, projected on land, hence is the act through which concerned uses and rights could be identified and recognised. While in the re-distributive model the protection of the resource, of the land, was assigned to the grid – and the grid was the project, so to speak-, according to the different model here suggested the protection of the resource –and related rights- happens by opening the grid to allow a variety of uses (Fig.5.2.1).

From a redistributive project and form of property conceived to preserve resources by exclusion, we shift to a concept of property that has the purpose to make governance possible, based on the recognition of the involved subjects with equal decisional power and responsibility. Rather than simply having the right to access, the involved subjects -the plural, as mentioned, being paramount- have the right and the responsibility –not a matter of sovereignty- not only to decide but to govern. In the name of the common good.

Property is about the power to decide on things. Unavoidably, a power enacted by projecting delimitations that enable the distinction between what is *mine*, *yours*, or *ours*. Delimitations that allow attributing rights and responsibilities. Property rights hence, need a *tracé* -a delimitation-, a project in order to be enacted. On the other hand, projects -plans – operate by designing properties' configuration, by using delimitations and *tracés*, to organise the distribution of rights and responsibilities across a given territory. But what about a governance centred form of property? As previously mentioned, while delimitations are still needed -at the very least in this historical moment- what makes the difference is the way the decisional power works and the purposes. But then, which project for a form of property centred on governance? Which role for the design process? The next subchapter will try to answer these questions.

5.3 Project matters

Porous possibilities

[w 02 A continuous ecology]

What a space can do

[v 06 Samir]

Recognition by design

[int 01 A design session in Rue Verheyden]

Redefining, orchestrating, embedding

Grids, delimitations, projects

Responsibility, autonomy, scale

[int 02 Scenarios for *la salle pétanque*]

[v 07 Bart]

Porous possibilities

The first time I had access to the building at 121 of rue Verheyden I was there to begin my collaboration with the CLTB. Being the case study of my research, it would have been the occasion for an immersive experience, allowing me to have a better understanding of their approach by contributing to their activities. Geert De Pauw suggested I could have worked on the integration of one of their first projects in the neighbourhood. The project, called Le Nid, would have been realised by renovating exactly the building at the 121, where the CLT had their offices in that moment. In particular, I would have had to propose a few scenarios around the reuse of a small building in the courtyard, the *salle pétanque*, discussing them with the team and with the inhabitants as part of their design process. So for a few months, every week, one or two days per week I joined the team of the CLTB in rue Verheyden [w 02], to work on that specific task. While being there I had the possibility to learn from their discourses, to meet the inhabitants, to seize the complexity and the entanglements of a number of issues that in those days the team was just beginning to tackle. Solving one after the other, adjusting, experimenting, searching for collaborations, continuously adapting to changing circumstances. Often just relational circumstances, closely attached to the lives and attitudes of the involved inhabitants. Other times more structural issues, for example related to juridical choices or funding needs. On a daily basis, everything was managed by a very small équipe that in fact started to grow very quickly, already during the months of my collaboration. The first time I rang their bell, I was surprised by the unexpectedly generous entrance behind the green, metallic door. A large rectangular hall, three meters wide, gave access to two rooms on the sides and the stairwell and continued in a long ramp of the same width, a corridor, going across the building, sloping down directly to the *interieur d'îlot*. A few bikes and children's toys against the wall at the end of it. Actually, the façade of the building indeed announced

some exceptional use, interrupting the rhythm of different brick textures mostly residential, upholstering that side of the urban block, along rue Verheyden. Big windows as ribbons, from wall to wall and a stone wallcovering. Looking at the plans of the building, the thin metal door, large as much as the entrance and the long corridor, does not seem to have been really designed as an entrance: it rather seems to have been added in a second moment, just to filter the access to what was perhaps originally conceived as a constantly open access to the *intérieur d'ilot*. A direct connection, from the public dimension of the street to the semi-hidden space of a courtyard. And perhaps in a second moment it needed to be closed. This hypothesis would in fact be justified by the activities happening in that courtyard. An almost regular rectangular space, delimited on the right by a small white construction, normally used by local groups of scouts for their activities. On the left the entrance to *la salle pétanque*, whose volume occupies the external side of the court's perimeter, thus shortening the neighbouring plot. Apart from a central area, where a few chairs and a small table allowed to enjoy the sun in any occasion, from lunch breaks to any other informal meeting, the courtyard has always been occupied by plant containers and by a makeshift, small greenhouse. Out of the working hours, the courtyard was used for celebrations related to the life of Le Nid, or more in general to the activities of the CLTB, for barbecues, parties and neighbourhood lunches. The ensemble of these activities allowed future and present inhabitants and users to gather, to meet the neighbourhoods, to expand the network of relations.

Inside the building, a variety of activities was also hosted (Fig. 5.3.2). Back to the entrance, on the right, the access to a huge *salle des fêtes*, a very big space, around 165 square meters organised on two levels, a few steps leading from one to the other. The higher one, at the level of the street, had very big windows and orange curtains. It was occupied most of the time by a large table, ready for any purpose and surrounded by chairs; six steps below, at the level of the backyard, the remaining two-thirds of the room gave access to the backyard. As a whole, the structure reminded a sort of theatre, with a stage and a larger space, where any public could seat. Perhaps in the past it was indeed used for performances, but also official meetings and presentations. While the offices of the CLT were installed at the 121, *la salle de fêtes* was used for the meeting and the ateliers with the families and households, future inhabitants of the place [int 01]. But it provided also the ideal setting to organise separate meetings and specific presentations with stakeholders, partners and other organisations, occasional visitors. The General Assemblies, also in consideration of the large number of people they attracted, were also often held there. Often, at the end of the working day, even Commons Josaphat, which at the time was more or less one-year-old, used this space for their meetings.

On the left side of the entrance, just in front of *la salle des fetes*, it was possible to access a second small room. A cafeteria and the stairs going to the second and third floors. The space of the cafeteria, beaded with wood and still equipped with the bar and beer taps had windows on the courtyard, but not direct access. The cafeteria was big enough to host the offices and the daily activities of the team.

voices | A continuous ecology

Themes: gentrification, post-industrial ecology, urbanity, spatial porosity.

An ecology recently undergoing important transformations. Not only those along the line of the Canal, legitimising the concerns for the gentrification of many local actors, but also those along the railway line heading to Gare de l'Ouest. Just in front of rue Vandenpeereboom, where one of the CLTB projects is being realised. At the end of rue Vandenpeereboom, at the corner with Chaussée de Ninove a tower of 18 floors is rising, replacing part of the renown Brasserie Vandenheuvel (Fig. 3.2.1). One of the ancient buildings of the Brasserie is actually a visual icon, since 1920 overlooking the sort of natural terrace just outside la Gare de l'Ouest. By redesigning the whole urban block, the project will offer 213 housing units, for families and students, a kindergarten, a supermarket, a primary school, offices and a new park. Because "Molenbeek is not a hellhole, but a heaven for investors", it was said to welcome in Brussels President Donald Trump.

Crossing the esplanade outside of Gare de l'Ouest, while on the left you could continue straight till Gare de Midi; on the right Rue Verheyden, virtually cut into two parts by the administrative line dividing Molenbeek from Anderlecht. On the google maps, this line falls exactly a few roofs after the Emaillerie Belge, the manufacture which will soon be replaced by a residential project promoted by Belgian land a partnership between Banque Degroof-Petercam and the American CBRE "the world's largest commercial real estate services firm serving owners, investors and occupiers".

As many other administrative borders, they may create obstacles in the organisation of services, in the matching of policies. On the other hand, they cannot interrupt the morphological and ecological continuities. The triangle included between Rue de Ninove and Rue Verheyden -virtually

cut by that line- by the end of the 18th century, was still occupied by crops, according to Ferraris maps. Later it became part of the corridor of manufacturing and industrial activities organised across the valley floors of Anderlecht, Molenbeek and Schaerbeek. Till the 60s it was hence at the core of the productivity of the Brussels agglomeration. Today is part of the *croissant pauvre*, where the numbers about poverty, unemployment, young and immigrated individuals overlap and confirm each other. A continuous ecology, “c’est le meme public” as observed by Aurelia Van Gucht. The CLTB emerged in order to give an answer to the needs of this public. Not far from each other, Rue Verheyden and Rue Vandenpeereboom are the two streets where the first projects the CLTB are being realised.

Walking down the street, the lack of facilities may explain the very few people walking around, though the first shops, in fact, are not very far. Just in the parallel Boulevard, a different density, a larger street section, with shops and bars, the public transport. In Rue Verheyden, the atmosphere is uncertain, typical of those liminal zones, where objects of different sizes and nature try to coexist. Where compatibilities and incompatibilities seem to be under experiment. Clashing scales and a disordered sequence of small residential buildings, sheds, gates, inaccessible deposits, long walls accumulated here by the productive rationale of this part of the valley. As a result, the environment is not very welcoming: one can only walk and reach the desired destination. In a few points however, the imaginary curtain dividing the public from the privates, the street from the interiors, becomes thick and porous or at least temporarily accessible. It may be a gate, accidentally left open overlooking the huge interiors of the sheds, exposing to the view their machinery, their

high ceilings. It may be a long corridor glimpsed behind one of those gates. It is the long unpaved path connecting with the Boulevard Graindor. Or it may be the few colourful activities of a private club, of a *salle des fetes*, a gym, a worship centre. Spaces for the gathering of people, interiors dedicated to those that have found the way to share some moments of their life and other interests. Small heterotopic dimensions, zones of temporary distraction to escape the constraints of both the public and the private, along the invisible line that seems to divide them so neatly. Somehow, this must have been the case as well for the 121 of Rue Verheyden, where a complex of the parish allowed hosting a variety of activities, concerning different groups of inhabitants, using the building in different times of the day and of the week. It must have been in function of the variety of these activities that the building was designed. It has been because of that spatial morphology that the 121 could provide the ideal conditions for the temporary settlement of the CLTB.

Because of the morphology of the plot and its buildings, not only the life of the CLT could be hosted, but several other uses as well, involving the *salle pétanque* and the courtyard. Even the rooms situated at the second and third floor were actually used, rented for a very low price, calculated to cover only the expenses. Sometimes the inhabitants of those rooms in fact joined the team's lunch, by bringing the food they prepared with the vegetables of the kitchen garden. Not rarely, they were in charge to prepare the food for the most crowded events. Interweaving a variety of activities in different moments of the day and of the week, the feeling was that of a lively place, making possible the encounter of people with very different roles and capacities.

Space matters. The pre-existence of the built space while at first sight could have been considered as constraining, in fact offered the ideal conditions for the installation of the CLTB. The morphology at the 121 proved to be both challenging and diverse, flexible and accessible-allowing to develop a variety of activities related to the realisation of their projects. It invited to experiment, to organise and to structure *a modus operandi* for an association centred on making possible a bundle of uses gravitating around the same resource, specifically, the built and non-built assets at the 121. From the activities of the neighbourhood to those of the local partners; from the meetings of the future inhabitants to those of new born collective inspired by similar ideas about land preservation and a more just city. Such a convergence in fact fuelled their vitality, at the same time fostering the protection of the concerned resources, in the name of the different needs and rights, those assets were called to fulfil (Fig 5.3.2).

On the other hand, strictly bounded to those spatial qualities, somehow their *raison d'être*- a few practices pre-existed and defined the operational conditions within which, serendipitously, the CLTB was called to operate. Hence, before the very realisation of the residential project imagined for that site, the CLTB itself became responsible of the continuity of existing activities, mediating between their needs and the needs of the neighbourhood. This was not only to respect the agreement with the Parrish, among others. Also as part of an approach –as mentioned in the previous chapters- centred on the community embeddedness. On a pragmatic level (first), for the benefit of the CLTB itself, as a support in terms of legitimacy, lobbying and organisation of the activities; more conceptually (second), as a recognition of the community as the main beneficiary of their actions. And finally (third), as a condition for the successful realisation of each single project, whose sustainability and good maintenance –as explained- I suggested to be strictly related to the sense of belonging of the inhabitants. A sense of belonging fuelling the development of forms of reciprocity, attitudes of care, finally resulting in the good quality of the living environment. A CLT project goes well beyond housing. The kind of practices that could be developed at the 121 before and –as I will show- with the realisation of the residential project, are strictly related to the spatial qualities of that place. In terms of scale, accessibility, variety and proximity. I will come back on these observations while dealing with the design process of the projects at Verheyden, in the following paragraphs.

Not only the bundle of practices pre-existing at 121 represented an occasion to experiment the

anchorage capacities of the CLT, as an urban actor proactively working in that direction. Being the site of the imminent realisation of one of their first projects, the 121 also provided the CLTB team with the occasion to directly experience the concrete conditions of embeddedness, the specific challenges and the potentials of that site and for a specific group of inhabitants. In other words, in a synthesis of all the just mentioned aspects, the condition of temporary occupation became the occasion of an unexpected prefiguration: the embodiment of the core approach of the CLT in the morphology of a parish building and its courtyard. A *mise-en-scène*, a three-dimensional signifier of the *modus operandi* of the CLTB. A situation in fact questioning about the relevance of space in the realisation of the CLT's purposes.

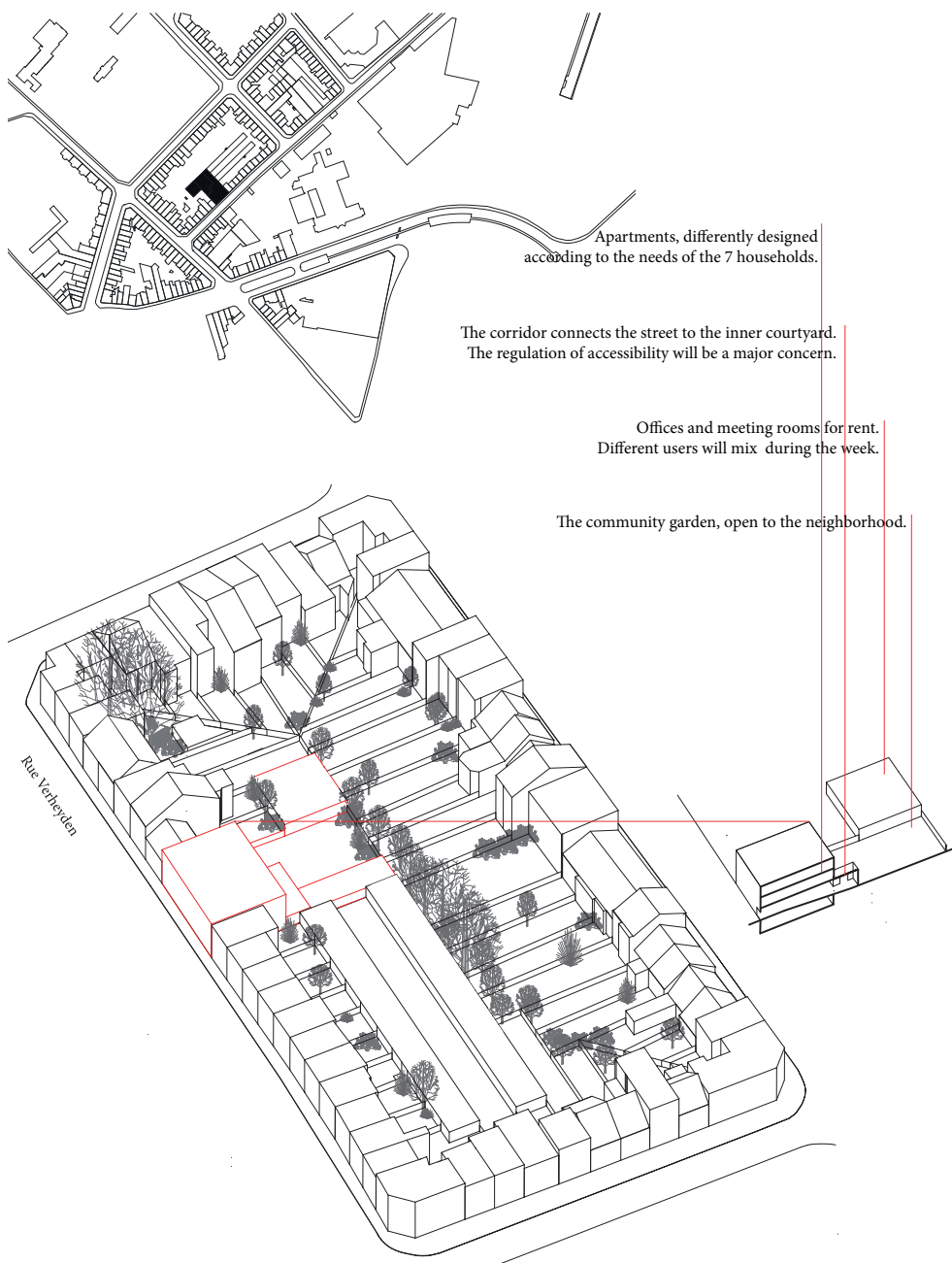
And on the other hand, if the morphology of 121, porous and intersected by a variety of practices, provided the ideal conditions for the CLTB to fully experiment the complexity and the entanglements at the core of its efficacy, the reverse is also true. The values and *modus operandi* at the core of the CLTB allowed not only a simple reuse of that space, but also the continuation of the porous socio-spatial dimension, as established by the previous activities and communities of intentions.

On the base of these dynamics, concerning the installation of the CLT in Brussels, a more fundamental reflection is suggested: about the role of space. About the relationship between the model of management of resources implied in the CLTB formula –at the moment mostly concerning land and the built patrimony- and the corresponding spatiality. In fact, conceptually this is an almost unavoidable question: property – or the management of resources- being about delimitations, as a means to attribute decisional powers and responsibilities. When it comes to land, these delimitations and the concepts and values which are behind them determine the way in which space is lived and used: in terms of accessibility, in terms of possibilities of appropriation, in terms of practices. And vice versa: a given spatial morphology has implications on the possibilities of its management, on the forms of use, on the limitations of property.

Therefore, the fact that the model of property enabled by the CLTB found a perfect match in the semi-hidden porosity at the 121 in rue Verheyden raises curiosity about the spatiality such a model would imply and determine in order to function. Suggesting the capacity to embed and contribute to a pre-existing urban fabric, would be paramount for the very preservation of the concerned resources, for the establishment of the form of property conceptualised in Chapter 5.2.

The recognition of existing practices and of the concerned actors, the disruption of exclusivity in favour of a multiplicity of uses and of concerned communities, the preservation of accessibility, of a resource –of a piece of an urban block, of a piece of city- through the overlapping and intersecting of practices rather than through an absolute sovereignty (Fig 5.2 1). All these aspects identified in the previous subchapter by analysing the juridical architecture, the decisional system, the power relations and at forms of governance installed at the core of the CLT, could in fact be confirmed by looking at the socio-spatial dynamics installed by the CLTB

Fig. 5.3.1
Axonometric view of the urban block where
the project Le Nid will be realised.



at rue Verheyden. They are embodied by the morphology of that space. This correspondence should come as no surprise. From a genealogical point of view, as shown, the architecture of the CLT has been in fact reached through the decades as the result of concrete needs and aspirations in terms of management of resources, which were first of all spatial resources – land- thus ideally implying specific choices in terms of accessibility, of uses, of scales, with the purpose of configuring a sustainable model. Sustainable first of all for the people involved in its maintenance, through their living or productive activities. Hence the spatial choices probably played a role in the good functioning of the model–in the mechanisms of management of resources- as much as the juridical architecture is required to make those spatial configurations legally accessible. Suffice it to remind, the garden cities of Howard, once clarified the juridical model was a trust¹, were mostly described in spatial terms: the quality of life in those towns, the value produced by the community –otherwise appropriated by a few individuals- was a matter of spatial organisation, of scales, of distances, of positions, of balance between the open and the built. A diagram –a figure, a pattern of spatial relations- famously, is the model of Howard’s garden city, providing precise indications in terms of distances, proximities, proportions, scales, balancing the capacities of the community to maintain it with their desire for autonomy (Fig. 2.1.2). The diagram as the governance. Could that diagram exist without a decentralising form of property and the related decisional system? Without a juridical arrangement similar to the trust? Would people be involved and contribute with the same intensity knowing the result of their efforts might be swiped away in any moment by the arbitrariness of an external decisional power? As I have tried to point out in the previous chapter, no warranties could be offered on the efficacy of the model should the land be publicly owned: because of the value implications and the consequences, these may have in terms of diminished engagement and sense of responsibility. The CLT governance is strongly based on the engagement of the members, which in its turn is backed by the access to ownership, real –in relation to their homes- and perceived –in relation to their decisional power over land and their living environment. And vice versa: how could a juridical model based on the recognition of the capacities of the community be sustainable without physically and spatially organising those capacities? Without making their expression possible?

As previously shown, in the past Verwilghen and Van der Swaelmen (debating around 1919-1920), Gropius and Le Corbusier (debating around 1930, and bringing the topic at the core of the CIAM which held in Brussels), Bernoulli (which wrote *Die Stadt und ihr boden* in 1946), clearly connected the organisation of land and resources, of property, to the urban project and to the quality of the living environment. Such a project was supposed to provide the conditions for a democratic society. That was what urbanism was called to do, especially immediately after the First World War. The very concept of private property –its exclusivity- originated as a

1 The narrative of Howard starts with the description of the juridical asset allowing to acquire land and to organise an autonomous management. The purpose is to protect from speculation, but most importantly to achieve a higher quality of the living environment.

pointed out the purpose to contribute to the creation (and maintenance) of a fabric of social relations, in consideration of the forthcoming transformations of the neighbourhood, as a consequence, among other things, of the imminent realisation of the project Le Nid. For that reason –and coherently with the philosophy of the CLTB- the community garden would have had to be developed and maintained in the long term by the inhabitants of both Le Nid and the neighbourhood. While the Parrish asked for the continuation of some of their activities at the ground floor of the building⁵, the courtyard invited to even more intensive use, compatibly with the needs of the future inhabitants. The realisation of a community garden would have allowed maintaining the accessibility to the courtyard while installing an activity highly compatible with the needs of the inhabitants of Le Nid. A community garden as a space for the encounter with the other. The Contract de Quartier Scheut offered a good occasion to financially support its realisation, thus allowing to re-arrange the courtyard and the adjacent building for the scouts' meetings. Additionally, its duration should have allowed operating in between the phase of temporary occupation of the CLT and the installation of Le Nid, thus preparing the ground for the activities of the future inhabitants and of the neighbourhood, supporting a gradual shift from one condition to the other. Unfortunately, the accumulation of delays in the realisation of the renovation works –as it will be shown- complicated this scenario, somehow reducing the capacity of the CdQ to support the transition⁶.

In addition to the mentioned advantages, a Community garden would have provided an ideal setting for the potential activities of the *salle pétanque*. Because of its accessibility, because of having been for a long time a point of reference in the neighbourhood and for the fans of *pétanque* in particular; and because of the needs of the new owners, *la salle pétanque* represented an additional occasion to engender the community embeddedness for the future project at the 121. The building was acquired by the CLTB Foundation as private property⁷. The condition to host a few weekly activities of the parish –as mentioned above- and the very position of the building, accessible only from the courtyard necessarily questioned about the possible uses and related implications concerning the governance of that space, being part of a larger bundle of practices. While potentially *la salle pétanque* could be publicly accessible –or at the very least, its accessibility should be independent of the accessibility of the residential units- the courtyard cannot be considered as a public space. Its location and the fact of being the backyard of residential units necessarily limit the kind of activities that could be organised in that space and in the adjacent buildings [int 01, 02].

5 During the phase of temporary installation of the CLTB, the agreement with the parish established that their activities –such as catechism- could be developed at the ground floor of the 121, while *la salle pétanque* was in fact still used by a local club of players. Concerning the long term, given that the apartments of Le Nid would have occupied the whole building, the residual activities of the parish would have to be hosted in the renewed space of *la salle pétanque*.

6 It could be interesting, more in general, to evaluate the role Contracts de Quartier could play in supporting the community embedment of CLTB's projects.

7 Hence not following the model of property of the CLT, used for the building of the residential units and the rest of the plot.

gesture of delimitation over land: the physical presence of a fence in order to exclude, to defend, to attribute and make effective the sovereignty over a resource. Although different resources will imply different meanings and different forms of power when claimed as possessions. To claim that “this is my body”, “this is my book” and “this is my land” have different implications concerning rights and their legitimation (Xifaras, 2004). Should we then conclude that the form of property installed by the CLTB would also have spatial implications? Or in other words, what would be the role of the space in the installation of the model of property at the core of the CLT model? And necessarily: what would be the role of the project in supporting that emancipatory form of managing resources?

As mentioned in chapter 4.2, in the literature concerning the CLTs spatial aspects are not treated and no mention is made about the spatial qualities characterising the projects² - while in fact, I argue the spatial organisation is a fundamental part of that architecture: by materially contributing to the solidity and the sustainability of the model, of its governance. It is not only a matter of managing land; or of the form of the world it may determine. It is matter of encounter between the individual and the collective. It is in space and because of space that the needs and capacities of contribution of every single inhabitant might meet and mediate with those of the others: it is by confronting with space and its limitations that individual strategies of life and emancipation may -or not- be able to contribute to a larger endeavour. As the result of proportionate efforts and well-calibrated distances, measured on the capacities of each single individual to contribute. In a model as that of the CLT, so strongly oriented –as shown in the second chapter- in fulfilling at the same time the individual and the collective needs, the spatial dimension seems to me paramount. In making possible the encounter and the articulation of the individual and the collective, thus accomplishing a substantial and truly radical³ emancipatory purpose.

The chance I had to be directly involved into the activities of the CLTB during the phase of their temporary occupation at rue Verheyden put me into the conditions to observe from a close distance the relevance of spatial dynamics, possibly accentuating my interest and forcing my hypothesis in that direction. As a matter of fact, the design process to which I contributed and that I will introduce in the next paragraphs revealed that the project far from being neutral is decisive in the realisation of the form of property suggested by the CLT model. By making possible -or difficult- the encounter with other inhabitants, with their needs and the confrontation of different rights, or the appropriation of space, it affects the production of immaterial non-

2 In fact, not a lot is explained about the redefinition of the concept of property that the model of the CLT would imply, beyond making possible the coexistence of private, public and collective forms of ownership. Occasionally it is defined as collective property; but I did not find any reflection concerning the disruption of the concept of property in fact related to a different decisional system, as I suggested in the previous chapter.

3 The assumption being that radical emancipation cannot concern only a specific group of individuals but needs to happen implying the advancement of the whole society. Any advancement can be considered as truly emancipatory when not excluding or happening at the expenses of other groups, but potentially improving society as a whole (Laclau, 1996).

measurable values such as meaning and sense of belonging, sense of contribution. Which in their turn fuel attitudes of care, allowing the protection of the resource on the one hand and the responsabilisation of the concerned subjects on the other hand. In one word, emancipation. The accessibility or availability of a resource in itself is not enough. How we access, how we use resources: this is what matters for their preservation, when not exclusively owned. This is what the project allows to deal with, as I will try to show in the following paragraphs.

What a space can do

If the morphology of the 121 Verheyden had been different, perhaps there would have been no pre-existing activities to preserve and no bundle of practices in relation to which organise the transition. Le Nid would have been a renovation project like many others, perhaps making room to a few shared activities of the inhabitants, perhaps occasionally opening to the neighbourhood. With no peculiarity challenging the redesign of the building and the future cohabitation of the households.

Instead, the specific conditions at the 121, far from being neutral, played a relevant role. Perhaps challenging, but at the same time favouring the full expression of the CLTB's potentialities and philosophy, both while hosting the activities of the association and later, in occasion of the realisation of a quite sophisticated residential project in terms of accessibility, uses and community embeddedness. During the phase of temporary occupation of the building, the condition of impermanence of many of the activities and its porous morphology contributed to engender the community embeddedness, allowing a freedom of experimentation –in terms of approaches, methodologies and use of the space- perhaps unthinkable in other circumstances. Shifting to the scenario of the long term occupation of Le Nid, the morphology undoubtedly continues to play a relevant role in the definition of this prototype projects.

Le Nid is the name of the association -*association de fait*- created by the inhabitants of the project realised at the 121 of rue Verheyden. The establishment of an association was a required step to achieve further financial support for the inhabitants⁴. Le Nid, by extension, became

4 « Pour avoir une TVA au 6% e pour avoir des primes à la rénovation il fallait que les habitants soient déjà propriétaires avant les travaux. S'il n'y a pas un projet d'architecture qui débouche sur un permis d'urbanisme on va pas leur vendre, et comment faire pour lancer un marché pour l'architecture pas par le propriétaires...ça posait des complications. Le modèle finalement c'est une société civile qui réunit tous les futurs habitants et le CLTB qui ensemble lancent un marché d'architecture et puis on fait la vente aux ménages [...] il y a aussi une responsabilité importante prise par les ménages qui sont maîtres d'ouvrage ». By engaging in the procedure to obtain the permis d'urbanisme, the Le Nid plays the role of a developer. However, the kind of juridical subject they created implies that there is no shared responsibility, but each member is in fact responsible on their own. Which makes the responsibility on the shoulders of each inhabitant heavier. «Une société civile c'est une forme qui n'a pas de personnalité morale. Ce n'est pas une société, pas une association, il n'y a pas un conseil d'administration... où il a une responsabilité morale des administrateurs et chaque année on décharge les administrateurs de leur responsabilité car l'AG approuve et porte collectivement la responsabilité du travail fait par l'administrateur. C'est Monsieur A + Monsieur B + Monsieur C qui ensemble se donnent une étiquette commune. Mais si pour quelque raison –par exemple des retards- un procès va s'ouvrir, ça sera chaque habitant singulièrement ...Il y a une organisation collective, mais la responsabilité est individuelle. Faire autrement ça veut dire avoir une TVA à 21%. » Thomas Dawance interviewed November 2017.

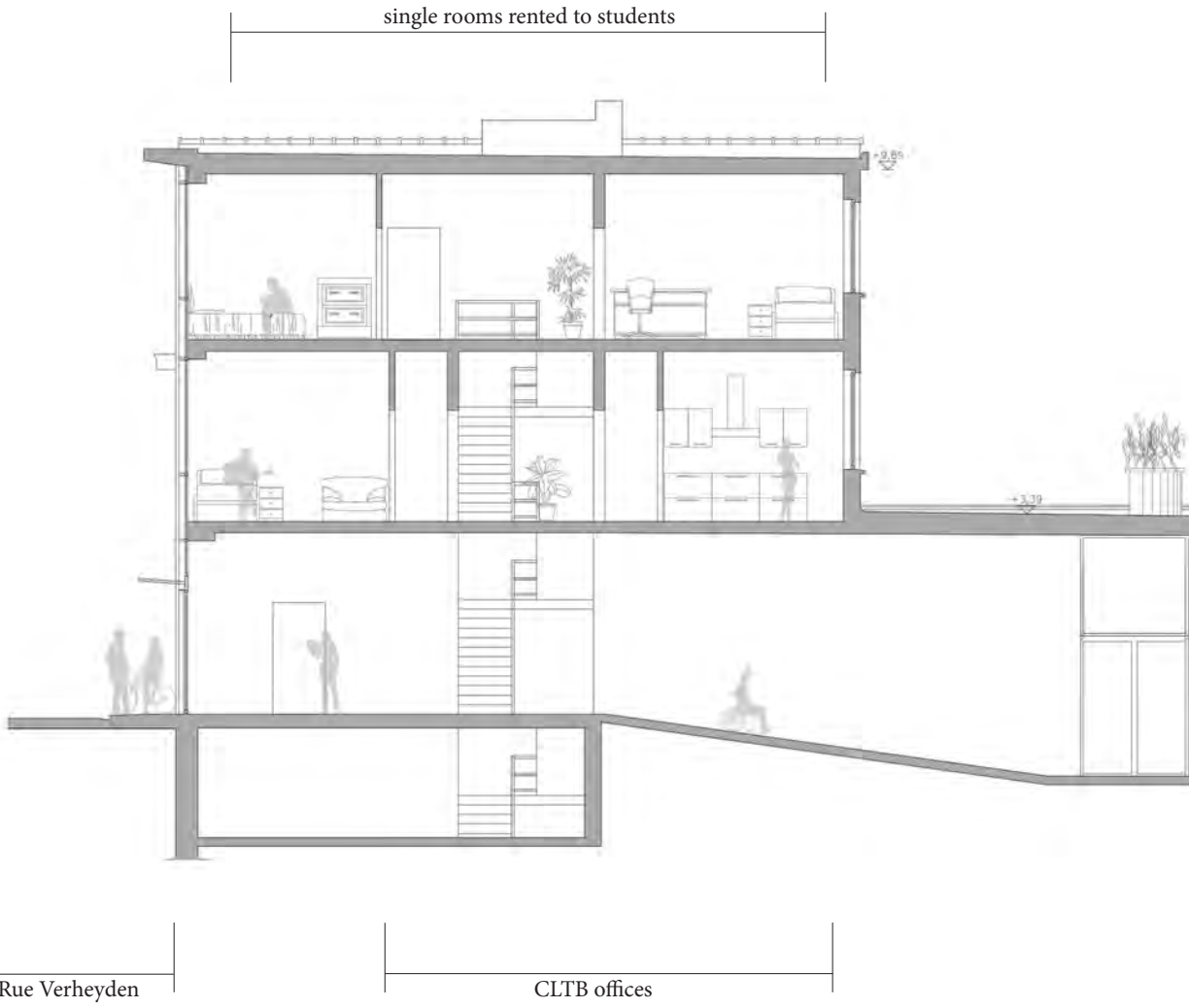




Fig. 5.3.2

Section of the building at the 121, Rue Verheyden. The figure shows the variety of activities during the phase of temporary occupation, while waiting for the beginning of the renovation works. The coexistence of private, public and collective uses was made possible by the spatial qualities of the site.

the name of that first project, started in 2013. Most importantly Le Nid, gradually and well before the beginning of the renovation works, which officially started at the beginning of 2016, was established as the group of the future inhabitants of the project, through a process of progressive reciprocal knowledge, while making decisions, imagining their future lives together, prefiguring the spaces of their cohabitation. The inhabitants were selected among potentially interested individuals, directly or indirectly in contact with the CLTB for example through the partner associations. Most of them, for example, came from a previous saving group. The others were contacted simply because their profile seemed ideal. While responding to the economic thresholds defined by the CLTB, the 7 households are quite different, thus implying different needs concerning the housing units. Cécile is originally from Rwanda, living in Belgium since 2003. She has three children, aged 23, 21 and 15. Dorothé and Savin, from Burundi, also have three children. Dorothé arrived in Belgium in 2002 and her husband joined her later. Marie [v 01], arrived in Belgium from Rwanda in 1999, because of the war. She has a daughter and a son. Rokiatou and Oumar arrived from Guinea-Conakry in 2003 and 1997 respectively. They have two children, born in Belgium. Samir [v 06] arrived from Morocco in 2000, as a student. He married Mouna and today they have four children. Bart [v 07] was born in Tournai. Because of the syndrome of Guillain-Barre, today Bart is a person with reduced mobility. Tsévi and Ramatou they are originally from Togo. Tsévi arrived in 2000 and later his wife joined him. They have three children.

Because of the specific socio-morphological condition at the 121 in rue Verheyden, Le Nid could have not been simply a residential project. To the specific needs of the inhabitants, other requirements were to be added, in consideration of the characteristics of the site, inheriting some previous uses, and adding those related to the management of the courtyard. Perhaps most importantly, they were added in consideration of the main mission and of the emancipatory spirit of the CLT: the community embeddedness and the involvement of the inhabitants as the actual authors and the protagonists of such a process. Hidden in the interior of the plot, not visible but directly accessible from the street, before the CLTB settled down, the courtyard at the 121 was a space mainly used by the parish, the neighbourhoods and local community for leisure activities, with no private or residential needs having to be dealt with. The donation to the CLTB and the transformation of the main building in a housing project entailed the challenge of the compatibility of private, public and collective uses: mirroring in fact the decisional system at the core of the CLT. While the inclination for community embeddedness, as a CLT way of being and *modus operandi*, would have certainly allowed achieving such a result, two additional conditions catalysed the resources and inspired some possible scenarios for the development of the project [int 02].

The first was the proposal of a project for a community garden to be installed in the space of the courtyard, in the framework of the Contract de quartier Scheut in Anderlecht. Proposed by the CLTB at the end of 2013, with an expected duration of two years, the project explicitly

voices | Samir, inhabitant of Le Nid

Themes: participation as a challenge, stability vs precarity of living conditions, inheritance, personal engagement, stewardship and decisional power, resisting speculation, responsibility and care for the living environment.

While queuing to pay for our coffees, we start the conversation, around the issue of the slowdowns in the realisation of the project at Rue Verheyden, due to the inefficiency of the construction enterprise.

Ça on le voit dans les réunions, on n'est pas déçus du CLT. Mais parce que le processus maintenant est devenu si long, les habitants sont en train de regarder les détails. C'est comme quand tu veux acheter : même si la maison a des travaux, si tu veux acheter, tu achètes. Mais quand on commence à ralentir, les gens commencent à faire attention aux détails. À part ce problème de l'entreprise, moi je dis toujours, le projet du CLT il est bien à tous les niveaux. À niveau administratif il est bien, en terme de crédit, on a pu obtenir des bonnes conditions, le Fond de Logement ils ont fait leur travail pour qu'on puisse avoir des bonnes conditions. Les architectes, Simon et Maxime, c'est des bons architectes. C'est des jeunes, c'est grâce à eux que le chantier avance. Chaque semaine ils sont là et ils vérifient les millimètres et moi je les remercie. Thomas, il est magnifique, c'est l'anti-balles. Lui c'est un transformateur de nos pensées dans le CLT. C'est la personne qui formule les choses comme il faut, il ne les sort pas du contexte. Et il y a le CLT, l'organisation. On n'a pas eu des problèmes jusqu'à maintenant. Et moi ce que je dis toujours c'est que si je suis d'accord avec le principe du CLT ou pas, ça c'est quelque chose qui reste à l'intérieur de chaque personne. Moi je suis d'accord avec le principe du CLT.

Même s'il y a des petits détails que je trouve un peu bizarres, par exemple de ne pas pouvoir voyager pour beaucoup de temps, ne pas laisser la maison pour longtemps. Et ça bloque les gens. Par exemple, nous on est des étrangers, on vient du Maroc. On va rentrer, moi je rentre de temps en temps pour un mois-un mois et demi. Et on a limité ça à deux ou trois mois. Cette condition se pose seulement s'il n'y a pas des raisons valables. Et cela me dérange un peu parce que j'ai des parents grands et parfois il y aura peut-être besoin de rentrer pour plus de temps. Jusqu'à maintenant je n'ai pas eu besoin de ça, mais j'ai des amis qui ont eu ça et qui ont les parents à la maison. Il y a des gens qui ont des parents au bled... Et le lien du Sud avec les parents ce n'est pas le même que au Nord. Moi je comprends le rapport qu'on a ici, mettre un papa dans le home, c'est un choix. Nous on ne peut pas mettre les parents dans un home. Mon papa peut encore me claquer s'il veut ! Mon fils m'a dit « C'est qui qui décide ici papa ? », j'ai dit « c'est lui, ce n'est pas moi ». « Mais c'est une autre maison... » « Oui, mais c'est comme ça ». C'est lui qui décide. Mais pour des questions de travail par exemple c'est possible de s'éloigner. Pour moi par exemple ça peut arriver que je voyage quatre mois par an. Donc pour le CLT on a accepté ça, car c'est une règle parmi beaucoup d'autres avantages. Et donc on peut l'accepter. Et on plus on peut toujours trouver la solution pour que ça ne gêne pas ni le CLT, ni les habitants.

Tu veux me raconter un peu ta situation ici

à Bruxelles, comment tu as décidé de devenir propriétaire, aussi ta situation familiale... le vécu qui t'a amené à dire « oui, le CLT c'est pour moi ». Je me rappelle tu étais l'un des plus enthousiastes quand on faisait les réunions.

Chaque décision elle a des raisons. Moi au début je suis contre l'achat, soit au niveau religieux que politique. A partir de frais de compte, des suppléments qu'on paye. Les taux d'intérêt pour nous c'est interdit. Si tu prêtés 100 euros tu peux pas en demander en retour 120-130. Chez nous les taux d'intérêt c'est interdit par la religion. Donc moi quand je vais acheter une maison, je le vais acheter pour 170 : mais si on va voir les intérêts finalement je vais la payer 220-230 [mil euros]. Mais à un certain moment il y a eu l'autorisation de quelque chef religieux pour pouvoir acheter. Si tu as beaucoup d'argent et que tu peux acheter la maison, alors c'est possible. C'est qui est interdit sont les taux. Et aussi, ce n'est pas une maison de luxe. Je n'ai pas une maison de 300 mètres carrés, avec la piscine. Et ce n'est pas une maison pour location. Je n'achète pas pour louer à quelqu'un. C'est pour utilisation personnelle. C'est quelque chose qui doit rester proportionné à l'usage. Et au niveau politique, moi je suis marxiste. Mon père c'est un communiste. Même mon père il a acheté à l'âge de 70, pas avant. Il a acheté quand la famille a grandi et il n'avait pas le choix. Donc je me suis trouvé dans un conflit personnel avec ces conditions. Mais finalement, j'ai déménagé dix fois, et ça commençait à être trop.

Moi je suis né au Maroc et je suis arrivé ici tout seul, à l'âge de 21 ans. Et ici j'ai connu ma femme. Avant mon mariage j'ai déménagé deux fois. Et après le reste entre 2003 et 2014. J'ai déménagé tellement de fois que je m'en rappelle plus. En tous cas, dans toute ma vie

c'est 15 fois, avec mes parents et ici. J'ai connu beaucoup des déménagements. Celle-là c'est la seizième fois. Et déménager à un effet sur l'être humain. Et moi quand j'ai vu que mes enfants, c'est eux qui subissent ce problème j'ai décidé d'acheter. Par exemple le plus grand, il a déjà changé six fois l'école dans 5 ans. Donc j'ai décidé que ça ne pouvait pas continuer. C'est pour ça que j'ai acheté. Et comme c'est un projet qui n'est pas pour s'enrichir après, ce n'est pas une maison que je vais revendre pour gagner de l'argent, ça reste toujours dans mon cadre politique et religieux. C'est un projet social. Et si un jour j'aurai la possibilité d'acheter autre chose, celui va rester à quelqu'un d'autre qui n'a pas les moyens pour acheter.

Quand on travaillait ensemble, la question de pouvoir passer la maison aux enfants n'était pas encore décidé.

Maintenant c'est bon. On peut passer la maison aux enfants. Et c'est normal. Ce n'est pas question de gagner de l'argent. Mes parents ont une grande maison au Maroc. Qu'est-ce qu'il dit : ce n'est pas une maison à vendre pour prendre l'argent, mais on laisse quelque chose pour la famille. On est sept, quatre garçons qui sont ici et trois filles sont au Maroc. Il n'y a personne qui a besoin de cette maison, chacun a déjà sa maison. Donc la maison va rester comme quelque chose pour toute la famille. Ça va rester l'endroit où on peut retourner, aussi pour la nostalgie. La famille c'est un peu à l'origine de toutes les décisions. Au Maroc on a appris que la maison c'est quelque chose de sacré. Je vais le laisser pour les enfants, en tous cas il y a aura un qui pourra y vivre. Car ça c'est un projet social, donc on ne peut pas bloquer l'appartement pour le laisser vide. Mais je dis toujours, c'est là ou vous êtes nés, c'est là où vous êtes ubiqués : moi je suis toujours pour

qu'ils gardent le souvenir. Si on n'a pas de passé, on n'a pas de futur.

Combien d'enfants as-tu ?

J'en ai quatre, 12, 10, 9 et 5 ans. Maintenant par rapport à la nouvelle maison, les écoles sont juste à côté, ils pourront y aller en marchant. Et le plus grand ira plus loin, mais il pourra aller seul.

Et par rapport au processus participatif, le projet des vôtres maisons, comment tu l'as vécu ? qu'est-ce que tu en penses ?

J'avais vu un reportage, aux Etats Unis où les projets sont plus grands, ils sont comme du logement social. Moi je trouve que c'est mieux de ne pas impliquer les habitants à 100%. Mais par exemple de faire des formations ou d'amener les habitants dans les projets, ou faire des activités ensemble. Nous on a aussi la maîtrise d'ouvrage. Ça c'est long et c'est beaucoup. Moi je trouve que c'est bon et je sais qu'ils ont fait ça pour nous. Mais au même temps il faut savoir que la communauté se forme au moment de l'habitation. Moi je connais tout le monde maintenant, mais quand on habite ensemble c'est différent. C'est une autre relation. C'est pour ça qu'une formation deux mois avant serait suffisante, par exemple. C'est quand on habite avec les gens qu'on va connaître les gens. Mais ici, dans l'Europe du Nord, c'est vrai que c'est différent, ce n'est pas comme au Sud. Ici tout le monde travaille, ils ne se connaissent pas. La mentalité ici est fermée. Pour connaître les voisins ce n'est pas suffisant de se voir avant que le projet soit terminé. C'est dans les problèmes qu'on se connaît.

Et alors en ce qui concerne la construction, le projet des appartements, connaître les besoins des autres ne devraient pas prendre beaucoup de temps. Parce que les gens ils se fatiguent.

Moi je travaille, j'ai des enfants, j'ai des responsabilités. Et on contacte les gens pour connaître les lois. Parce que on a la maîtrise d'ouvrage. Mais ce n'est même pas lourd, c'est surtout long ! Si tout ce qu'on a fait pouvait se concentrer dans un an et je sais que je vais entrer dans un an dans ma maison, c'est bon. Mais commença c'était trop long. Le CLT ça va grandir dans le futur, comme aux Etats Unis. Ils ne vont pas avoir le temps de développer ces processus. Et les gens qui vont venir au CLT sont des gens qui ont besoin d'un toit, d'une sécurité, par rapport au loyer, par rapport au propriétaire. Et donc c'est possible qu'ils vont fermer les yeux sur certaines conditions, pour en satisfaire d'autres. Moi ce que je dis c'est ça: si j'ai 70% de ce que je veux, pour moi c'est l'idéal. Jusqu'à maintenant, j'ai ce que je veux dans mon projet. Dans le long terme, je trouve que si pour les premières familles c'est possible de le faire comme ça, en général ça va leur [le CLTB] coûter beaucoup de temps et d'énergies. Et il y aura beaucoup des problèmes avec les habitants et les familles s'ils n'auront pas la possibilité de suivre les réunions et tout ça. Nous, on a un projet qu'on a construit dès le début. Mais même s'occuper des espaces en commun ça prend pas beaucoup de temps, il y a des spécialistes pour l'aménagement. On amène cinq projets différents et on demande aux gens de décider ce qui est mieux pour eux. Car on tous cas on est jamais tous d'accord sur quelque chose. Dans notre projet on n'était pas d'accord pour plein de choses. Mais on doit [trouver un accord] ! Moi je parle pour moi, les autres, chacun a son méthode. Moi je vois l'intérêt du groupe. Si je vois que mon intérêt ça va bloquer le groupe, je laisse. Par exemple moi je ne suis pas d'accord pour les déchets : je trouve que ça va tomber juste en face de moi. Mais j'ai vu que tout le monde est d'accord. Alors pas des problèmes. Je vais attendre

d'entrer dans la maison pour voir quelles sont les solutions que je pourrais donner. Il y a toujours moyen de trouver d'autres solutions.

Mais dans l'autre côté, quand le groupe est petit comme le vôtre vous avez la possibilité de décider comment gérer les choses, sans que quelqu'un vient de l'extérieur pour vous dire comment faire.

Je vais donner un exemple. Pour moi ça sera difficile de prendre part aux réunions dans le futur. Première chose, pour le travail. Moi j'installe des caméras, des alarmes, des systèmes de sécurité, portes automatiques. Je travaille par téléphone et je pourrais devoir partir n'importe quand. Deuxième chose, c'est depuis des années que je fais des réunions pour le CLT. Pour moi c'est beaucoup. Si c'était un an, on peut faire des réunions une fois par mois, pas des problèmes. Pour les nouveaux habitants ça serait suffisant. On demande aux gens de décider pour tout. Mais parfois l'être humain il faut pas lui laisser le choix de décider. Donc on pourrait laisser les idées des gens, le CLT formule des principes ou des solutions et après il les transmet aux habitants. S'il y a des modifications, il y a le vote. On modifie et ils doivent être raisonnables sur ce qu'on va modifier. Donc c'est un processus. C'est comme dans l'Etat. Par exemple, la dernière fois quelqu'un a demandé, s'il y a moyen de construire avec des matériaux bio. Et pour moi le bio, c'est n'importe quoi. Il n'y a pas de bio dans la ville. Juste pour acheter des briques à 15 Euros au lieu de 50 centimes ? Le bio c'est pour les riches. Je ne peux pas acheter 5 kilos de pommes de terres à 5 euros, c'est normal. Mais il faut savoir où est-ce que l'on vit. Mais alors quand on voit que [la discussion] part dans le vide, le CLT peut ré-amener un cadre et dans le cadre on doit parler. Des possibilités différentes et on va décider. Si chacun va

amener son idée, et quelqu'un va passer son idée après on commence à être fâchés, à être bloqués... Il faut savoir que l'être humain il peut vouloir se venger, il peut vouloir manipuler. Donc il ne faut pas en laisser la possibilité. Il faut amener le projet, c'est votre projet, vous choisissez les chambres, combien des chambres. Il ne faut pas imposer : mais il faut donner un cadre. Il faut se respecter dans un cadre. Un an est alors suffisant pour faire tout.

Et comment tu le vois dans le futur, quand le CLTB ne sera plus là. Comment vous allez aménager les espaces communs, la vie ensemble?

Dans mon cas, ça sera ma dame qui s'occupera de ça, à partir du moment où on entrera dans le projet. Parce que je vais commencer une activité indépendante, je n'aurai pas le temps. Moi je vais lui dire ce que j'en pense. Il y a beaucoup des femmes dans le projet, elles seront celles plus impliqués je pense. Moi j'ai pris une tâche dans ce qui est technique. Comme on ne veut pas un concierge, j'ai pris cette tâche dans le projet. Car c'est ma maison. En fait on est impliqués même dans la propreté de la rue. Par exemple, si je vois une bouteille de verre cassée, je suis responsable de tout ce qui peut arriver. Si je ne la prends pas, mon fils va arriver et il se fait mal, je suis responsable. Dans la copropriété on est tous responsables. Je passe par le chantier deux fois par semaine pour contrôler comment cela avance. Et si je fais quelque chose ce n'est pas seulement pour le bâtiment, c'est pour les gens. Là où on va habiter il y a un groupe de jeunes qui font des problèmes, je les connais, j'ai déjà parlé avec eux. Ce n'est pas tellement dangereux. Mais si on se n'implique pas dans la vie des autres on est des égoïstes.

As I have previously pointed out, the morphology at the 121 reinforced the possibilities of community embeddedness of the project Le Nid, as a continuation of the dynamics established during the phase of temporary occupation. Such a characteristic, so fundamental for the liveliness and the durability of the project, entails the implication of a multitude of actors in the decisional processes concerning the plot and the buildings at the 121. The multiplicity of uses corresponds to the recognition of a bundle of rights. In order for them not only to coexist, but also to enhance each other and to be realised, the design process that will be described in the next pages plays a crucial role. As a participatory process it would probably be situated at the top of Arnstein's ladder. An even more valuable result, considering that, as it has been pointed out, participation, up to the present, has mostly concerned planning, for some reason much less architecture (Blundell-Jones, Petrescu and Till, 2005).

Recognition by design

Stewardship is one of the main roots of the CLT. However, independently from what they could have learned from the visit in the United States, the people involved in the initial team of the CLTB were already very familiar with that concept. Years of experience as part of the Maison de Quartier Bonnevie and the more recent experience with the project Espoir, as a moment of synthesis of their approaches and methodologies, taught them about the relevance of guiding the inhabitants through the difficulties and the responsibilities related to the condition of inhabitants and of homeowners. The way towards authentic emancipation passes through a learning process and responsabilisation, to say it in Gramscian terms. Based on the recognition of the capacity of the community or of a group of inhabitants to organise their living environment.

On these premises, the activities proposed by the CLT -and specifically those conceived in the name of stewardship- had different purposes. To inform about the model of the CLT and its functioning, at that time still unknown to both experts and the potentially concerned public; to prepare them on the front of their financial responsibilities, as homeowners and as part of a cohabitation project; to make them aware as well of their role as *maîtres d'ouvrage* -developers- of the project, with all the responsibilities this will have entailed (as I shall explain in the next paragraph); to make them aware of the responsibility of directly taking care of their own homes and the living environment, though with the support of the CLT, especially in the first years of life of the project. In fact, these purposes tend to overlap, all being related with the occupation and -in the case of Le Nid- with the renovation of the building where the housing units would have been realised. For this reason, they often converged during the design exercise, as a process that was supposed to deal with all the aspects that could have influenced not only the realisation of the project, but also its life and maintenance in the long term. In fact, the design process went beyond imagining the spatial qualities of the homes, as I will try to show in this paragraph (and beyond). Although formally, the purpose of the design process was only the

writing of a *cahier des recommandations*. In fact, as in the case of Espoir, the project being funded by the Region, a public call for projects would have been organised. The proposals had to be based on the indications of the *cahier des recommandations*, as a complement to the *cahier des charges*. The *cahier* hence represented the only tool through which inhabitants could communicate their needs and desires to the architects and designers.

Similarly to what was done for the Espoir project, several ateliers were organised, on a number of themes, allowing inhabitants to gradually become familiar with the technical, architectural and urban aspects related to the realisation of their apartments. While learning about the technologies for ecologically sustainable architecture⁸ - at an early stage of the design process families were invited to imagine and share with the other inhabitants the concept of their ideal house. Drawings, pictures, paperboard and even cad three-dimensional models were realised by the inhabitants, according to their capacities and expressive possibilities, revealing quite precise expectations concerning their living environment. Hence, the interiors of the three-storey building at the 121 had to be completely reshaped to respond to the needs of the seven households of Le Nid. The pre-existence of a built structure does not allow many variations. Nevertheless, the apartments will have to be very diverse, duplex or on a single floor, with access to the garden or with a terrace. Variations were assembled within the same building envelope, corresponding to different needs and household compositions. At the second and third floor, where large corridors could have been imagined as spaces where people could casually meet and stay for a talk, finally the square meters did not allow very generous manoeuvres. So finally, within the main building, the spaces making possible some sort of encounter will be limited and residual, such as the laundry area at the basement level. In this respect, nothing very different from what could be observed in other condominiums.

It is also for this reason, for the need to transfer somewhere else what could not happen within the main building, that the *interieur d'ilot* - a figure of approximately 15 x 18 meters - was in fact perceived as the possibility to extend the sphere of private happiness, outside of the domestic walls, still in a semi-interior space. To decide about the uses of the courtyard has been challenging in consideration of this ambiguous condition: in between some sort of expected privacy and the need to welcome other, more public oriented uses, given the special conditions of accessibility, given the agreements with the Parrish and the presence of a building that is supposed to be almost publicly accessible. Additionally, *la salle pétanque* is owned by the CLTB Foundation: the possibility of some rentable use is not to be excluded [int 02]. While fueling community embeddedness may be the prerogative of such an accessible, polyvalent space, in fact, the very inhabitants of Le Nid will also actively contribute. In fact, the activities allowing to engender community embeddedness -as for example those suggested in the contract de quartier⁹- are supposed to be developed by the inhabitants in the first place, purpose of

8 A completely passive architecture could not be realised in Rue Verheyden. Intervening on a pre-existing building, the renovation works would have been too expensive.

9 Such as community gardening.

the CLTB being to create the conditions for greater autonomy of the concerned groups of inhabitants. Which means that any suggested activity should be decided on the basis of their needs and capacities.

The first circle of relationships –around the strictly domestic environment of each household- is hence the circle of the inhabitants of Le NId, for many almost an extension of the family. The circle of those strong links –to use the words of Granovetter (Granovetter, 1973)- allowing to act with more self-confidence in the world and to build those weak links bringing opportunities for growth. “Pour moi on est tous comme une grande famille” says Samir during one of the meetings. A familiarity which apart from making life more enjoyable and comfortable may also allow a greater capacity in terms of managing spaces and common activities, replacing a perfect but rigid organisation with more flexible arrangements, based on trust and reciprocal knowledge, on daily adjustments, on reciprocity. At Verheyden, the reduced number of households is what allows this micro-informality. Difficult to say what will happen with projects of a larger scale, how the daily organisation of inhabitants will be sustained. Scale is –as it will be discussed in the following pages- one of the most relevant challenges for the CLT. Especially concerning the Brussels’ variation of the model, according to which spatial matters allow the decisional power to become concrete –through the design process- and care to be practiced. A variation dedicating great attention to spatial choices as the condition allowing capacities to be balanced and governance to be possible.

Within the second circle –the circle opening to the rest of the world, beyond the first- any sort of activity would have to be conceived in the respect of the inhabitants’ needs and their capacities of sustaining those activities. A kindergarten could be too noisy. Better some gardening activities, open to the neighbourhood in specific times of the day. Eventually with some space for the children of the families and of the neighbourhood to play. Concerning the *salle pétanque*, the weekly rhythm of the catechism –as required by the agreement with the Parrish- could be combined with other possible uses, like gymnastics, meetings and convivial moments. Activities that could be managed by the inhabitants themselves [int 02]. Finally, the hypothesis that the CLTB itself could install its offices in that space has been explored: a few options have been designed¹⁰ to verify the compatibility of the activities of the CLTB with the weekly and daily rhythm of other activities -as catechism, workspaces, meeting rooms- and the related forms of accessibility. While it is true that the *salle pétanque* is fully owned by the CLTB foundation, still decision concerning this space have to be discussed with the inhabitants, as part of the design of the 121 as a whole. The philosophy is that of the community embedment. The preservation of the life trajectories and patterns concerning a building, a courtyard, a urban block means the very protection of that piece of city, of urbanity. As previously mentioned, not exclusion, but the recognition of the concerned processes and actors and of their decisional power is what allows to protect a given resource (Fig 5.2.1).

10 It was in particular my task to propose a few design options for *la salle pétanque.*, in consideration of the mentioned requirements and possible uses [int 02].

The main corridor goes across the whole building, a three meters wide gallery, originally covering a distance of 20 meters from the sidewalk to the *interieur d'ilot* – a connection filtered only by a green metallic door and a few doorbells. This has been one of the most debated spaces, because embodying in all its length and spatial capacity the matter of accessibility. A connection from the interior, semiprivate dimension of the courtyard to the publicness of the street. Would it be an open gallery, perhaps just closed at night? And in that case how to guarantee the safety of the apartments? Or would it be closed by a gate? In that case, it would be an additional space for collective encounter, for the inhabitants which could live it as a continuation of their private interiors. But then, how to make possible a fluid accessibility to the activities happening around the courtyard, from the gardening to the offices of the CLTB? How to avoid the feeling of a gated community, of an exclusive place? How could the accessibility be organised during the weekend? In the *cahier des recommandations* the visibility of the entrance, as the access point to the main corridor, is explicitly specified as one of the requirements. Architects will have to design the façade as an inviting device, rather than as excluding or as a pure delimitation. At the microscale of a plot and its buildings, these are scenes from the design process showing the relevance of spatial decisions in order to make possible the governance of the resource. Dealing on the one hand with the physical characteristics of the site, on the other hand with the need to make possible that bundle of practices because of which and in relation to which the resource lives and will be protected.

Sitting around the long table in the *salle des fetes*, on orange stacking chairs that recall the colour of the curtains, while sipping their coffee, the inhabitants confront their expectations and discuss the different technical options that would allow realizing them¹¹. Paziienza and Dawance, the architects in the room, guide the conversation by pointing at the decisions to be made, the urgencies that need to be dealt with for the advancement of the project. As the conversation unfolds and the different proposals are formulated, they continuously build and re-build scenarios about the implication of the different choices: mostly in terms of capacities of the inhabitants to perform a given task, to manage a space, to sustain expenses. How to organise the access to the basement? Without an elevator, it would remain inaccessible to the wheelchair of Bart. At the same time, the elevator may be too expensive and require maintenance. One of the inhabitants suggests that they could personally help Bart anytime he needs it. Choice after choice, the inhabitants become aware of their responsibilities and identify the solution better fitting their needs and capacities; but at the same time, they also recognise those of other users, such as the CLTB as the owner of the *salle pétanque*. Such as those of the neighbourhoods. Or of anybody needing to have access to the courtyard. Because of their expertise, Paziienza and Dawance can suggest the available options and help to evaluate their feasibility. They continuously mediate and re-articulate the proposals of the inhabitants.

11 The design process started in 2013. In September 2014 the *cahier des recommandations* was finally ready, as a complementary document to the *Cahier de Charges*.

Talking about the dimensions or the number of bedrooms, negotiating around the available space and their different needs, the inhabitants of Le Nid practice their rights. While confronting with space, they decide¹². About their responsibilities and capacities to manage the space, about the redefinition of their expectations, about the accessibility of the courtyard, aware of the fact that the needs of other users will have to be considered [int 01]. As part of a form of ownership that makes possible the coexistence of multiple rights and multiple uses: those concerning the land, those concerning the buildings, those of the neighbouring community. Not only because of an *acquisitif mixte* which legally allows private, public and collective forms of appropriation to concern the same resource: beyond allowance, more substantially, it is a matter of recognition of the processes that gravitate around that resource. Privates, publics and collectives encounter and decide about the governance of the resource that in different ways makes possible their *stratégies de vie*. Their decisional power implies their recognition and opens to greater empowerment. I will come back on this and the relation with responsibility in a next paragraph.

Through all the process space operates as a conditioning factor, on the one hand offering occasions, openings and porosities, as already demonstrated during the phase of the temporary occupation. But also, on the other hand, imposing the de-limitations of pre-existing perimeters and morphology. Space thus obliges to come to terms with scarcity, with the inertia of architectural elements. It obliges to an exercise of reciprocal adaptation, acceptance and sharing, building and mediating different needs and rights. Individual expectations need to be redefined and rearticulated into a larger project. So that everybody could pursue their life strategies. Though without ignoring those of the others, on the contrary: finding momentum or an empowering situation exactly in the convergence of different needs and different capacities, obliged to reciprocally redefine around the same resources. Exactly because limited and limiting, space –in the form of a piece of land, of a plot, of a building that needs to be renovated- reveals to be inherently emancipatory¹³, requiring individuals to redefine their plans so that others could also be realised, while reciprocally contributing to each other realisation. Requiring the inscription of the individual into the collective, beyond individualism, hence, and beyond *désaffiliation*, so that both may gain from each other. The convergence of different needs, however, does not imply uniformity. The collective being built around the 121 is not a homogeneous community, based on rituals or the obligation of shared moments, on a common religion or way of life, but has more to do with synergy and organisation of different communities, using the same resource in different ways. Le Nid, the

12 Most of the times, the inhabitants are the main protagonist of the design sessions, in a few occasions accompanied by members of Samenlevingsopbouw. However, in other occasions and contexts the neighbourhoods, as well as the Parrish clarified their needs concerning the use of the courtyard or the *salle pétanque*. Hence, at the time of making decisions around the organisation of space, these were also integrated. In consideration of their long-term and continuous presence, of their responsibility in the management of the site the inhabitants had necessarily a main role in the design process.

13 As far as emancipation is conceived as a holistic and radical endeavour (Laclau, 1996). Emancipation of one group could not be defined as such if happening at the expenses of other parts of the society.

Interaction | A design session in Rue Verheyden

Themes : accessibility, security, responsibility, governance of the building, negotiating different needs, semi-public/semi-private spaces, shared spaces, bundles of uses, compatibilities and incompatibilities

Almost at the time of beginning our meeting, the bell starts to ring repeatedly. Because there is no door phone, each time it rings somebody of the team has to go open the door. Bart is one of the first to arrive, a few minutes in advance, while we are still working in the office. Many meetings are organised in the late afternoon, so that most of the people will be able to join. Thomas, Lorella and me, we hence leave our desks and begin to prepare for the meeting, checking if everything is ready in the room right in front of the former cafeteria, the former salle des fêtes. The big table on the elevated part of the room is most of the times covered with an orange tablecloth. The stacking plastic chairs -also orange-are arranged all around. A touch of warmth and colour in such a big room. Coffee and some sweet or salty snacks are usually offered. A computer, a flipchart a beamer, depending on the purpose of the meeting, are also usually prepared or they are left there from the previous meeting. Waiting to begin, the future inhabitants of Le Nid chat with each other and with the team members. Since the first day at the CLTB, I have always liked the atmosphere. People are very kind to each other: not a formal kindness, rather an honest, respectful sort of friendliness. Grounded on something deeper than the concern of realising a common project, I felt. As a result, even disagreements can be shared and difficult issues can be openly discussed.

Purpose of the meeting today, is to decide about the commons spaces.
« Qu'est-ce qu'on va décider en concernant les espaces en commun?
Finalement il n'y aura pas beaucoup des mètres carrés disponibles dans le bâtiment, car les appartements on en ont pris pas mal, au moins que quelqu'un de vous renonce à une chambre... » Thomas jokes, and while smiling his eyes explore the faces around the table, checking the reactions. The inhabitants are also smiling: after the long discussions on the division of space and on the attribution of the apartments it is very improbable somebody will renounce to some of their square meters in order to have another common space, in addition to those at the ground floor and the basement.

“Mais il reste quand même des espaces en commun au rez de chaussée » adds Lorella. « Par exemple le couloir, la cour intérieure... Alors lors de l'atelier Vivre Ensemble, en Octobre, il y a eu des propositions différentes, si vous vous en souvenez, en ce qui concerne les espaces en commun. Par exemple, créer un espace pour les poussettes, un espace vélo. Il y avait aussi une proposition pour avoir un bac à objets perdus. Qu'est-ce que vous aimerez dans ce couloir ? il faut considérer aussi qu'après les travaux de rénovation le couloir ne sera pas exactement tel qu'il est aujourd'hui, à part la largeur j'imagine, car ça c'est difficile à modifier.

« Mais un jour quand les enfants seront grandis et les familles n'auront plus besoin de la poussette, qu'est-ce qu'on fera avec cet espace ? Est-ce que ça ne serait mieux d'y dédier un autre espace... peut-être celui pour les vélos, et garder les deux ensemble... » suggests Bart.

« Ça dépend aussi d'où on les placera... le couloir est long mais il n'est pas trop large... est-ce qu'il y a assez d'espace ? » points out Tsevi.

« En tous cas il y aura des gens qui auront accès au couloir tout le temps, pour aller dans la cour, comment être surs qu'il n'y aura pas des vols ? » Some of the inhabitants nod with some sense of surprise, as if they never considered before the possibility Bart just suggested.

Effectivement il y a la question de l'accessibilité de la cour à traiter. Alors par rapport à ça, Verena est en train de travailler sur des scénarios différents et on les évaluera ensemble. Mais en tous cas, comme c'est déjà le cas aujourd'hui, il faut imaginer qu'il y aura peut-être un potager ou une crèche. Par exemple, parmi les hypothèses on imagine les bureaux du CLT pourraient aussi s'établir dans la salle pétanque. Mais déjà maintenant en fait la question de l'accessibilité se pose...

« Oui, sauf que maintenant vous êtes là et il y a toujours quelqu'un qui ouvre la porte. Mais après ? Alors avoir le CLT juste dans l'arrière... ça c'est chouette! Says Bart smiling.

« Mais on pourrait avoir des horaires, dans lesquelles la porte d'entrée au couloir pourrait rester entrouverte » adds Tsevi.

« Je ne sais pas, ça me donnerait pas beaucoup de sécurité. Plutôt on pourrait entrer avec des badges ? Ou des codes numériques ? » Samir installs security systems for a living, so he can contribute with some expert advice to the discussion.

Bart continues on the proposal of Samir: « Et pour le gens qui ont un rendez-vous chez le CLT, vous seriez là pour ouvrir la porte... le problème c'est le fin de semaine, quand il n'y aura personne dans le bureaux... car en tous cas avoir quelqu'un qui travaille dans ces espaces cela veut dire avoir quelqu'un qui jette toujours un coup d'œil dans la cou. Ça donne pas mal de sécurité, même si le couloir restera ouvert. Mais quand il n'y aura personne, franchement, laisser la porte toujours ouverte... »

« Ce n'est pas possible en effet. » Everybody seems to agree on this

« Il faut trouver une solution donc. Et au même temps il faut être surs que la possibilité d'accéder à la cour reste bien visible de l'extérieur. Pour nos bureaux, mais aussi pour le potager et n'importe quelle activité il y aura dans le futur » says Thomas.

« Ça c'est quelque chose qu'on pourra spécifier dans le cahier de charges. J'imagine une solution architecturale en façade pourrait inviter les gens à entrer sans devoir renoncer à quelque mesure de sécurité, c'est juste question de le signaler » suggests Lorella. As it is right now, the entrance of the 121 is not very inviting, a big metal door. One could very hardly imagine how space opens up behind that door. However, existing uses and the space are well known to the neighbourhoods and other concerned actors, who are hence satisfied with the controlled accessibility of the building. For the future a similar semi-public, collective dimension rather than an openly public, will likely have to be organised.

CLTB as a foundation, the CLTB as an association, the Parrish, the neighbourhood and other local associations. The rhythms that intersect around the squared space of an *interieur d'îlot* are quite different. Indeed, there is a resource in common and a shared system of values, – perhaps above all the interest for a non-speculative use of land- and some urgent needs: but it would seem that resource would rather define the operational framework, the perimeter of legitimacy of a decisional system and the condition *sine qua non*, towards an emancipatory project. The community is hence built around the organisational effort, around responsibilities –duties-, the pragmatic convenience of energies and resources being brought to complement each other, rather than around possession¹⁴. Ownership has in fact very different meanings for all the involved subjects: full possession for the CLTB Foundation -the *salle pétanque*-, collective possession of land for the CLTB, which implies the decisional power of neighbourhood and the public power, emphyteusis and decisional power for the inhabitants of Le Nid. A previously mentioned, property is more about the power to decide and to govern than about an exclusive possession. Hence, what is being built is more a community of *munus* to use the words of Esposito (Esposito, 1998), of indebtedness towards each other, a matter of responsibility, than a matter of pure possession. Because every gift comes with an obligation: and this in fact the original meaning of stewardship, at the core of the whole model of CLT, as shown in chapter 2. Freedom –at least in the conditions here observed- has more to do with interdependencies than with absolute autonomy, beyond individualism, towards a social construction [v 07].

What design as a process did in the case of the project at Verheyden, has been to create the conditions for this convergence to be possible, the conditions for emancipation to be realised. Both at a collective level, making possible the governance of the resource as a whole, thus substantiating the model of property at the core of the CLT¹⁵. And at an individual level, making possible the realisation of the individual *stratégies de vie*, empowering individuals not only through homeownership, but also through their responsabilisation. It could be said that design process is about two strongly interconnected levels of action: spatial articulation and responsabilisation. Through the first, the inhabitants become aware not only of their rights, but also of their duties and their capacities to contribute. In the next paragraph, I will look at the design process from the point of view of the spatial operations, while I will address the topic of responsibility -in relation to autonomy and scale- in the last paragraph. Necessarily these dimensions are also deeply related to space and hence to the design process. While the former –the spatial operations- are specifically morphological actions, spatial doings of the design process, the latter are meant to look and the implications and limitations of the process

14 I refer here to the theorisations of Roberto Esposito, *Communitas* in particular, where the difference is underlined between a community meant as a group having something in common, in the sense of possessing (this would be the most frequent assumption). Community meant as a group built around the *munus*, the debt, the condition of reciprocal obligation. As I will say in a few lines the Community of the CLT seems to be built more around the responsibility towards the resource, then around its mere possession.

15 A model of property –as I have argued- built around the right of a community to govern a resource on which its life is based.

of design in relation to responsabilisation.

Redefining, orchestrating, embedding.

These are the three design moves allowing the realisation of needs, rights and desires not through unconditioned freedom and exclusion, rather within a logic of reciprocal empowerment and recognition. Within a logic of emancipation (Fig. 5.3.3)

Redefining. Because of spatial limitations, the different needs of the involved inhabitants and actors need to be redefined. While talking about space, about the dimension of their housing unit or the number of rooms they would like to have, the inhabitants in fact redefine and adjust their expectations and needs on the base of each other's need. So that everybody could realise their project. In this way individual strategies of individuation become part of and fuel larger emancipation. Which goes beyond the project at Verheyden, as the transformations suggested by the inhabitants collaterally have an impact on the approach of the CLTB in general, suggesting needs otherwise underestimated. As in the case of Bart, pushing for the recognition of the specific needs of disabled people [v 07]. In a dialectic that transforms a particular struggle into a vehicle for a larger transformation. The particular containing the universal and the universal re-orienting the particular¹⁶. As mentioned, the only possible path for radical emancipation is the redefinition of individual plans towards some universal, thus fuelling the possibilities of change of the entire society, while in return being supported by the collective forces, being the expression of those forces. Perhaps a slow and difficult way to bring change but which seems to become inevitable when truly resonating with, when capturing and bringing to surface the existing subterranean forces, in a moment of structural weakness¹⁷. New Communities

16 From Laclau: "Does this mean that this death of the Universal, with the impossibility of emancipation as its necessary corollary, leaves us in a purely particularistic world in which social actors pursue only limited objectives? One moment of reflection is enough to show us that this is not an adequate conclusion. [...] Particularity both denies and requires totality, that is the ground. [...] Totality is impossible and at the same time is required by the particular: in that sense, it is present in the particular as that which is absent, as a constitutive lack which constantly forces the particular to be more than itself, to assume a universal role which can only be precarious and unsutured. It is because of this that we can have democratic politics: a succession of finite and particular identities which attempt to assume universal tasks surpassing them; but that as a result, are never able to entirely conceal the distance between tasks and identity, and can always be substituted by alternative groups. Incompletion and provisionally belong to the essence of democracy".(Laclau, 1992)

17 Talking about individuation and the becoming of an individual, Simondon argues that the change of the individual is in fact prepared and made possible by society. The subject or the singularity looking for emancipation brings to surface some subterranean change. What may be interpreted as a singular, sudden episode of emancipation is actually the sign of a forthcoming change that has been prepared transversally at a social level through micro movements, small cracks that gradually multiply in the same direction. This is defined by Simondon as transduction. In other words, the change happens when conditions allow it and because conditions have prepared it. According to this perspective, if the projects of George and of Howard were concretely realised, in the form of intentional communities and garden cities, that was possible because a few groups and individuals were ready for that change. Not only they knew the model, but they were also those at the right time and in the right places to enact change: such as the racist south of the United States or the unhealthy industrial cities of Europe, where a different way of living was urgently needed. Laclau as well points out that a dimension characterising emancipation is the inevitable continuity existing

–mentioned in section 4– was, above all, an occasion for the recognition of the community of farmers who made it – as a result of the encounter of different personalities, efforts and histories coming together at the right time and under the right conditions. The model was realised because society was ready, though mostly not supportive: but oppression had a role, as a triggering factor of the emancipatory process (Laclau, 1996). While being a spark of emancipatory change in an initial phase, it could have led to gated communities (as mentioned in chapter 4.1). Its emancipatory potential was fully expressed when other communities started to implement that model, while revising it; when a handbook was produced and changes were introduced to implement those modifications, in 1982; and when finally, at the beginning of the 80s, a growing number of administrations decided to support the model as a possibility to preserve the public patrimony of affordable housing¹⁸. Through a continuous exchange and confrontation –and critique- not necessarily peaceful, society –with oppressive and supportive forces- modelled the CLT as much the CLT influenced society. In a process of continuous emancipation. Similarly, back to rue Verheyden, what I call redefinitions, banal but necessary adjustments in terms of numbers of rooms and distribution of square meters, in fact express a deeper work: while they could be read as reciprocal adaptations, in fact they should be read as transformations that allowed the realisation and the coexistence of different programs. A transformation that happened *because of* – and not in spite of- the limitations of the available means and resources. Through redefinitions, those that could have risked being individual and individualistic needs or desires became part of a larger project, emancipatory for all the inhabitants. And beyond. This happened by coming to terms with the spatial constraints: making the confrontation with the other – the other members of Le Nid, the neighbourhoods, the CLTB as Foundation- not only possible, but required in order to reach ownership, as the starting point or the arrival point of the singular processes of emancipation, the individual and the collective ones.

The orchestration of different programs happening in different moments of the day and of the week was the second crucial operation that allowed the porous space of the 121 to host a variety of programs and functions. Intersections that allowed maintaining the liveliness of the plot, thus protecting not only a piece of land, but a sample of urbanity built around a courtyard. Orchestration as a consequence of the *acquisitif mixte*, with the bundle of rights –and of uses- it presupposes. But also a matter of space and of the capacity of the inhabitants to govern the multiplicity of the uses and their coexistence. One necessarily redefining the other. So decisions about the *salle pétanque* were necessarily made in relation to the possibility of the inhabitants to

between the existing (oppressive) conditions and the emergence of some new model, which cannot be completely external to the context that generated it. At the same time, however, emancipation needs to be dichotomic, needs to mark a radical discontinuity between the emancipatory moment and what preceded it. Emancipation is indeed characterised by the coexistence of these contradictory dimensions. (Laclau 1996)

18 Such a recognition did not eliminate the causes of oppression –the unjust distribution or bad administration of resources, or land speculation- but it certainly empowered an alternative for the most affected segments of society.

take care of that space, not only to use it. And of different users to have access to it. Even more evidently, that was the case of the corridor going across the building. Its design was decided in relation to the sense of security, but also of the capacity and willingness of the inhabitants to assume the responsibility of its opening during different moments of the day and of the week. The design process, by confronting with space, allows the prefiguration of all possible scenarios and the continuous adaptation of the different elements. Most importantly, by assembling different uses, orchestrations imply the balance of different responsibilities. Distributed among the residents but involving also the other concerned users. A well-maintained building and a lively *intérieur de court* is a richness for the whole neighbourhood. And that could be the result of direct engagement of the concerned subjects, acting to preserve the quality of their living environment, as a means and a starting condition of their life strategy. Orchestrations are necessary as part of a holistic approach, according to which spatial characteristics –such as scale and forms of accessibility- individual and collective capacities, needs and rights, and the bundles of uses expressing them, encounter and redefine each other. The process of design, by experimenting with different orchestrations, allows prefiguring the balances that would make possible good governance. Governance is about maintenance and development –especially at the beginning of a project, about the responsabilisation and awareness of the concerned actors and orchestration of the different activities. Good governance, for a CLT project, is about the common good. Not only the good of a strict community of users but of several, other communities. It is in this direction that the concept of a large community was introduced in the initial model of CLT (Davis, 2010). Based on the recognition of the fact that such a large community was at the same time a beneficiary and a contributor to the system of property installed by the CLT. An assemblage of actors that with their expertise and because of their needs would have helped to protect the resource. A sufficiently large and mixed community to avoid any form of exclusive decision about the resource.

While orchestrating the different uses converging around the plot -while prefiguring the governance- the design process concerning the 121 also prefigured the community embeddedness of the forthcoming CLT project. By grafting onto an existing fabric of socio-spatial relations, embedment is what allows the preservation of the piece of life engendered around a block, a plot and its built structures. Not only the design process itself brings a multiplicity of actors to converge around the project, as for example Samenlevingsopbouw¹⁹, or the Comité de Quartier Jacques Brel. Not only community embedment is implied in the very decisional process of the CLT, requiring the implication of a community larger than that of the inhabitants directly concerned by the residential projects²⁰. it might be easily imagined that any

19 Which contributed to the animation of the design ateliers.

20 Not only concerning the realisation of the project but the very life of the CLTB as association. The typical moment in which all the representatives of the different communities come together is the AG. In other occasions, meetings addressing specific issues might be organised with the concerned partners.

project – not only CLTs projects- through the very process of its realisation would be entangled in a fabric of supporting relations, at least ideally. At the 121 of Rue Verheyden community embedment is first of all a spatial matter, as explained in the previous paragraphs. The gallery, directly connecting public and collective or the *intérieur d'îlot*: they are both invitations to get involved in the larger circle of relations and inhabiting routines of the neighbourhood. Something that in fact –as mentioned- was clearly shown already during the phase of temporary occupation of the building, when additionally, the flexible attitude of the users made possible the coexistence and alternation of different activities. The shift to the phase of permanent settlement of the households of Le Nid required a more balanced, regulated situation, allowing the coexistence in the long term of the different activities. In spatial terms, mostly a matter of accessibility and of creating the conditions for the compatibility among the different activities and in particular with the needs of the inhabitants, as those more intensively inhabiting the plot. A more compact and less permeable morphology –as previously mentioned- could have entailed a weaker capacity of involvement of the neighbourhood, in terms of daily routines, given the lack of a spatial availability, inviting people to stay. So while the potential embedment of a given project is necessarily strictly related to the orchestration of uses and forms of accessibility, the spatial morphologic conditions and the design decisions also play a crucial role, determining the life of the project.

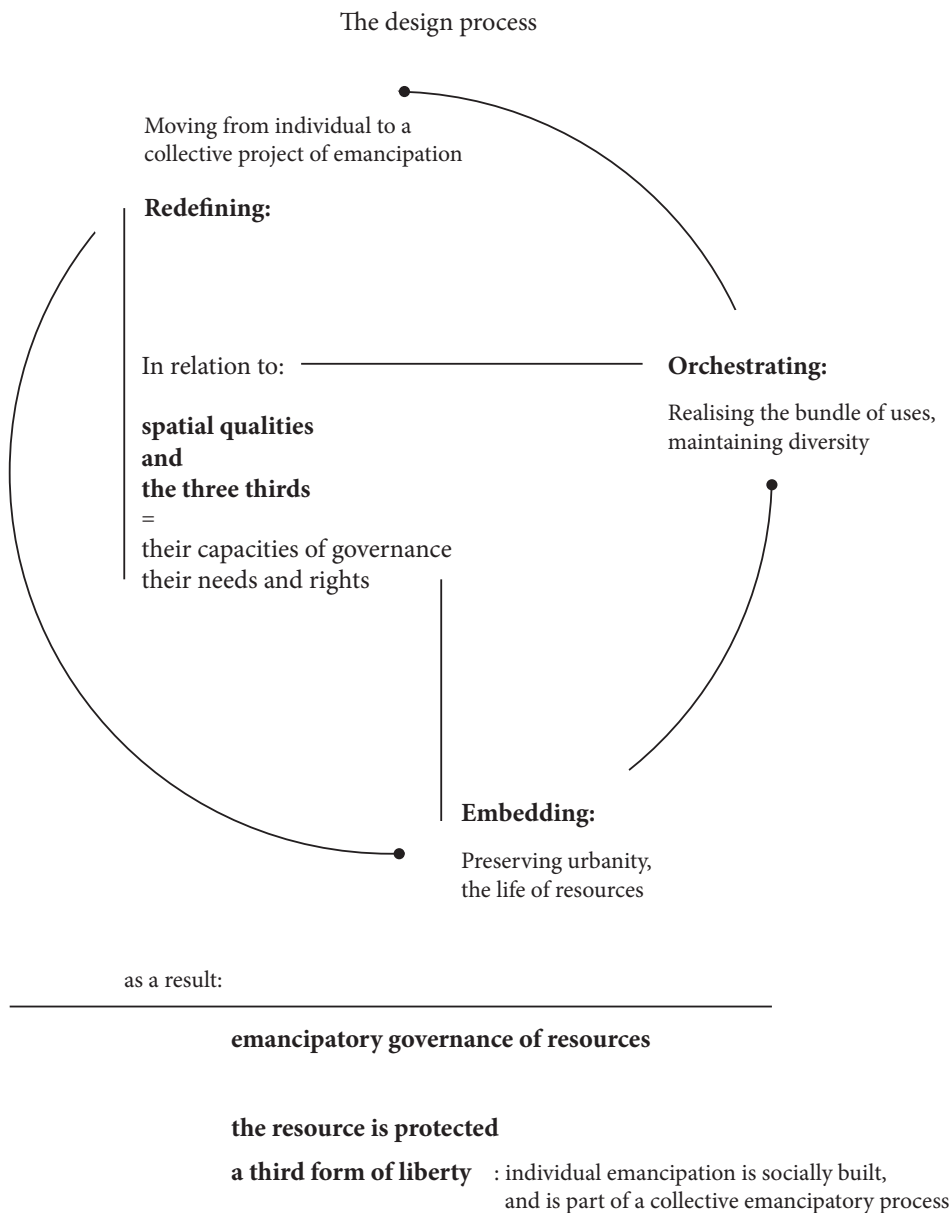
Redefinitions, orchestrations and embedment are strictly related, complementing and reinforcing each other. My effort in pointing them out is to stress how in the CLTs projects²¹ the possibility of the good governance of the land and the built patrimony is really grounded in the project, in recognisable spatial moves and choices –by themselves emancipatory. Choices that allow the different practices to happen and to involve the capacities of the concerned actors at different levels²². The governance as meant in the model of the CLT, it could be said, is built around the project. Around some specific operations. A confirmation of what a space can do. It is worthwhile to stress that the articulation of uses and resources however is not meant to produce uniformity or homogenisation, on the contrary. The three operations I have tried to distinguish in fact are based on the preservation of diversities, while making possible their coexistence, for the different resources they may bring to the project. While maintaining the balance between the centrifugal and centripetal processes that allow a project to function and to install in a given ecology. Between openness and closure.

On the one hand, resources and uses need to intersect, so that governance could be solidly

21 And intuitively in any other project built around the preservation of a resource by the concerned communities.

22 Could these same operations be recognised in other forms of project? Yes. But while in other forms of project possible forms of dysfunction might be compensated by external mechanisms of governance and maintenance –or might otherwise simply led to decay, as well proven- ideally for CLTs project the ultimate purpose is the autonomy, meant as capacity of the involved communities to take care of their resource, according to their different responsibilities. And design, I suggest, is the process that would allow to reach the best assemblage of capacities and resources.

Fig. 5.3.3
The project of property as emancipation



founded, the perimeter where to exercise it could be defined and the capacities could be organised. On the other hand, those resources need to pour out of that perimeter, to involve other communities, other users. So that those resources could be embedded in a larger circle of life, thus impeding that in the long run one among the variety of interests may prevail over the others. Such a pluralistic approach ideally should impede the re-emergence of exclusivity as a logic of management of resources. Redefining does not mean to homogenise: reciprocal adjustments are built as part of a conversation, and a negotiation, allowing the involved actors to reach their own objective. Orchestrating means to make possible the coexistence of different uses. Embedding is what allows to fuel urbanity, by grafting a project onto a pre-existing urban fabric. Centred on the recognition of differences and conflicting uses and rights, these design moves create the conditions for the CLTs tripartite decisional system and system of rights to happen: to be translated in concrete living environment where concerned actors could play their role, without losing the diversity of their purposes. The homogeneity of intentions and interests could look pacifying today, but might become exclusive tomorrow (Fig. 5.3.3).

Grid, delimitations, projects

In the previous paragraph, I have tried to describe the interweaving of uses and rights due to the specific spatial qualities of the site at 121 of Rue Verheyden. My purpose was to show the unfolding of the design process as a decisional process built around the capacity of the inhabitants and the others users to take care of their living environment. Trying to match a bundle of uses with a bundle of responsibilities. Out of which a resource could be protected: as a result not of a sovereign decisional power, but of a collective decisional process (Fig 5.2.1 , fig. 5.3.4)

It is true that the design process I had the chance to observe concerned a micro-scale intervention. Nevertheless I argue that situation –in consideration of the morphologic specificities of Verheyden- offered an interesting *mise en scène* of the dynamics and the characteristics of the project that –according to my interpretation- would be required for the realisation of the scheme of property as the one suggested at the core of the CLT²³, *la propriété ré pensée par la gouvernance*. If the CLT could suggest another way of owning, it is legitimate to look at the spatial configuration and at the role of the project as aspects contributing to its

23 It is difficult at present to build a more extensive understanding, based on a larger number of cases. While a few variations could possibly be noticed among the projects currently being realised, my personal implication concerned only the case of Verheyden. Looking at other cases of urban CLT, while they certainly required or were part of an existing urban plan, there are no traces in the literature about the way in which those projects have been realised and conceived, and how inhabitants were involved. Members of the American CLTs, in occasion of a recent conference have in fact recognised the relevance of the design process as a Belgian specificity, a characteristic that according to them should be preserved (this has been reported to me by Lorella Paziienza in the course of the last interview in November 2017). As a further path of research, it would be interesting to investigate which other forms of the project and of the design process would support alternative approaches to the governance of resources, to the concept of property.

realisation: because both property and any (urban) project deal with and converge towards the organisation of resources and the relational field within which these work. Intuitively scale might play a relevant role –as I will discuss in the next paragraph. But the case of Verheyden allows anyhow to propose a few observations –as those presented in the previous paragraph–concerning also those aspects eventually challenged by larger-scale operations. In the following paragraphs, I will hence point out the characteristics of the kind of project supporting the mentioned form of property. Learning from and continuously referring to the case of the CLT, but at the same time suggesting those observations could, in general, refer to any other form of property or form of management of resources centred on the right to govern.

The radical hypothesis at the origin of a concept property centred on the right to govern and on the urban project that would contribute to realise it, is the recognition of the capacities of the concerned communities to take care of their resources. Because of the forms of expertise they developed in relation to the use of those resources. And because of the motivation of those communities to preserve a resource they need for their fulfilment of their needs and rights. A matter of recognition necessarily bounded to the responsabilisation of the involved subjects. A shift from a model of government of resources mainly oriented to redistribution, of which zoning and other forms of grids have been the main expression and executive tools. As shown in the genealogical reconstruction in chapter 4.1 and as mentioned in the previous paragraph, recognition as a premise to govern resources differently, has been legitimised and built through theorisations and concrete experimentations which go back to George and Howard, to the efforts and struggles which led to New Communities. Its latest expression is the model of the CLT, which according to my interpretation, could actually suggest a direction to reconceive property around the right to govern. The purpose of such a form of property would be to make possible the governance of the resource by the directly concerned subjects, as an emancipatory occasion, both at an individual and at a collective level, as I will point out. This is achieved first by installing a specific decisional system. Secondly, I argue, by focusing on a design process centred on the practices of governance of the users. While many CLTs do not recognise any specific role to the process of design, what I had the chance to observe in the case of Verheyden allows me to argue the design process is in fact fundamental. Not only as a process of prefiguration of different uses and the possible spatial configurations. But most importantly allowing to confront those uses and spatial configurations with the actual capacities of the users to take care of them.

Relying on the recognition of the capacity of the concerned users to manage a given resource, the design process is the process through which those capacities and values, not only are confirmed and further built, but also have the chance to become decisions and decisions become space. Thus shaping governance in between morphological qualities of a given site and the capacities of the users. Thanks to the design process, right and needs are thus made practicable. And the governance of the resource not only possible but also emancipatory because allowing the

concerned users to become responsible of their life strategies by gaining back the control of the resources that realise those strategies; to become aware of their power and of their being in the world. While contributing to a collective emancipation as well.

The design process I have described, if on the one hand is a continuation of an approach started with the project *Espoir*, on the other hand is greatly justified and legitimised by a decisional system that indeed recognises *a power to design their environment –equal to the power to decide-* to the involved actors. Something in other cases less obvious, unless of an explicit empowering purpose (as in the case of *Espoir*). If the neighbourhoods did not have any decisional power, the use of the courtyard might have been different and less extroverted. On the other hand, the reverse is also true: what I would like to stress –and what I have tried to show in the previous paragraph- is that the design process and the role of the project are essential for the realisation of that property model, *répensée par la gouvernance*. The design process and property formula above described intertwine with the purpose of realising a form of governance based on recognition. The design process allow not only identifying the concrete practices and actors concerning a given site: it also consolidates and legitimises responsibilities by prefiguring the best spatial configurations in order to optimise available capacities and resources, creating the conditions for an emancipatory governance. Without the design process as a process allowing to confront with the real constraints and potentials, the decisional power recognised to the different involved communities –especially the direct users²⁴- would risk to remain undetermined, abstract and ineffective. Not only could the success of the project be jeopardised, for lack of a solid implication: without articulating the morphological conditions of the resource and the actual possibilities of the concerned communities to take care of it, the right to govern and the emancipatory potential related to that might be lost. The resource perhaps could be protected but –without a direct engagement of the concerned actors-, the risk would be to fall again in the logic of representativeness²⁵.

The process of design here described operates as a grounding process by creating the conditions for a form of property centred on governance to be realised. This is what the three previously described operations allow to do. To create the conditions however has not to be meant in a logic of contingency, of the event production. Looking at many contemporary urban projects, a logic of the studios has been pointed out (Bianchetti, 2011). A logic emerging on the background of a disrupted relationship between politics and the territory, to which –almost certainly, but not exclusively- those projects in their turn contributed. The grounding approach of the design process I have tried to describe in fact has the purpose of re-establishing the relationship with

24 As those possibly more involved in the concrete matters of the everyday life, concerning their living environment, rather than in the organisational moments of the CLTB as association.

25 As I previously mentioned there is no trace in the literature of any form of a design process being developed in a similar way as in the case of the CLT in Brussels. It would be hence interesting to understand how inhabitants are involved and engaged, how their decisional power is made concrete and at which stage of the project, in the absence of a design process as a moment of co-determination of the project.

the territory, starting with the recognition of the capacity of individuals and communities to manage it and their right to govern their resources. A relation re-established in terms of responsibility. This kind of project and the related design process are very different from the prevailing ones or those depicted in the pages of the magazines of architecture or urbanism. Or at the core of new policies. At least not yet: though given the rising discourse on the commons this might soon be the case, as a result of growing interest. The project that I am trying to describe and that I am suggesting as a relevant part of a property reconceived on the basis of the right to govern is still marginal and concerns residual portions of land, for the moment made available with no strategy. A project opening emancipatory breaks into the grid of the public and private sovereignties consolidated through the centuries at the expenses of other forms of management of resources. More than the small private property of individuals, most importantly, the growing privatisation of resources and the power of corporations. And the public –or what remains of the public- and private. Hence the project of emancipation in these days cannot be the *tracés* of Verwilghen, required by a condition of *tabula rasa*. Not the large-scale drawing: but the breaking of the grid, interrupting an established system of power with an alternative approach to the governance of resources. Taking advantage in the here and now²⁶, of intentional and unintentional openings –or structural weaknesses, as Simondon would call them-, happening at the right point of accumulation of expertise, capacities and triggering factors, finally assembled in a specific neighbourhood, through a long process of emancipation (Fig 5.1.1). A thick here and now, in fact. The project I am describing entails detecting the processes and communities gravitating on a given piece of land or other built resource. It still implies a delimitation as a sign to legitimise and to realise the establishment of different rules and forms of governance. A delimitation as a tool to recognise the concerned communities, rather than to exclude. So that resources could be protected because embedded in a bundle of uses, which are about rights but also responsibilities (Figg. 5.2.1, 5.3.4). Emancipation, at present, is pouring out of those still marginal and fragile, but porous perimeters.

Responsibility, autonomy, scale

To confront the physical qualities of a site with the capacities and possibilities of management of the inhabitants; with the needs and rights related to the bundle of uses that are supposed to intersect around that site: this is what the process of design has the purpose to do, when backed by –and in its turn supporting- a form of property which makes governance possible by recognising the concerned processes and communities. A double emancipatory result is achieved. The first is the protection of the resources and their accessibility: protected because

26 Here and now because for the moment the occasions to establish another way of owning are marginal, fragmented, residual –as the emergence of the commons, with all the difficulties and fragilities is showing. The pre-existing and current system organisation, based on public and private property, or eventually on their partnership –in any case based on an exclusive logic (Mattei 2012)- is prevailing and this is what alternative forms of ownership/governance of resources have to confront with.

Interaction | Scenarios for *la salle pétanque*

Themes : relationship inhabitants/CLTB, decisional power of the inhabitants, profit making activities for the CLTB, bundles of uses and property limitations, the role of the architect/designer, scenarios as visions and scenarios as processes, reflexivity of the designer, reflexivity of the team.

My task during the months of collaboration with the CLTB was the development of a proposal concerning the reuse of the *salle pétanque*. A square-plan, single storey building in the courtyard, still in use during the permanence of the CLT offices at the 121 of Rue Verheyden, till the beginning of the renovation works. The building was acquired by the CLT Foundation, as a private property. As they explained me, some important conditions needed to be considered at the time of suggesting a few possible scenarios. First of all, there was the possibility that the CLTB could gain some money from the use of the building, as a first step towards the development of some financial autonomy; secondly renovation works needed to be as cheap as possible, so the interventions had to be really minimal. Finally, the space would have had to be used not only by external actors, but also by the inhabitants for some possible common activities. A relevant element to be verified, addressing the core principles of the CLT *modus operandi*, concerned the decisional power of the inhabitants. On the one hand in fact the space was owned by the CLTB Foundation but, on the other hand, its accessibility and way of functioning would have had substantial implications in the daily life of the inhabitants. Also, to what extent would have they been implied in the management of the space and its activities?

After a few weeks, I was supposed to present some possible scenarios concerning the use of courtyard and in particular, the *salle pétanque*, taking into account not only the spatial qualities and requirements, but also the forms of governance that would have allowed to maintain those uses through the time. More than an official presentation, the idea was rather to share and discuss a few proposals with some members of the team.

Silvia, Thomas, Geert and me, we sit in a small room behind the former cafeteria, usually used for the small meetings. The table takes almost all the available space, but it is a cozy room and warmer than other bigger rooms in a building which is old and dispersing heat in any direction. I have prepared a few images: very simple sketches representing alternative uses of the *salle pétanque*. In short, the different options are represented in a scheme, a sort of tree-graph in which every node marks a possible scenario and concretely, also a decisional moment for the team, the inhabitants and other concerned actors. I conclude my explanation by describing perhaps the most interesting possibility, but also challenging as far as the capacities of the inhabitants are concerned to take care of their living environment.

« Dans l'hypothèse d'augmenter la rentabilité du bâtiment, *la salle pétanque* pourrait être louée, pour des activités différentes, par exemple des espaces de co-working. Ce qui n'exclurait pas d'avoir d'autres activités dans des moments différents de la journée. Les habitants pourraient aussi s'occuper de gérer

l'accessibilité au bâtiment. A la limite quelqu'un d'eux pourrait être payé pour ça. Mais ça pourrait être aussi quelqu'un de l'extérieur. Comme ça ils ne seraient pas obligés de se prendre des responsabilités, s'ils ne peuvent pas ». I look around for reactions.

« Mais de toute façon il y aurait le potager, est-ce qu'ils vont s'occuper du potager ? » comments Silvia.

« Ça aussi est à vérifier. Mais en principe en octobre ils étaient intéressés à continuer avec un potager comme c'est déjà un peu le cas aujourd'hui. Si la salle pétanque va devenir un espace bureaux, le CLT aurait la possibilité de financer le prêt pour l'acquisition du bâtiment. » Thomas semble convaincu par la proposition.

« Il me semble, si je peux ajouter quelque chose, que aussi, l'espace disponible n'est pas tellement grand. Et l'équipe est en train de grandir jour après jour... alors je me demande si celle-là ne serait en fait la meilleure solution. Evidemment, à discuter avec les habitants. Et par contre alors nous devrions déjà nous mettre à la recherche d'un autre endroit pour nous même » says Geert looking at Thomas. As soon as the renovation works will start at the 121, the CLTB would have to look for another building. Possibly at no cost or almost, as the financial means of the organisation are limited.

“Du coup j'ai aussi l'impression que ça les aiderait à être un peu plus autonomes. Par exemple, justement en ce qui concerne l'aménagement du jardin et potager, peut-être qu'ils devraient se débrouiller un peu plus dans le quotidien si nous on n'était pas là. Alors, pas question de les abandonner -says Thomas while mimicking the brackets with his fingers- car de toute façon le CLT reste toujours un point d'appui pour n'importe quel besoin. Mais ils seraient un peu plus dans la condition de trouver les ressources et les moyens eux-mêmes, de ne pas compter sur la présence du CLT. Qui, de toute façon, comme Geert disait, ne serait pas pour toujours non-plus. »

« Une dernière chose que je voudrais ajouter, je pense qu'il faudrait commencer à utiliser ces scénarios pas seulement comme des visions, mais les explorer en tant que processus. Pour vérifier dans quelle direction procéder... quelle direction est vraiment soutenable... car j'avoue qu'autrement, à ce moment je me sens un peu bloqué. Alors je crois que le prochain pas serait celui de vérifier avec les habitants quelles sont les hypothèses qui leur semblent plus faisables ». This is a point I really need to discuss with them. In order to explore the scenarios further, beyond my drawings and schemes, simulations are not enough. My feeling is that a concrete step needs to be done, in one direction of the other. For example by checking the actual availability of inhabitants, their feelings about the proposed solutions, the best options concerning the possible activities and

the more sustainable forms of governance. To begin to verify which of the proposed scenarios could better resist and satisfy the larger number of needs and expectations: of the inhabitants, of the neighbourhood, of the CLT Foundation. But I am not sure this approach would meet the expectations of the team. Perhaps they would prefer me to develop all the different options so that a choice could be made looking at the expected, hypothetical evolutions. Or maybe this is only my interpretation. Also, I am not sure when the inhabitants should be involved in the decisional process about the activities of the *salle pétanque*, being an asset the Foundation owns differently from the CLT model of ownership. Again, I wondered in those days, how do we know which activities could happen in the *salle pétanque* and in the courtyard, without knowing what the inhabitants think and how and if they would be available to contribute? Because in any case they would have to cohabit with those activities. So sooner or later, the conversation with them would have to start, no matter how much they are allowed to influence the final decision. In my mind, precisely that should have been the next step, I believed.

« Une fois qu'on aura propo les différents scenarios et qu'on aura eu des réactions, on sera capables de commencer à vérifier comment les mettre en pratique. Mais voilà, je pense que le prochain pas devrait être celui d'en parler avec les habitants. » I say concluding the presentation. Geert and Thomas seem to agree. Nevertheless I am not sure I made really clear the reasons of my hesitation in exploring more than one scenario at the same time, the reasons to begin the conversation with the inhabitants as soon as possible. Not only as a designer. I am also concerned that exploring more than one scenario at the same time, somehow abstractedly, could create expectations in a number of actors, without actually being able to promise anything substantial, without checking the concrete premises with the inhabitants. The conversation just continued however.

“Oui, c'est une bonne idée. En tous cas au même temps il faudra aussi commencer à vérifier s'il y a d'autres acteurs dans le quartier qui pourraient s'impliquer. Par exemple pas loin d'ici il y aura une crèche dans le futur... donc ça serait intéressant de les contacter. On pourrait imaginer des collaborations. Ou d'autres...par exemple liés au potager. Il ne faut pas oublier qu'en tous cas, on aura besoin d'avoir l'approbation de l'AG. »

maintained within the living frame of processes to which they contribute. Their maintenance is then related to the fulfilment of the needs and rights of the concerned subjects²⁷. The second is the empowerment of the subjects and the communities involved. The two are in fact strictly related: by being directly involved in the maintenance of their resources, the concerned subjects and communities need to become aware and increasingly capable of taking care of what is fundamental for the realisation of their life strategies. To govern –in the sense implied in the CLT model and in that form of property- is not only a matter of decisional power. It is a matter of direct engagement, of awareness, of direct implication required for the resources to be well maintained: no form of external, assistentialist intervention is foreseen to maintain their good health, unless in extreme cases²⁸. According to the CLT's philosophy, to govern a resource means to maintain it and to develop it for the common good. In this direction of progressive empowerment and awareness, responsabilisation is paramount. Responsibilisation not only as a full and aware assumption of how individuals and collectives could contribute for the management of the resource and patrimony in their hands. But also, responsabilisation as agency and rights: it is about claiming one's own role in the making of the world, about recognition (Fig.5.3.4). As part of a process of emancipation that goes in the direction of what Axel Honneth has theorised as the third liberty, shaped in between the individual and the collective (Honneth, 2017). Paziienza, Dawance and De Pauw seem to be quite aligned in this respect²⁹. In particular, the design process through which awareness and knowledge need to be built seems to represent a fundamental phase for the responsabilisation of the inhabitants. Its specificity –as an intensive decisional process organised around the qualities of the space and the needs related to its governance- allows differentiating the CLTB from both other CLTs and from other organisations providing social housing in Brussels.

The different projects developed through the years revealed a variety of possibilities and degrees of intensity concerning the responsabilisation of the inhabitants. While the case of Verheyden is characterised by a high degree of implication of the inhabitants, in the case of the project *Lécluse* the apartments were ready to be sold according to the CLT formula, thus implying a

27 Again recalling the definition of commons –*beni comuni*- according to the Commissione Rodotà.

28 The CLTs –in the name of stewardship- commits to be always present and to provide support to individual households in case of need. While this support is supposed to be more intensive in the first years of installation of the project, with the time and in principle, each CLT project should become increasingly autonomous.

29 This could contribute to a reflection according to some scholars not yet sufficiently developed. A more precise understanding of how actually the governance of the CLT impacts residents and users, how it could concretely engender empowerment –through responsabilisation among others- is needed (Aiken, Cairns and Thake, 2008; Moore and McKee, 2012). The design as a decisional process as practiced by the CLTB offers an interesting starting point to observe the relationship between responsabilisation and empowerment, in consideration of the potentials and the limitations that this subchapter tries to highlight. The design process being the process thorough which households confront with their actual capacities and their rights, and with the possibilities and potentials offered by their living environment. It is in relation to this phase-and more in general in relation to the phase of realisation of the projects-that the relation between governance and empowerment can be for the moment observed. Once a few projects will be effectively inhabited, the relationship between governance, responsibility and empowerment could also be observed in relation to the maintenance and everyday living activities.

much shorter and less demanding participatory process. In the case of Arc-en Ciel, the project in Rue Vandenpeereboom, the FdL acted as the developer, thus avoiding the inhabitant the challenging task to oversee the construction works.

What emerged as a challenging aspect -both for the team and for the inhabitants- however is the duration and the timing of the process of community building, mostly beginning and coinciding with the design phase and then continuing in other activities that should gradually introduce the inhabitants to their new houses and cohabitation. Not the exercise of design in itself, but the long waiting times mostly determined by planning authorisations –*permis d’urbanisme*-, for example. What the design process does -while confronting inhabitants with spatial decisions- is to inform, to guide, to build awareness and empowerment. But the solidity of these results is grounded in the construction of a social fabric, of a relational continuity that reaches its momentum –so to speak- with the obtainment of the *permis d’urbanisme*, as the official recognition of the beginning of a construction process. Symbolically, this is a crucial moment. A long waiting time risks to engender disappointments [v 06]³⁰; to complicate the lives of the households –as they will have to postpone their relocation and to renegotiate their permanence in their houses; to decrease their motivation and their engagement in the common activities, their usefulness being obfuscated by the set of problems that the temporal indeterminacy creates. To the point that in a few cases households decided to abandon the project they were involved in³¹.

Given the relevance attributed to the design process, necessarily these difficulties triggered a serious reflection of the team about its role and the best moment to introduce the inhabitants to such a participatory process, together with any other activity oriented at building the community. An alternative could be to maintain a participatory phase, thus allowing inhabitants to know each other and to familiarise with their responsibilities: but to begin this phase after having obtained the planning permission. In this way, there would still be enough time to prepare inhabitants and to work on the relational aspects, while avoiding the risk to add further disappointments to the often already long and complicated housing history of many households. Consequently, however, this would avoid any implication of the inhabitants in the spatial decisions: it would not be a design-based process anymore. If on the one hand, it would simplify –not necessarily accelerate- the realisation of the projects, this alternative procedure would necessarily reduce the decisional margin of the inhabitants concerning their living environment, not to mention the opportunity to learn and to appropriate it from the very beginning. Perhaps having an impact on their level of engagement and governance capacities. Dawance and Paziienza seem to agree on the fact that if on the one hand a simplified procedure

30 As emerged in the interviews to some of the inhabitants made in 2017, involved in a long participatory process that started in 2013.

31 “For one of project we had to wait two years for the planning permission, an unusually long time... as a result some inhabitants left the group and we had to replace them”. Geert De Pauw interviewed January 2018.

may help, on the other hand the emancipatory capacity would be definitively reduced. De Pauw points out that in fact to renounce to the implication of the inhabitants in the design process would transform the CLTB into something else *tout court*. It would largely compress the relevance of stewardship as the funding principle of the whole system. The phase of design is recognised as essential for the emancipation of the inhabitants and the inhabitants themselves consider it as an opportunity, to express their needs and to further their acquaintance. A different procedure would make room to some form of assistentialist attitude. The CLTB would become just one more among many other existing organisations, rather than an actor operating *with* the community, for the empowerment of the community. The occasion to make social housing in a different way will be lost³². And the residents would lose an occasion to practice their decisional power and to confront with their capacities, a rather crucial moment for their personal growth, but also for the success of their housing project and the good quality of their living environment. To renounce to the design phase seems hence for the moment unconceivable.

Although a second important challenge in fact will have to be tackled, concerning the relationship between design process and responsabilisation: a matter of scale. The design process as conceived at present is a long lasting process, demanding a high number of encounters with the inhabitants –especially, as I will explain in the following lines when they are also involved as *maitres d'ouvrage* (as in the case of Verheyden). A process absorbing the members of the team in an enriching, but complex procedure that requires to combine social, spatial and psychological skills. First, how could this highly sophisticated, custom-made process be maintained when the number of projects will increase? Secondly, what about the very scale of the projects? How would it affect the capacities of governance? Which design process would be required? Concerning the first question -about what in Krinsky and Hovde is defined as the expansivity of the CLT- it could be imagined perhaps not all the projects would be developed following the same procedure, as in fact already happens today. Some may need participatory and supporting activities more than others, and a certain *mixité* of the households may contribute to the development of different approaches. A tailoring approach would allow differentiating the *modus operandi*, resulting in a variety of participatory schemes. But a larger team would perhaps also be required.

On the other hand -concerning the second set of questions-, larger scales may impact the projects concerning both the relational aspects and their morphology. While for the moment the number of housing units goes from a minimum of seven to a maximum of 34, in the

32 “Up to the present, before Espoir, the State gave the houses and inhabitants inhabited them but they neglected the maintenance ...a disaster! And when I invited the Foyer Molenbeekois in their buildings, to visit those apartments and to show them the problems, they [the Foyer Molenbeekois] usually told me “this is not our fault, this is them [the inhabitants] that do not use it well.” Through housing people can become responsible citizens. And we want to make sure that what we build, together with them and their resources, they will know how to use it, they will respect it and use it properly. This is a necessary process” Lorella Paziienza, Interviewed November 2017.

future larger projects might be developed, questioning the modalities of the design process, its capacity to reach and to allow the expression of a larger number of inhabitants. But most importantly what would need to be questioned would be the possibility that space, by virtue of its morphological qualities, could support and make possible the engagement of the inhabitants in activities of care and maintenance of their living environment. Together with the neighbouring and civil society organisations, thus fuelling the embeddedness above described as a condition to make CLTs projects as *community* projects. And last but not least, to make the coexistence of the different uses possible. While at present these needs are being tested at very small scales -a plot and an *interieur d'ilot* in the case of Verheyden- larger scales may make more complex the exercise of preserving the balance between privates, publics and collectives³³. While this is not a new challenge for an urban or architectural project, what is new in the CLT projects is that such a balance is required for the governance of the project and needs to be tested on the actual capacities of the concerned actors.

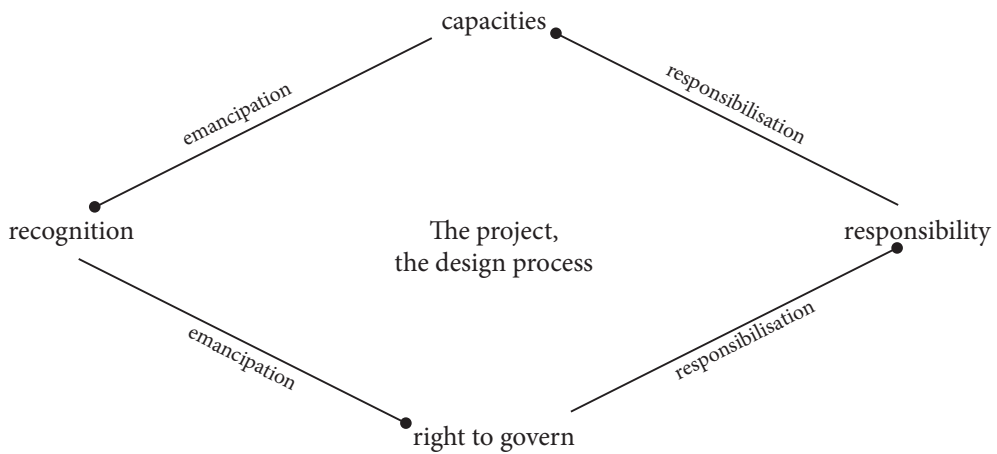
“We have projects that go in many different directions. We absolutely need to save this participatory approach and we need to find a method. On the other hand, we cannot just work on participation, we need to develop more projects as well. We possibly need other partners to do things properly, to have meaningful participatory processes, otherwise it is not worth it. These can be long processes, up to five years as in the case of Espoir and many things can happen, the status of the households can change, their financial conditions...we need support at an individual and at a collective level. Because it is important to advance together while making the project, to know each other, to understand each other's competencies before the beginning of the cohabitation. The FdL does not always share this vision. But we don't have enough financial means to always provide the required support. So we have to adapt every time to the situation, our purpose being to build the autonomy and the cohesion of a given group of inhabitants. This is how we can change society“.³⁴ The process of responsabilisation cannot happen through a standardised procedure: it takes time, listening capacities, energy and competencies of everybody involved: the CLT, the supporting local actors and the inhabitants. As mentioned before (ch. 4.2), it is a matter of balance, of purposes and resources: between the expansivity of the CLT and the support to the community; between autonomy and the need of additional financial resources. The purpose being social transformation, housing almost becomes a pretext³⁵.

33 On the other hand, even a too small scale might create difficulties, the capacities and resources made available by the inhabitants finally being insufficient or obliging every inhabitant to a constant commitment, as Lorella Pazienza reported about the project in Verheyden. In the case of larger projects, more activities could be organised, not only as part of the regular cohabitation and the maintenance of the living environment, but also to extrovert the project towards the neighbourhood and the city, without necessarily involving all the inhabitants or exhausting their capacities.

34 Lorella Pazienza, interviewed November 2017. See also [v 04]

35 “The space gives the occasion to bring together different ways of living, different needs...in the end these will combine into something else. Without this process there is no possibility of growth for the people.” Lorella Pazienza, interviewed November 2017.

Fig. 5.3.4
The virtuous circle of recognition and a collectively built responsibility



The resource is protected because of the recognition of the right to govern of the concerned communities, substantiated by their capacities and in relation to the spatial qualities of the assets. The more those communities engage and are responsible, the more they develop expertise and capacities, thus increasingly legitimising their right to govern.

While to give an answer to these questions and to find a solution to the matter of scale is not a purpose here –and would not even be possible³⁶ –, what seems to emerge in between the lines is that in fact emancipation –when related to the governance of land and the built patrimony, to the use and the accessibility of resources- is also a matter of scale. Within a logic of governance of resources based on recognition and the empowerment of the concerned communities, the challenge is the scale: when too large impeding a direct involvement, implying delegation and hence de-responsibilisation, as well-known dynamics. When too small limiting the extroversion of the projects and requiring a too high engagement of the inhabitants, risking suffocating life and the urban dimension of the projects. Not to mention the lost occasion for individuals of increasing their agency and awareness, of legitimising and building their decisional capacity. To point out that scale has an impact on governance, responsabilisation and emancipation, means to provide an additional argument in favour of the project as a crucial process in order to realise a form of property based on the recognition of the concerned communities. The project as the tool to explore the scale limitation: the purpose being to make possible the engagement of the concerned communities, in order to effectively protect the resources around which different rights and needs gravitate.

While the design process is certainly the phase where the conditions are created for a sustainable governance, as previously mentioned it has to be specified responsabilisation is not engendered only during the design phase: it will continue to be developed during the cohabitation. In the case of the project in rue Verheyden, in fact it has been developed also through the very process of construction, Le Nid being identified as *maitre d'ouvrage*, as previously specified. While in the project in rue Vandenpeereboom, for example, the developer is not the association of the inhabitants, but is the FdL, which will later sell the housing units to the single households. This means that the inhabitants will receive their apartments *clés à la porte*, without having to assume all the responsibilities the inhabitants of Le Nid had to assume.

« Au début³⁷ la vision de la participation était encore détachée des lourdes étapes du développement immobilier. On parlait encore des jardins, des riverains...mais après c'est devenu beaucoup plus complexe et difficile. Embarquer les familles, avec des réflexions sur le marché, polluer la participation, décider si faire marché conjoint ou pas ? et puis finalement marché séparé ...on refait tout le travail avec les habitant...c'était très compliqué. Il y a un an et demi on avait 70 réunions, aujourd'hui c'est 90 réunions...c'est beaucoup pour être à la moitié du chantier. »³⁸While recognizing the responsibility the inhabitants of Le Nid had on their shoulders because of their role of developers was overwhelming, nevertheless Dawance believes

36 These are indeed only speculations about future development of the CLT in Brussels. In the United States, where urban CLTs have larger scales, on the other hand, as mentioned, not only how governance is concretely performed for the emancipation and empowerment of the involved inhabitants has not yet been studied (Moore and McKee, 2012). Also the role of design, as mentioned, seems not relevant in terms of governance and empowering of the concerned subjects, as confirmed by the team of the CLTB.

37 At the beginning of the design process leading to the Cahier de Recommendations.

38 Thomas Dawance interviewed November 2017.

that is the kind of process especially these fragile households need in order to gain complete awareness of their position in the world, their agency. At the same time, they would also acquire the understanding and knowledge legitimising and grounding their decisional power, building some expertise in relation to something that they will have to maintain through the time, in the long term³⁹. Additionally, according to Dawance, being developers the inhabitants can have a more direct influence concerning the choice of the project that finally will have to be realised. On the other hand, less responsibility means less decisional power: in the case of Vandennepeereboom while inhabitants still went through a design process and formalised a Cahier de Recommendations, thus having the possibility to influence the design choices of the architects, the last word is of the FdL. In the case of Le Nid, the inhabitants are responsible through the whole process, which means they have a decisional power over any aspect. “Soit tu fais pour, soit tu fais avec ...ici de fait c’est fait avec. Est-ce que le gens ont conscience que c’est eux qui portent leur le projet ? ça on peut en discuter...en tous cas, plan méthodologique, c’est très différent si la responsabilité est directement prise...donc par exemple c’est un engagement moral essentiel que à chaque étape je dise « les gars vous allez signer... » Dans le cas où le Fond du Logement a la maîtrise : montrer le projet sélectionné aux ménages ? «Non ». Les amener sur le chantier ? « Si ça les amuse ». C’est eux qui gèrent, c’est eux qui prennent la responsabilité, ceux qui vendent clés sur porte à la fin. »⁴⁰

What may perhaps reduce difficulties and the waiting times of the inhabitants, allowing a better synchronisation of the different phases and increasing the efficiency of the whole process, would be the possibility to avoid the procedure of *adjudication publique*⁴¹. Something that in fact was perceived as a limitation from the beginning and that in these days is more than ever back at the centre of the CLTB reflections. In fact, the inefficiencies and delays in the process of construction works of the project in rue Verheyden finally obliged the CLTB to sue the construction company⁴². The company was chosen with the process of *adjudication publique* being the cheapest among the participants. It had to be chosen, despite a bad reputation that in fact has finally been confirmed. At present works are suspended and a substitute will have to be identified. The households, already stressed by the accumulation of delays⁴³, will have to postpone their relocation, living in a state of suspension, disappointment and frustration,

39 “Residents participation is a central goal. If the residents are unaware of the control they have in the organization or if they don’t know how to exercise it, then the control remains a mere abstraction. “ (Krinsky and Hovde, 1996)

40 Thomas Dawance interviewed November 2017.

41 The public call organised to select the company that should realise the construction works.

42 In considération of the delays, the 1st March 2018 «L’AG de la S.C. Le Nid a décidé, à l’unanimité, d’appliquer la mesure d’office «Marché pour compte» (Art. 47 et 87 de l’AR du 14 janvier 2013), as published in the blog page of Le Nid. Consequently, another company will have to be appointed by the CLTB.

43 Interviews with Bart, Samir, Marie, inhabitants of Le Nid, and Thomas Dawance, between November 2017 and December 2017.

discouraged to practice even those activities imagined in order to create the basis of a future cohabitation that continues to be delayed.

A topic that has been discussed many times at the CLTB concerns the efficiency that could be achieved if instead of having to follow a procedure of *adjudication publique*, the CLTB could rely on companies and architectural studios of its choice. This would allow defining protocols and methodologies, having the possibility to count on a long term, permanent collaboration. Additionally, the inhabitants could have the possibility of a direct interaction with the architects, thus improving the level of adherence of the project to their needs and expectations. On the other hand, the architects and urbanists, increasingly interested in the design approach experimented by CLTB⁴⁴, would have the possibility to refine their tools and approaches to respond to their clients. Expertise would be increased both on the side of the CLTB and on the side of involved designers [v 04]. The stability of the collaboration with the construction companies could improve the efficiency of the process, but could also allow establishing special programs of work insertion⁴⁵. Reducing the margins of uncertainty, the inhabitants could assume their responsibilities on more solid grounds, having the possibility to learn from the whole process, diminishing risks of delays and other frustrations. To avoid the *procedure d'adjudication publique* two options would be available: the first, to develop the projects without public funding, looking for private support. The second, to request a derogation for the CLTB, as a subject in fact by definition operating for the public interest, not to mention the fact that 1/3 of the board of directors in fact represents *les pouvoirs publics*. And by stressing the argument of an improved efficacy and speed in the delivery of the housing projects, as in fact a desirable performance for an agency having the purpose to respond to the housing –often urgent- needs of a growing segment of the population. In itself, this would be a guarantee to the Region of a better use of the funds and resources they would make available⁴⁶. While on the contrary, the accumulation of delays and inefficacy in the long term might jeopardise the reputation of the CLTB thus –among other things- threatening their capacity to maintain the projects. In a few words, a larger margin of autonomy would allow all the involved parts to assume responsibilities more solidly, both the CLTB as an organisation and the inhabitants. While empowering for the capacities and awareness it allows developing, and for the legitimisation of the decisional power it builds, on the other hand too much responsibility can create a sense of insecurity and disappointment in the inhabitants. Especially when the boundary conditions –as mathematicians would say-, create uncertainty, thus discouraging

44 As reported by Paziienza.

45 In other words, empowering also local organisations and in the long term supporting their economic autonomy, as pointed out in the report on community assets ownership and management (Aiken, Cairns and Thake, 2008).

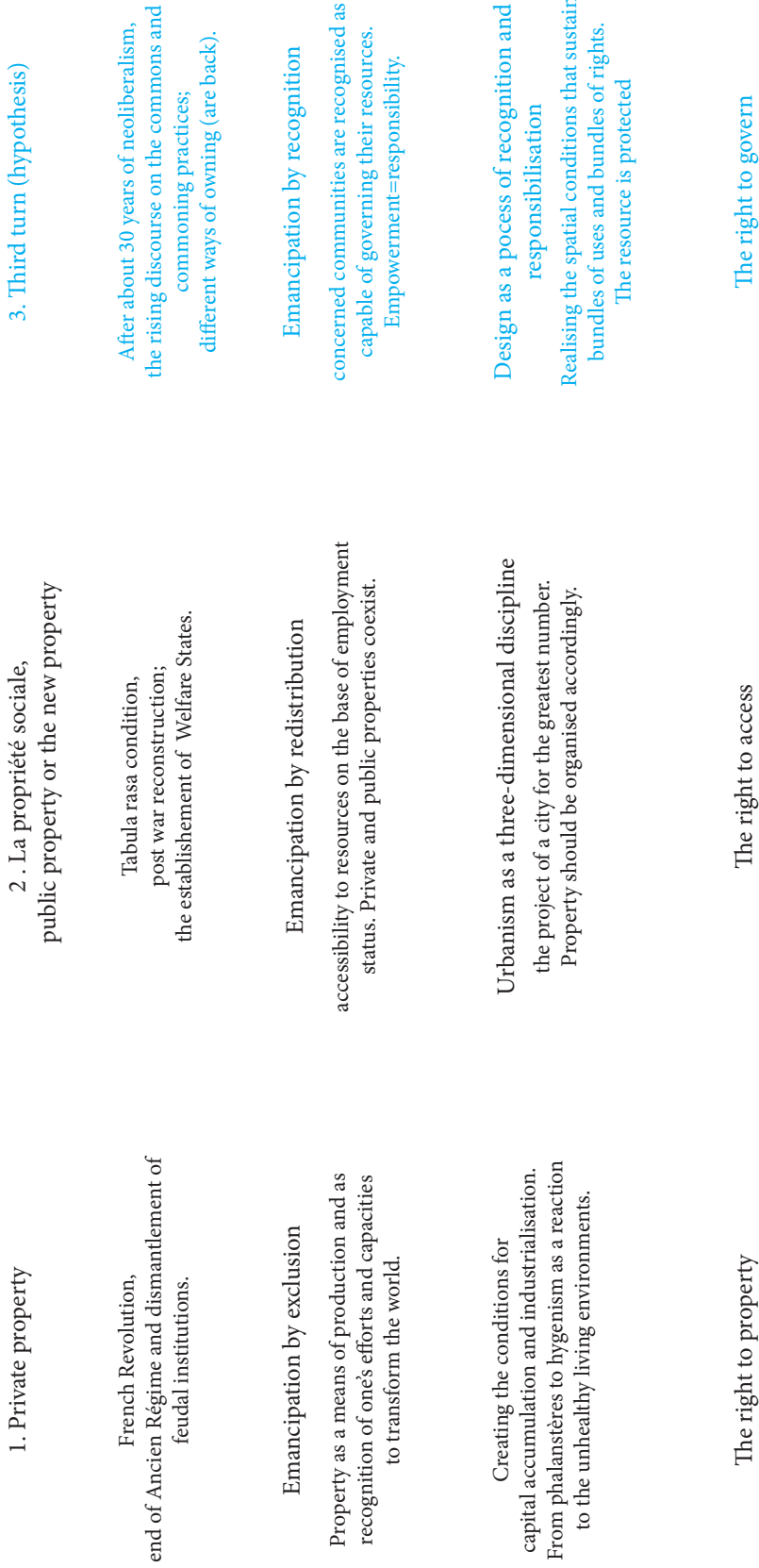
46 While the first option has been in fact evaluated, the second option is my interpretation: none of the team members mentioned this option. It is in fact supported by reports which pointed out how a faster completion of the projects is more probable when no fragile or difficult partnerships –often with the public sector- are involved (Aiken, Cairns and Thake, 2008).

and undermining their capacity to assume their role fully. Hence the question would be: under which conditions can responsabilisation be truly empowering and support emancipation, the creation of one's life strategy? Which balances between the different actors involved and which margin of autonomy and forms of support should be assembled, so that everybody could be able to emancipate while performing their duties? Once again, this would be about the confrontation of the concrete capacities of the concerned actors with the resources that need to be governed.

The notion of responsibility and its relation to emancipation and freedom has been very often dealt with. But by questioning instead responsabilisation, I would like to shortly address the transformative emancipatory role *the very process of becoming responsible* may have, or not. While it is not possible to resume such a complex debate in this research, it is still relevant at least to mention it, being something strictly related to the design process as a process of responsabilisation. Notoriously among others, Foucault pointed out how responsibility and responsabilisation would be in fact one of the ultimate technologies of neoliberalism, operating according to a logic of governmentality that targets the lives of individuals—the *bios*- directly (Foucault, 2004). After Foucault, a number of studies in fact stressed the relation between an increasing responsabilisation of individuals and the dismantlement of the welfare state and the de-responsibilisation of institutions⁴⁷. It is not my purpose here to prove or refute those arguments. Should the discourse around responsabilisation and empowerment be appropriated by neoliberalism, that would be simply a manifestation of the spirit of capitalism as re-defined by Boltanski and Chiapello (Boltanski and Chiapello, 1999). Rather, what is more pertinent to suggest here, is that the relation between responsabilisation of communities and individuals and their empowerment is indeed a problematic one. Suspended in between autonomy and institutional support; in between the need of a different way of doing social housing and the quantitative urgencies of housing, in Brussels as in many other cities; in between individualism and the impoverishment of social structures; in between recognition and redistribution (Fraser and Honneth, 2003). Or better said –and referring to what previously explained: in order for responsabilisation to be empowering what I called the boundary conditions, the contextual conditions are crucial, by concretely allowing or impeding to assume responsibilities.

47 François Ewald pointed out how while taking on the responsibility of the welfare, the State reduced the margin of freedom of individuals (Ewald, 1986). On the other hand, as a consequence of neoliberal policies, Castel addressed the phenomenon of *disaffiliation* and suggested the only resource left would be *la propriété de soi*, whenever one might be able to build a life strategy counting only on that (Castel and Haroche, 2001). But looking at the theorisations on precarity and precarisation, mostly developed by Italian school of thinking (Berardi and Lazzarato, among the most well-known, theorizing around the so called *precariato*)- they actually pointed out how the atomisation of work undermines even the possibility of professionalization of an individual and *de facto*, *la propriété de soi* (Berardi, 2004). At the same time, responsabilisation is increasingly stressed by the managerial discourse, to compensate the shrinking support of the welfare State: from the level of individual performances to the corporate level.

Fig. 5.3.5 - The relationship between property, emancipation and the project of the city: main turns.



More precisely, I argue the responsabilisation implied in the CLT practices is empowering as it is collectively built and defined in relation to the actual capacities of the concerned individuals. Responsibilisation is not a solitary endeavour, condemning individuals to the self as the only resource, as in a disaffiliated society. On the contrary, it is collectively built, thorough a variety of practices that allow to assign to everybody a quota of a composite, larger effort. Households are guided and assistance is provided in the long term, in the name of stewardship, though without impeding autonomy⁴⁸. Responsibilities are measured on the capacities of the concerned subjects, in relation to the governance needs. Additionally, the word collective -once again- has not to be meant as a close circle of the involved individuals, rather as the convergence of different sectors of community, concerned by the project in multiple ways and at different scales. Responsibilisation is in fact what brings individuals beyond individualism and towards the social dimension where they are supposed to find a support for their life strategies. The three-partite organisation of the boards of directors once again reminds about the very nature of the CLT and its notion of community. So in fact, both the public and local actors are involved and their implication, as previously reported, is indeed considered very important for the success of the CLT. As relevant as that of the inhabitants. The responsabilisation practiced by the CLT is not meant to dismiss the role of the public, on the contrary; but to redefine it as part of a bundle of other resources, capacities and rights. The recognition implied in the mechanism of the CLT does not exclude redistribution. Though indeed the quantitative issue at present is still a challenge, to which the model of the CLT could perhaps contribute by influencing new policies⁴⁹.

Responsibilisation is at the core of both individual growth and a better governance of the resource. It is at the core of the logic of property that the previous chapter tried to point out. The project –urban and architectural- is what allows measuring it, to balance and to distribute it among the concerned actors and individuals: from residents to the government. Responsibilisation is (also) a spatial matter: a matter of distances and proximities that impede or allow to take care, to meet, to decide. It is a matter of accessibility, of the too small or of the too big that make possible or impossible to appropriate, to interpret, to mix. Responsibilisation is about the coexistence of diversities, of privates, publics and collectives. So that all concerned subjects can build their life strategies while contributing to those of the others, without exhaustion, without forced forms of communitarism. And as mentioned, most importantly, is not a solitary endeavour, but it is scaled, tailored and distributed as part of a collective construction to which different communities contribute by practicing their decisional power. In the direction of what Honneth defines third liberty, a liberty which is possible in relation

48 At this stage, only one project of the CLT is already inhabited, while the others are all under realisation. While the CLTB team envisions forms of support for the inhabitants all along the life of their projects, it is mostly during the design process and during the phase of realisation of the project that the responsabilisation of the inhabitants is developed. Progressively their margin of autonomy is supposed to increase and the assistance of the CLT is supposed to diminish, though “they know that we will always be there” (Lorella Paziienza interview November 2017)

49 According to Geert De Pauw, interviewed in January 2018.

to the other (School, 2014). In the framework of a plural project, which necessarily combines, while redefining, the needs and the rights of the different concerned subjects. Each one of them being called to assume their own responsibilities, including the construction company and the architects that conceived the project. Which is why any factor of uncertainty –such as a procedure d' *adjudication publique*- might jeopardise the efforts of many months spent to build trust and sense of engagement. A larger margin of autonomy –in the terms above explained- hence would perhaps be the condition required for everybody to assume their own responsibilities. Allowing the consolidation of long-term collaborations and expertise, last but not least, those of the involved architects and urbanists. Their responsibility would be nothing less than to make the governance of a given resource possible, through the project and the design process making possible to relate the spatial constraints and qualities with bundles of uses and rights. Nothing less than establishing the conditions of a governance for the common good.

voices | Bart, inhabitant of Le Nid

Themes: exclusion, cohabitation and bundle of uses, responsibility, decisional power, accessibility, stewardship, capacity of impact, inhabitants capacities, recognition, emancipation.

Le bâtiment ici c'est complètement adapté –les espaces sont plus grands, les wcs sont surélevés. La cuisine c'est moi qui l'a installé et ce n'est pas adapté du tout.

Et tu aimes le rouge...[red is all over, at Bart's place]

J'adore le rouge. Mais dans la nouvelle maison je ne vais pas mettre le rouge, ça suffit ! Il y aura une touche de rouge, mais ça sera tout. Et ici en plus il y a un système d'appel 24 heures sur 24 tu peux appeler pour avoir un coup de main. Au début j'en avais besoin, car je me cherchais avec mon handicap, c'était nouveau. Mais depuis des années je l'utilise plus. Je te raconte un peu mon historique, pour que tu puisses mieux comprendre. Quand j'ai déménagé et que je voulu acheter une maison les banques m'ont dit « non, vous les handicap...on ne va pas accepter de faire du crédit... » et donc j'avais tout réaménagé comme je voulais. Et puis, un an et demi après tout ça, j'ai reçu une copie d'un mail de Thomas qui cherchait des candidats propriétaires, dans une structure particulière, le CLT. Thomas avait contacté différentes structures où il y avait des personnes handicapées, à mobilité réduite, notamment à la région Molenbeek. Et l'une des responsables m'a contacté, en sachant que j'étais intéressé à l'achat d'une maison. J'ai pris contact avec Thomas. Et finalement on s'est rencontrés, on a discuté, il m'a expliqué le projet du CLT. Ça m'avait plu, l'idée était de devenir propriétaire en passant par une voie différente que celle du marché classique. Et du

coup je me suis embarqué dans cette aventure.

Donc pour les personnes handicapées c'est difficile de devenir propriétaire

En fait ça dépend des circonstances dans lesquelles tu es devenu handicapé. Si c'est à cause d'un accident c'est les assurances qui paient. Et là, à ce moment-là, oui. Mais ne jamais accepter la somme qu'on va te proposer pour le dédommagement. Mieux attendre toutes les frais qui sont liées à la nouvelle condition d'handicap. Adaptation de voiture, changement de domicile, les chaises –qui doivent être remplacées tous les 4 ans. Tout ça c'est les assurances qui vont payer. Et après tu as les handicaps qui arrivent suite à une maladie, comme moi par exemple. Donc là c'est les mutuelles qui interviennent et donc il y a moins d'argent. Et donc les banques elles refusent systématiquement.

Et il n'y a pas des politiques d'aide à l'accès à la propriété pour cette catégorie ?

Je ne sais pas. En Belgique il y a très peu d'information, tu dois creuser de toi-même pour savoir ce que tu as droit. Par exemple j'ai appris des aides que j'avais droit grâce à des personnes que j'ai rencontrées. Donc j'ai eu vraiment la chance de rencontrer Thomas. Donc je suis arrivé ici à Bruxelles en Octobre 2008 dans cet appartement. Je suis quelqu'un qui aime faire beaucoup choses, tout seul et donc j'ai commencé à me rendre autonome assez vite. Après en 2013 je suis arrivé dans le groupe d'épargne Le Nid. Toutes les familles de

Le Nid étaient déjà dans un groupe d'épargne, sauf Tsévi. Moi j'étais le sixième ménage. Un an et demi après Tsévi est aussi arrivé. Moi, quand je suis arrivé, je ne connaissais pas du tout ce système

En fait ils ont acquis le bâtiment à la rue Verheyden et à peu près à la même période les 5 premières familles avaient été contactées pour savoir si ça les intéressait. Et donc ils ont quitté leur groupe d'épargne, ils se sont associés et ils ont créé Le Nid. Et moi je me suis occupé d'organiser un peu. Au début on avait fixé un montant de 90 euro par mois, et on se disait on en aura pour déménager. Mais finalement c'était trop et il y a un an on a décidé de diminuer le montant à 50 euro par famille. A quoi on doit ajouter la part du crédit hypothécaire qui va au Fond du Logement et qu'on a commencé à payer il y a un an et demi. L'idée c'était dans l'optique de mettre de l'argent à côté pour de frais supplémentaires de la copropriété. Et donc comme ça on sait que tu le monde saura payer les frais de la copropriété -par exemple charges d'électricité, assurances, etcetera. C'est une garantie, c'est montrer qu'on est capables. L'argent qu'on a mis à côté jusqu'à maintenant, depuis juin 2013, on va l'utiliser. En 2015, on est devenu propriétaires et on a décidé de sauver 1000 euros par ménage sur un compte qui sera pour la copropriété. Et le reste on l'utilisera pour organiser le déménagement ou pour faire des petits travaux dans les appartements. On a continué dans l'idée que si on a réussi à mettre à côté cet argent on aura pas des problèmes

dans le futur et on appellera ça le frais de la copropriété. L'idée de l'épargne en origine c'est ça, c'est mettre à côté de l'argent pour pouvoir acheter une maison. Dans notre cas on n'a pas besoin de ça, soit parce que on avait déjà le bâtiment, qui a été revendu aux ménages avec le crédit du Fond de Logement. Donc on a gardé cette idée pour dire on est responsable par rapport à la gestion de la copropriété, on sait le payer. C'est créer une habitude. Et on continuera ajouter de l'argent dans le futur, de l'ordre de 10 euros par mois peut être.

Est-ce que c'est ça Le Nid, pouvoir mettre à côté de l'argent ?

Non, ce n'est pas seulement ça. Moi j'y vois sept ménages qui s'aident, qui vont s'aider mutuellement. Moi je viens d'une structure où 24 heures sur 24 je pouvais avoir un coup de main si j'ai un problème. Ici aussi on m'a dit, oui tu vas déménager, si t'as besoin d'un coup de main on va t'aider. Je n'ai pas besoin d'aide infirmière, j'ai mon kiné, j'ai mon infirmier. Mais ça peut arriver, pour des petites choses. Et les gens on compris ça et ils se sont présentés spontanément on m'a dit on sera là. Et moi je peux donner un coup de main sur d'autres choses. On a parlé aussi du jardin, on l'aménagera ensemble. Avec les voisins je m'entends aussi super bien. Ce qui se passe maintenant c'est qu'on a beaucoup moins de rencontres que au début, à cause du ralentissement des travaux, les gens sont un peu découragés. Mais la semaine prochaine on aura une rencontre sur le chantier avec tous les

ménages. Le group il est là, on a des affinités différentes et des gens qui s'impliquent plus que d'autres. En générale ça se passe bien.

Et dans le futur ?

Je pense que ça va aider à vivre ensemble. Même s'il y aura des conflits. On ne peut pas être toujours d'accord sur la même chose, mais si tu es adulte et responsable il y a toujours moyen de trouver un compromis, il faut pouvoir discuter, il ne faut pas couper le dialogue. Moi-même, je suis une personne qui s'énervé très facilement, mais j'ai fait énormément de travail sur moi-même. Et j'ai beaucoup changé.

Ici en Belgique la propriété privée est quelque chose d'important. Mais il y a beaucoup de débat sur ça. Et finalement c'est de plus en plus inaccessible. Qu'est-ce que c'est l'émancipation pour toi ? Est-ce que la propriété fait partie de ton idée d'émancipation ?

Dans ma famille par ex, dans mon entourage ils sont tous propriétaires. Depuis que j'étais petit je me suis dit un jour j'aurais une maison, donc la propriété c'est tout à fait dans une logique d'émancipation. Après, au niveau de CLT ... je deviens propriétaire via le CLT. C'est eux qu'ils t'aident à devenir propriétaire, c'est grâce à son fonctionnement moi j'ai pu devenir propriétaire. Donc en fait ils m'ont relancé sur le chemin de l'émancipation, car avant les banques ont cassé mon émancipation, car avec eux je n'avais pas le droit d'obtenir aucun prêt. Ce que je vois c'est que au début ils sont

présents, mais que au fil du temps ils vont être un peu plus discrets, parce que une fois que tu es devenu propriétaire, tu es responsable. Le seul lien qui pourra encore exister avec le CLT, si ce n'est le paiement mensuel du canon pour le terrain, c'est toutes les activités qu'eux ils feront au tour des ménages, soit en organisant des réunions pour entretenir ou rénover un bâtiment, voir comment créer une copropriété. Sur ça il y a encore à travailler et on aura encore des liens avec eux. Ou alors des activités du style comme ils le font avec Arc en Ciel, des marchés aux puces. Ça c'est bien, ça permet de garder le lien. Mais l'objectif est de te lancer sur le chemin de l'émancipation.

En tous cas, ça dépend de comment tu vois le mot émancipation. Pour moi mémanciper ça veut dire que ... comme tu sais que je suis comme ça¹, émancipation ça veut dire pouvoir se débrouiller seul. Être libre c'est pouvoir faire les choses quand tu veux et où tu veux. Même si les relations avec le quartier, les habitants sont importantes. C'est important de pouvoir compter sur quelqu'un si par exemple je dois changer une ampoule. Ça aussi, c'est être libre.

Paradoxalement disons alors tu es plus libre ou tu as plus de possibilités quand tu es entouré par des relations qui te soutiennent. Finalement, s'émanciper c'est la possibilité de se faire une stratégie de vie et pourquoi pas dans le cadre des relations de solidarité, de réciprocité.

1 Bart refers to his condition. To be able to do things autonomously, without depending on the help of others, is a main path of emancipation for him..

Et dans une situation comme celle du CLT est-ce que je me sens libre ? Finalement j'ai la possibilité d'être propriétaire, de reprendre mon chemin d'émancipation. Et quand tu as quelque chose qui ne va pas tu le dis, on t'écoute et on trouve une solution et après tu es content. Mais tu as quand même certaines règles à suivre, qui sont parfois contraignantes. Comme par exemple tu ne peux pas être propriétaire d'un deuxième logement. Des règles d'accessibilité, le nombre de pièces, c'est ce que j'ai vécu aussi. Et puis le jour où tu revends la plus-value est limitée... ça on est d'accord, on a accepté ça, mais ça reste une règle. Et donc liberté, à ce moment-là oui, mais avec de limites. Mais de toute manière il faut des limites pour que tout fonctionne correctement. Il faut à un moment donné mettre des barrières, sinon il y a des débordements et puis ça ne va pas.

Ce qu'il arrive c'est que cette forme de propriété du CLT est pensée dans la perspective « on va créer des logements qui vont rester accessibles pas seulement à Bart aujourd'hui mais aussi à une autre famille d'ici 8 ou 10 années ». Donc l'émancipation se joue dans ce territoire qui est ta liberté aujourd'hui, mais aussi la liberté d'une autre famille d'ici quelques années.

Oui tout à fait. Les mots peuvent sembler contradictoires, mais il faut trouver la façon d'exprimer cette idée, qu'il faut un minimum des règles pour être libres. Règles pour que tout fonctionne bien dans un futur proche mais aussi loin. Car l'idée c'est justement de

permettre l'accessibilité dans le long terme. Mais je vais dire aussi, il y avait des règles mais ces règles ne sont pas définitives. Elles peuvent être assouplies, elles peuvent être changées. Moi je me rappellerai toujours quand j'ai pris contact avec Thomas. Au début c'était quatre appartements au rez de chaussée, pour des personnes à mobilité réduite. Alors moi je lui dis « Viens chez moi. » il m'a regardé. « C'est grand ! ». C'est comme ça, j'ai besoin d'espace pour bouger. Et ça j'ai dû expliquer, ce n'était pas acquis. Et donc quand je suis arrivé j'ai pu ouvrir les yeux et faire tomber des règles qui été mises du début. Ça aurait été impossible de mettre deux appartements de mon côté. Il y a eu du travail. Même si après j'ai eu du mal à accepter que à Arc-en-Ciel il y a des portes plus larges, mais pas d'appartements adaptés. Avant que je quitte le CLT, j'ai demandé au conseil d'administration d'adopter un pourcentage minimum d'appartements adaptés. C'est vrai qu'on ne trouvera peut-être pas des personnes qui les cherchent, et ça cause pas mal de problèmes, ça prend de la place les adapter. Donc je ne dis pas que tous doivent être adaptés, mais qu'on en prévoit un minimum, ça j'aimerais bien. A Vandepereboom [Arc-en-Ciel] c'est accessible, mais t'as pas d'appartements réellement adaptés. Et moi je pense que c'est dommage.

















Conclusion

On the background of growing privatisation and dispossession processes, of the emergence of alternative practices concerning the use and management of resources, the juridical arrangement of property needs to be reconsidered. This research tried to answer the question: under which conditions could the right of property be emancipatory? The hypothesis is that after having conceptualised emancipation as related to private property, meant as a natural right; and after the idea that public property –the welfare assets- could support the emancipation of the greatest number, a third turn of the relationship between property and emancipation could be recognised. Such a turn would be suggested by a variety of emerging practices, among which those inspired by the concept of the commons, experimenting around different approaches to the governance of resources. In particular, given the relevance of property as far as the making of the city is concerned, this dissertation explored the role of the project and of the design process in realising an emancipatory form of property.

I will briefly remind the main moves of my argument. After having introduced the main concepts at the core of the dissertation –property, emancipation and the project- and the more recent theoretical debates, in section two, in section three I described the ecology and the accumulation of events, knowledge, practices that led to the establishment of the CLT in Brussels. Such a narrative allowed me to show that the CLTB is above all the result of a process of emancipation concerning a whole community, beyond the individuals. Not simply by being the latest, successful achievement of a long sequence of experiments (Fig 5.1.2) –though not yet the last-, but also and more substantially, because the formula of property at the core of the model is based on the recognition of the capacity of the concerned communities to govern their resources. Such an argument is more precisely built in section 5, chapter 5.2, where I examine more closely the juridical structure and the form of governance at the core of the model. Because of the tripartite structure of the decisional system, the concerned communities of a CLT have the right not only to access but also to govern their resources. Therefore, what I argue is that the CLT form of property goes beyond the concept of *propriété repensée par l'accès* –as in the French and Italian literature- but in fact realises what I suggest to call *propriété repensée par la gouvernance*. Such a shift has a twofold effect. First, the resources are protected, *by being embedded* in a bundle of uses and bundle of interests which are different enough to impede any arbitrary decision concerning their use (Fig 5.2.1). In this way, the attention finally moves from the owning subjects to the object of ownership, as advocated by many jurists. Second, the right to decide about the resource comes with advantages but also with duties and responsibilities.

Which is why in fact I use the expression right to govern and not simply right to decide. The word governance (see Appendix B. Glossary) being used to include also the responsibility to take care of the resource, beyond the right to decide about it.

It is in relation to both these aspects that the project and the design process play a crucial role. As explained in the final chapter, the design process is what allows making concrete the bundles of uses and bundles of rights implied in the CLT form of governance, by confronting the concerned actors and their capacities with the spatial qualities of the resources they are supposed to govern. Not simply a matter of assembling people and things, but of compatibilities and incompatibilities or, as Steiner would say, a matter of compossibilities (Steiner, 1977). The three moves of the design process I have pointed out as a whole allow the decisional system of the CLT to be substantiated and expressed at the level of the daily lives of the concerned actors (Fig 5.3.3). The capacities of the concerned actors, collective and individuals are concretely commensured and prefigured in relation to what will be their living environment, so that the governance of the resources may be possible.

The project is emancipatory not only because it makes possible the protection of the resources –built and non-built- by embedding them in the life of a neighbourhood, predisposing porosity and the accessibility of space. It is also emancipatory because it is through the design process, through the confrontation with space and its characteristics that individual needs and rights, their *stratégies de vie* are redefined and reconceived as part of a larger, collective endeavour. The responsabilisation it entails –again, because of the CLT form of governance- (Fig. 5.3.4) is not a solitary process, but a collective one. In the direction of the third form of liberty theorised by Axel Honneth.

I shall conclude this dissertation first by pointing at some inherent ambiguities and unsolved issues concerning the model of the CLT; secondly by suggesting some paths for further research. Concerning the former, it is important to point them out here as they could prove to be challenging for a project of the city inspired by the CLTs approach to the managing of resources, as well as for the establishment of a juster society. However, what is suggested by the following observations is less –or not only- about the functioning of the CLT in itself than about the complexity and instability of the emancipatory process: the delicate balance of elements that make it possible, apparently contradictory, often paradoxical, continuously escaping its perfection, as theorised by Laclau among others.

1. Form comes from use. Form is about compossibilities and compatibilities. And form is about responsibilities, capacity of governance. The case of CLT of Brussels shows that the implication of the inhabitants in the design of their living environment is not simply a matter of inclusion or a ritual of participation. Rather, a matter of feasibility and governability of the project, in the long term and relying on the capacities of the concerned users and inhabitants. The assumption being that these projects should be managed by their inhabitants, with a progressively increasing

degree of autonomy. But then, what about the next generations? What about the new owners, their housing units having been designed to respond to very specific needs, singularly and additionally as part of a specific project of cohabitation?

The custom-oriented approach to the project of the CLTB raises the problem of the capacity of adaptation of the subsequent generations of inhabitants. The opposite problem in fact already emerged in the past, in reaction to the modernist approach, to the massification and standardisation of housing units. At that time -so today, as in the case of the CLTB- the idea was about involving them in the decisional processes that would have affected their living environments. As previously explained, a matter of respecting their needs and listening to their desires. But it is also a matter of responsabilisation, of assuming duties, of designing spaces which could be managed and governed by the concerned communities of users. In between the existenzminimum and the ad-hoc, tailor-made design approach, a third approach would perhaps go in the direction of what Habraken suggested in the 70s –and somehow re-interpreted in these days by Aravena Monroy project: it would be about designing the minimum supports, the minimum structures required for the complete realisation of the housing units. Habraken suggested, for example, this would be corridors and stairs. Aravena designed half of the house, as a minimum starting point for future implementation. Such an approach logic would leave space to the possibility of adaptation, appropriation and auto construction, to the first as to the second generations; and would allow a gradual economic investment in the project. An unfinished, agile¹ project, in continuous transformation, according to the needs of old and new inhabitants, perhaps in this way even more prone to respond to the purpose of compossibility and of the responsabilisation.

2. As previously mentioned, the scale is still a question mark for the CLTB, especially if emancipation is related to the right to govern resources. On the one hand, developing larger-scale projects would allow subtracting more land to the market's dynamics, to fulfil the demand of a greater number of households and to strengthen the CLT itself, because of the economies of scale, and increased negotiation power and agency. On the other hand, this would necessarily affect the modalities of the design process. How to maintain the same efficacy, the same intensity with a greater number of inhabitants being involved? Knowing that, as previously mentioned, the implication of the inhabitants is essential for the very governance of the projects, which in the long term are supposed to become autonomous. To rely on some form of delegation or representation could bring back to de-responsabilization of the inhabitants, with well-known consequences concerning the maintenance of the projects in the first place, the possibility of emancipatory processes -at an individual and at a collective level- in the second place. As suggested, very pragmatically what seems more plausible to imagine is that a variety of approaches will be developed, depending on the scale of the projects, the composition of the groups of inhabitants and their specific needs and availability to engage.

1 Stealing the word agile from the language of software development. See the Agile Manifesto principles here: <http://agilemanifesto.org/>.

3. Autonomy and guidance are indeed two relevant dimensions of the CLT projects, apparently contradicting each other in relation to a potential emancipatory purpose. A path to emancipation implying guidance could easily be labelled as paternalistic. Nevertheless, such a labelling would be a simplification and a misunderstanding of the origins, the purpose and the *modus operandi* of the CLTs. As I have previously pointed out, they are called Community Land Trusts because they are supposed to concern a whole community, in fact multiple communities, present and future, at the scale of a building, of a neighbourhood, of the city. This is what emerges from the literature. More specifically, this is what I have tried to show by framing the emergence of the CLT in Brussels within a larger history and within the ecology of the *croissant pauvre* (and Molenbeek in particular). Emancipation does not concern only the families that in the last years had finally the chance to access homeownership: it is also that of actors that since the 70s, have struggled for the right to housing and better living conditions. Actors that through the time accumulated expertise and learned from the inhabitants. Last but not least, emancipation concerns all those households that in the future will have access to the CLTB projects. Because of such a long process, it is easy to forget that what today may be perceived as an established set of rules or an approach to address a particular issue or to perform a given task, is in fact the result of an evolution to which many contributed. But in fact, given the form of governance and the *modus operandi* of the CLTB, still today, the inhabitants have the possibility to change those rules [v07]. What I am trying to say is that the one that today may appear as a subject in the position of “guiding” is actually operating in the name of and as the result of history, of an evolution to which the supposedly “guided” subjects in fact contributed. Hence looking at the process as a whole, though the time it is difficult to say who guides whom, who learns from who.

As far as the term autonomy is concerned, as I have already pointed out, the CLT projects are supposed to work by spatially and socially embedding in a given community and urban context, becoming an additional node of the pre-existing net of relationships. While it is true that in the long term the inhabitants and users of a given project are supposed to increase their “autonomy”, by definition they are also supposed to maintain –or even increase- their relationships with the neighbourhood and possibly with the rest of the city. As previously explained, embeddedness is an essential characteristic of these projects, reflecting the three partite governance structure and the bundle of uses that it entails. Therefore, the autonomy of CLT projects is to be meant in relation to the support of the Trust they are part of rather than in absolute terms.

To conclude on this point, if guidance and autonomy are two relevant, coexisting dimensions in the approach of the CLTs, their definition is very relative: autonomy being framed by the relationship with the rest of the community and guidance being the result of a complex, choral process, that makes difficult to specify who is empowered by who. Behind this ambiguous coexistence, a project of emancipation in which the individual and the social dimensions reciprocally imply each other –individual being referred to both people and collective subjects.

A socially built project of emancipation, at the core of which property operates as a tool for the governance of resources. Once again, with Laclau, emancipation is about false paradoxes and ambivalences that actually express the inherent instability and the complexity of the emancipatory process.

Concerning some further research questions, some of them have been pointed out already in the previous pages, but I will remind them here for a more complete overview.

1. Secondary urbanisms, property and emancipation. Concerning the relationship between the project –architectural, urban- and property, necessarily my overview (chapter 2.1), as mentioned, had to be limited to the official narratives and accounts, mostly built around the archistars statements, common manifestos, key moments and relevant projects. As a path for further research, It would be interesting instead to take into consideration the secondary history of urbanism, made of the daily practices of urbanists dealing with concrete and specific situations, given regulations, economic and cultural constraints, far from the ideal redistributive conditions that Le Corbusier or Gropius imagined for an efficient organisation of land uses. How were things actually going? Which were the arrangements being made in between the different interests of the local community? How were conflicts managed? What was emancipation about and how was it achieved through property and the tools of planning, if any? Necessarily this research path will have to be differentiated according to different countries and specific contexts. The result might be a multifaceted portrait.

2. Space, design and community-making. Considering that the CLTB is the only one –at present- that has developed a specific participatory design approach, it would be interesting to investigate first, if and how -in other countries- the implication of the inhabitants is organised. Secondly, what is the role of space in those projects? Are spatial conditions relevant to the success of the project? For example, concerning governance: how are spatial characteristics contributing to the good or bad management of those projects? How are they contributing to the daily life of the inhabitants and to the building of a sense of community, if any? How are those projects designed, according to which rationales? Who decides about the typologies for example? Moreover, how are the needs of the community being met? Is there any reason why no participatory design approach has been developed, despite the inherently participatory disposition of CLTs?

3. The articulation of the bundles of uses in the absence of a designerly approach. If the property formula which is at the core of the CLT is very close to the logic of the bundle of rights –and related bundles of uses- how is that translated in terms of spatial organisation, in countries other than Belgium, where the design process is not relevant for the articulation of the bundle? How is the project interfering or supporting that approach to the management of resources and the related hybrid governance, the maintenance of resources, the building of the community, the interweaving of different uses and different rights, the distribution of responsibilities?

4. Designerly issues for non-urban CLTs. For this dissertation, I looked at an urban CLT,

specifically dedicated to housing production. As mentioned however, CLTs can support many other forms of projects. It would be interesting to learn about the designerly and governance-related implications of CLTs structured in a less urbanised area or concerning large-scale portions of land. For example in order to protect special kinds of resources or for their development, as for example a piece of forest, a natural reserve, heritage artefacts, a farm or any other production facility. How to deal with accessibility? How to sustain the encounter with the local, concerned communities and their responsabilisation?

A closing consideration, which goes beyond the model of the CLT but indeed concerns all those cases in which land tenure is about the implication of multiple communities, differently involved around the maintenance of given resources, at multiple scales and with different capacities. If the purpose is the preservation of the resource and property –to that purpose- is redefined around recognition and responsabilisation, the process of design, as I have tried to show is crucial to assemble and interweave the different capacities; to build awareness and responsibility; as a laboratory to envision and make practicable compatibilities and compossibilities. This means that around the same resources multiple concerns and different capacities will have to be organised, both on a juridical level and on a spatial level. In this perspective, if the plan can be defined as a bundle of regulations, delimitations and attributions, the project could be the process to confirm and consolidate such a plan. To start with, by establishing a relationship with the concerned communities. So that the proposed delimitations, the abstract lines and volumes could recognise the concrete needs of the concerned communities and their ecologies. An iterative logic should hence be established between the plan and the architectural or urban projects. Conceived no longer as two distinct practices, neither as hierarchically assembled. Rather as interacting, reciprocally informing and defining each other. Parts of a non-trivial machine built around the preservation of resources, around a community project rather than around the interests of a few powerful actors.

Appendix A. The urban laboratory of Commons Josaphat.

1. *Collectif à géométrie variable*

A beginning

2. An urban block as a commons

A conversation from the design process of the *ilot modèle*

The following paragraphs are meant to convey a more precise idea of what Commons Josaphat was about. Far from telling the history of Commons Josaphat, my purpose is rather to give a glimpse of the atmospheres, of the complexity and richness of the life situations that it was possible to encounter by being part of it. More than one dissertation could be written about the variety of topics implied in the layers of meaning and the forms of action that interweaved through the approximately six years lifespan of Commons Josaphat. The themes of property, emancipation and the role of the project are only a few of a larger range, resonating with the case study of this dissertation, suggesting the emergence of a discourse about a different approach to the management of resources.

In the following pages I will refer to a couple of situations taken from the big archive of actions, meetings, assemblies. I will use thick descriptions ((Ryle, 1971; Geertz, 1973; Denzin, 1989) as the most appropriate to give an idea of the complexity enclosed in an urban laboratory such as the one of Commons Josaphat. Each description is preceded by a short introductory paragraph, providing some background information.

The first account is about one of the beginnings of Commons Josaphat. The beginning of the intertwining of two lines of action that will characterise Commons Josaphat *modus operandi* till the end. To deal with a moment that happened a long time ago, when I was involved simply as an activist and architect, allows me to deal with the topic of delayed ethnographic accounts. The reconstruction of the episode is based on my notes, memories and pictures.

The second episode is a window on a working session concerning the design of an *ilot modèle*. The reconstruction is based on the audio recording of the session and the sketches and drawings we discussed. It allows seizing the role played by space as a conditioning factor in making possible specific forms of governance and ways of living that realise a commons-oriented kind of project. The spatial choices will determine the forms of accessibility and of maintenance of the project, the coexistence of different uses coherently with the ownership arrangements, the needs and the capacities of the involved actors. The process of design is what makes these alignments possible, thus confirming what it has been pointed out in the case of Le Nid. The *ilot modèle* however presents additional levels of complexity mostly because of the

scale and because of the variety of legal arrangement for ownership intersecting around the same resources.

Both situations necessarily also recall the themes treated in this dissertation.

1. *Collectif à géométrie variable*

Established in 2012, Commons Josaphat (CJ) was a *collectif à géométrie variable*¹ that claimed a commons-inspired approach to the use of resources and, as a corollary, to the making of the city. CJ contributed to the emergence of a discourse on the commons in Brussels as a catalyser of initiatives consciously inspired by that philosophy or recognizing themselves under that label. In fact, many of the collectives that collaborated with CJ were not necessarily or explicitly about the commons.

Especially in the beginning, CJ worked as a platform of civic activation and developed on the one hand by co-optation, as a way to consolidate a core group of engaged individuals; on the other hand, by organising moments of public debate such as general assemblies and workshops. CJ never operated from a permanent location: the venues for meetings, workshops and any other activity were every time provided by the members or arranged in the available spaces around the city. Nevertheless, from the beginning the activity of the collective has been strongly situated: the object of a commons-oriented approach to the making of the city was *la friche Josaphat*, a vacant site in between Schaerbeek and Evere, classified as ZIR² and belonging to the Region – specifically to SAU³. To have a voice in the planning process of the site has been since the beginning one of the main purposes of CJ, in order to answer to the needs of a city characterised by a strong demographic growth, unaffordable housing and socio-spatial segregation. The proposed alternative was based on non-speculative form of land tenure and on the *mise en commun* of the resources of the site to the benefit of the entire city.

Organised in different *groups de travail*, individuals and other pre-existing collectives gathered with the purpose of developing a variety of actions and initiatives. From picnics to promenades; from community gardening to birdwatching; from the *récupération alimentaire* of Recup-Kitchen to the experiments in self-construction of light, wooden objects. Sustained by a grounded knowledge of the site and by a pragmatic spirit, CJ claimed that piece of the city by occupying it, by imagining it, by designing it. In particular, looking at the long-term future of the site, a call for ideas was also launched –*un appel à idées*– which finally led to the drafting of a *cahier de recommandations*, “Josaphat en Commun”. And to the design proposal for an *ilot*

1 This definition has been formulated by CJ and used in absence of a juridical definition.

2 Zone d’Intérêt Regional

3 Société d’Amenagement Urbain. It is a company under public law whose majority shareholder is the Brussels-Capital Region. The Urban Development Corporation is the public operator responsible for the operational implementation of development plans in the strategic areas defined by the government of the Brussels-Capital Region. SAU formally succeeded the Land Acquisition Corporation SAF (Société d’Acquisition Foncière) on 28 January 2016. <http://www.sau-msi.brussels/en/urban-development-corporation-brussels-capital-region>

modèle, an urban block proving that making the city as a commons is possible.

The activities of CJ stopped around the half of 2017, for a number of reasons that cannot be mentioned here. What certainly played a role was the impossibility to have a voice in the implementation of the Masterplan for the site as approved by the Region. On the other hand, today the site of Josaphat is still hosting a number of temporary activities. And a project in many aspects similar to the one imagined for *ilot modèle* is being realised in another part of the city.

A beginning

When I realised the ethnographic approach would have been for me the best way to look at things, in order to deal with topics that required the understanding of people's motivations, values and actions, a very important issue, a question I had to deal with was about the delayed ethnographic accounts. With this expression, I refer to the writing of an ethnographic account when the events or situation one is referring to happened a long time ago. When the only available notes were not supposed to be fieldwork notes, but simply relevant things to remind, far from research purposes. When somebody involves in a situation, for other purposes than doing fieldwork. That was my case concerning my implication with Commons Josaphat. Though of course, I had the feeling that such a situation was going to be interesting for me to better understand Brussels and its actors, my motivations for engaging in Commons Josaphat, from its very beginning, were more those of the activist than those of the ethnographer. Which is why I started only very late to sporadically collect fieldwork materials related to Commons Josaphat. Stef Jansen⁴, which I met during an urban ethnography summer school, replied to my question. Though you may always regret not to have freshly reconstructed the events, as you are supposed to, when the images are still vivid in your mind and all the details are available to render the piece of life you have been part of, your account will always be more relevant and rich than any other, written by somebody who was not there. Such an answer, above all, reassured me. What a loss would have been to be unable to refer in a credible and scientifically acceptable way to such a rich urban laboratory and life experience as Commons Josaphat has been. What a loss for me, personally, for this dissertation, as I started to realise Commons Josaphat would have allowed me to explain why to address property matters now. What a loss more in general, on a methodological level, considering the number of materials that would have risked to be lost, in the case of Commons Josaphat but also of any other situation, for which an a-posteriori look would be the only possibility. Unless of recognising the value that even delayed accounts could have. The answer of Jansen, in fact, made me think that it is perhaps possible to have a range of variations of the ethnographic accounts. More or less directly connected to a given here and now, more or less distant from that here-and-now⁵. Considering that actually, the

4 Stef Jansen is a Professor of Social Anthropology at the University of Manchester.

5 The literature seems indeed to confirm the possibility of a wide range of variations and situations to be portrayed. Further investigations would be required concerning delayed accounts.

distance can contribute to enlarge the field of interpretations around a given event. The more the distance increases, the more interpretation can explore not only the present but also larger time spans. A process of becoming –rather than a situation- would hence become the object of observation and interpretation. Perhaps useful in a genealogical reading. Though not being involved in the first person, Rebecca Solnit wrote about post-disaster situations by referring to journal articles and oral testimonies⁶. The narratives thus provided have certainly a different taste than those written in the first person, but they are still very convincing in rendering the concreteness of the portrayed scenes. The vivacity of the details seems to derive from the capacity to interweave different sources, different points of view on the events, as whole conveying also the feeling of confusion usually generated by traumatic events. This digression to say that a thick description perhaps can also be the result of delayed reconstruction, adding layers of interpretation and understanding than other more fresh accounts could not provide, because of the missing chronological scope.

This premise was necessary not only to provide the reader with some additional information concerning my position as a researcher and the specific conditions and reasons for looking at Commons Josaphat with the eyes of an ethnographer. But also to introduce the episode described in the following lines and its interpretation as something that could only be produced because of the temporal distance. Better, the temporal distance is what allowed to collect further elements and to consolidate those that otherwise would have been only mere suggestions. As a result, the very meaning of that episode can be better understood as the origin of at least one distinctive characteristic of Commons Josaphat. As a beginning. The characteristic I am referring to is the distinction between a long-term approach to the management of the site and a short-term one, mostly based on temporary activities.

A long strip of paper is lying on the floor. All around, more or less 20 people, sitting on chairs, with paper and pens in their hands. And coloured post-its, which in a few minutes will be spread on the paper. Geert and Dominique seem to be the most prepared to lead the discussion. Both of them having probably been involved in many other similar situations, by profession and by vocation having been involved in a number of ateliers and assemblies with citizens and local associations. Better to call them inhabitants than citizens though, reminds Dominique very often. Geert is the founder of the CLTB and Dominique is one of the coordinators of Inter-Environnement Bruxelles. They summarise what happened the day before, as that was in fact the second day of the weekend we decided to dedicate to an intensive discovery of the site and related debates. At that time, Commons Josaphat was still defining itself, as a platform or *collectif a géométrie variable*, welcoming collaborations with kindred initiatives. After a number of meetings and explorations that involved people by co-optation, in the attempt to consolidate a core of concretely motivated individuals around shared values and purposes, that weekend

6 I refer to her book "A Paradise Built in Hell. The Extraordinary Communities that arise in Disaster" (2009, New York, Viking Penguin)

was supposed to open up the reflections of Commons Josaphat to a larger public. Actually, through all its lifespan, Commons Josaphat always interweaved the work of small and focused *groupes de travail* with public occasions of debate and encounter. More than a choice, that seemed to be the only way to deal with the actual capacities of engagement of people. While in occasion of the AGs –the General Assemblies- we could count in some occasions up to around fifty people, at the time of taking action and being concretely involved, very few were really available and ready to engage. That weekend, à la rentrée, at the end of the summer holidays, was supposed to begin to build a publicly shared reflection on the plans and the future of the site of Josaphat. Saturday had been dedicated to visit the site and brainstorm about the different strategies that would have allowed transforming it in a Commons. From mobility to land tenure, from housing to the public space, from productive activities to governance. On that Sunday we were supposed to do a somehow complementary exercise, by imagining what could be done in the near future, starting from the day after. Thus questioning the concrete capacities and the possibilities to take action of all those presents and beginning to test the room for manoeuvre. Moving from theory to practice. The long strip of paper is supposed to collect all those ideas. A timeline has been drawn so that everybody could situate their actions and proposal in the short or in the long run. In a few minutes, the paper is covered by post-its. From the urban gardening to the open-air movie sessions. From the occasional events to the installation of an *atelier d'autoconstruction*. From housing projects, realised with an incremental approach to the greening of the site. Quite satisfied with the result of the exercise, we take a break. Those minutes are used to have a cup of coffee and a chat. But some of us already start to collect things spread around in the room, dishes and glasses with the leftovers of the breakfast we had in the morning, in the small courtyard of the building. Not far from Josaphat, the neighbourhood allowed us to use one of their community spaces. We are supposed to leave everything as clean and tidy as we found it. After the break, we start to discuss about all those ideas and how to realise them.

“Il me semble évident qu’il y a des actions qui pourront se réaliser dans le court terme, comme par exemple le cinéma en plein air. Et des actions qui nous demanderont plus de travail comme par exemple un potager. En tous cas rappelons-nous que le site c’est de la SAF, donc il y aura souvent besoin de demander leur autorisation. » says Dominique, making sense of the different proposals. His comment points the finger at a very delicate issue, how to interact with the legal owners of the site, the Société d’Amenagement Foncier, semi-public actor. How to realise our actions, reclaiming the site as a commons, when its accessibility was in fact under the control of a semi-public actor.

Among the most radically oriented individuals, one of them takes the floor: « Personnellement je ne pense pas qu’on soit obligés à demander le permis tous le temps...car c’est clair qu’alors on arrivera jamais à nous réapproprier du site. C’est comme dans les squats, ce n’est pas légal, mais le but est celui de se réapproprier du bien... qui en plus nous appartient, car la SAF c’est du public »

A few agree. « Oui, en effet c'est aussi une question d'attirer l'attention, de provoquer...si on reste dans les limites de ce qui est possible on risque de rester paralysés... »

There will always be different souls within Commons Josaphat, not rarely conflicting. And perhaps by looking at the overall evolution of the movement, it could be recognised how those different orientations, not necessarily interweaving, in fact contributed to both the weakening of the action and to its resiliency. Diversity, as a corollary of a decentralised organisation -as in the case of Commons Josaphat- is often key to a resilient attitude. What seemed to emerge clearly from that session anyhow, independently from the length of the actions and of the strategies that would have had to be undertaken, was the emergence of two different purposes. The temporary actions on the one side and the long-term plans on the other side. Those who proposed temporary actions were convinced the re-appropriation of the site had to be performed concretely and immediately. By proposing some kind of activity that could have directly engaged the local inhabitants. Perhaps temporary activities, but which would have had the power to permanently install the site of Josaphat in the collective imagination. On the other hand, those who proposed a long term vision for the site believed a masterplan approved by the Region would have allowed to legally reclaim the site of Josaphat as a commons. From the discussions, we had on that occasion and on many others, what emerged was that in fact, the two fronts were not necessarily exclusive, but in fact, one could reinforce the other. Among the different lines of action emerged during that final session, one of them was actually supposed to maintain the conversation between the temporary activities and the long-term vision. Between the lines, the danger was felt, of a fragmentation of the efforts, or even most importantly, of communicating contradictory purposes concerning the platform of Commons Josaphat, with the risk of losing what was supposed to be a shared goal, the re-appropriation of those 24 hectares as a commons. Whether for a season or in perpetuity, this has never been clarified, neither in definitive nor in unambiguous terms.

The debate between temporary occupations and long-term strategies is actually a major one concerning the commons, as I have learned by taking part in a number of other discussions, not necessarily always related to Commons Josaphat. The purpose being the preservation of the resource, temporary occupations count on creating a culture, a different attitude concerning the management of resources. They also count in attracting the attention of an increasing amount of people. So that when the time will come, it will be more difficult for the legal owners to chase them away. Hopefully. Many examples would actually prove the fragility of a similar approach, temporary occupations that have been interrupted no matter their positive impact on the neighbourhood and the local community. A long-term purpose is somehow also implied in temporary occupation. However, their tactical approach cannot provide any guarantee about the recognition of some kind of decisional power, of a right to have a voice in the governance of a given site or resource. Such a purpose is actually more often explicitly declared in the long-term strategies. The goal of working on a masterplan or even a small-scale project, often

a counter-project, is that of establishing a conversation with the owners of the site and the administration, explicitly aiming at the recognition of the need and rights of the concerned communities. In this case, the problem can often be the lack of a solid understanding of the needs of local inhabitants and other occasional users, if any. Unless those proposals have been built with the locals. In the case of Commons Josaphat, the two lines of action converged on many points, but not always. The encounter happened more on the level of the core principles and values than in relation to some specific actions or initiatives. Conflicting interests and attitudes necessarily emerged through the years, in consideration of the changing constellations of involved individuals and collectives, each of them with their interests and their views. After all, Commons Josaphat was born as a platform, or *collectif a géométrie variable*. Inherently porous, hence resilient.

2. An urban block as a commons

“Josaphat en Commun” has been the result of a long process, made public from the beginning with the call for ideas and subsequently through a number of public debates and assemblies. The principles of the cahier were articulated on the basis of theoretical references and existing practices and models. Such a text, while allowing CJ to position and to make a clear statement about its purposes and guiding principles, on the other hand, remained abstract and incapable to show how to concretely realise a piece of the city in the name of the commons. For that purpose, a pilot project was conceived, *un ilot modèle*, for a total of 12.000 square meters and 150-200 inhabitants.

The exercise involved pre-existing actors and civic initiatives, at that time concretely looking for a piece of land where to realise their projects. The project Cogeneris and Pass-ages addressed intergenerational forms of cohabitation and included a centre for death and birth. Comensia and Samenhuizen -interested in the project, but not fully engaged in the design process- would have realised, respectively, social housing units and a cohabitation project. The Community Land Trust of Brussels (CLTB) also decided to take part in the experiment. The association L'Îlot was involved to deal with homelessness. And finally, Sacopar, a no-profit organisation, was interested in promoting a holistic concept of health and wellbeing where the living environment would play a fundamental role.

A conversation from the design process of the *ilot modèle*

The exercise of designing an *ilot modèle* -so that realising a piece of city as a commons could be proved as feasible- was developed by the *Groupe de travail modélisation*. The group met several times with every single involved actor so that their specific needs could be understood and translated in a spatial configuration, while respecting the spatial limitations defined by the

The site of Josaphat



Masterplan. Square meters, activities, forms of governance and, last but not least, a hypothetical financial arrangement had to combine in a coherent, concrete project. Interestingly, space was actually defining the ground of negotiations. Its limitations, in terms of available squares meters, or in terms of morphological choices, such as the height of the buildings or their articulation around a common courtyard, obliged to align and redefine the needs and the uses of the involved actors. So that the project could be not only realised but also maintained in the long run. Spatial choices have a crucial role in making possible a coherent the articulation of the different mentioned aspects –from governance to the rentability of every single building. Without losing sight of the fundamental values at the core of the *commun*.

As soon as a first spatial proposal was ready to be discussed, prepared by the architects in the group, on a Saturday morning we met at the Maison Biloba, a project of social housing for elderly people in Schaerbeek. The project was praised for its innovative approach concerning the relationship established with the neighbourhood. A matter of converging spatial choices and the system of governance. The project was conceived by and realised under the guidance of Martine, one of the most enthusiast and active members of Commons Josaphat, and involved in the *ilot modèle* as a spokesperson for the project Cogeneris. Her experience allowed in fact having a more precise and concrete understanding of the needs and the challenges of a housing project dedicated to elderly people. However, the conditions at Josaphat would have been quite different from those in Schaerbeek. She welcomed us in the common spaces of the building, with freshly made coffee and croissants. That morning nobody was around, so the place was all for us. We sat around a rectangular table so that everybody could see the images projected on the wall. Isabelle M. and me, however, being involved in this exercise as architects, we also brought some printed copies of the plans and an axonometric view of the urban block we worked on, to have a better understanding of the space. The sheets were big enough so that we could sit all around and sketch any possible suggestion and alternative. Geert, of the CLTB and Isabelle V. were also present.

Purpose of the meeting, in particular, was to discuss the plans and the spatial choices of the *ilot modèle*. In particular, those concerning the common spaces. Not only because those were the spaces where different were uses supposed to intersect, eventually conflicting. But also because their morphology would have affected the capacity of maintenance and the governance of the whole project. As a decision of the whole group, we referred to the volumes as suggested in the masterplan elaborated by MSA, proposing just some small variations in order to improve the accessibility.

« Et alors ici c'est l'espace pour le restaurant. » I said while showing it on the drawing.

« Ça c'est la coopérative qui pourrait le gérer » specified Martine

« Oui. En fait ça serait intéressant si le restaurant faisait partie de la Maison des Communs, comme si c'était une parmi leurs activités. Et la coopérative, qui serait le propriétaire, pourrait le louer. Je me demandais, est-ce que ça pourrait être un restaurant social ? » I asked.

« Oui absolument. Par contre la salle polyvalente, serait de propriété de Cogeneris. En fait ça serait la salle du centre de Jour ».

« Qu'est-ce que tu entends avec centre de jour ? » asked Geert.

« Ça serait un centre pour personnes âgées, pour activités de genre différent, comme salle yoga ou activités culturelles... n'importe quoi. Et ça serait ouvert au quartier bien évidemment. Mais ça serait important de pouvoir clôturer les espaces » explained Martine.

« Qu'est-ce que tu veux dire ? Pour des questions de sécurité ? pour contrôler l'accessibilité ? » I was not sure about the meaning of the word "cloture", so I had to ask.

« Je veux dire qu'il faudrait un espace modulable. Qui puisse être transformé selon les besoins et les activités qu'on y fera. Donc avec des parois mobiles par exemple. Ou des éléments de ce genre-là.. » explained Martine, having in mind the concrete needs usually related to the use of that kind of spaces.

« Ah, oui, ok, pas de problèmes. On trouvera la façon de le faire ». I continued with the explanation of the drawing. "Après il y a l'espace de silence et l'espace artistique, ils pourraient être accessibles de l'intérieur des bâtiments, mais aussi dès l'extérieur. Selon les besoins. Mais c'est à décider ».

« Juste pour bien comprendre, l'espace silence c'est un espace où..." asked Isabelle M. who joined the group modélisation later and probably missed a few encounters with Cogeneris.

« ...où les gens vont trouver leur tranquillité, où ils vont retrouver soi-même. Ce n'est pas un espace religieux, mais ça peut être un espace de prière. Ce n'est pas ni chrétien ni de n'importe quelle religion. » explained Martine.

« Une sorte d'espace de méditation. » I added

« Oui voilà. Alors, en fait l'espace silence serait seulement pour les habitants de Cogeneris. Ainsi que l'espace artistique, ça serait de propriété de Cogeneris, mais ça ne sera pas nous qui va le gérer. En fait une coopérative pourrait s'occuper de la gestion de cet espace aussi » clarified Martine

« Mais j'ai l'impression que l'espace silence sera surtout utilisé par les habitants de Cogeneris et Passages.. » said Geert.

« Mais... il faudra en parler... car justement construire ces espaces et les maintenir ça va coûter, alors les habitants pourraient ne pas être d'accord de les ouvrir à tout le monde. » replied Martine. « En tous cas on peut commencer avec Passages et voir comment ça évolue, si c'est utilisé par d'autres aussi. »

« Oui oui...mais c'est pour vous aussi, est-ce que vous en faites quelque chose qui est facilement accessible à tous ou pas ? » asked Geert, looking at Isabelle M. and me.

« Il faudrait quand même le dessiner comme accessibles et on verra bien comment on va l'utiliser.. » Suggested Martine

« S'il reste dans ce coin ici – i answered while showing the concerned spot on the drawing- il va être partie de ces espaces un peu plus publiques de l'ilot. Et donc ça resterait bien accessible ».

« Ok. Et l'atelier maintenant! comment vous avez fait pour l'atelier ? » continued Geert.

« L'atelier artistique il est au nord il est accessible, pour le moment, à l'îlot. Mais pas à l'extérieur, car il n'y aura pas assez de... il y a beaucoup de gens dans l'îlot eh... » answered Martine.

« Il peut être à côté de la salle polyvalente yoga ? Il est comme une pièce qui pourrait être ouverte à la salle polyvalente ? est-ce que ça pourrait être possible, juste adossée à la salle polyvalente ? asked Isabelle V.

« Mais si on le mettait au côté du fab-lab, peut-être pour partager les outils... » I added.

« Oui! ça serait sympa...mais attention à l'orientation, à la lumière. » said Martine.

« Ah oui! C'est vrai...et alors ça pourrait être une petite Asbl à gérer tout ça. » continues Isabelle V.

« Mais... tout dépend de comment vous l'avez imaginé. Moi, j'avais compris que c'était quelque chose pour l'habitat groupé. » added Geert.

« Non. Pas nécessairement, ça peut être pour tout le monde...avec des différentes séances pendant la semaine. » explained Martine.

« Mais alors il faut quelqu'un qui gère » said Geert.

« Oui...enfin, on peut faire le deux, on peut soit y accéder comme on veut, soit avoir quelqu'un qui fait de l'animation » answered Martine

« De toute façon n'oublions pas qu'il faut communautariser au moins une partie des espaces. » Geert reminded in fact an important principle at the core of our understanding of a block as a commons. At least one part of the spaces should be not only made accessible, but also concretely managed by the local communities.

« Mais le centre de jour est déjà ouvert au quartier... seulement, il est géré, ce n'est pas un endroit où tu entres et tu sors...aussi car il y aura des activités qui se déroulent selon des horaires, il faudra respecter ça. Et c'est nous [Cogeneris] à gérer la location » replied Martine.

« Ce n'est pas géré par les habitants alors » said Geert « Donc seulement le jardin serait géré par les habitants. Mais, je me demande, de quoi est-ce qu'il y aurait besoin pour qu'il y a une vie de quartier un peu intéressante? »

« Mais le restaurant en fait peut jouer un rôle important. Il sera aussi un centre pour des activités culturelles, présentation des livres...» said Martine.

« Donc le restaurant pourrait en fait être géré par l'îlot...peut être que l'îlot le gère et il le loue à l'insertion sociale pour un « x » nombre d'heures par semaines, pour que ça reste propriété de l'îlot. » suggested Isabelle V.

« Et après les espaces seront aussi disponibles pour des réunions de l'îlot, ou pour faire une fête...et pendant le jour ça serait un espace où tu y vas pour un café, pour consommer...mais c'est quand même des endroits que tu loues, ça ne serait pas des endroits ouverts où tu peux y aller quand tu veux... » specified Geert.

« Ou alors on peut avoir des endroits comme ça, mais alors tout le monde doit payer une partie des charges. Car autrement c'est ingérable » Martine talks on the basis of her previous experiences.

How to take care of resources. How to balance the different forms of accessibility. How to distribute responsibilities. These questions do not have a predefined answer. Making the commons is not about a fixed formula. It is rather about finding the *ad hoc*, site-specific set of conditions that will allow establishing a commoning process. Taking into consideration the unique combination of inhabitants and resources, with their characteristics and attitudes. It is a continuous work in progress: the commons are not products or things, they have to be instituted, as Pierre Dardot replied to Amador Fernández-Savater during an interview⁸. “They are not things but rather the living tie between a thing, an object or a place, and the activity of the collective that takes charge of it”. The discussion we were having concerning the *ilot modèle* provided a perfect example of such a concept, of commoning as a necessarily situated practice. A few minutes later, another discussion would have further confirmed how much making the commons was an experimental process, requiring perhaps a certain pragmatism but also a fair share of alertness, not to lose sight of the core principles while attempting of realising a project at (almost) any cost. The topic was this time the possibility to have a few cars to be shared by the inhabitants of the *ilot*. Isabelle V. tried to resume what she believed was the main issue.

« Mais ça c'est la question perpétuelle, c'est la tension entre...je vais essayer d'expliquer clairement. C'est de dire, on a une série des choses qu'on met en commun. Comme des briques, des services...et ça demande de la gestion. Est-ce qu'on va faire cette gestion par l'extérieur? ça va être pratique mais on va devoir payer, par exemple la gestion des locaux. Ou est-ce qu'on la fait en interne, comme dans le modèle des habitats groupés classiques, mais ici le volume est grand. Et on continue, même entre nous, à en discuter et on n'a pas tranché. Et toi Geert, avec le CLT ? Quel est ton modèle? »

« Mais nous on n'a pas encore des modèles » replied Geert « mais moi, je trouve que si on pense en termes de bien commun ça serait plus intéressant de réfléchir à des systèmes où ce soit organisé au niveau de l'ilot. Pas dans l'idée de « on va s'arranger à chaque fois ». Non. Il s'agit de prévoir un système pour le régler. Ça peut être un système d'échange local ou même à l'échelle de l'ilot...par exemple, un système où tu gagnes des points quand tu fais une ou l'autre chose. Car Ici ce n'est pas du logement classique. On fait du commun et le commun c'est partager, aussi pour éviter des charges supplémentaires. »

« Au départ je pense qu'il faut déléguer à quelqu'un car on ne sait pas prendre charge tout. Il ne faut pas rêver, il faut être pragmatiques. Et après, quand on est mieux établis, on peut le faire soi-même. Nous on a fait commença [Martine refers to another projects she helped to realise] et on a pu obtenir de contrats en tant que père de famille, pas comme entreprise, et donc finalement ça nous a coûté pas cher du tout. Car ici on parle aussi d'un public des personnes âgées, ce n'est pas évident de compter sur leur disponibilité. » said Martine.

« Mais en fait on peut l'établir comme condition de départ, celle de pouvoir mettre à disposition

8 The interview is fully reported here https://www.eldiario.es/interferencias/Laval-Dardot-comun_6_405319490.html

un peu de temps, de pouvoir contribuer, car sinon c'est quoi le ben commun ? Si on peut faire faire par des services de l'extérieu, c'est quoi la mise en commun ? Pourquoi faire en commun ? « Mais ce n'est pas faire faire ! C'est de voir comment utiliser ce qui existe et de faire des deals en bien commun...c'est ça la force ! » replied Martine

« C'est un sujet de discussion très très large. Je pense qu'il faut l'ouvrir aux futurs habitants. C'est une tension réelle, surtout quand il y a des personnes âgées impliquées. Mais même s'il n'y en avait pas...comment ça va être durable dans le long terme, au niveau de l'argent, au niveau du temps... et comment en effet utiliser les services existants, de l'extérieur ? On a parlé de la mobilité, des soins, de la restauration. C'est une vraie tension et c'est au cœur des biens communs. C'est de l'idéal, mais c'est aussi de la réalité et de la durée. Il faut faire un atelier, il faut le traiter quelque part, pour comprendre jusqu'où on veut aller.»

Everybody agreed with Isabelle, her words made explicit a question that probably had been implied or had been neglected in many other discussions, and which probably originated very different positions concerning the everyday management of resources. How far to go with compromises? How far to push the hybridisation? Making the commons may mean very different things to the communities of concerned actors and inhabitants. Interpretations are necessarily adjusted in relation to the concrete possibilities and conditions of realisation of a given project or initiative. From the spatial characteristics to the actual capacities of the inhabitants to engage. "Il faut être pragmatiques", said Martine, also in consideration of her previous experiences. Pragmatism as the attitude supporting an incremental approach, taking advantage of every little opportunity to do a step further, while forcing the existing resources and services in the direction of the commons. After all, reaching a compromise is a transformative process for all the involved parts, including those whose *modus operandi* is not yet about a commons oriented use of resources.

Appendix B. Glossary

Space
 Governance
 Commoning
 Welfare in Belgium
 Generativity
 Housing Question in Belgium

(in order of relevance)

This short glossary has the purpose to clarify some terms and concepts that appear in or that are deemed relevant for the dissertation, but that it could be distracting to define in the main text or in the footnotes.

Space

Because addressing the topic the property under the point of view of the (urban and architectural) project and its capacity to realise the conditions for an emancipatory form of property, the notion of space I refer to in this dissertation is the one most contemporary architects and urban designers refer to. According to them, space is in the first place a dimension that can be shaped, carved, secluded, opened, or simply contained. It can be fragmented or rhythmized, made usable, accessible or fluid. Among others. Because space is, in fact, a three-dimensional continuum, any transformation, more precisely, will concern the morphological qualities of space. Hence space can be shaped by using architectural elements: surfaces and volumes, stairs and columns, walls and windows, floors and doors, as illustrated by the 2014 Venice Biennale, *Fundamentals*, curated by Rem Koolhaas. But also by exploiting the qualities of materials, such as transparency, the capacity to reflect or opacity, the roughness or smoothness of surfaces -among others- because having an impact on the capacity of perception and of use of space.

Space is the physical dimension where bodily experiences happen and movement is performed. Which means that morphological qualities of a given space will have an impact on bodily performances and interactions, on the emotions and the behaviour, on the capacity of doing things and on the becoming of humans and non-humans. The reverse is also true. The morphological qualities of space could be reshaped by the uses and gestures of those who inhabit it, as well as by the passing of time and by the physical disintegration of matter.

The work of Gordon Matta-Clark expresses such an anti-functional tension. It is about the overwriting of architecture and the reclamation of the continuity of space. It is well known in fact as Anarchitecture.

Governance

The act of governing, not necessarily performed by government. As an Italian, I would use the word “governo” as the equivalent, while the word “governance”, used as an English word in Italian, has a rather different meaning. Rosenau and Czempiel provide a very clear definition in the direction of a neutral use of the term: “Governance is not synonymous with government. Both refer to purposive behaviour, to goal oriented activities, to systems of rule; but government suggests activities that are backed by formal authority, by police powers to insure the implementation of duly constituted policies, whereas governance refers to activities backed by shared goals that may or may not derive from legal and formally prescribed responsibilities and that do not necessarily rely on police powers to overcome defiance and attain compliance. Governance, in other words, is a more encompassing phenomenon than government. It embraces governmental institutions, but it also subsumes informal, non-governmental mechanisms whereby those persons and organisations within its purview move ahead, satisfy their needs and fulfil their wants. “ (Rosenau and Czempiel, 1992)

Commoning

Commoning is the process of making the commons. I report here the definition of Massimo De Angelis.

“Commoning is the life activity through which common wealth is reproduced, extended and comes to serve as the basis for a new cycle of commons (re)production and through which social relations among commoners-including the rules of a governance system- are constituted and reproduced. [...] Commoning brings to life the essential social elements of the commons. The life sequence of commoning, its rhythms, pause, cycles draw on and craft anew networks of relationships turned into a community by repetition of iterations, building expectations of reciprocal obligation of care and aid –munus (Esposito 2006) – and shared understanding that there are things that belong to all of us. [...] To be resilient, commoning must depend on an open attitude that embraces traditions and protection into the future, history and contemporaneity, memory and immanence. We are not just discovering the commons, -we are (re)inventing them as well. (De Angelis, 2017)

Welfare in Belgium

In Belgium the establishment of la propriété sociale or the welfare, was organised through in

the form of a pillarised society. “[...]un pilier est un ensemble d’organisations qui partagent une même tendance idéologique : de manière plus ou moins complète selon les cas, un pilier peut se composer d’un syndicat, d’une ou de plusieurs mutualités, d’organisations professionnelles de classes moyennes ou d’agriculteurs, de mouvements de jeunesse et d’éducation permanente, d’écoles privées ou publiques, d’associations culturelles, sociales, etc. Par leur action et par leurs revendications, ces organisations s’efforcent de jouer un rôle dans le fonctionnement de la société civile, dans les procédures de consultation et de concertation, dans l’élaboration des lois et dans la lutte pour le pouvoir politique.[...] Au sein de chaque pilier, il peut exister un parti politique, mais ce dernier n’est qu’une composante parmi d’autres du pilier : ce sont les forces à l’œuvre dans la société qui sont à l’origine des piliers et non les partis.[...] Les organisations qui composent un pilier entretiennent traditionnellement des relations entre elles, et ont tendance à considérer les autres piliers comme des adversaires potentiels, ce qui a conduit ces différents « mondes » à un certain cloisonnement. [...]La multiplication, depuis les années 1970, d’organisations pluralistes, rassemblant des membres sans rapport avec un pilier ou appartenant à des piliers différents, a contribué à la perte d’influence des piliers : ils ne constituent plus un mode de structuration de la société aussi déterminant que par le passé” (CRISP, Vocabulaire Politique, 2016)

The development of pillarization relied on the principle of *liberté subsidiée*, a concept emerged at the end of the Napoleonic regime to promote the official acknowledgement of the existing welfare associations. According to this principle, associations providing financial support to the workers, in case of retirement or sickness, could be financed by the State. Because of it, associations d’entraide mutuelle multiplied in the 1850s and 1960s addressing the conditions of multiple categories of workers and differentiated according to the different ideological paths: catholic, liberal and socialist (Pasture, 2014).

Catholic government, which ruled Belgium from 1884 to 1916, succeeded in establishing a welfare state – *état providence*, according to Pasture – because of the principle of *liberté subsidiée*. “Des 1898, les mutuelles couvrant la maladie, l’invalidité, la maternité, la retraite et la mort, officiellement reconnues, peuvent recevoir des subsides des autorités nationales et locales ». Initially reluctant, liberal and socialist finally aligned to this model, in this way increasing the pillarization of Belgian society (Pasture, 2014). If the competition among pillars brought to the multiplication of services offered in order to attract new members; on the other side it also brought to the politicisation of administration and an increasing, ambiguous interweaving of the general interest the State and the objectives of the different specific pillars.

Generativity

Generativity, using the word as meant by Husserl – *generativität* - is about life, about becoming and the generation of possibilities, their emergence across generations. Applied to the commons the concept is meant to point out that the commons are about the possibility of a continu-

ous invention, about the (right to) continuous (re)creation of resources. The concept came back to the attention of academia in 1995, with the book of Steinbock *Home and Beyond: Generative Phenomenology after Husserl* (Steinbock, 1995). In the book *Owning our future*, Marjorie Kelly, explores the generative forms of ownership, in other words, those forms of property creating the conditions favourable for the life of many generations to come (Kelly, 2012). Ugo Mattei referred to this concept to describe the commons the first time in 2013 (Mattei, 2013), and later in 2015 in his work with Fritjof Capra, *The Ecology of Law. Toward a Legal System in Tune with Nature and Community* (Mattei and Capra, 2015). More recently, Serge Gutwirth and Isabelle Stengers have dealt with the concept of *générativité* in *Le droit à l'épreuve de la résurgence des commons* (Gutwirth and Stengers, 2016)

Housing Question in Belgium

The first *Enquête sur la condition de la classe ouvrière et le travail des enfants* is published in 1846, following the royal ordonnance of 1843. Ducpétiaux, among the authors and having shown the impact of workers living conditions on mortality, was one of the first to claim that the State should have played a greater role in supporting the workers' rights, thus not leaving the responsibility in the hands of their patrons. Notoriously, the conditions described were dramatic. It will be on the base of that *Enquête* that new regulations and devices will be installed, such as the *Conseil Supérieur d'Hygiène* (1849) and the *Loi sur expropriation pour cause d'utilité publique* (1858, later extended in 1867). The law however will provide the pretext for a high number of destructions, hundreds of workers housing units, and for their replacement with "beaux magasins, des cafés, des restaurants, voire même par ces établissements peu hygiéniques pourtant qu'on appelle des cirques et des théâtres". As a consequence, workers had to migrate and look for a new shelter, often in worst conditions than the one they were obliged to leave, as reported in the *Commission provinciale d'études des comités de patronage du Hainaut Compte rendu* (1892-1893). It will be in relation to the bloody events of 1886 that a stronger form of intervention of the State will finally appear as urgent and necessary, the concern being more to maintain the social order than actually improving the workers living conditions (Smets 1977). The role of the State was however kept as marginal as possible, suggesting that most of the initiative had to be assigned to privates and associations. According to Louis Bertrand, founder of the *Parti Ouvrier Belge* (1885) and convinced that the municipalities had to play a greater role in order to effectively address the housing question "partout et toujours la principale préoccupation de ces hommes [the members of the *Commission de Travail*, established in 1886 with the purpose of monitoring and improving the workers conditions in Belgium] a été de ne pas déplaire aux industriels et aux propriétaires" (Bertrand, 1888). With the law of 1889, the *Comités de Patronage* were also established, having the role to monitor the housing conditions and to report to State, provinces and municipalities the required forms of interventions. But also a moralising role, encouraging workers to private property and to a measured lifestyle.

A step towards a more relevant presence of the State, but still operating in the decentralised and paternalistic terms characterising the welfare of that epoch. It will be only with the law of 1919 and the creation of the Société Nationale de l'Habitation et Logement à Bon Marché (SNHLBM) that the State will start to play a greater role, absorbing the responsibilities of patrons and complementing the effort of charities. Till that moment, the housing needs of the working class had been in the hands of privates, with the contribution of Sociétés Anonymes and bureaux de bienfaisance (Smets, 1977).

Appendix C. Index of ethnographic materials and themes.

Voices

[v 01] Marie

Emancipation, precarity, collective empowerment, housing typologies, stewardship.

[v 02] Aurelia van Gucht

Capacity building, indignation, powerlessness, voicing, empowerment.

[v 03] Thomas Dawance

Housing question in Brussels, empowerment vs assistentialism, responsabilisation, occupations, political support.

[v 04] Lorella Paziienza

Empowerment, inhabitants' capacities and responsabilisation, CLTB expansivity, participatory approach, maintenance, role of architects, voicing.

[v 05] Geert De Pauw

Housing policies, maintenance, support of the Region, innovation, holistic approach, participation as emancipation, (legal) recognition, institutionalisation.

[v 06] Samir

Participation as a challenge, stability vs precarity of living conditions, inheritance, personal engagement, stewardship and decisional power, resisting speculation, responsibility and care for the living environment.

[v 07] Bart

Exclusion, cohabitation and bundle of uses, responsibility, decisional power, accessibility, stewardship, capacity of impact, inhabitants' capacities, recognition, emancipation.

Agency

[a 01] La Cellule du Logement

Marchants du sommeil, unhealthy living conditions, informal economies, maintenance, renovation, appropriations, stratégies de vie, culture and inhabiting practices, Contrats de Quartier, housing typologies, speculation.

[a 02] ALARM : Le temonyage collectif

Empowerment, voicing as a political gesture, community and individual emancipation.

[a 03] Les GECS du CIRE

Responsibilisation, collective and individual emancipation.

Walks

[w 01] Walking across a polarised city

Wealth polarisation and spatial contrasts, gentrification, inclusivity and exclusivity.

[w 02] A continuous ecology

Gentrification, post-industrial ecology, urbanity, spatial porosity.

Interactions

[Int 01] A design session in Rue Verheyden

Accessibility, security, responsibility, governance of the building, negotiating different needs, semi-public/semi-private spaces, shared spaces, bundles of uses, compatibilities and incompatibilities.

[Int 02] Scenarios for the salle pétanque

Relationship inhabitants/CLTB, decisional power of the inhabitants, profit making activities for the CLTB, bundles of uses and property limitations, the role of the architect/designer, scenarios as visions and scenarios as processes, reflexivity of the designer, reflexivity of the team.

List of interviews

Bart - September 2017
Bernard, Nicolas - March 2017, July 2017, July 2019
Bouffioux, Paula - January 2017
Dawance, Thomas - December 2017
De Gerlache, Martine - February 2017
De Pauw, Geert - June 2014, January 2018.
Lapis, Teresa - January 2016, June 2017
Marchi, Loredana - January 2018
Marie -December 2017
Morel, Jacques - December 2017
Nalpas, Dominique - October 2016
Pazienza, Lorella, June 2014 - November 2017
Renard, Michel - March 2017
Samir - November 2017
Schoonbrodt, René - March 2016
Stoffen, Myriam - August 2018
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